

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

In the Matter of

Civil Citation No. 104080

Charles A. Serio

2234 Hamiltowne Circle

Respondent

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

This matter came before the Administrative Law Judge on January 17, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (d), failure to keep the person's premises free from accumulations of improperly stored solid waste on residential property.

On December 19, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector George Tsigounis 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: Charles Serio, son of the deceased Respondent and, Patrick Williams, Baltimore County Code Enforcement Officer.

Testimony was presented that in the course of a neighborhood sweep an inspection of the subject property revealed garbage cans being used without proper lids. A Correction Notice was issued on 11/28/11. As a result of a re-inspection on 12/19/11 showing no change in compliance, a Citation was issued mailed and posted. The Respondent testified that he takes care of the house, which came to him from his late parents. He stated that he was out of town as a result of a medical situation regarding his girlfriend from November 25th through December 20th of 2011.

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 \$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 property is not brought into immediate compliance.

IT IS FURTHER ORDERED that if the 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 23rd 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.