

Office of Administrative Hearings for Baltimore County
105 West Chesapeake Avenue Suite 103
Towson, Maryland 21204

In the Matter of

Civil Citation No. 104179

Desrol Shawn Thomas
Carol Alicia Thomas

1328 Dalton Drive

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on December 14, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (d); 13-7-310, 312, failure to store trash in cans with tight fitting lids, failure to remove all junk, trash and debris on residential property.

On December 5, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Jeffrey Rdacliffe issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$500.00 (five hundred dollars).

The following persons appeared for the Hearing and testified: Desrol and Carol Thomas, Respondent and, Jeffrey Radcliffe, Baltimore County Code Enforcement Officer.

Testimony revealed that the Respondent was guilty of storing junk and debris about his property and for storing trash in cans without tight fitting lids. Mr. Thomas testified that he recently lost his job and had to bring his mechanic's tools home. He was no longer permitted to keep them at his former place of employment. He had to clean out his storage shed in his yard to make room for his mechanic's equipment to be stored within the shed. For a temporary period of time, some junk and debris was removed from the shed and placed out on his property and in the back of his pick up truck, until said material was taken to the dump. The property is now in compliance.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the \$500.00 civil penalty be suspended in full on condition that the property remain free and clear of all trash, junk and debris.

IT IS FURTHER ORDERED that the \$500.00 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 16th day of December 2011

Signed: ORIGINAL SIGNED
Timothy M. Kotroco
Administrative Law Judge

NOTICE: Pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent or Baltimore County may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$225.00 and the posting of security in the amount of the penalty assessed.