

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

In the Matter of

Civil Citation No. 104573

Sandra Lemon
Levander Lemon
Ruffie Mae Lemon

1704 Fairbrook Court

Respondents

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

This matter came before the Administrative Law Judge on January 11, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201; 13-7-312; International Building Code (IBC) section 115; Baltimore County Building Code (BCBC) section 121, failure to keep property free of unregistered vehicles, failure to cease open dump conditions and for the accumulation of trash and debris, failure to store trash in cans with tight fitting lids, failure to maintain shed in safe and secure condition on residential property.

On December 14, 2011, 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 \$1,000.00 (one thousand dollars).

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

Testimony was presented that the subject property was inspected on 12/14/11, revealing multiple untagged vehicles, accumulated trash and debris, as well as a shed in disrepair. A Citation was immediately issued, mailed and posted due to a previous history of violations at the site. A pre-hearing inspection carried out on 1/10/12 revealed the vehicles removed and some improvement of conditions on the property. The Respondent testified that the vehicles belonged to her son, and working three jobs, she depended on family to help with responsibilities on the property.

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 \$700.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$300.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$700.00 civil penalty will be imposed if the property is not brought into compliance by February 11, 2012.

IT IS FURTHER ORDERED that if the subject property is brought into compliance per this Order, the remaining \$700.00 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 17th day of January 2012

Signed: ORIGINAL 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.