

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

In the Matter of

Civil Citation No. 122038

Robert Forte  
9925 Whiskey Run  
Laurel, MD 20723

1624 Lyle Court

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 30, 2013 for a Hearing on a citation for violations under the Baltimore County Code (BCC) sections 13-4-201; 13-7-305, 306, 310, and 312: failure to store all trash in cans with lids; failure to remove junk, trash and debris; failure to remove rat harborage on residential property.

On January 14, 2013, pursuant to BCC § 3-6-205, Inspector Jeffrey 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 \$1,500.00 (One thousand five hundred).

The following persons appeared for the Hearing and testified: Lynay Jones (a tenant at the premises) Respondent, and Jeffrey Radcliffe, Baltimore County Code Enforcement Officer.

Mr. Radcliffe testified he received a complaint regarding the property, and visited the site on several occasions. During the inspections, he observed junk and trash in the rear yard, as well as evidence of rat infestation near the shed. Photographs were submitted which substantiated these violations. Ms. Jones indicated she was unaware of the requirements contained in the County regulations, and stated she has recently disposed of the mattress and boxes that were in the yard.

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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 \$1,500.00 (One thousand five hundred).

IT IS FURTHER ORDERED that \$1,450.00 of the \$1,500.00 civil penalty be suspended, with an immediate \$50.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$1,450.00 civil penalty will be imposed automatically if there is a subsequent finding against the Respondent for the same violation within one year of the date of this Order.

IT IS FURTHER ORDERED that Baltimore County is authorized to engage a licensed pest control contractor to treat the rear yard area of the subject property (near the shed) for rat infestation, and the cost of such work shall be assessed to the Respondent.

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 \_\_31\_\_ 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.

