

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

In the Matter of

Civil Citation No. 123655

Matthew Streett
6511 Brook Avenue
Baltimore, MD 21206

8527 Kings Ridge 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 February 27, 2013 for a Hearing on a citation for violations under the Baltimore County Code (BCC) sections 13-7-309, 310: Failure to remove feces; Failure to store feces in a can with a tight fitting lid on residential property.

On February 5, 2013, pursuant to BCC § 3-6-205, Inspector Jeffrey Radcliffe 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 \$500.00 (Five hundred dollars).

The following persons appeared for the Hearing and testified: Matthew Streett, Respondent, and Jeffrey Radcliffe, Baltimore County Code Enforcement Officer.

Evidence was presented that upon a complaint an inspection of the subject property was carried out on 1/3/13, revealing numerous piles of feces in the yard as well as bags of trash on the ground. A Correction Notice was issued. After a re-inspection of 1/14/13 noted all violations abated, the case was closed. However, on 2/5/13, in response to another complaint, another inspection revealed at least fifteen piles of feces in the rear yard of the site. A Citation was issued, mailed and posted. A pre-hearing inspection on 2/25/13 noted no change. The Respondent testified that there were new tenants since December of 2012. He was taking steps to deal with the feces and has purchased two new trash cans for use on the property.

Having heard the testimony and evidence presented at the Hearing:

8527 Kings Ridge Road

Page 2

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$500.00 (Five hundred dollars).

IT IS FURTHER ORDERED that \$100.00 of the \$500.00 civil penalty be suspended, with an immediate \$400.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$100.00 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 \$100.00 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.

ORDERED this 4 day of March 2013

Signed: Original 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.

LMS/sma