

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

In the Matter of

Civil Citation No. 118275

Leroy Hancock, Jr.
Teresa Hancock
P.O. Box 919
Baltimore, MD 21133

3718 Old Milford Mill 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) sections 35-2-404 and 13-7-401; Baltimore County Zoning Regulations (BCZR) sections 101, 102.1, and 1B01.1: failure to repair or replace damaged fascia and gutter on residential property.

On December 27, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector David Janiszewski 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 \$16,600.00 (Sixteen thousand six hundred dollars).

The following persons appeared for the Hearing and testified: Teresa Hancock, Respondent, and David Janiszewski, Baltimore County Code Enforcement Officer.

Inspector Janiszewski testified that he received a complaint from a neighbor concerning the subject property, and conducted an inspection which revealed the presence of damaged fascia and gutters, which were hanging off of the dwelling. Photos were submitted into evidence substantiating these conditions. Ms. Hancock testified that she rarely visits the premises, since she is separated from her husband. She indicated that her insurance carrier, State Farm, may in fact provide coverage for the damages, and she said she would soon meet with the agent to file a claim and get that process started.

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 \$5,000.00 (Five thousand dollars).

IT IS FURTHER ORDERED that the \$5,000.00 civil penalty be suspended in full, for 30 days from the date of this Order.

IT IS FURTHER ORDERED that the suspended \$5,000.00 civil penalty will be imposed if the subject property is not brought into compliance within 30 days of this Order.

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