

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

In the Matter of

Civil Citation No. 117419

Louis Hubberman  
Kathleen Hubberman

7604 Harford 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 October 3, 2012 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 1B01.1D: Failure to cease open dump and junk yard on residential property.

On September 18, 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 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 \$4,600.00 (Four thousand six hundred dollars).

The following persons appeared for the Hearing and testified: Mike Myers, Esquire representing the tenant, Meineke of Essex, LLC, and Helen Malinzewski, Respondent and tenants' sister and, Jeff Radcliffe, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection of the subject property was carried out on 9/10/12, revealing tall grass, open dump conditions, and at least four unregistered motor vehicles. A Correction Notice was issued. On 9/18/12, although the other issues were being dealt with, the four unregistered vehicles were still on the property. A Citation was issued, mailed and posted. On 10/1/12 there were five unregistered vehicles on the site. Photographs taken by the Inspector were admitted into evidence.

Counsel for the Respondent proffered on behalf of his client that all of the vehicles had been removed, and that steps had been taken to insure that there would be no further such vehicles on the subject 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 \$4,600.00 (Four thousand six hundred dollars).

IT IS FURTHER ORDERED that \$4,400.00 of the \$4,600.00 civil penalty be suspended, with an immediate \$200.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$4,400.00 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 \$4,400.00 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 \_\_\_12\_\_\_ day of October 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.