

Subject: Case Histories 907 Nora Drive

Case #: 129952 **Address:** 907 Nora Dr, Silver Spring **Inspector:** Jason White 8/21/15

Service Request: no rental license--possible illegal apartment in basement
donald.holloway@montgomerycountymd.gov

Case notes as attached.

Case #: 131358 **Address:** 907 Nora Dr, Silver Spring **Inspector:** Jason White 11/20/15

Service Request: Property owner appears to renting out his basement without a permit.
barrywides@hotmail.com

Case notes as attached.

Case #: 135726 **Address:** 907 Nora Dr, Silver Spring **Inspector:** Jason White 7/6/2016

Service Request: Reporting trash in the front and side yard. It's an eye sore. Also illegal accessory apartment in the basement.

Anonymous caller. 7/6/2016

Service Request: caller to report back yard trash- water heater and trash cans left out over a month. caller states that house is rented (anonymous)
7/8/2016

Case notes as attached.

Case #: 136300 **Address:** 907 Nora Dr, Silver Spring **Inspector:** Robert Goff 8/5/2016

Service Request: more than a month there is a water heater on the back yard - POSSIBLE AA IN BASEMENT, REPEAT COMPLAINT 3016224697

Case notes and documents as attached.

Case #: 146429 **Address:** 907 NORA DR, SILVER SPRING **Inspector:** Roberto Mejia 3/5/2018

Service Request: Caller called to complain about appliances in the backyard of the address provided. Caller is bothered by a stove and dishwasher in the backyard of the property, and would like DHCA to investigate. Caller requested to remain anonymous.

Case notes as attached.

Case #: 152706 **Address:** 907 NORA DR, SILVER SPRING **Inspector:** Tamala Robinson 12/6/2018

Service Request: Would like to speak with someone regarding SR#1374343999 as she would like to know how is this matter not a violation of county code. Explained the issue however, caller is insistent on speaking with someone from department. Reporting that neighbor has leaves lined up outside of fence on property within the county easement and on the side of home and not keeping up on the maintenance. Harriet O'Connor

Case notes and documents as attached.

Case #: 160665 **Address:** 907 NORA DR, SILVER SPRING **Inspector:** Roberto Mejia 2/18/2020

Service Request: This home is being used a rental but is taxed as a single family 1 unit dwelling. There is definitely a separate family living downstairs that is unrelated to the family living upstairs. They park their cars up and down the street adjacent to the street the home is located on blocking drive ways on this street. liz.exitlandmarkmd@gmail.com

Case notes and documents as attached.

Case #: 165597 **Address:** 907 NORA DR, SILVER SPRING **Inspector:** Roberto Mejia 2/22/2021

Service Request: House has debris all over yard causing eye sore.

Case notes as attached.

Case #: 169884 **Address:** 907 NORA DR, SILVER SPRING **Inspector:** Roberto Mejia 10/22/21

Service Request: Caller wants to report that this address back yard is full of junk and debris. they recently added 4 sheds, but that only made things worse.

Case notes and documents as attached.

Case #: 184027 **Address:** 907 NORA DR, SILVER SPRING **Inspector:** David Johnson 3/6/24

Service Request: After 2 sets of renters were evicted from the unauthorized, unregistered and non-compliant rental property, 907 Nora Drive has a new set of renters at the property. Is the property currently a registered and authorized "rental unit" with Montgomery County DHCA? Is Arilton Santos, the Landlord, a registered and active Landlord with DHCA and do the county records property reflect 907 Nora having an active rental unit at 907 Nora and Rental Contract on file with DHCA, Montgomery County elleoconnor@outlook.com

Case notes and documents as attached.

Case #: 187414 **Address:** 907 NORA DR, SILVER SPRING **Inspector:** David Johnson 8/23/24

Case notes and documents as attached.

Notes**(Case# 129952 Address: 907 Nora Dr, Silver Spring)**

Note	Created By	Date
Met with owner at the property. The unit is a rental with one family living there, husband, wife and three children. The main level has three bedrooms and the basement has one 10x10 with an egressed window of 44" from floor to sill, the opening width is 22" and the height is 42". There was an electrical stove in the basement which the owner removed from the house into is truck while on site. There are no further violations at this time. Case closed.	17	9/9/2015 10:38 AM
prepared and mailed an appointment letter.	17	8/25/2015 4:55 PM

Notes**(Case# 131358 Address: 907 Nora Dr, Silver Spring)**

Note	Created By	Date
Met the owner at the property, inspected the basement there is no stove in the basement, and the same family that was there at my last inspection is still there. No changes to the property or house. Called requestor, a message came on stating the phone is no longer in service. Emailed requestor with the findings. Case closed.	17	12/10/2015 10:45 AM
Prepared and mailed an appointment letter.	17	12/1/2015 7:16 AM

Notes**(Case# 135726 Address: 907 Nora Dr, Silver Spring)**

Note	Created By	Date
inspected the basement with the same family that was there on my last inspection in December. There is no stove in the basement, no changes to the egressed room which is still vacant. There is no AA in the basement. No requestor to contact.	17	7/14/2016 12:29 PM
Received SR# 1297743226, an SR is still pending interior inspection. Closing SR.	17	7/12/2016 7:09 AM
Inspected din not see any trash around the property. Will contact the owner about the interior.	17	7/6/2016 11:46 AM

Notes**(Case# 136300 Address: 907 Nora Dr, Silver Spring)**

Note	Created By	Date
Tenant called to let me know the dead bolt locks were replaced with thumb turn locks. Close case	5	8/29/2016 4:28 PM
Reinspected today and the beds were removed from the rear room and the stove has been removed. I will not give the owner a citation b/c the tenant put the stove in. She knows now that she can not reinstall the 2nd stove. The stove in the rear yard was removed.	5	8/9/2016 11:09 AM
Inspected property today with officer Hidayat from MCP. a 3 year old opened the door for us and after about 4 to 5 min the officer went into the house to see if there was anyone over 13 watching the child. Her sister came down and met with us. I told her that we needed to check the basement were the tenants were living. She walked us down and we met one of the renters. Bedroom 1 window was 20x41 and 44" from the floor. Bedroom 2 window was made not to open and was 68 from the floor. There was one bed in it. There was a full kitchen with a stove and microwave. The property is a rental and all entry door had keyed locks. The 13 year old called the mom and I talked to her. She stated the she was told that the stove can stay as long as she was not using it. I told her the that the bed in the small room must be removed and no one can sleep there until a egress window was installed. There was an old stove in the side yard and she told me that she will have it removed.	5	8/8/2016 10:48 AM



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

Clarence J. Snuggs
Director

August 08, 2016

ARILTON J SANTOS
907 NORA DR
SILVER SPRING, MD 20904

Case #: 136300
Property: 907 NORA DR

Dear MR. SANTOS

This Department conducts inspections which identify violations of the following chapters of the Montgomery County Code: Chapter 26, Housing and Building Maintenance Standards; Chapter 29, Landlord-Tenant Relations; Chapter 48, Solid Waste; and Chapter 58, Weeds. During these inspections, we may also identify any obvious violations of other chapters of the Montgomery County Code.

On 8/8/2016, I inspected the above-referenced property, which revealed 3 violation(s) that appear(s) on the enclosed Addendum. The violation(s) must be corrected within 10 days of the date of this letter (unless otherwise noted in the enclosed Addendum). **A re-inspection will be conducted on 8/18/2016 at 10:00 AM to ensure the violation(s) no longer exist(s).**

If you have any questions, please feel free to contact me. Your cooperation in complying with this notice is greatly appreciated.

Sincerely,

Robert Goff
Program Manager II
(240) 777-3692
Bob.Goff@montgomerycountymd.gov

Enclosure(s)

Division of Community Development

Code Enforcement
FAX 240-777-3701

Neighborhood Revitalization
FAX 240-777-3632

Grants Administration/Special Projects
FAX 240-777-3699

100 Maryland Avenue, 4th Floor • Rockville, Maryland 20850 • 240-777-3600 • www.montgomerycountymd.gov/dhca



ADDENDUM

Case Number: 136300

Property: 907 NORA DR

Unit/Floor	Location	Item	Condition	Action	ID
	Basement	Accessory Apartment-- Attached	General Condition	Remove	342460
remove stove/range and microwave from basement. No cooking, heating or warming of food.					
	Entire Facility	Door	Deadbolt (single cylinder, inside thumb turn)	Install/ Provide	342462
	Exterior	Solid Waste	Appliance(s)	Remove	342471
Remove stove from yard					

Important notice:

The BOCA (Building Officials and Code Administrators International, Inc.) National Property Maintenance Code is regarded by housing officials nationwide as the industry standard. Section PM-101.6 of the BOCA Code states, regarding workmanship, that "All repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed in a workmanlike manner." In addition, it is the responsibility of the property owner (or the agents for the owner) to obtain any required permits for

Notes

(Case# 146429 Address: 907 NORA DR, SILVER SPRING)

Note	Created By	Date
Conducted initial inspection on 3/13/18. Arrived at the property and did not observe the solid waste stated in the SR. Requester is anonymous. Unable to receive additional information. Violation unfounded, case closed.	34	3/13/2018 1:29 PM

Notes**(Case# 152706 Address: 907 NORA DR, SILVER SPRING)**

Note	Created By	Date
04/23/2019 court held in front of Judge Williams, Owner found Guilty and was imposed a fine of \$500, suspended \$400, therefore paid \$100 plus court cost of \$5, abatement order issued as well.	44	5/30/2019 8:18 AM
04/22/2019- Inspected property prior to court and the cooking equipment was removed from the property and a counter was installed, Advised owner that I am not going to dismiss the citations since he is a repeat offender, I will be seeking an abatement order to asking for fines.	44	5/30/2019 8:01 AM
Citation entered.	14	1/10/2019 4:22 PM
Inspected property today rental unit, 4 adults and 2 children live in the property, there is a illegal AA in basement full kitchen stove, bedroom, bedroom has a egress window. Will issue citations as this is the owners 4th time. Solid waste in yard, shrubs and water bottles on lawn.	44	1/2/2019 2:37 PM
Received case from Supervisor Goff who advised that he had spoken to the requester and explained that leaves are not an enforceable action, and then the requester mentioned that there was a AA in the basement. I will send complaint letter to schedule an appointment, In addition, I called the requester who stated that at least 2 occupants live int he basement the enter from the rear into the sliding glass doors with a outside key lock. She stated that the home is a rental and he is renting the upstairs and downstairs seperatley, Since this is a rental, I will conduct a full inspection.	44	12/19/2018 8:26 AM



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich

County Executive

December 19, 2018

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

Case #: 152706
Property: 907 NORA DR

Dear Arilton Santos

Our office has received a complaint regarding Illegal Accessory Apartment and overcrowding at 907 Nora Dr.

As a result of the complaint we received, an inspection must be conducted at the property. The inspection has been scheduled for 1/2/2019 at 2:00 PM. Your attendance is required in order to provide access to the property.

Sincerely,

Tamala Robinson
Housing Code Inspector II
(240) 777-3632
Tamala.Robinson@montgomerycountymd.gov

Enclosure(s)

Division of Community Development

Code Enforcement Neighborhood Revitalization

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3701 FAX • www.montgomerycountymd.gov/dhca



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

December 19, 2018

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

Case #: 152706
Property: 907 NORA DR
Rental License #: 95924

Dear Arilton Santos:

Our office has received complaints regarding the above-referenced rental property, because of the complaints received a mandatory inspection must be conducted. The Inspection has been scheduled for **1/2/2019 at 2:00 PM**. You are required to notify the tenants, at least 72 hours in advance and inform them that all pets must be restrained. You or your designated agent must provide the Inspector access into the unit.

If you have any questions regarding the overall inspection process, please feel free to contact me.

Sincerely,

Tamala Robinson
Housing Code Inspector II
(240) 777-3632
Tamala.Robinson@montgomerycountymd.gov

Division of Community Development
Code Enforcement Neighborhood Revitalization

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montgomerycountymd.gov/311



240-773-3556 TTY



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

January 10, 2019

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

Case #: 152706
Property: 907 NORA DR

Dear Arilton Santos

This letter is to advise you that your case has been forwarded to the Office of the County Attorney for legal action. Enclosed is a copy of the citation issued to you. If you would like to request a hearing, you must follow the instructions on the citation and notify the Office of the County Attorney in writing by 1/30/2019. The address is 101 Monroe Street, Third Floor, Rockville, Maryland 20850.

Sincerely,

Tamala Robinson
Housing Code Inspector II
(240) 777-3632
Tamala.Robinson@montgomerycountymd.gov

Initials/Initials

VIA REGULAR & CERTIFIED/RESTRICTED MAIL

Enclosure(s)

Division of Community Development

Code Enforcement Neighborhood Revitalization

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3701 FAX • www.montgomerycountymd.gov/dhca



UNIFORM CIVIL CITATION

1Z36222411

WITNESS

RELATED CITATION →

District Court of Maryland for _____

Montgomery County DHCA

County/Municipality/State of Maryland Agency

vs. Santos, Arilton

Defendant's (Last) Name First Middle

904 Nora Drive

Current Street Address MD 20904 Apt. No.

Silver Spring State Zip Code

DOB Height Weight Sex Race Hair Eyes
Telephone No. Day: 2403886308 Telephone No. Night: 2403886308

Based on personal knowledge of the undersigned officer the attached affidavit, the defendant is charged with Failure to reduce single family dwellings to one on a residential lot. Location: Basement. Item: Accessory Apartment-Attached. Condition: General. Condition (Ref: DHCA # 152706-446919)

at _____ at _____ AM PM on 1 / 10 / 2019
Time Month Day Year

at 907 NORA DR SILVER SPRING Montgomery
Location County, MD in violation

of: Md. Ann. Code Municipal Infraction/County Ordinance/Public Local Law/Local Code COMAR

Document/Article MCC 59 Section 3.3.3 B Sub Section Paragraph

Each day a violation continues is a separate infraction subject to an additional citation.

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation.
 Defendant's Signature Mailed Certified Restricted and Regular

INSTRUCTIONS

YOU MUST APPEAR IN COURT. A notice of trial date will be mailed to you.
 YOU MAY PAY A FINE of \$ 500.00 by 01-30-2019 to the District Court
Payment of the fine will not close the case if abatement ^{Date} action is pending.
 Office of the County Attorney Agency/Municipality at _____
101 Monroe Street, 3rd Floor, Rockville, MD 20850 Payment Location and AVOID TRIAL.

This will be deemed an admission of guilt and a trial date will not be set.

YOU MAY ELECT TO STAND TRIAL. DO NOT SEND PAYMENT OF FINE. Notify **Office of the County Attorney** Agency/Municipality in writing by 01-30-2019 Date
at 101 Monroe Street, 3rd Floor, Rockville, MD 20850 Address

The District Court will mail you a notice of your trial date and location. AT TRIAL the Court may impose a fine up to \$ 1000 plus court costs.

IN ADDITION, Montgomery County Agency/Municipality is seeking abatement of this infraction. You may be ordered to abate this infraction or be assessed the costs for the abatement, as well as a fine of up to \$1,000, plus court costs. Payment of the preset fine will not satisfy the abatement action and an Order of Abatement may still be entered against you.

FAILING TO APPEAR OR PAY THE FINE MAY RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST.
 FAILING TO PAY THE FINE OR REQUEST A TRIAL DATE: will deem you liable for the fine assessed; the fine may be doubled and/or a judgment on affidavit may be entered against you including an order of abatement.
 FAILURE TO APPEAR FOR A REQUESTED TRIAL DATE: the fine may be doubled and a judgment on affidavit entered against you.

I solemnly affirm under the penalties of perjury, and based upon personal knowledge or the attached affidavit, that the contents of this citation are true and that I am competent to testify on these matters. The defendant is not now in the military service, as defined in the Servicemembers Civil Relief Act.

Officer's Signature Officer's Printed Name Date
DHCA Code 3632 (240) 777-3632
Agency Sub-Agency I.D. No. Phone

DC 28 (Rev. 1/2011)

Notes

You must eliminate the Illegal Accessory Apartment this is the 4th violation of this nature.(repeat offender) you must remove all cooking equipomnt from the unit immediately.

Note to Law Enforcement: Remove this first copy of Citation before entering witness information.

TO THE DISTRICT COURT:

NAME

ADDRESS

CITY

STATE

ZIP

DAY PHONE

ROOM #

NIGHT PHONE

APT. #

If Law Enforcement Agency

Sub-Agency

I.D.

NAME

ADDRESS

CITY

STATE

ZIP

DAY PHONE

ROOM #

NIGHT PHONE

APT. #

If Law Enforcement Agency

Sub-Agency

I.D.

NAME

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NAME

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Sub-Agency

I.D.

NAME

ADDRESS

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NIGHT PHONE

APT. #

If Law Enforcement Agency

Sub-Agency

I.D.



UNIFORM CIVIL CITATION

1Z36222411

WITNESS

RELATED CITATION →

District Court of Maryland for

Montgomery County DHCA

County/Municipality/State of Maryland vs. Santos, Arilton Agency

Defendant's (Last) Name First Middle

904 Nora Drive

Current Street Address Silver Spring MD 20904 Apt. No.

DOB Height Weight Sex Race Hair Eyes Telephone No. Day: 2403886308 Telephone No. Night: 2403886308

Based on [X] personal knowledge of the undersigned officer [] the attached affidavit, the defendant is charged with Failure to reduce single family dwellings to one, on a residential lot. Location: Basement. Item: Accessory Apartment-Attached. Condition: General. Condition (Ref. DHCA # 152706-446919).

at 907 NORA DR SILVER SPRING Montgomery County, MD in violation of [] Md. Ann. Code [X] Municipal Infraction/County Ordinance/Public Local Law/Local Code [] COMAR

Document/Article MCC 59 Section 3.3.3 B Sub Section Paragraph

[] Each day a violation continues is a separate infraction subject to an additional citation.

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation. X Defendant's Signature Mailed Certified Restricted and Regular

INSTRUCTIONS

[X] YOU MUST APPEAR IN COURT. A notice of trial date will be mailed to you. [X] YOU MAY PAY A FINE of \$ 500.00 by 01-30-2019 to the [] District Court. Payment of the fine will not close the case if abatement action is pending. [] Office of the County Attorney at 101 Monroe Street, 3rd Floor, Rockville, MD 20850 and AVOID TRIAL.

[X] YOU MAY ELECT TO STAND TRIAL. DO NOT SEND PAYMENT OF FINE. Notify Office of the County Attorney in writing by 01-30-2019 at 101 Monroe Street, 3rd Floor, Rockville, MD 20850

The District Court will mail you a notice of your trial date and location. AT TRIAL the Court may impose a fine up to \$ 1000 plus court costs.

[X] IN ADDITION, Montgomery County is seeking abatement of this infraction. You may be ordered to abate this infraction or be assessed the costs for the abatement, as well as a fine of up to \$1,000, plus court costs. Payment of the preset fine will not satisfy the abatement action and an Order of Abatement may still be entered against you.

[] FAILING TO APPEAR OR PAY THE FINE MAY RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST. [X] FAILING TO PAY THE FINE OR REQUEST A TRIAL DATE: will deem you liable for the fine assessed; the fine may be doubled and/or a judgment on affidavit may be entered against you including an order of abatement. [X] FAILURE TO APPEAR FOR A REQUESTED TRIAL DATE: the fine may be doubled and a judgment on affidavit entered against you.

I solemnly affirm under the penalties of perjury, and based upon personal knowledge or the attached affidavit, that the contents of this citation are true and that I am competent to testify on these matters. The defendant is not now in the military service, as defined in the Servicemembers Civil Relief Act.

Officer's Signature Tamala Robinson Date 01-10-2019 DHCA Code 3632 (240) 777-3632 Agency Sub-Agency I.D. No. Phone

Notes

You must eliminate the Illegal Accessory Apartment this is the 4th violation of this nature.(repeat offender) you must remove all cooking equipomnt from the unit immediately.

NOTICE TO DEFENDANT

Certain violations require that you **MUST APPEAR** for trial, while other violations give you the option to appear in court or to pay a preset fine.

IMPORTANT INFORMATION: It is your obligation to know your trial date and appear on that date. The Court will mail a courtesy notice to the name and address shown on the front of the citation. If your name or address on this citation is not correct you must in writing notify the Court or agency/municipality listed on the front of this citation of any changes. The Post Office does not forward Court mail. To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of cell phones and other electronic device may be limited or prohibited in designated areas of the court facility.

IF CITATION IS MARKED "YOU MUST APPEAR IN COURT . . ."

Appear on the date and at the court location indicated in the notice provided to you by the District Court. You may be represented by an attorney obtained at your own expense before the trial date. A trial will not be postponed to allow you to obtain an attorney. *Please read "Important Information" above.*

IF CITATION IS MARKED "YOU MAY ELECT TO STAND TRIAL . . ."

- Send a written notice of your intent to the name and address of the agency/municipality, by the date listed, on the front of this citation. Indicate the citation number printed on the front of the citation under the bar code. *Please read "Important Information" above.*
 - The Court will mail you a notice of your trial date and location.
 - Appear on the date, time, and at the court location indicated in the notice provided to you by the District Court.
 - DO NOT SEND PAYMENT OF THE FINE.
-

IF YOU FAIL TO STAND TRIAL OR PAY THE FINE

- You may be arrested.
- The fine may be doubled up to \$1,000.
- A judgment on affidavit may be entered against you for the amount due and the costs of correcting conditions that caused the violation. If the fine remains unpaid for thirty (30) days following entry of judgment, the judgment may be enforceable the same as any other civil judgment.

IF ABATEMENT IS REQUESTED

The Court may order you to eliminate the condition causing the infraction or may direct the governmental agency to remove the condition and bill you for the costs. If the bill is not paid a judgment will be entered against you.

IF THIS IS A VIOLATION OF WASHINGTON SUBURBAN SANITARY COMMISSION REGULATIONS

In some circumstances, each day a violation continues may be considered a separate infraction subject to additional citations and fines.

IN THE DISTRICT COURT OF MARYLAND FOR MONTGOMERY COUNTY

MONTGOMERY COUNTY, MARYLAND

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Citation No(s): 1Z36222411

Plaintiff

v.

ARILTON SANTOS

Defendant

Received
APR 23 2019
Courtroom Staff
District Court #6

ORDER FOR ABATEMENT

Upon consideration of the verified citation(s) filed herein and any evidence presented at trial in the case(s), the Court finds that Defendant has committed the violation(s) of Montgomery County law stated in the above-referenced citation(s) and that the Plaintiff, Montgomery County, Maryland, is entitled to this Order of Abatement pursuant to Montgomery County Code, Section 1-18(e), and it is thereupon, this 23rd day of April, 2019, by the District Court of Maryland for Montgomery County

ORDERED that the Defendant shall refrain from further violations of Montgomery County Code, Section(s) 59-3.3.3-B; and it is further

ORDERED that the Defendant shall immediately, except as otherwise provided herein, take the following actions regarding the property located at 907 Nora Drive, Silver Spring, Maryland, to correct the conditions which constitute a continuing violation of County law:

1. Eliminate the accessory basement apartment by removing all equipment used to heat or cook food items, and cease using this space as an accessory apartment, immediately after a copy of this Order has been served upon the Defendant; and it is further


ORDERED that a representative of Montgomery County shall be permitted to inspect the premises to verify that the terms of this Order have been complied with; and it is further

ORDERED that if the Defendant fails to abide by this Order as of the date of this Order by failing to abate the violations and/or refrain from future violations as required by this Order, the Plaintiff, Montgomery County, has permission to enter the premises and abate the violations as may be necessary to assure compliance with the Montgomery County Code; and it is further

ORDERED that if the Defendant fails to abate the violations and/or refrain from future violations as required by this Order and Plaintiff, Montgomery County, Maryland, abates the violations pursuant to Maryland Rule 3-648, the Plaintiff, Montgomery County, shall send the Defendant a bill for the cost of correction by regular mail to the Defendant's last known address or by any other means that is reasonably calculated to bring the bill to the Defendant's attention. If the Defendant does not pay the bill within 30 days after it is presented, the Plaintiff may file a verified statement of the costs of correcting violations with the Court; and it is further

ORDERED, that once the Court has entered the judgment against the Defendant for the cost of correcting violations, the Plaintiff may enforce a judgment in the same manner as any other civil judgment for money or collect the judgment in the same manner as it collects real property taxes.

FAILURE TO COMPLY WITH THIS ORDER IS PUNISHABLE BY CONTEMPT.


929

Judge, Sixth District Court for
Montgomery County, Maryland

IN THE DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

MONTGOMERY COUNTY, MARYLAND

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Citation No(s): 1Z36222411

Plaintiff

v.

ARILTON SANTOS


Defendant

ABATEMENT ORDER
AFFIDAVIT OF SERVICE

I, Tamala Robinson, Inspector, Department of Housing and Community Affairs, Code Enforcement Division, state:

1. That I am now and always referred to in this Affidavit have been an adult above the age of eighteen years, a citizen of the United States of America and of the State of Maryland;
2. That I am competent to make this Affidavit and that I do so upon my own information and knowledge and that I am competent to testify to the matters contained herein;
3. That I served a copy of the Order of Abatement in this proceeding personally on Defendant, on the 23rd day of April, 2019, at 9:00 a.m./p.m.

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing Affidavit are true to the best of my knowledge and belief.


 Tamala Robinson, Inspector
 Department of Housing and Community
 Affairs
 Code Enforcement Division

Notes**(Case# 160665 Address: 907 NORA DR, SILVER SPRING)**

Note	Created By	Date
Confirmed carbon monoxide alarm has been placed on the main level and ceiling has been painted. Violations corrected, case closed.	34	4/16/2020 1:10 PM
Received call from the property owner(240-388-6308). He states that the violations have been corrected. I will confirm violations have been corrected.	34	3/17/2020 11:51 AM
Conducted rental inspection on 3/10/20. Conducted inspection with the property owner and tenant. Inspected single family dwelling unit. Total of three bedrooms on the main floor and one bedroom in the basement. No signs of overcrowding. Appears as if there's 5-6 individuals living in the dwelling. There were also no kitchen facilities in the basement. No ADU observed. There were properly functioning smoke alarms on every level. There were combo smoke and carbon monoxide alarms in the basement, but not on the main floor. Explained to the property owner that he needs to switch a combo in the basement with a smoke alarm on the main level. There was also peeling paint in a bathroom ceiling. NOV letter generated and sent to the property owner on file.	34	3/10/2020 10:21 AM
Appointment letter generated and sent to the property owner on file. Appointment scheduled for 3/10/20 at 10am.	34	2/26/2020 11:57 AM



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

February 26, 2020

Aseem K. Nigam
Director

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

PROPERTY: 907 NORA DR
CASE NUMBER: 160665

DEAR Arlton Santos:

As part of a concentrated effort to make certain that the rental housing stock is safe and well maintained, the Montgomery County Department of Housing and Community and Affairs' Housing Code Enforcement Section will be scheduling a mandated inspection of the above-referenced property. During the inspection, violations of Montgomery County Code pertaining to property maintenance may be identified and required to be corrected.

To ensure the safety of the occupants and compliance with applicable County codes, an inspection has been scheduled for **March 10, 2020 at 10:00 am**. You are required to notify your tenant of the date and time 48 hours in advance. You or your designated agent must accompany the County Inspector and provide access. If you have any questions regarding this matter, please contact me.

Sincerely,

Roberto Mejia
Housing Code Inspector
(240) 777-3671
Roberto.Mejia@montgomerycountymd.gov

Division of Community Development

Code Enforcement

Neighborhood Revitalization

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3701 FAX • www.montgomerycountymd.gov/dhca





DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

March 10, 2020

Aseem K. Nigam
Director

SANTOS ARILTON J
907 NORA DR
SILVER SPRING, MD 20904

PROPERTY: 907 NORA DR
CASE NUMBER:160665
Rental license number: 95924

DEAR SANTOS ARILTON J:

On 3/10/2020, the above-referenced property was inspected. The inspection revealed 2 violation(s) of the Montgomery County Code, which you can find listed on the enclosed Addendum. The violation(s) must be corrected within 30 days of the date of this letter (unless otherwise noted in the enclosed Addendum). **A reinspection will be conducted on 4/14/2020 at 10:00 AM to ensure the violation(s) no longer exist(s).**

Failure to properly correct these violations may result in the issuance of a civil citation for each offense. The offense(s) will be prosecuted in the District Court of Maryland for Montgomery County. **The penalty provisions may include the imposition of a civil fine of up to \$1,000 for each violation.**

If you have any questions, please feel free to contact me. Your cooperation in complying with this notice is greatly appreciated.

Sincerely,

Roberto Mejia
Housing Code Inspector I
(240) 777-3671
Roberto.Mejia@montgomerycountymd.gov

Enclosure(s)

Division of Community Development

Code Enforcement Neighborhood Revitalization

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ADDENDUM

Case Number: 160665

Property: 907 NORA DR

Location	Item	Condition	Action	ID
Entire Facility	Carbon Monoxide Alarm-Multifamily	General Conditions	Install on every level	517334
Install carbon monoxide on main floor.				
Bathroom 2	Walls/ Ceiling - Interior	General Condition	Paint (clean/scrape/prep as necessary)	517335
Eliminate peeling paint on ceiling in a professional, workmanlike manner (Bathroom located in bedroom).				

Important notice:

The Montgomery County Code establishes minimum requirements for building and maintenance standards that contain clear and specific provisions. All repairs, maintenance work, alterations or installations shall be executed in a workmanlike manner and in compliance with all applicable codes. In addition, it is the responsibility of the property owner (or agent) to obtain any required permits through the Montgomery County Department of Permitting Services and/or the Montgomery County Historic Preservation Commission where applicable.

Visit <https://www.montgomerycountymd.gov/DPS/divisions/residential/index.html> for more details regarding required permits. For more information about the Housing Code Enforcement process, visit <https://www.montgomerycountymd.gov/DHCA/community/code/index.html>.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

March 10, 2020

Aseem K. Nigam
Director

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

PROPERTY: 907 NORA DR
CASE NUMBER: 160665
Rental license number: 95924

DEAR SIR &/or MADAM Santos:

On 3/10/2020, the above-referenced property was inspected. The inspection revealed 2 violation(s) of the Montgomery County Code, which you can find listed on the enclosed Addendum. The violation(s) must be corrected within 30 days of the date of this letter (unless otherwise noted in the enclosed Addendum). **A reinspection will be conducted on 4/14/2020 at 10:00 AM to ensure the violation(s) no longer exist(s).**

Failure to properly correct these violations may result in the issuance of a civil citation for each offense. The offense(s) will be prosecuted in the District Court of Maryland for Montgomery County. **The penalty provisions may include the imposition of a civil fine of up to \$1,000 for each violation.**

If you have any questions, please feel free to contact me. Your cooperation in complying with this notice is greatly appreciated.

Sincerely,

Roberto Mejia
Housing Code Inspector I
(240) 777-3671
Roberto.Mejia@montgomerycountymd.gov

Enclosure(s)

cc Resident/tenant, 907 Nora Drive, Silver Spring, MD 20904

Division of Community Development

Code Enforcement Neighborhood Revitalization

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ADDENDUM

Case Number: 160665

Property: 907 NORA DR

Location	Item	Condition	Action	ID
Entire Facility	Carbon Monoxide Alarm-Multifamily	General Conditions	Install on every level	517334
Install carbon monoxide on main floor.				
Bathroom 2	Walls/ Ceiling - Interior	General Condition	Paint (clean/scrape/prep as necessary)	517335
Eliminate peeling paint on ceiling in a professional, workmanlike manner (Bathroom located in bedroom).				

Important notice:

The Montgomery County Code establishes minimum requirements for building and maintenance standards that contain clear and specific provisions. All repairs, maintenance work, alterations or installations shall be executed in a workmanlike manner and in compliance with all applicable codes. In addition, it is the responsibility of the property owner (or agent) to obtain any required permits through the Montgomery County Department of Permitting Services and/or the Montgomery County Historic Preservation Commission where applicable. Visit <https://www.montgomerycountymd.gov/DPS/divisions/residential/index.html> for more details regarding required permits. For more information about the Housing Code Enforcement process, visit <https://www.montgomerycountymd.gov/DHCA/community/code/index.html>.

Notes**(Case# 165597 Address: 907 NORA DR, SILVER SPRING)**

Note	Created By	Date
Conducted initial inspection on 2/25/21. Arrived at the property and observed the rear and front of the property. There were was no debris scattered throughout the yard. There's nothing that would be enforceable. No requester information in order to get additional information. No violation observed, case close.	34	2/25/2021 1:22 PM

Notes**(Case# 169884 Address: 907 NORA DR, SILVER SPRING)**

Note	Created By	Date
Returned to the property on 10/28/21. Arrived at the property and observed that the solid waste has been removed. I met and spoke with the property owner. He states that the items were there because the individuals who picked up his trash weren't picking up his trash. He needed to call 311 and they finally picked it up. He states that he's frustrated this his neighbor files a complaint for every little thing. I explained to him that as an inspector, I'm only going my job. It's my job to verify whether or not the complaint is valid. If it's valid, I'll proceed accordingly. If not, then I will close the case and there wouldn't be anything for me to cite. I told him that he's more than welcome to file a complaint about any property, if he feels that's what he wants to do. I told him that the violation has been corrected because the SW has been removed. I thanked him for his cooperation. Violation corrected, case closed.	34	10/28/2021 9:25 AM
Received call from the property owner (240-388-6308). He states that has questions regarding the NOV letter. I told him that it's due to the items he had outside his trash containers. He states that trash pick-up is today and that all trash will be picked up today. I told him that's fine. If the items are going to be removed, then I can swing by to confirm. He states that he would like to meet me at the property. I told him that's fine. I will call him when I'm on my way.	34	10/28/2021 8:14 AM
Mailed a physical copy of the document: NOV1 Without Reinspection Date (1 violations) to the Contact: Arilton Santos	43	10/27/2021 9:15 AM
Emailed a copy of the document: 'NOV1 Without Reinspection Date (1 violations)' to the Contact: 'Arlton Santos	34	10/27/2021 8:57 AM
Conducted initial inspection on 10/27/21. Arrived at the property and observed discarded furniture or rubbish outside approved containers, located at the rear yard. NOV1 letter generated.	34	10/27/2021 8:55 AM



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

October 27, 2021

Aseem K. Nigam
Director

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

PROPERTY:907 NORA DR
CASE NUMBER:169884

DEAR Arilton Santos:

On 10/27/2021, the above-referenced property was inspected. The inspection revealed 1 violation(s) of the Montgomery County Code, which you can find listed on the enclosed Addendum. The violation(s) must be corrected within 10 days of the date of this letter (unless otherwise noted in the enclosed Addendum). **A reinspection will be conducted to ensure the violation(s) no longer exist(s).**

Failure to properly correct these violations may result in the issuance of a civil citation for each offense. The offense(s) will be prosecuted in the District Court of Maryland for Montgomery County. **The penalty provisions may include the imposition of a civil fine of up to \$1,000 for each violation.**

If you have any questions, please feel free to contact me. Your cooperation in complying with this notice is greatly appreciated.

Sincerely,

Roberto Mejia
Housing Code Inspector III
(240) 777-3671
Roberto.Mejia@montgomerycountymd.gov

Enclosure(s)

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Code Enforcement Neighborhood Revitalization

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ADDENDUM

Case Number: 169884

Property: 907 NORA DR

Location	Item	Condition	Action	ID
Exterior	Solid Waste	General Condition	Remove and maintain grounds	549748
26-9(a)(8) Severity: Low Comments: Remove all forms of solid waste throughout entire property including, but not limited to: discarded furniture, rubbish, trash bags, etc. at rear yard outside approved containers.				

Important notice:

The Montgomery County Code establishes minimum requirements for building and maintenance standards that contain clear and specific provisions. All repairs, maintenance work, alterations or installations shall be executed in a workmanlike manner and in compliance with all applicable codes. In addition, it is the responsibility of the property owner (or agent) to obtain any required permits through the Montgomery County Department of Permitting Services and/or the Montgomery County Historic Preservation Commission where applicable.

Visit <https://www.montgomerycountymd.gov/DPS/divisions/residential/index.html> for more details regarding required permits. For more information about the Housing Code Enforcement process, visit <https://www.montgomerycountymd.gov/DHCA/community/code/index.html>.

Notes

(Case# 184027 Address: 907 NORA DR, SILVER SPRING)

Note	Created By	Date
<p>On 8/22 a telecon was conducted with Licensing's Clifton Bouma, County Attorney Neal Anker and myself. [REDACTED] speaks of a situation where a rental building is only partially constructed or renovated and, in that situation, the director issues the owner a temporary rental license for the part of the building that has been completely constructed or renovated, which temporary license expires when a license to operate the entire building is issued. It's true that 28-19(c) is not the ADU section (that's 29-19(b)), but it does create a framework that can perhaps be borrowed for this situation. Or, since we don't know if we will ever issue this owner a class III license, just require him/her to get a class I license now and don't call it temporary, even though we would cancel and replace it with a class III license if we ever issue that license. I hope this helps. Nothing in the law speaks to whether an owner can have 1 license type while their application for a different license type is pending. Clifton contacted Mr. Santos on August 26 and informed him that he would need to renew his rental license until such time as the ADU was completed. TH</p>	63	9/5/2024 11:41 AM
<p>SUPERVISOR CONTACTED REQUESTER - 8/23 1572396999 8/14/2024 After 2 sets of renters were evicted from the unauthorized, unregistered and non compliant rental property, 907 Nora Drive has a new set of renters at the property. Is the property currently a registered and authorized "rental unit" with Montgomery County DHCA? Is Arilton Santos, the Landlord, a registered and active Landlord with DHCA and do the county records property reflect 907 Nora having an active rental unit at 907 Nora and Rental Contract on file with DHCA, Montgomery County. In Progress Fulfillment at Department Lisa Oconnor 3013325289 elleoconnor@outlook.com</p>	57	9/5/2024 11:04 AM

Note	Created By	Date
<p>email exchange of the past several days with Karen Roberts-Franklin: Good afternoon Mr. Howley, I delivered the Objections Forms this morning to Ms. Johnson. She informed me that she wants to only use my name as a point of contact . I informed her that the other thirty neighbors who signed also need to be notified of the upcoming hearing. Ms. Johnson said that she will email the status of the hearing to all of the objectors. She told me that she will be out of the office next week but that she will notify me before she goes on vacation. Thank you. Karen Roberts Franklin On Tue, Aug 20, 2024 at 11:29 AM Karen Franklin <ksffranklin@gmail.com> wrote: Thank you. I just emailed Ms. Johnson. Karen Roberts Franklin On Tue, Aug 20, 2024 at 11:16 AM Howley, Thomas "Tom" <Thomas.Howley@montgomerycountymd.gov> wrote: Good morning. Nana.johnson@montgomerycountymd.gov is Ms. Johnson's email. Thank you. Tom Howley Program Manager II Department of Housing and Community Affairs Montgomery County, Government Phone (240) 777-3692 Cell Phone (240) 701-1245 Thomas.howley@montgomerycountymd.gov www.montgomerycountymd.gov/dhca 1401 Rockville Pike, 4th Floor • Rockville, MD 20852 For questions about services provided by Montgomery County, or to file a complaint, please contact MC311 at 3-1-1 or (240) 777-0311. From: Karen Franklin <ksffranklin@gmail.com> Sent: Monday, August 19, 2024 4:49 PM To: Howley, Thomas "Tom" <Thomas.Howley@montgomerycountymd.gov> Subject: Re: FW: Accessory Apartment License Application No. 95924, 907 Nora Drive, Silver Spring, MD 20904 [EXTERNAL EMAIL] Thank you for your prompt reply. I just called OZAH and left a message. I know that Ms. Johnson is not in the office everyday. Is there an email address? I intend to take the objections to the OZAH tomorrow, Tuesday, August 20. Thank you. Karen Roberts Franklin 301-467-8446 On Mon, Aug 19, 2024 at 4:36 PM Howley, Thomas "Tom" <Thomas.Howley@montgomerycountymd.gov> wrote: Mrs. Franklin-Roberts, I just received the following response from OZAH: They can send their appeal now. Thank you, Tom From: Karen Franklin <ksffranklin@gmail.com> Sent: Monday, August 19, 2024 2:45 PM To: Howley, Thomas "Tom" <Thomas.Howley@montgomerycountymd.gov> Cc: Pat <rowleswilliam@gmail.com>; L Oconnor <elleoconnor@outlook.com>; barrywides <barrywides@gmail.com>; Wolford, Patricia <Patricia.Wolford@montgomerycountymd.gov>; greg.nichols@montgomerymd.gov; tamala.robinson@montgomerymd.gov; Goutos, Melissa <Melissa.Goutos@montgomerycountymd.gov> Subject: Accessory Apartment License Application No. 95924, 907 Nora Drive, Silver Spring, MD 20904 [EXTERNAL EMAIL] Good afternoon Mr. Howley, I left you a voice message this morning. When we last communicated via email on May 6, 2024, you informed me that a preliminary inspection for the ADU licensing and registration was conducted in May 2024. After the inspection was conducted it is my understanding that the owner of 907 Nora Drive, Mr. Jose Santos, AKA Arilton Santos or Jose Arilton Dos Santos had to evict his tenants immediately who were residing on the first floor and basement of his investment property at 907 Nora Drive. I informed you when we spoke on April 18, 2024 that I had delivered on April 10, 2024 to Ms. Nana Yaa Johnson, Office of Zoning and Administrative Hearings over 30 Objections to the proposed ADU at 907 Nora Drive. You informed me that the objections could not be filed until an Inspection was conducted. I learned today Ms. Patricia Wolford informed Mr. Chris Wilhelm that "Permit 397041 for the work within the public right of way has been approved and issued." Ms. Wolford also stated that Permit 1050889 for the proposed ADU at 907 Nora Dive has been approved but not issued as the applicant has filing fees to be paid. In your May 6th email you listed the requirements that must be met for the ADU license to be approved. The number one requirement is that the property must be occupied by the homeowner. Mr.Santos' primary residence is located at 904 Nora Drive not 907 Nora Drive. Mr. Santos currently has an illegal ADU at his primary residence at 904 Nora Drive. He also currently has renters at his 907 Nora Drive investment property. How can Mr. Sanot be legally issued a building permit for an ADU at a home where he DOES NOT reside? According to Montgomery County property tax records, Mr. Santos lists 907 and 904 as his primary residences. How can a Montgomery County resident legally have two primary residences? After rereading your May 6th email, I understand that all applicable building permits must be obtained through the Department of Permitting Services and Washington Suburban Sanitary Commission and finalized before DHCA can approve the license. When can</p>	63	8/22/2024 12:46 PM

Note	Created By	Date
our 31 Objections be filed to the Office of Zoning and Administrative Hearings? Thank you. Karen Roberts Franklin 301-467-8446		
EMAIL - updated floor plans From: Johnson, David Sent: Tuesday, June 4, 2024 7:39 AM To: Bouma, Clifton <Clifton.Bouma@montgomerycountymd.gov> Cc: Doug <dmaderaia@aol.com>; ajds44@gmail.com Subject: FW: Case #: 184027 Address: 907 NORA DR, SILVER SPRING Mr. Bouma, Please see attached updated floor plans, etc. for your records. Thanks, Dave -- From: Doug <dmaderaia@aol.com> Sent: Monday, June 3, 2024 10:17 PM To: Goutos, Melissa <Melissa.Goutos@montgomerycountymd.gov>; ajds44@gmail.com; Johnson, David <David.Johnson@montgomerycountymd.gov> Subject: Re: Case #: 184027 Address: 907 NORA DR, SILVER SPRING Hi Melissa, I've changed the side stair to be out of the setback, and clarified Lot Coverage, see attached sheets. Once the county allows me, I will upload these drawings to ProjectDox, or you are welcome to. Thanks, Doug Mader Douglas Mader, AIA Consulting Architect	57	6/4/2024 7:45 AM
EMAIL TO APPLICANT From: Johnson, David Sent: Tuesday, May 21, 2024 10:36 AM To: 'Stef Santos' <ecas20904@gmail.com> Cc: sace2011@gmail.com; daddy <ajds44@gmail.com> Subject: RE: Case #: 184027 Address: 907 NORA DR, SILVER SPRING Mr. Santos, Please see the attached Report and stamped plans. -Dave	57	5/21/2024 10:36 AM
RETURNED APPLICANTS VM - left vm	57	5/20/2024 3:01 PM
RI- -property is now vacant -no electric service, PO advised tenant requested the service disconnect -violations corrected, with the exception of labeling the breakers (electric service is out)	57	5/8/2024 5:38 PM
ANONYMOUS CALL FROM CALLER REPORTING TO BE A NEIGHBOR (202-368-4052 - 11 minutes) -concerned that the PO is applying for a ADU -she was concerned that the PO did not live at the property -I provided her an overview of the ADU Application Process, I did however omit specific details concerning this case.	57	5/7/2024 9:12 AM

Note	Created By	Date
<p>EMAIL REPLY TO CONCERNED NEIGHBOR From: Johnson, David Sent: Monday, May 6, 2024 7:43 AM To: 'Chuck S' <beagle.fan@yahoo.com> Subject: RE: 907 NORA DR, SILVER SPRING, MD 20904 - SR#1558627979 Good morning, Thank you. Yes please feel free to call me anytime. Of course you may file a complaint with OZHA as well. If you want to register a complaint about an ADU you would need to refer it to OZAH. Please see link below.</p> <p>https://www.montgomerycountymd.gov/DHCA/housing/licensing/objection.html Thanks, Dave --</p> <p>From: Chuck S <beagle.fan@yahoo.com> Sent: Saturday, May 4, 2024 11:51 PM To: Johnson, David <David.Johnson@montgomerycountymd.gov> Subject: Re: 907 NORA DR, SILVER SPRING, MD 20904 - SR#1558627979 Hello Mr. Johnson: I understand that you are the inspector with respect to Case #184027 at 907 Nora Drive? If so, is there a way for me as a neighbor to register my concerns and to follow what is going on? I tried to register my concerns through MC311, but Mr. Simms closed my ticket and never responded to my request for clarifying information. I got your name from the case information and kinda/sorta guessed your email address. To quickly recap my concerns: • The current owner purchased the property something like ten years ago and has used it as a rental ever since. • The current owner does NOT live on the property. • Based on my understanding of the rules, the pending ADU application should NOT be approved. Question: • At least as of a few days ago, it looked like the property had two tenants: one on the upper level and one in the basement. On Thursday, we noticed that there was a MASSIVE move-out "party" with several vehicles, including a U-Haul truck. Was this by chance in response to your inspection that day? Or was it an attempt to avoid getting caught? Thx. -- On Fri, Apr 26, 2024 at 12:29 PM Simms, Xavier <Xavier.Simms@montgomerycountymd.gov> wrote: SR#1558627979 Good Afternoon, I am reaching out in reference to your 311 call. If you want to register a complaint about an ADU you would need to refer it to OZAH. Please see link below. https://www.montgomerycountymd.gov/DHCA/housing/licensing/objection.html best.</p>	57	5/6/2024 7:46 AM
Mailed a physical copy of the document: ADU Preliminary Inspection Report to the Contact: Arilton Santos	100	5/3/2024 10:26 AM
Supervisor Thomas Howley has approved the document: ADU Preliminary Inspection Report on 5/3/2024 8:14 AM	63	5/3/2024 8:14 AM

Note	Created By	Date
<p>PI- I met with the Applicant at 904 Nora. After completing an inspection at 904 Nora for a reported illegal ADU (Case #: 184026, Address: 904 NORA DR, SILVER SPRING). A Notice was issued to remove ADU (cooking equipment). The Applicant accompanied to 907 Nora and remained throughout the Inspection. The preliminary inspection for the ADU licensing and registration was conducted on May 01, 2024. The required Licensing Pending ADU sign was posted on the front yard and visible to the public. The new proposed ADU will be located above a proposed garage with the entrance door on the rear of the property facing Renick Lane. The current on-site parking measured 800 square feet with a one car garage, with a proposed two-plus (32'x26') car garage. The proposed driveway to the ADU is planned to be 1,025 square feet. The property lot is not located within 1 mile of the Metrorail, Purple Line, or MARC Rail Station. The Principal Dwelling is approximately 2,120 gross square feet, and the proposed Accessory Dwelling Unit is planned to be 1,186 gross square feet. A re-inspection will be conducted on May 07, 2025. BACKGROUND - the Applicant lives across the street at 904 Nora Dr. and plans to build the detached ADU at 907 Nora Dr.. When the project is completed and approved, he plans to make a change of address, moving to 907 Nora Dr. He plans to live in the proposed ADU. -904 Nora was found to have an illegal ADU above a detached garage, see above -the basement of 907 Nora Dr. has been a subject of numerous complaints for unpermitted construction and renting a separate unit. DPS has investigated and closed the complaints. The inspection reveals no stove was installed in the basement, there was however a wet bar with cooking equipment. This was found not to be an illegal ADU as there was no separation between the primary dwelling and this wet bar area. -this property has been subject to numerous complaints for both DPS and DHCA H&S Violations The Applicant has replaceable battery smoke alarms, where 10-year sealed smoke alarms were required. He was missing CO alarms. He had 10-year sealed smoke alarm on hand and replaced the alarms outside of the bedrooms on the first floor and the bedroom in the basement. A DHCA smoke alarm was installed in the basement at the stairwell. OTHER VIOLATIONS 664399 Handrail/ Guardrail/ Balusters General Condition Repair/Replace High Stairwell 5/2/2024 Handrail must be securely installed. David Johnson on 5/2/2024 8:14:17 AM 664398 Floor General Condition Correct Trip Hazard Medium Hall 5/2/2024 Install transition strips between hall and the adjoining rooms David Johnson on 5/2/2024 8:10:49 AM 664397 Electrical Wiring/ Service Panel General Condition Other High Utility Room 1 5/2/2024 Clear storage away from service panels, for access David Johnson on 5/2/2024 8:07:56 AM Edit 664396 Electrical Wiring/ Service Panel Circuit Breaker Label Medium Utility Room 1 5/2/2024 Label all circuits in main/sub service panel David Johnson on 5/2/2024 8:06:10 AM Edit 664395 Water Heater Temperature Setting (between 120 and 140 degrees) Correct Medium Entire Facility 5/2/2024 WATER TEMP WAS RECORDED AS 154 degrees f. David Johnson on 5/2/2024 8:03:04 AM 664394 Smoke Alarm In or near each stairway leading to an occupied area Install/ Provide Health and Safety Basement 5/2/2024 ***INSTALL SMOKE ALARMS IMMEDIATELY*** IF TEMPORARY UNIT(S) INSTALLED: contact inspector as soon as permanent units are installed, in order to make arrangements to reinspect & return DHCA temp units. BATTERY-ONLY powered smoke alarms must be sealed, tamper resistant units with a silence/hush button with a non-removable 10-year long-life battery. When the batteries fail in these units, the entire alarm is replaced rather than just the battery. Location - Outside each sleeping area -On every level -For all new residential construction after 7/1/1997, at least one smoke alarm must be installed in each sleeping room. [Minimum locations: one on every level, including the basement & one outside each sleeping area.] IMPORTANT: It is never acceptable to replace Code required hard-wired smoke alarms with ANY type of battery-only smoke alarm. David Johnson ADDITIONAL ISSUES -Dead tree in front yard. Found to be in right-of-way. SR submitted, see below.</p>	57	5/2/2024 3:48 PM
<p>Mailed a physical copy of the document: NOV1 With Reinspection Date to the Contact: Arilton Santos</p>	100	5/2/2024 10:53 AM
<p>Emailed a copy of the document: 'NOV1 With Reinspection Date' to the Contact: 'Arliton Santos</p>	57	5/2/2024 10:05 AM

Note	Created By	Date
DPS PERMIT DATATBASE - many service requests, most include reports of unpermitted work, DPS investigated and closed.	57	5/2/2024 9:59 AM
SR to 311 for the dead tree Confirmation Thank you for using MC311. Your Service Request has been successfully submitted. The details are as follows: Service Request Number is: 1559967221 Status: In Progress Estimated Time to Resolve in days: 195	57	5/2/2024 9:26 AM
REVIEW OF MCATLAS -it appears the dead tree in front of the primary dwelling is in the county right of way	57	5/2/2024 8:39 AM
EMAILED DPS INSPECTOR ASSIGNED Roadside Tree Law Review From: Johnson, David Sent: Thursday, May 2, 2024 8:19 AM To: Mohamed, Afrash Bobby. <Afrash.Mohamed@montgomerycountymd.gov> Subject: 907 NORA DR Good morning Bobby, We are in the process of inspecting the above property for an ADU License. We found a dead tree in the front yard. Just want to confirm your case is not related to the dead tree in the front yard. Thanks, Dave	57	5/2/2024 8:29 AM
DPS RECORDS INDICATE: Roadside Tree Law Review.	57	5/2/2024 8:28 AM
Mrs. Roberts-Franklin called again. As the PI has not yet occurred, OZAH would not accept their appeal, as it was "premature". Clifton Bouma and I spoke with her for twenty minutes, and acknowledged that this matter was important to she and the neighbors. I offered to inform Ms. R-F when the PIR was completed. TH	63	4/18/2024 3:06 PM
CALLED APPLICANT SANTOS -he advised he will be out of town for the next 1-2 weeks. He will call back upon his return.	57	4/8/2024 3:12 PM
Call received from neighbor Karen Roberts-Franklin (301) 467-8446 who resides at 1000 Tanley Rd. She wished to submit an objection to the planned ADU. She said that the applicant currently has two separate occupants in the 907 Nora property, lives at 904 Nora, and owns a third property nearby. I directed her to the link on the posted sign. She indicated that she had that up, but needed the zoning classification as well as the parcel #. I provided each to her. TH	63	4/8/2024 10:36 AM
EMAIL TO PO From: Johnson, David Sent: Tuesday, March 26, 2024 11:36 AM To: sace2011@gmail.com Subject: Case #: 184027 Address: 907 NORA DR, SILVER SPRING Hello Mr. Santos, Please let me know when you plan an submitting your ADU Application? Thank you, Dave	57	3/26/2024 11:36 AM
INSPECTION Met with PO at 907 Nora Dr. The property owner advised: -907 Nora Dr. was being rented to a family of 4 with 2 children. The property is being rented as a single-family rental. Did not have 72 hours' notice. -He resides across the street at 904 Nora Dr. with his wife, adult daughter and granddaughter. -He plans on constructing an attached garage with an ADU on the second floor., he and his wife will move to change his residence from 904 Nora to 907 Nora. -He plans on continuing to rent the primary dwelling at 907 Nora Dr. under the ADU License -His daughter intends on staying at 904 Nora with her daughter -He applied for an ADU License and building permits for 907 Nora KNOWN ISSUES: -904 Nora has a room above a detached garage. The PO advised it was locked and his daughter has a key. He did advise it has installed cooktop. I instructed the PO to remove all cooking equipment from the detached structure. Will be reinspected during PI.	57	3/20/2024 1:59 PM
CALLED PO AND CONFIRMED APPOINTMENT	57	3/20/2024 9:29 AM

Note	Created By	Date
<p>EMAIL - ADDITIONAL REQUESTER: From: william rowles <rowleswilliam@gmail.com> Sent: Sunday, March 17, 2024 1:18 PM To: Robinson, Tamala <Tamala.Robinson@montgomerycountymd.gov> Cc: Goutos, Melissa <Melissa.Goutos@montgomerycountymd.gov>; Wolford, Patricia <Patricia.Wolford@montgomerycountymd.gov>; Nichols, Greg <Greg.Nichols@montgomerycountymd.gov> Subject: DPS Permit Numbers: 397041 and 1050889 RE: 907 Nora Dr,Silver Spring, MD 20904 [EXTERNAL EMAIL] ATTN: Tamala Robinson, DHCA Code Enforcement Manager III CC: Melissa Goutos, DPS Zoning Plan Reviewer; Patricia Wolford, Zoning Section Manager; Greg Nichols. Code Compliance Section Manager Dear Ms. Robinson: I am writing to you in order to express my concerns about the above referenced property. The property is a corner lot at the corner of Nora Dr and Renick Ln. My name is William Rowles and I have owned the corner property opposite 907 Nora at 11807 Renick Ln for 35 years. The owner of 907 Nora lives and owns the property at 904 Nora and bought the 907 property to convert the property into rentals for income purposes. He has converted the property into rental units and has tenants who use the Nora Dr access and the driveway attached. He also has tenants on the lower level unit that use a walkway and entrance on Renick Ln.and park their vehicles on the the associated Renick apron. There is no driveway, nor has there ever been, facing Renick Ln. My concerns are twofold: With respect to Permit No. 397041, which has been issued, it states that the work type is to "Restore And/Or repair. Since there has never been a driveway from Renick to 907 Nora, and other than a non permitted fence installed by a previous owner 10 feet onto County property there is nothing to improve or restore. I question what the owners' intentions are. He has removed a large mature tree on the Renick side of the property and has further impacted the apron along Renick Ln. It seems that he is clearing land for the construction contemplated under Permit No. 1050889 and making preparations to install a driveway from Renick to an Additional Dwelling Unit (ADU) on the property. The owner does not live at 904 Nora and looks to be desirous of creating an additional dwelling unit in order to further monetise the property with additional renters. This neighborhood is composed of single family homes. I do not want an apartment complex across the street from me. The laws associated with the construction of an ADU were not meant to allow developers to convert single family zoning into apartment complexes with multiple rental units. The owner of the property has an ADU behind the house he lives in at 904 Nora in which his daughter and her family live. I have no problem with that. DPS zoning review officer, Melissa Goutos, has denied the above Permit No.1050889 three times. I am concerned that the owner will persist and will not be transparent with his intentions, of which he has a history with DPS. Thank you for your attention to this matter. Sincerely, William B Rowles, owner 11807 Renick Ln rowleswilliam@gmail.com Cell: (240) 461-7244</p>	57	3/18/2024 8:47 AM
<p>SCHDULED APPOINTMENT - March 20, 2024 at 10:00 AM -inspection</p>	57	3/12/2024 7:38 AM

Note	Created By	Date
<p>REQUEST EMAIL THREAD Subject: FW: 904 and 907 Nora Drive ADU/Additions Date: Wednesday, March 6, 2024 10:25:45 AM Attachments: image003.png image006.png Claudia and Tom, Please open a case for the below, they are constructing a ADU without applying for a license. Tamala Robinson, Manager III Code Enforcement, DHCA phone (240) 777-3632 mobile (301) 273-4689 fax (240) 777-3701 email tamala.robinson@montgomerycountymd.gov web www.montgomerycountymd.gov/dhca 1401 Rockville Pike, 4th Floor • Rockville, MD 20852 For questions about services provided by Montgomery County, or to file a complaint, please contact MC311 at 3-1-1 or (240) 777-0311. From: Salazar, Victor</p> <p><Victor.Salazar@montgomerycountymd.gov> Sent: Wednesday, March 6, 2024 9:36 AM To: Kobylski, Linda <Linda.Kobylski@montgomerycountymd.gov>; elleoconnor@outlook.com Cc: Nicholson, Malvin <Malvin.Nicholson@montgomerycountymd.gov>; Motazedi, Ehsan <Ehsan.Motazedi@montgomerycountymd.gov>; Robinson, Tamala <Tamala.Robinson@montgomerycountymd.gov>; Sackett, James <James.Sackett@montgomerycountymd.gov>; Weadon, Tom <Tom.Weadon@montgomerycountymd.gov>; Thrasher, John <John.Thrasher@montgomerycountymd.gov>; Kim, Hyungsun (Brian) <Brian.Kim@montgomerycountymd.gov>; Urban, Margaret (Peggy) <Margaret.Urban@montgomerycountymd.gov>; Wolford, Patricia <Patricia.Wolford@montgomerycountymd.gov> Subject: Re: 904 and 907 Nora Drive ADU/Additions Linda, Thanks for the information. Everyone, I'm plugging in Patricia Wolford, Zoning Division's Section Manager for Plan Review that would review submitted plans after DHCA issues their license. Warmest regards, Victor Salazar, Division Chief Division of Zoning and Code Compliance Department of Permitting Services Montgomery County Government From: Kobylski, Linda <Linda.Kobylski@montgomerycountymd.gov> Sent: Wednesday, March 6, 2024 9:16:32 AM To: elleoconnor@outlook.com <elleoconnor@outlook.com> Cc: Nicholson, Malvin <Malvin.Nicholson@montgomerycountymd.gov>; Motazedi, Ehsan <Ehsan.Motazedi@montgomerycountymd.gov>; Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>; Robinson, Tamala <Tamala.Robinson@montgomerycountymd.gov>; Sackett, James <James.Sackett@montgomerycountymd.gov>; Weadon, Tom <Tom.Weadon@montgomerycountymd.gov>; Thrasher, John <John.Thrasher@montgomerycountymd.gov>; Kim, Hyungsun (Brian) <Brian.Kim@montgomerycountymd.gov>; Urban, Margaret (Peggy) <Margaret.Urban@montgomerycountymd.gov> Subject: RE: 904 and 907 Nora Drive ADU/Additions Good morning Ms. O'Connor, It was nice speaking with you earlier. As I indicated, the second driveway for access from Renick Lane can proceed regardless of whether an ADU is approved for 907 Nora Drive. I have included folks from our Zoning Division and Department of Housing so they understand your concerns. All – Ms. O'Connor has reported there is an existing tenant occupancy at 904 Nora Drive and that same owner plans to build an ADU at a second property at 907 Nora Drive. DPS has received permit application 1050889 and I've added a condition that the permit is not to be issued until DHCA has approved/issued a license for the ADU. Ms. O'Connor, feel free to reach out to anyone copied on this email with any questions. Best, Linda Linda Kobylski Division Chief, Land Development Montgomery County Department of Permitting Services 2425 Reddie Drive, 7th Floor Wheaton, MD 20902 240-777-6346 Linda.Kobylski@montgomerycountymd.gov From: Nicholson, Malvin <Malvin.Nicholson@montgomerycountymd.gov> Sent: Wednesday, March 6, 2024 9:06 AM To: Kobylski, Linda <Linda.Kobylski@montgomerycountymd.gov> Subject: Fwd: 907 Nora correction FYI Get Outlook for iOS Malvin Nicholson Permitting & Code Compliance Inspector II Right of Way Inspections Department of Permitting Services Division of Land Development 2425 Reddie Drive, 7th Floor Wheaton, Maryland 20902 (301) 370-3685 mobile cell From: Weadon, Tom <Tom.Weadon@montgomerycountymd.gov> Sent: Tuesday, March 5, 2024 9:20:39 AM To: Nicholson, Malvin <Malvin.Nicholson@montgomerycountymd.gov>; Thrasher, John <John.Thrasher@montgomerycountymd.gov>; Sackett, James</p>	57	3/11/2024 11:37 AM

Note	Created By	Date
<p><James.Sackett@montgomerycountymd.gov> Cc: Harris, Devon <Devon.Harris@montgomerycountymd.gov>; Burch, David <David.Burch@montgomerycountymd.gov>; Shupp, Jeremy <Jeremy.Shupp@montgomerycountymd.gov>; Urban, Margaret (Peggy) <Margaret.Urban@montgomerycountymd.gov>; Kim, Hyungsun (Brian) <Brian.Kim@montgomerycountymd.gov>; Momeni, Eisa <Eisa.Momeni@montgomerycountymd.gov> Subject: RE: 907 Nora correction Malvin, Thank you for the update. Thomas Weadon Manager, Sediment Control Department of Permitting Services Division of Land Development 2425 Reedie Drive, 7th floor Wheaton, MD 20902 (C) 240-328-5037 From: Nicholson, Malvin <Malvin.Nicholson@montgomerycountymd.gov> Sent: Tuesday, March 5, 2024 9:12 AM To: Thrasher, John <John.Thrasher@montgomerycountymd.gov>; Sackett, James <James.Sackett@montgomerycountymd.gov>; Weadon, Tom <Tom.Weadon@montgomerycountymd.gov> Cc: Harris, Devon <Devon.Harris@montgomerycountymd.gov>; Burch, David <David.Burch@montgomerycountymd.gov>; Shupp, Jeremy <Jeremy.Shupp@montgomerycountymd.gov>; Urban, Margaret (Peggy) <Margaret.Urban@montgomerycountymd.gov>; Kim, Hyungsun (Brian) <Brian.Kim@montgomerycountymd.gov>; Momeni, Eisa <Eisa.Momeni@montgomerycountymd.gov> Subject: Re: 907 Nora correction To all, Visit the property site yesterday afternoon to find the following: Property owner clearing (no grubbing) of his rear private property (tree take down with no impact to the ground coverage, assuming general field preparations to what is to take place - ADU (Accessory Dwelling Unit) Crossed area of right of way to gain access to the property rear, location @ proposed new driveway apron (further ADU - ingress / egress path) Removed split rail fence / all to gain access to property rear Minimum to minor rutting crossing the area of ditch line to gain access to rear property, no impact or erosion concerns (directed property owner to rake areas of tracks back into place return the grade contouring and seed / straw (vehicular track in line path) Research property to find the Building and Right of Way permits are still in review and processing (plan submittals, reviews, fees, bonds; etc) Meeting with homeowner, discussed building and right of way permit status (in progress / the need to complete ROW with fees and bond payments), customer believed all was in placed; showed the status as being incomplete as of yesterday. Responded to a anonymous request email call from nearby neighbor in answering all issues of concerns as followed: ROW Permit status (incomplete / processing) Waivers (Sed.Eros Control) explanation Discussed ADU guidelines Discussed ROW policies and driveway apron guidelines Building Permit status (incomplete / processing County council resolution (ADU's and allowable space limitations / benefits) Being a Good Neighbor Policy, advocating to ensure best community interest Closing the event with no violations and ensured to all compliance will follow as written within the conditional terms assigned to this property and permittee / property owner. Please contact me directly if you're needing any assistance regarding this property. Thank you, best Get Outlook for iOS Malvin Nicholson Permitting & Code Compliance Inspector II Right of Way Inspections Department of Permitting Services Division of Land Development 2425 Reedie Drive, 7th Floor Wheaton, Maryland 20902 (301) 370-3685 mobile cell From: Thrasher, John <John.Thrasher@montgomerycountymd.gov> Sent: Monday, March 4, 2024 9:30 AM To: Sackett, James <James.Sackett@montgomerycountymd.gov>; Weadon, Tom <Tom.Weadon@montgomerycountymd.gov> Cc: Harris, Devon <Devon.Harris@montgomerycountymd.gov>; Burch, David <David.Burch@montgomerycountymd.gov>; Shupp, Jeremy <Jeremy.Shupp@montgomerycountymd.gov>; Nicholson, Malvin <Malvin.Nicholson@montgomerycountymd.gov> Subject: Re: 907 Nora correction Tom, No significant land disturbance at this time. John Thrasher Code Compliance Inspector Sediment Control Stormwater Mgmt. Department of Permitting Services 2425 Reedie Drive, 7th Floor (mail) 6th Floor (desk) Wheaton, Maryland 20902 (cell) 301-370-3633 (fax) 240-777-6339 From: Sackett, James <James.Sackett@montgomerycountymd.gov> Sent: Monday, March 4, 2024 8:32 AM To: Weadon, Tom <Tom.Weadon@montgomerycountymd.gov> Cc: Harris, Devon</p>		

Note	Created By	Date
<p><Devon.Harris@montgomerycountymd.gov>; Burch, David <David.Burch@montgomerycountymd.gov>; Shupp, Jeremy <Jeremy.Shupp@montgomerycountymd.gov>; Thrasher, John <John.Thrasher@montgomerycountymd.gov>; Nicholson, Malvin <Malvin.Nicholson@montgomerycountymd.gov> Subject: RE: 907 Nora correction Thanks, Tom. I appreciate it. From: Weadon, Tom <Tom.Weadon@montgomerycountymd.gov> Sent: Monday, March 4, 2024 8:21 AM To: Sackett, James <James.Sackett@montgomerycountymd.gov> Cc: Harris, Devon <Devon.Harris@montgomerycountymd.gov>; Burch, David <David.Burch@montgomerycountymd.gov>; Shupp, Jeremy <Jeremy.Shupp@montgomerycountymd.gov>; Thrasher, John <John.Thrasher@montgomerycountymd.gov>; Nicholson, Malvin <Malvin.Nicholson@montgomerycountymd.gov> Subject: RE: 907 Nora correction Jim, I have copied John Thrasher with SC and Malvin Nicholson with ROW to investigate for violations and keep an eye on the project. Thomas Weadon Manager, Sediment Control Department of Permitting Services Division of Land Development 2425 Reedie Drive, 7th floor Wheaton, MD 20902 (C) 240-328-5037 From: Sackett, James <James.Sackett@montgomerycountymd.gov> Sent: Monday, March 4, 2024 7:07 AM To: Weadon, Tom <Tom.Weadon@montgomerycountymd.gov> Cc: Harris, Devon <Devon.Harris@montgomerycountymd.gov>; Burch, David <David.Burch@montgomerycountymd.gov>; Shupp, Jeremy <Jeremy.Shupp@montgomerycountymd.gov> Subject: FW: 907 Nora correction Tom, This guy has an application in for an ADU, he will need a drainage plan, but SC was waived for not meeting the disturbance level. Can you have someone take a look at the site, or perhaps tell from the pictures if there is an issue here. I don't have any violation yet as they're not demoing or building. From: L Oconnor <elleoconnor@outlook.com> Sent: Saturday, March 2, 2024 5:23 PM To: L Oconnor <Elleoconnor@outlook.com> Cc: Sackett, James <James.Sackett@montgomerycountymd.gov> Subject: Re: 907 Nora correction [EXTERNAL EMAIL] And the owner lives in 904 Nora. that is where the original weekend ADU happened. Sent from my iPhone On 2/03/2024, at 5:18 PM, L Oconnor <Elleoconnor@outlook.com> wrote: Hi Mr. Sackett, The guy is destroying the easement with heavy machinery. He has a guy that is up in a crane truck, platform, no safety equipment whatsoever and destroying his trees. Aactually one or two could beon the easement. He knows to do this on the weekend when the County is not answering phones. This is quite apocryphal. He has more in his designs, this is his first step, next he will try to build a second driveway and another ADU in the back without permits... just like he did at his home across Nora. He did it at his house, no permit and built fast on a weekend. The County did not make him remove it. It still violates our zoning codes. Could you please help us share what is really going on so everyone knows his illegal ground game to violate the easement and violate zoning? I'm glad to talkon Monday. I have messages in to Peggy and others in Highway. Regards, Lisa 301-332-5289 Sent from my iPhone For more helpful Cybersecurity Resources, visit: https://www.montgomerycountymd.gov/cybersecurit</p>		
Mailed a physical copy of the document: Complaint Inspection Letter to the Contact: ARILTON J SANTOS	100	3/8/2024 11:41 AM
Mailed a physical copy of the document: Complaint Inspection Letter to the Contact: Arilton Santos	100	3/8/2024 11:41 AM
COMPLAINT INSPECTION LETTER GENERATED - An inspection has been scheduled for March 20, 2024 at 10:00 AM.	57	3/7/2024 3:26 PM



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

March 07, 2024

Scott Bruton
Director

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

PROPERTY: 907 NORA DR
CASE NUMBER: 184027

DEAR Arilton Santos:

Our office has received a complaint reporting: an unlicensed Accessory Dwelling Unit at the above address. An inspection has been scheduled for **March 20, 2024 at 10:00 AM**. Your attendance is required to provide access to the property, or you may designate a representative. If you have questions regarding this matter, please contact me.

Sincerely,

David Johnson
Housing Code Inspector III
(240) 777-3695
David.Johnson@montgomerycountymd.gov

Division of Community Development

Code Enforcement

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DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

March 07, 2024

Scott Bruton
Director

ARILTON J SANTOS
907 NORA DR
SILVER SPRING, MD 20904

PROPERTY: 907 NORA DR
CASE NUMBER: 184027

DEAR ARILTON J SANTOS :

Our office has received a complaint reporting: an unlicensed Accessory Dwelling Unit at the above address. An inspection has been scheduled for **March 20, 2024 at 10:00 AM**. Your attendance is required to provide access to the property, or you may designate a representative. If you have questions regarding this matter, please contact me.

Sincerely,

David Johnson
Housing Code Inspector III
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David.Johnson@montgomerycountymd.gov

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DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

May 2, 2024

Scott Bruton
Director

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

PROPERTY: 907 NORA DR
CASE NUMBER: 184027
Rental license number: 95924

DEAR Arilton Santos:

On 5/1/2024, the above-referenced property was inspected. The inspection revealed 6 violation(s) of the Montgomery County Code, which you can find listed on the enclosed Addendum. The violation(s) must be corrected within 7 days of the date of this letter (unless otherwise noted in the enclosed Addendum). **A reinspection will be conducted on 5/8/2024 at 2:00 PM to ensure the violation(s) no longer exist(s).**

Failure to properly correct these violations may result in the issuance of a civil citation for each offense. The offense(s) will be prosecuted in the District Court of Maryland for Montgomery County. **The penalty provisions may include the imposition of a civil fine of up to \$1,000 for each violation.**

If you have any questions, please feel free to contact me. Your cooperation in complying with this notice is greatly appreciated.

Sincerely,

David Johnson
Housing Code Inspector III
(240) 777-3695
David.Johnson@montgomerycountymd.gov

Enclosure(s)

Division of Community Development

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montgomerycountymd.gov/311

240-777-3556 TTY

ADDENDUM

Case Number: 184027

Property: 907 NORA DR

Location	Item	Condition	Action	ID
Basement	Smoke Alarm	In or near each stairway leading to an occupied area	Install/ Provide	664394
26-8(b)(1) Severity: Health and Safety Comments: ***INSTALL SMOKE ALARMS IMMEDIATELY*** IF TEMPORARY UNIT(S) INSTALLED: contact inspector as soon as permanent units are installed, in order to make arrangements to reinspect & return DHCA temp units. BATTERY-ONLY powered smoke alarms must be sealed, tamper resistant units with a silence/hush button with a non-removable 10-year long-life battery. When the batteries fail in these units, the entire alarm is replaced rather than just the battery. Location-Outside each sleeping area- On every level-For all new residential construction after 7/1/1997, at least one smoke alarm must be installed in each sleeping room. [Minimum locations: one on every level, including the basement & one outside each sleeping area.] IMPORTANT: It is never acceptable to replace Code required hard-wired smoke alarms with ANY type of battery-only smoke alarm.				
Stairwell	Handrail/ Guardrail/ Balusters	General Condition	Repair/Replace	664399
26-9(a)(1) Severity: High Comments: Handrail must be securely installed.				
Utility Room 1	Electrical Wiring/ Service Panel	General Condition	Other	664397
26-6(a) Severity: High Comments: Clear storage away from service panels, for access				
Entire Facility	Water Heater	Temperature Setting (between 120 and 140 degrees)	Correct	664395
26-7(e)(4) Severity: Medium Comments: WATER TEMP WAS RECORDED AS 154 degrees f.				
Hall	Floor	General Condition	Correct Trip Hazard	664398
26-9(c)(5) Severity: Medium Comments: Install transition strips between hall and the adjoining rooms				
Utility Room 1	Electrical Wiring/ Service Panel	Circuit Breaker	Label	664396
26-6(a) Severity: Medium Comments: Label all circuits in main/sub service panel				

Important notice:

The Montgomery County Code establishes minimum requirements for building and maintenance standards that contain clear and specific provisions. All repairs, maintenance work, alterations or installations shall be executed in a workmanlike manner and in compliance with all applicable codes. In addition, it is the responsibility of the property owner (or agent) to obtain any required permits through the Montgomery County Department of Permitting Services and/or the Montgomery County Historic Preservation Commission where applicable. Visit <https://www.montgomerycountymd.gov/DPS/divisions/residential/index.html> for more details regarding required permits. For more information about the Housing Code Enforcement process, visit <https://www.montgomerycountymd.gov/DHCA/community/code/index.html>.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

May 2, 2024

Scott Bruton
Director

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

PROPERTY: 907 NORA DR
CASE NUMBER: 184027
Rental license number: 95924

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Failure to properly correct these violations may result in the issuance of a civil citation for each offense. The offense(s) will be prosecuted in the District Court of Maryland for Montgomery County. **The penalty provisions may include the imposition of a civil fine of up to \$1,000 for each violation.**

If you have any questions, please feel free to contact me. Your cooperation in complying with this notice is greatly appreciated.

Sincerely,

David Johnson
Housing Code Inspector III
(240) 777-3695
David.Johnson@montgomerycountymd.gov

Enclosure(s)

Division of Community Development

Code Enforcement Common Ownership Communities Landlord-Tenant Affairs

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ADDENDUM

Case Number: 184027

Property: 907 NORA DR

Location	Item	Condition	Action	ID
Basement	Smoke Alarm	In or near each stairway leading to an occupied area	Install/ Provide	664394
26-8(b)(1) Severity: Health and Safety Comments: ***INSTALL SMOKE ALARMS IMMEDIATELY*** IF TEMPORARY UNIT(S) INSTALLED: contact inspector as soon as permanent units are installed, in order to make arrangements to reinspect & return DHCA temp units. BATTERY-ONLY powered smoke alarms must be sealed, tamper resistant units with a silence/hush button with a non-removable 10-year long-life battery. When the batteries fail in these units, the entire alarm is replaced rather than just the battery. Location-Outside each sleeping area- On every level-For all new residential construction after 7/1/1997, at least one smoke alarm must be installed in each sleeping room. [Minimum locations: one on every level, including the basement & one outside each sleeping area.]IMPORTANT: It is never acceptable to replace Code required hard-wired smoke alarms with ANY type of battery-only smoke alarm.				
Stairwell	Handrail/ Guardrail/ Balusters	General Condition	Repair/Replace	664399
26-9(a)(1) Severity: High Comments: Handrail must be securely installed.				
Utility Room 1	Electrical Wiring/ Service Panel	General Condition	Other	664397
26-6(a) Severity: High Comments: Clear storage away from service panels, for access				
Entire Facility	Water Heater	Temperature Setting (between 120 and 140 degrees)	Correct	664395
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Hall	Floor	General Condition	Correct Trip Hazard	664398
26-9(c)(5) Severity: Medium Comments: Install transition strips between hall and the adjoining rooms				
Utility Room 1	Electrical Wiring/ Service Panel	Circuit Breaker	Label	664396
26-6(a) Severity: Medium Comments: Label all circuits in main/sub service panel				

Important notice:

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DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

May 02, 2024

Scott Bruton
Director

Arlton Santos
904 Nora Drive
Silver Spring, MD 20904

PRELIMINARY INSPECTION REPORT
Accessory Dwelling Unit (ADU)
ADU address: 907 NORA DR
Pending License #: 95924
Housing Code Case #: 184027

Dear Arilton Santos:

The preliminary inspection for the ADU licensing and registration was conducted on **May 01, 2024**. The required Licensing Pending ADU sign was posted on the front yard and visible to the public. The new proposed ADU will be located above a proposed garage with the entrance door on the rear of the property facing Renick Lane. The current on-site parking measured 800 square feet with a one car garage, with a proposed two-plus (32'x26') car garage. The proposed driveway to the ADU is planned to be 1,025 square feet. The property lot is not located within 1 mile of the Metrorail, Purple Line, or MARC Rail Station. The Principal Dwelling is approximately 2,120 gross square feet, and the proposed Accessory Dwelling Unit is planned to be 1,186 gross square feet.

All applicable building permits must be obtained through Department of Permitting Services (DPS) and/or Washington Suburban Sanitary Commission (WSSC) and finalized before DHCA can approve the license. All repairs, maintenance work, alterations, or installations shall be executed in a workmanlike manner and in compliance with all applicable codes. **Present this inspection report along with a copy of your stamped ADU drawing to DPS for any needed permits.**

The following requirements must be met for the ADU license to be approved:

1. The property must be occupied by the homeowner(s), who may reside in the principal dwelling or in the ADU. The ADU must have the same address as the main house.
2. The ADU may not be occupied by more than two adults (eighteen years or older) and total number of occupants must abide by the square footage limitations under Chapter 26 of the Montgomery County Code.
3. The ADU must be subordinate to the principal dwelling whether attached or detached and

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shall be the only additional living unit or residential use space on a lot or parcel. No other tenants, Airbnb's or short-term residential rentals are permitted.

4. Attached ADU – the maximum gross floor area is 1,200 square feet; if only the basement or cellar is used, the maximum gross floor area may equal the square footage of the basement/cellar.
5. Above grade level ADU – must have a safe unobstructed means of escape leading to an open space at ground level; a unit door with exterior stairs leading to ground level with no obstructions.
6. Exterior light fixtures are required to provide adequate lighting for walkway to ADU and outside the ADU entrance door. Motion or photocell fixtures recommended. Exterior lighting shall be installed in a way that is directed away from the windows of adjacent homes.
7. Walkway path to ADU entrance door must be in good, serviceable, and safe condition.
8. Each owner of a dwelling unit shall have heating equipment capable of maintaining a temperature of at least 68 degrees Fahrenheit in each habitable room, bathroom, and water closet at a distance of 3 feet above floor level.
9. The ADU must have a separate entrance located on the side or rear yard. An entrance at the front of the principal dwelling is allowed if it is a single entrance door for both the principal dwelling and the accessory unit.
10. The entrance door shall be side-hinged and have a clear width of not less than 32 inches and a clear height of not less than 78 inches. A viewer must be installed in the entrance door, except for when a window, vision panel, or similar transparent device is located within 2 feet of the door and faces the external area in front of the door.
11. All doors and windows shall be installed and maintained with a locking mechanism. Entrance doors shall have a deadbolt lock with a minimum one-inch throw or other acceptable locking mechanism. The door locks shall operate with a key from the outside, and all window and door locks must operate by a thumb turn from the inside.
12. Every sleeping room must have at least one operable outside window or exterior door approved for emergency egress or rescue in accordance with the fire code. A window shall be at least 5 square feet of net clear opening for grade floor or below grade. Above grade windows shall be at least 5'7" square feet of net clear opening. The minimum height of the window opening must be at least 24 inches and the width at least 20 inches. The maximum height from the finished floor to the windowsill shall be not more than 44 inches.
13. Window well size for emergency escape and rescue opening shall be not less than 9 square feet, with a horizontal projection and width not less than 36 inches. Window well shall allow for the window to be fully opened and may require a drainage system and cover. If the vertical depth is greater than 44 inches, it shall be equipped with a permanent affixed ladder or steps usable with the window in the open position and the ladder shall encroach not more than 6 inches. If installed under a deck or porch, it shall provide a path of not less than 36 inches in height to a yard or court.
14. A sleeping room cannot be installed in an area that is adjacent to a utility room containing fuel burning furnaces and/or water heaters that use the sleeping area for combustion air.
15. Dwelling Units shall be separated from each other by wall and ceiling assemblies of finished interior drywall. If a door separates the main dwelling from the ADU, it shall have a locking device.
16. Smoke alarm Maryland law requires the replacement of any battery-only alarms with new

Division of Community Development

Code Enforcement

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- smoke alarms powered by a sealed-in, long-life battery. All electric and hard-wired smoke alarms must be replaced if over 10 years old; hard-wired alarms must remain hard-wired.
17. Carbon monoxide alarms are required outside each sleeping area and on every level to include the basement in homes that contain any fuel burning equipment, wood burning appliance or have an enclosed attached garage.
 18. Stairs of four or more risers must have a handrail on at least one side. Handrails must have minimum height of 34 inches and a maximum height of not more than 38 inches as measured vertically from the nosing (outside portion of stair treads).
 19. Porches, balconies, decks or raised floor surfaces located more than 30 inches above the floor or grade below must have guardrails not less than 36 inches in height. Open sides of stairs must have a guardrail installed to prevent passage of an object four or more inches in diameter.
 20. ADU must contain a room or space with the following equipment and facilities to store, prepare, and cook food. Cooking range (top burners and oven, at least 24 inches wide), storage cabinets, countertop space for food preparation, a standard-size refrigerator with freezer, sink connected to hot and cold running water, and approved sewer system installed and maintained as prescribed by applicable County and WSSC regulations.
 21. ADU must be equipped with a complete bathroom fixture group, consisting of a flush water closet, lavatory basin, and bathtub or shower in good working condition, connected to hot and cold running water, and approved sewer system installed and maintained as prescribed by applicable County and WSSC regulations.
 22. Every habitable room must have electric service and outlets or fixtures, or both. Every cooking area must be supplied with two circuits rated for at least 20-amp service capacity. GFCI outlets in bathroom and kitchen as required by building code.
 23. Applicant shall provide copies of the finalized applicable building, electrical and plumbing permits from the Department of Permitting Services (DPS) and the Washington Suburban Sanitary Commission (WSSC). For more detailed information on DPS permit requirements and permit application guidance for ADUs, please visit <https://www.montgomerycountymd.gov/DPS/Resources/Files/RCI/ADUGuidelines.pdf> .

A re-inspection will be conducted on **May 07, 2025**. If you have any questions or need additional information, please feel free to contact me.

Sincerely,



David Johnson
Housing Code Inspector III
(240) 777-3695
David.Johnson@montgomerycountymd.gov

cc: DHCA Licensing and Registration

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Notes

(Case# 187414 Address: 907 NORA DR, SILVER SPRING)

Note	Created By	Date
<p>EMAIL THREAD WITH APPLICANT AND DHCA LIC From: ajds44@gmail.com <ajds44@gmail.com> Sent: Tuesday, August 27, 2024 7:05 PM To: Bouma, Clifton <Clifton.Bouma@montgomerycountymd.gov> Cc: Johnson, Tiffany <Tiffany.Johnson@montgomerycountymd.gov>; Howley, Thomas "Tom" <Thomas.Howley@montgomerycountymd.gov>; Johnson, David <David.Johnson@montgomerycountymd.gov> Subject: Re: Licensing & Registration - 907 Nora Dr Good evening, 907 Nora drive has a single family license that has been approved for years. Since 2017 if I am not mistaken. I will have to do the lead base paint again. If you could send me information on an approved county company. That is all I will need. Respectfully, Mr.Santos -- On Aug 26, 2024, at 3:35 PM, Bouma, Clifton <Clifton.Bouma@montgomerycountymd.gov> wrote: Hello, We understand you have rented the main house while you are constructing the ADU. You will need to apply for and maintain a single-family license in order to so until the ADU license is approved. You can either apply online or by mailing or bringing in a single-family application and new lead inspection certificate as you changed tenants. https://montgomerycountymd.gov/dhca/housing/licensing/apply.html</p>	57	9/4/2024 10:50 AM
<p>email sent to owner by Licensing's Clifton Bouma this afternoon: Hello, We understand you have rented the main house while you are constructing the ADU. You will need to apply for and maintain a single-family license in order to so until the ADU license is approved. You can either apply online or by mailing or bringing in a single-family application and new lead inspection certificate as you changed tenants. https://montgomerycountymd.gov/dhca/housing/licensing/apply.html</p>	63	8/26/2024 3:47 PM
<p>This case was created to track only the ADU application process and procedure.</p>	63	8/26/2024 3:42 PM

From: [Howley, Thomas "Tom"](#)
To: [Mena-Amava, Claudia](#)
Cc: [Kathuroju, Swetha](#); [Johnson, David](#)
Subject: Case #: 184027 Address: 907 NORA DR, SILVER SPRING
Date: Friday, August 23, 2024 10:17:34 AM
Attachments: [image001.png](#)

Claudia,

Tamala instructed me to ask you to create a new case for the ADU application at this location. What began as a complaint investigation should have been closed out and a new case created for the ADU only.

The documents for the ADU will need to be transferred to the new case, and perhaps, Swetha, you can assist in their transfer. If you can copy the case notes from this case to the new case, Swetha, I will simply delete the duplicate information.

Please let me know if any questions.

Thank you.

Tom



Tom Howley
Program Manager II
Department of Housing and Community Affairs
Montgomery County, Government

Phone (240) 777-3692 Cell Phone (240) 701-1245
Thomas.howley@montgomerycountymd.gov
www.montgomerycountymd.gov/dhca

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For questions about services provided by [Montgomery County](#), or to file a complaint, please contact [MC311](#) at 3-1-1 or (240) 777-0311.



For more helpful Cybersecurity Resources, visit:
<https://www.montgomerycountymd.gov/cybersecurity>

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS

for

MONTGOMERY COUNTY

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850
Phone:(240) 777-6660; Fax (240) 777-6665
www.montgomerycountymd.gov/OZAH**

**CASE NO. ADO 25-01, OBJECTION TO ACCESSORY DWELLING (CORRECTED
NOTICE)
UNIT LICENSE NO. 95924**

Please take notice that the Office of Zoning and Administrative Hearings for Montgomery County, Maryland (OZAH), will hold a public hearing on **Thursday, September 19, 2024 at 9:30 a.m.** at the Stella B. Werner Council Office Building, Second Floor Davidson Memorial Hearing Room, at 100 Maryland Avenue, Rockville, Maryland on the above-captioned *OBJECTIONS* to findings of the Director of the Department of Housing and Community Affairs (DHCA) filed by twenty-five (25) neighbors for an Accessory Dwelling Unit License Application No. 95924.

The subject property is located at **907 Nora Drive, Silver Spring, Maryland 20904.**

Objections to the grant of an Accessory Dwelling Unit License are governed by Section 29-26 of the Montgomery County Code and [OZAH's Rules of Procedure for Agency Referral and Accessory Dwelling Units](#). OZAH's Rules may be found on the above website. *OZAH staff work a hybrid schedule of remote and in office days.* If you wish to review the full file (all submission in the case) before it is published on the website or have other questions, please contact Nana Johnson at (240) 777-6663 or nana.johnson@montgomerycountymd.gov

In addition to all other requirements, any party wishing to rely on documentary evidence during the hearing must submit electronic copies of their supporting documents no later than 48 hours prior to the hearing. Any amended document must be submitted in both paper and electronic format. Electronic copies must be submitted via email to ozah@montgomerycountymd.gov, in Microsoft WORD or PDF format for text documents, and in PDF format for plans and other non-text documents.

In compliance with Maryland requirements regarding the practice of law, groups or associations must have counsel unless their witnesses are members of the group or association who will offer testimony in narrative form (*i.e.*, there is no need for an attorney to conduct a direct examination).

If you need services to participate in a public hearing, please contact us at least 7 days in advance of the hearing by calling 240-777-6660 (TTY 240-777-7914) or emailing us at ozah@montgomerycountymd.gov. This document is available in alternative format such as large print upon request, via the same phone numbers and email address.



Kathleen Byrne
Hearing Examiner

Notices forwarded via email and regular mail this 3rd of September, 2024 to:

Karen Roberts Franklin, *et al.*, Objectors
Arlton Santos
License Applicant
David Johnson, DHCA Inspector

**Basis for Objection to DHCA Decision Regarding Accessory Dwelling
Unit**

Reference No. 95924

907 Nora Drive is not Mr. Jose A Santos, AKA Arilton Santos or Jose Arilton Dos Santos' primary residence. His primary residence is 904 Nora Drive. He already has constructed an ADU at 904 Nora Drive. The ADU at 904 Nora Drive is less than 500 feet from the proposed 907 Nora Drive ADU. Mr. Santos is currently renting 907 Nora Drive to two families: one living upstairs and one living downstairs. The upstairs family parks in the two-car driveway. The downstairs family parks on Renick Lane. The proposed ADU would create further congestion on the already narrow Renick Lane.

Additionally, there are currently several homes on Nora Drive some licensed, some not, that are Air B & B properties that are occupied by multi families or individuals. The resulting congestion from the parking sometimes makes it difficult to get down the street. There are often as many as 6 or 7 vehicles parked at some homes. This is a dead end street, and as a resident that lives at the very end of the street, there are concerns that emergency vehicles would find it difficult to get down the street. We have had this problem in the past. There are commercial vehicles parked overnight on the street as well as untagged vehicles on properties. Many people feel it's ok to park on the front lawn. The addition of another ADU on this street will only add to this chaos.

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
MONTGOMERY COUNTY GOVERNMENT
100 MARYLAND AVENUE, ROOM 200
ROCKVILLE, MARYLAND 20850
(240) 777-6660

OZAH No. AAO-ADO 25-01
Date Filed 8/22/2024
Hearing Date 9/19/2024
Time 9:30a.m.

OBJECTION TO DHCA DECISION REGARDING ACCESSORY APARTMENT

Pursuant to Montgomery County Code Sections 29-16, 29-19 and 29-26, OBJECTION is hereby made to the decision and/or findings of the Department of Housing and Community Affairs (DHCA), decided on _____, regarding Accessory Apartment License Application No. 95924, filed on March 21, 2024.

License Applicant: Arihan Santos
Address: 904 Nora Drive, Silver Spring, 20904 240-388-6308
First Name Middle Initial Last Name
Street City & Zip Code Telephone No.
ajds44@gmail.com
E-mail Address

Objector: Karen S. Roberts Franklin
Address: 1000 Tanley Road, Silver Spring, 20904 301-467-8446
First Name Middle Initial Last Name
Street City & Zip Code Telephone No.
Ksfranklin@gmail.com
E-mail Address

Proposed Use (Check one):
 Attached Accessory Apartment () Detached Accessory Apartment

Description of Property for Proposed Use:
Address: 904 Nora Drive, Silver Spring, MD 20904
Lot: 7 Block: 1 Parcel No.: 348196 Subdivision: Springbrook Knolls
Size of Property: (In acreage or square feet) 0.36 acres Current Zoning: R-90
Number of Off-Street Parking Spaces: Two

Addresses of any other accessory apartments within 500 feet of the subject site, listing their distances from the subject site:
904 Nora Drive, Silver Spring, MD, 20904

License Applicant's Present Legal Interest in Subject Property (Check one):
 Owner Other (describe) _____

Owner of Property (If not License Applicant):
Name _____ Address _____ Zip Code _____

Has any previous application involving this property been made to this office, or to the Board of Appeals, by this applicant, or by anyone else to this applicant's knowledge? _____ If so, give Case Number(s): _____

Basis for Objection (attach additional sheets as needed):
See Attached Sheet

I hereby affirm that all of the statements and information contained in or filed with this Objection are true and correct.

Signature of Attorney - (Please print next to signature) _____
Signature of Objector(s) - (Print next to signature) Karen S. Roberts Franklin

Address of Attorney _____ Telephone Number _____
Attorney's E-mail Address _____