

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

August 15, 2012

Hawthorne, Inc
PO Box 6790
Towson, MD 21285

Re: Code Enforcement Case No. 2105 Eastern Blvd, 114025

Dear Sir/Madam:

Enclosed here within please find a Citation which has become a Final Order entered by Administrative Law Judge in the above captioned matter. Please note that under the Baltimore County Code (B.C.C.) §3-6-205(d), this is a non-appealable Final Order, given that you failed to appear at the **August 1, 2012** Hearing scheduled for the captioned violation case.

The Judge imposed a civil penalty in the amount of **\$500**. You are required to make payment by cash, check or money order within 30 days of the date of this letter to:

**Baltimore County Office of Budget and Finance
400 Washington Avenue, Room 150
Towson, MD 21204**

Failure to make the payment as required by the enclosed Order will result in the imposition of a statutory lien against your property and/or the initiation of other collection efforts by Baltimore County. Please note that you have a continuing obligation to maintain your property in compliance with all laws. If you have any questions about this matter please contact your inspector at 410-887-3351.

Please also note that the Administrative Law Judge's Final Order requires you to correct within 7 days the violation detailed in the citation. Should you fail to comply with the Order within that time frame, be advised that Baltimore County may, with County employees or through a private contractor, enter upon your property to correct the violation. The costs and expenses of the property clean up are the responsibility of the owner, and if not paid may become a tax lien on your property.

Sincerely,

ARNOLD JABLON,
Deputy Administrative Officer and Director
Permits, Approvals and Inspections

AJ/sma
Enclosure

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 114025

Hawthorne, Inc.
PO Box 6790
Towson, MD 21285

2105 Eastern Blvd

Respondent

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

This matter came before the Administrative Law Judge on August 1, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310, 312; 35-2-404, Baltimore County Zoning Regulations (BCZR) section 101; 102.1: Failure to cease open dump conditions on residential property.

On July 11, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Christina Frink 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 \$4,400.00 (four thousand four hundred dollars).

The following persons appeared for the Hearing and testified: Christina Frink, Baltimore County Code Enforcement Officer.

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear at the scheduled hearing. Under Baltimore County Code, § 3-6-205 (d) failure to appear at the scheduled hearing renders the Citation and any civil fine or other relief thereupon, a final non-appealable order.

Therefore:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$4,400.00 (four thousand four hundred dollars).

IT IS FURTHER ORDERED that \$3,900.00 of the \$4,400.00 civil penalty be suspended, with an immediate \$500.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$3,900.00 civil penalty will be imposed if the subject property is not brought into compliance by August 31, 2012.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$3,900.00 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED THAT Baltimore County shall be authorized to send a contractor to enter upon the subject property and correct the violation herein, by removing the open dump conditions thereupon, the costs and expenses arising therefrom to be the responsibility of and be assessed against the Respondent.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty lien 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 violation has been corrected.

ORDERED this ____ day of August 2012

Signed: _____
Lawrence M. Stahl,
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent 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 and the posting of security in the amount of the penalty assessed.