

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

In the Matter of

Civil Citation No. 105024

William George Sullivan, Jr.  
203 Helena Road  
Baltimore, MD 21221

5420 Hamilton Avenue

Respondents

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

This matter came before the Administrative Law Judge on April 25, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 35-2-404(a)(1), 35-2-404(a)(4)(i)(ii), 13-7-310(a), failure to make exterior repairs, failure to board up all unsecured openings, failure to remove all junk and debris on residential property.

On April 2, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Ryan Fisher 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 \$3,000.00 (three thousand dollars).

The following persons appeared for the Hearing and testified: William G. Sullivan, Respondent and, Ryan Fisher, Baltimore County Code Enforcement Officer.

Testimony was presented that as a result of a citizen complaint, an inspection of the subject property was carried out on 1/4/12 revealing a structure in need of significant repair, including exterior walls, the roof, soffits, gutters, and broken windows. There was also considerable debris on the grounds. A Correction Notice was issued. The Inspector was contacted on 1/24/12 by the Respondent and informed that he was processing a permit to raze the property completely. He would then clean up any debris remaining. A re-inspection on 2/28/12 noted that some debris had been removed but that the structure remained unchanged. Another inspection on 4/2/12 showing no change resulted in the issuing of a Citation, which was mailed and posted. A pre-hearing inspection on 4/23/12 showed no change. The Respondent testified that he has requested the razing permit but that it has been held up due to a question of whether or not there are active gas lines on the property. BG &E and "Miss Utility"

are now hoping to clear up any issues and allow for the razing of the structure. In the meantime, the Respondent has boarded up the windows, has engaged a contractor to remove the building, and has committed to the cleaning up of the miscellaneous items still 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 \$3,000.00 (three thousand dollars).

IT IS FURTHER ORDERED that \$2,750.00 of the \$3,000.00 civil penalty be suspended, with an immediate \$250.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$2,750.00 civil penalty will be imposed if the subject property is not brought into compliance by June 15, 2012.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$2,750.00 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   1   day of May 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.