

Administrative Hearing Flowchart for Property Standards

DPIE Agency Action

(Citation Issued 13-1205(c))

A. Citation Compliance

A-1 Pay the citation and correct the infraction. Citation is doubled, if cited/ within the last 12 months. 13-1212(b)(2)(A)

DPIE may offer the Respondent a settlement of the matter by stipulation instead of a further hearing. The Hearing Officer issues a Final Decision and Order that incorporates the stipulation.

B. Hearing Route

B-1 Request a Hearing 30 days from citation issuance date — will take place within 180 days of the citation's service. 13-1221(a)

B-2 Administrative Hearing Officer will hold a hearing and prepare decision within 30 days of hearing.

B-3 If DPIE's action is upheld, the Respondent can request the Administrative Hearing Officer's decision be reconsidered. A Request for Reconsideration is submitted to the Adjudication Administrator and a decision is issued within 30 days.

B-4 If Reconsideration is denied, the Respondent petitions for judicial review to the Circuit Court within 10 days of the Reconsideration Decision.

B-5 If Circuit Court affirms DPIE's enforcement action, Respondent pays the associated fine and abates/corrects the violation. If Circuit remands the case, the matter is referred to DPIE's Administrative Hearing Officer. If Circuit Court reverses the case, the matter is dismissed.

B-6 The Respondent can seek judicial review of the Circuit Court's decision to the Court of Special Appeals.

C. Default Route

C-1 Default: (1) If citation is not paid and abated within 30 days; (2) Fail to request a hearing; (3) Fail to show for scheduled hearing. 13-1206(a)

C-2 Administrative Hearing Officer issues a Default Order to abate the matter. 13-1206(c)

C-3a The Respondent can seek judicial review of the Default Order to the Circuit Court.

C-3b DPIE enforces the Hearing Officer's Order.