

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

In the Matter of

Civil Citation No. 121476

Gloria Amaya – Hernandez

2809-A Virginia Avenue

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 16, 2013, for a Hearing on a citation for violations under the Baltimore County Code (BCC) sections 13-7-305, 306, and 13-4-201: failure to cease rat harborage and failure to store trash in cans with tight fitting lids on residential property.

On December 31, 2012, pursuant to BCC § 3-6-205, Inspector Phillip Mills 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 \$1,200.00 (One thousand two hundred dollars).

The following persons appeared for the Hearing and testified: German Flores, Respondent, and Phillip Mills, Baltimore County Code Enforcement Officer.

Mr. Mills testified that he conducted several site inspections, and on each occasion he found improperly stored garbage, holes in the yard indicating the presence of rats, and untagged motor vehicles. Photos were submitted which substantiated these violations. The Inspector indicated that a neighbor lodged a complaint with the County, which caused him to visit the property in the first instance. Mr. Flores acknowledged the unsatisfactory conditions, and reported that he had just sold the house in a "short sale." Some documentation was submitted by the Respondent concerning the "short sale," and while due to time constraints it was not possible to closely review the materials, it appeared as if the sale was either completed or imminent.

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 \$1,200.00 (One thousand two hundred dollars).

IT IS FURTHER ORDERED that the \$1,200.00 civil penalty be suspended in full, for 60 days from the date of this Order.

IT IS FURTHER ORDERED that the suspended \$1,200.00 civil penalty will be imposed if the subject property is not brought into compliance within 60 days.

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 __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