

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

In the Matter of

Civil Citation No. 116711

Dmitriy Besser  
Tatyana Besser

2403 Forest Green 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 18, 2012 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1A, 428: Failure to cease outside storage of unlicensed vehicle on residential property.

On November 27, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Keith Parker 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 \$1,000.00 (One thousand dollars).

The following persons appeared for the Hearing and testified: Dmitriy Besser and Susanna Besser, Respondents and, Keith Parker, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection of the subject property was carried out on 9/4/12, revealing the presence of unlicensed vehicles on the site. A Correction Notice was issued. A re-inspection on 10/11/12 noted that the vehicle was still there. The Inspector granted a request for an extension of time by the Respondent and returned for a re-inspection on 11/27/12. He noted that two unlicensed vehicles were still there. A Citation was issued, mailed and posted. The Respondent requested additional time due to family related difficulties to remove the vehicles or have them properly licensed. Photographs taken by the Inspector were entered into evidence.

Having heard the testimony and evidence presented at the Hearing:

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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 \$950.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$50.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$950.00 civil penalty will be imposed if the subject property is not brought into compliance by February 1, 2013.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$950.00 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.

LMS/sma