

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

In the Matter of

Civil Citation No. 120443

Stefania Malkowski

401 Armstrong Road

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 9, 2013 for a Hearing on a citation for violations under the Baltimore County Code (BCC) sections 13-7-310; 13-7-312: Failure to remove all garbage, rubbish, trash; Failure to remove accumulations of boxes, brush, bricks, containers, barrels, lumber, etc; Failure to remove storage trailer; Failure to remove open dump; Failure to repair or replace deterioration of shed/garage on residential property.

On November 26, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector George Williams 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 \$7,000.00 (Seven thousand dollars).

The following persons appeared for the Hearing and testified: Stefania Malkowski, Respondent, and George Williams, Baltimore County Code Enforcement Officer.

Testimony revealed that this property has been the subject of several previous code enforcement cases, dating back at least three years or more. Mr. Williams testified he inspected the site on several occasions, and photographs were submitted which depicted the violations and revealed the presence of an abundance of junk and debris strewn about the premises. The Respondent testified and indicated that she tries to maintain her property, but that her neighbor in fact deposits trash and debris in her yard, and otherwise harasses her.

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 \$7,000.00 (Seven thousand dollars).

IT IS FURTHER ORDERED that \$6,500.00 of the \$7,000.00 civil penalty be suspended, with an immediate \$500.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$6,500.00 civil penalty will be imposed if the subject property is not brought into compliance by February 25, 2013.

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 ___10___ day of January 2013

Signed: Original Signed
John E. Beverungen
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.