

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

In the Matter of

Civil Citation No. 105863

Robert Hoffman
Sherry Hoffman
7512 Belair Road
Baltimore, MD 21236

9001 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 March 20, 2012 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 202: illegal brothel/prostitution house in an RO zone, illegal massage establishment in an RO zone, non permitted dual principal uses of an RO dwelling on residential property.

On February 3, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Jerry Chen 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 \$10,800.00 (ten thousand and eight hundred dollars).

The following persons appeared for the Hearing and testified: Robert Hoffman, Respondent and, Jerry Chen, Baltimore County Code Enforcement Officer.

Testimony revealed that the Respondent is guilty of allowing a brothel/prostitution house to operate on property he owns located at 9001 Harford Road. Inspector Chen testified that the Baltimore County Vice Unit conducted an undercover investigation involving this property and discovered that an illegal brothel/prostitution house was operating within. On the night of the undercover bust, Inspector Chen was called to the property as was Mr. Hoffman, the owner of the property. Mr. Hoffman had nothing to do with the operation of this business, except that this illegal activity was occurring within property owned by him. He was unaware of the violation until such time as he was called to the

property by the vice unit. Mr. Hoffman has been very cooperative with Baltimore County and has removed this tenant from his property. He now rents the property to a family, and anticipates no further problems with code enforcement or the vice unit. Inspector Chen recommended reducing the fine to \$500.

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 \$10,800.00 (ten thousand and eight hundred dollars).

IT IS FURTHER ORDERED that \$10,300.00 of the \$10,800.00 civil penalty be suspended, with an immediate \$500.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$10,300.00 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 22 day of March 2012

Signed: _____
Timothy M. Kotroco
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.