

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

In the Matter of

Civil Citation No. 120901

Joseph Jagodzinsky

2408 Ellis Road

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 19, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 35-5-302; 13-7-310, 312: Failure to cover all exposed wood and make weather tight; Failure to remove junk, trash and debris on residential property.

On December 10, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Jeff Radcliffe issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (Two thousand dollars).

The following persons appeared for the Hearing and testified: Joseph Jagodzinsky, Respondent and, Jeff Radcliffe, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection of the subject property was carried out on 11/21/12, revealing the presence and use of garbage cans without tight fitting lids, exposed wooden roof eaves and soffits, and various miscellaneous items of junk, trash and debris. A Correction Notice was issued. A re-inspection on 12/10/12 noted that all issues had been resolved except that the exposed wood remained. A Citation was issued, mailed and posted. A pre-hearing inspection on 12/17/12 revealed that the exposed wood had been painted. The Respondent testified that he had run out of paint temporarily.

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 \$1,000.00 (One thousand dollars).

IT IS FURTHER ORDERED that \$900.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$100.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$900.00 civil penalty will be imposed if the subject property is not brought into compliance by December 26, 2012

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$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 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 \_\_\_2\_\_\_ day of January 2013

Signed: \_\_\_\_\_  
Lawrence M. Stahl  
Managing 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.