

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

In the Matter of
Seon Hui Kim
Respondents

Civil Citation No. 119366
8421 Greenway Road

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

This matter came before the Administrative Law Judge on November 28, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-305: Failure to remove rat infestation on residential property.

On November 7, 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 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$500.00 (Five hundred dollars).

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

Testimony was presented that upon a citizen complaint, an inspection of the abovenoted property was carried out on 10/11/12, revealing tall grass and weeds in excess of that permitted by Code, garbage cans being used without proper lids, miscellaneous debris and evidence of rat burrows. A Correction Notice was issued. A re-inspection on 10/29/12 noted that all violations had been resolved, except that there was no evidence of any steps having been taken as to the rat burrows. Consequently, a Citation was issued, mailed and posted. A final inspection on 11/7/12, noted no change. The Respondent, who has some language issues, presented a written statement that was read into the record, apologizing for the violations and stating that poison was being utilized as to the rat holes. She was advised that further steps, including concrete being poured into the rat burrows would likely be appropriate. She will have her son speak with the Inspector as to steps which can be taken to resolve the situation.

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 \$500.00 (Five hundred dollars).

IT IS FURTHER ORDERED that \$425.00 of the \$500.00 civil penalty be suspended, with an immediate \$75.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$425.00 civil penalty will be imposed if the subject property is not brought into compliance pursuant to this Order.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$425.00 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 __3__ day of December 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.