

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

In the Matter of

Civil Citation No. 111638

Karen Taylor
4012 North Rogers Ave
Baltimore, MD 21207

3900 Essex 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 June 27, 2012 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 101; 102.1; 1B01.1, Baltimore County Code (BCC) section 35-2-404: failure to repair or remove deck, failure to secure deck in a safe manner on residential property.

On June 14, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector David Janiszewski 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 \$600.00 (six hundred dollars).

The following persons appeared for the Hearing and testified: Karen Taylor, Respondent and, David Janiszewski, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection of the subject property was carried out on 5/14/12, revealing a deteriorating back porch in a dangerous condition, weeds and heavy grass, and trash scattered on the property. Photos of the violations were submitted. A Correction Notice was issued. A further inspection was undertaken on 5/29/12, noting that the property had been cleaned up but that the porch was unchanged. A Citation was issued, mailed and posted. A pre-hearing inspection on 6/25/12 noted no change. However, at that time the Respondent notified the Inspector that the property had been foreclosed upon. The Respondent testified that the bank had taken possession of the property on 4/20/12, and that she no longer lived there. The Inspector will notify the bank of this decision.

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 \$600.00 (six hundred dollars).

IT IS FURTHER ORDERED that the \$600.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the remaining \$600.00 civil penalty will be imposed if the subject property is not brought into compliance by September 27, 2012.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$600.00 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 5 day of July 2012

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.