

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

In the Matter of

Civil Citation No. 107706

Elvis Patrick

1362 Deanwood Road

Respondent

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

This matter came before the Administrative Law Judge on June 26, 2012, for a Hearing on a citation for violations of the Baltimore County Code (BCC) sections 35-6-105 Article 35, Title 6, 2003: failure to obtain a rental housing license for the property located at 1362 Deanwood Road.

On May 29, 2012, pursuant to § 3-6-205, Baltimore County Code Inspector Kathleen O'Donnell issued a Code Enforcement 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 \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Thomas Coard, Respondent and local agent and Kathleen O'Donnell, Baltimore County Code Enforcement Officer.

Testimony and evidence was presented that, upon a citizen complaint, an investigation was carried out by the Code Officer, who determined that the subject property was being rented but was not registered with Baltimore County for that purpose. On 3/15/12 a Correction Notice was issued. On 5/29/12, the Officer noted that no registration had yet taken place and a Citation was issued, mailed and posted. The Respondent testified that he had been unaware of the registration law and had started the process of registration. He is now awaiting final inspection and all necessary detectors had been installed.

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 \$250.00 (two hundred fifty dollars).

IT IS FURTHER ORDERED that the \$250.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the remaining \$250.00 civil penalty will be imposed if the property is not brought into compliance by completing registration as a rental property by July 26, 2012.

IT IS FURTHER ORDERED that the remaining \$250.00 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 3 day of July 2012

Signed: _____
Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: 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.