

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2025 Legislative Session

Bill No. CB-062-2025

Chapter No. _____

Proposed and Presented by The Chair (by request - County Executive)

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 **ADMINISTRATIVE HEARINGS**

3 For the purpose of clarifying the requirement to exhaust administrative remedies before seeking
 4 judicial review and aligning the appellate rights for administrative citations with those that are
 5 available for civil citations.

6 BY repealing and reenacting with amendments:

7 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

8 Sections 13-1128 and Sections 13-1129

9 The Prince George's County Code

10 (2023 Edition; 2024 Supplement).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 12 Maryland, that Sections 13-1128 and 13-1129 of the Prince George's County Code be and the
 13 same are hereby repealed and reenacted with the following amendments:

14 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

15 **DIVISION 15. ADMINISTRATIVE HEARINGS.**

16 **SUBDIVISION 1. GENERAL PROVISIONS.**

17 **Sec. 13-1128 – Reconsideration.**

18 (a) A Respondent found liable at a hearing conducted pursuant to this Subtitle shall be
 19 entitled to reconsideration of the matter if a written application is received by the Department or
 20 is postmarked within 10 calendar days of the date of a finding of liability.

21 (b) The application for reconsideration shall set forth one or more of the following grounds:

(1) Newly discovered or newly available relevant evidence;

(2) Need for additional evidence to establish a defense;

(3) Probable error committed by the Administrative Hearing Officer in the proceeding, including failure to judicially notice a fact on which the decision of the Administrative Hearing Officer rests or failure to inform the respondent of a judicially noticed fact on which the decision of the Administrative Hearing Officer; or

(4) A clear need for further consideration of the issues.

(c) An application for reconsideration shall contain all documents or evidence in support of reconsideration.

(d) On reconsideration, the matter shall be reviewed by the Hearing Administrator, or a designee. The Hearing Administrator shall issue a decision on an application for reconsideration within sixty (60) days of receipt of the application. Failure by the Hearing Administrator, or a designee, to issue a decision within sixty (60) calendar days after receipt of an application for reconsideration shall be deemed a decision in favor of the Respondent.

(e) A decision on application for reconsideration constitutes the final decision of the Administrative Hearing Unit.

(f) An application for reconsideration is an available administrative remedy for the purposes of Sec. 13-1130 and must be exhausted prior to seeking a petition for judicial review.

Sec. 13-1129. - Judicial [and appellate] review.

[(a)Judicial review.

(1)] Any party who, after having exhausted all administrative remedies available is aggrieved by a final decision of the Administrative Hearing Unit may seek judicial review of that decision by petition to the Circuit Court for Prince George's County in accordance with the Maryland Rules.[(2)] A party may only seek judicial review if that party has first filed a timely request for reconsideration as an administrative remedy in accordance with Sec. 13-1128. The filing of an appeal does not stay an order of the Administrative Hearing Unit, unless the Circuit Court for Prince George's County grants a stay.

[(b)Appellate review. A party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules.]

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SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45) calendar days after it becomes law.

Adopted this _____ day of _____, 2025.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Edward P. Burroughs, III
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Tara H. Jackson
Acting County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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