

OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS

Administrative Cause No.: DHS-0121-000079
Underlying/State Agency Action No.: 411-596

Hobart Comfort Inn,
Petitioner,

v.

Indiana Department of Homeland Security,
Respondent.

FINAL ORDER OF DISMISSAL

On February 17, 2021, the parties filed a Stipulated Dismissal and Agreed Order for the above-captioned matter. The ultimate authority in this matter is the Fire Prevention and Building Safety Commission (Commission).

The Commission has authorized the ALJ assigned by the Office of Administrative Law Proceedings to serve as the ultimate authority and thereby issue final orders of dismissal where the Petitioner withdraws the appeal or the parties file a joint or agreed request to dismiss the appeal. The undersigned ALJ therefore issues this final order dismissing the above captioned matter with prejudice.

A person who wishes to seek judicial review of this final determination must file a petition for review in an appropriate court within thirty (30) days of this Order and must otherwise comply with the provisions of Ind. Code § 4-21.5-5.

So Ordered: February 17, 2021



Hon. Chelsea E. Smith, Administrative Law Judge
Indiana Office of Administrative Law Proceedings

Distributed to Parties:

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AGREED ORDER AND STIPULATION OF DISMISSAL

The parties respectfully request this action be dismissed. In support of this request, the parties state the following:

1. On January 11, 2021, Respondent issued a sanction order to Petitioner for failing to correct a previously issued violation of Section 1030.2 of the 2014 Indiana Fire Code by January 05, 2021.
2. On January 25, 2021, Petitioner filed their petition for review of this sanction.
3. Following the initiation of this proceeding, the parties were able to informally resolve this matter and Respondent agreed to rescind the sanction on the understanding that the violation resulting in the sanction was remedied on January 12, 2021.

WHEREFORE, the parties respectfully request this matter be dismissed with prejudice.

Respectfully submitted,


Viral Patel
Representative of Petitioner


Justin Guedel
Attorney for Respondent

Date: 2/17/2021