

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

In the Matter of

Civil Citation No. 122340

Michael Heier  
Nicole Easton

1718 Redwood Avenue

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 23, 2013 for a Hearing on a citation for violations under the Baltimore County Code (BCC) sections 13-7-112 et. seq.: failure to clean up dog feces on a daily basis; failure to store feces in a container with a lid and failure to eliminate rat infestation under shed in rear yard on residential property.

On January 2, 2013, pursuant to BCC § 3-6-205, Inspector Kim Wood 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 \$400.00 (Four hundred dollars).

The following persons appeared for the Hearing and testified: Michael Heier, Respondent, and Kim Wood, Baltimore County Code Enforcement Officer.

Ms. Wood testified that upon initial and subsequent inspections of the property, she observed excessive dog feces in the rear yard, as well as rat infestation under the shed. Photos were submitted which depicted both of these conditions. Mr. Heier acknowledged the problem, and indicated that his irregular work hours often kept him from properly tending to the animal waste. He also stated that he had engaged Atlas Exterminators to treat the rat infestation 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 \$400.00 (Four hundred dollars).

IT IS FURTHER ORDERED that \$350.00 of the \$400.00 civil penalty be suspended, with an immediate \$50.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$350.00 civil penalty will be imposed if the subject property is not brought into compliance within 30 days of the date of this Order.

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 \_\_\_28\_\_\_ 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