

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

In the Matter of

Civil Citation No. 121222

David Woodward, Sr.
Barbara Woodward

335 High Falcon 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 January 16, 2013, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310(a): failure to remove large piles of trash and debris in rear yard on residential property.

On January 3, 2013, pursuant to BCC § 3-6-205, Inspector David Kirby 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: Neal Woodward, son of the Respondents, and David Kirby, Baltimore County Code Enforcement Officer.

Mr. Kirby testified the property is an eyesore, and he indicated the complaint in this case was lodged by county narcotics detectives, who conducted an investigation at the dwelling concerning alleged drug activity. Mr. Kirby submitted photos which depicted the unsatisfactory and unsightly condition of the property. Mr. Woodward indicated his mother has had a variety of health problems recently, and that his nephews, who reside at the premises, were responsible for the violations.

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 \$500.00 of the \$1,000.00 civil penalty be suspended for 30 days from the date of this Order, with an immediate \$500.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$500.00 civil penalty will be imposed if the subject property is not brought into compliance within 30 days.

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 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.

JEB/sma