



August 29, 2025

FISCAL AND POLICY NOTE

TO: Colette R. Gresham, Esq.
Acting Council Administrator

Karen T. Zavakos
Associate Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Shalene Miller-Whye 
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-062-2025 Administrative Hearings

CB-062-2025 (*proposed by:* Chair Burroughs by request of the County Executive)

Assigned to the Planning, Housing, and Economic Development (PHED) Committee

AN ACT concerning Administrative Hearings for the purpose of clarifying the requirement to exhaust administrative remedies before seeking judicial review and aligning the appellate rights for administrative citations with those that are available for civil citations.

Fiscal Summary

Direct Impact:

Expenditures: No direct expenditure impact likely.

Revenues: No direct revenue impact likely.

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Indirect Impact:

Potentially favorable.

Legislative Summary:

CB-062-2025¹ proposed by the Chair as a request of the County Executive, was presented to the Council on June 17, 2025, and referred to the Planning, Housing, and Economic Development Committee. It would amend Subtitle 13, Housing and Property Standards, of the Prince George's County Code to further clarify the requirement of exhausting administrative remedies before seeking a judicial review.

If enacted, CB-062-2025 would:

- Repeal sections 13-1128 and 13-1129 and reenact with amendments.
 - Provide that an application for reconsideration should be exhausted before seeking a petition for judicial review.
 - Provide that a party may only seek a judicial review through the Circuit Court for Prince George's County if they have first filed a timely request for reconsideration as a form of administrative remedy.
 - Delete surplus language regarding appeal from Circuit Court to the Court of Special Appeals.
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Resource Personnel:

- Calisa Smith, Associate County Attorney, Office of Law
 - Lori Parris, Chief of Staff, DPIE
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Current Law/Background:

Division 15 of Subtitle 13, Housing and Property Standards, establishes administrative hearings. This was established through CB-064-2017² to streamline the process for code enforcement violations with an administrative hearing board. Through this, it established Sec. 13-1121 through 13-1164. This includes definitions, the scope of governance, general jurisdictions of the board, rulemaking authority, provisions related to citations, default of citations, administrative adjudications, reconsideration, and judicial and appellate review. Further, CB-064-2017 established provisions related to fines and penalties, abatement orders, judicial assistance in enforcement, and violations.

¹ [Prince George's County Council - Reference No. CB-062-2025](#)

² [Prince George's County Council - Reference No. CB-064-2017](#)

CB-036-2020³ modified the provisions for administrative hearings by amending several sections of the County Code and repealing others. This bill established the administrative hearing units to entertain appeals from violations involving single and multi-family rental licenses, short-term rental licenses, property standards, and building code infractions. It would also allow parties to seek judicial review of an administrative decision without first raising an appeal through the Nuisance Abatement Board. This also gave the Department of Permitting, Inspections and Enforcement (DPIE) greater authority and more flexibility in abating duly adjudicated violations if a responsible party fails to comply with an administrative order.

Discussion/Policy Analysis

CB-062-2025

This Bill seeks to clarify the administrative hearings process further. Sec. 13-1228⁴ of the proposed legislation amends this section by adding, “An application for reconsideration is an available administrative remedy for the purposes of Sec. 13-1130 and must be exhausted before seeking a petition for judicial review.

Further in Sec. 13-1129, judicial and appellate review, this Bill amends this section by adding, “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.”

In Sec. 13-1129, this Bill also proposes removing “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.”

While both proposed sections further clarify the administrative hearing process by stating that administrative remedies must be exhausted before a party seeks the judicial review process. This is already stated in the current law in Sec. 13-1229⁵, “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.”

This legislation's major change is that it will adjust the language associated with the reconsideration process from a discretionary action to a mandatory step before a judicial review is considered. Through the proposed changes in CB-062-2025, the enactment of this Bill may reduce the number of related petitions at the Circuit Court for Prince George's County.

³ [Prince George's County Council - Reference No. CB-036-2020](#)

⁴ [Prince George's County Code Sec. 13-1228](#)

⁵ [Prince George's County Code Sec. 13-1229](#)

For Council consideration, Sec. 13-1127(b)⁶ states, “Every decision of an Administrative Hearing Officer from which no reconsideration is sought constitutes a final action of Administrative Hearing Unit.” This may contradict the proposed language, as once it's in the Court system, the County has no authority to provide for review.

Further, for the Council consideration, Sec. 13-1128(a) which states that “a Respondent found liable at a hearing conducted pursuant to this Subtitle shall be entitled to reconsideration of the matter if a written application is received by the Department or is postmarked within 10 calendar days of the date of a finding of liability.” On the contrary, Maryland Rules, Rule 7-203⁷ states that, “Except as otherwise provided in this Rule or by statute, a petition for judicial review shall be filed within 30 days after the latest of: (1) the date of the order or action of which review is sought; (2) the date the administrative agency sent notice of the order or action to the petitioner, if notice was required by law to be sent to the petitioner.” The 10 days the County offers in relation to the reconsideration process is shorter than that of Maryland, reducing the overall timeline for parties seeking remedy.

The Bill would also delete surplus language in current Sec. 13-1129(b) providing that [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.” This language is unnecessary because State, not County, law governs appeals from the Circuit Court.

Questions for Council Considerations:

1. How many petitions are there for judicial review?
 - a. How many are petitioned without reconsideration?
 - b. How many are petitioned for reconsideration and then petitioned for judicial review?

Fiscal Impact:

- *Direct Impact*

Enactment of CB-062-2025 is not likely to have a direct fiscal impact.

- *Indirect Impact*

Enactment of CB-062-2025 may reduce costs associated with defending decisions subject to judicial review.

- *Appropriated in the Current Fiscal Year Budget*

⁶ [Prince George's County Code Sec. 13-1127\(b\)](#)

⁷ [Maryland Rules, Rule 7-203](#)

N/A

Effective Date:

CB-062-2025 shall be effective forty-five (45) calendar days after it becomes law.

If you require additional information or have questions about this fiscal impact statement, please call me.