

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

In the Matter of

Civil Citation No. 122907

Wayne Wright  
Dorothy Hensler  
2106 Oakland Road  
Baltimore, MD 21220

850 Middlesex 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 immediately after deposit on residential property.

On February 12, 2013, pursuant to BCC § 3-6-205, Inspector Christina Frink 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 \$600.00 (Six hundred dollars).

The following persons appeared for the Hearing and testified: Wayne Wright, Respondent, and Ryan Fisher, Baltimore County Code Enforcement Officer.

Evidence was presented that upon a complaint an inspection of the subject property was carried out on 1/15/13, revealing the presence and use of garbage cans without tight fitting lids, numerous piles of feces in the front and back yard, a Christmas tree and other miscellaneous junk, trash and debris. A re-inspection on 1/31/13 noted that all violations except the presence of feces on the site were abated. A further re-inspection on 2/7/13 still noted numerous piles of feces present on the property. A Citation was issued, mailed and posted. Photographs taken by the Inspector were entered into the record. The Respondent testified to continuing problems with the present tenants and stated that they were in the process of moving out. The Respondent acknowledged his responsibility to maintain the property pursuant to Code.

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 \$500.00 (Five hundred dollars).

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

IT IS FURTHER ORDERED that the remaining \$400.00 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 \$400.00 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.