

Circuit Court for Frederick County
Case No.: C-10-CV-23-000559

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 2261

September Term, 2024

IN THE MATTER OF
SAUNDRA BROWN

Wells, C.J.,
Albright,
Meredith, Timothy E.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: February 20, 2026

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

In May 2018, appellant Sandra Brown filed a complaint with appellee the Maryland Insurance Administration against her motor-vehicle insurer, alleging improperly charged premiums. The Administration investigated but found no evidence of improper charges. It mailed a determination letter to Brown on October 21, 2019. Almost four years later, Brown contacted the Administration for an update on the status of her complaint. When she learned that a determination had been reached years ago, Brown attempted to request a hearing, arguing that she never received the determination letter. The Administration refused her request as untimely. Brown then petitioned for judicial review in the Circuit Court for Frederick County, which affirmed the Administration’s decision. This appeal followed.

In reviewing an administrative appeal, we look through the judicial proceedings and evaluate the agency’s decision.¹ *Motor Vehicle Admin. v. Carpenter*, 424 Md. 401, 413 (2012). For mixed questions of law and fact, we apply the substantial evidence standard of review. *Crawford v. Cnty. Council of Prince George’s Cnty.*, 482 Md. 680, 695 (2023). Under this standard, we “must affirm the agency decision if there is sufficient evidence such that a reasoning mind reasonably could have reached the factual conclusion the agency reached.” *Id.* at 695–96 (cleaned up).

Under COMAR 31.02.01.03(C)(1), a request for a hearing must be received by the Administration “within 30 days of the date of the letter notifying the party of the

¹ For this reason, we do not address Brown’s argument concerning evidentiary issues in the circuit court. Similarly, we do not address the merits of her dispute with her insurer because they are not subject to judicial review. *See* Md. Code Ann., Ins. § 2-215(a).

[Administration’s] action, intention to act, or failure to act.” Here, the determination letter was mailed on October 21, 2019. Brown therefore had until November 20, 2019, to request a hearing. *See Centre Ins. Co. v. J.T.W.*, 397 Md. 71, 75 (2007). She did not do so until July 2023. Thus, her request was untimely.

To be sure, Brown contends she did not receive the determination letter. But “actual receipt of notice is not the test.” *Golden Sands Club Condo., Inc. v. Waller*, 313 Md. 484, 500 (1988). The record reflects that, in March 2019, Brown notified the Administration that she had moved to a new address—her daughter’s home. Her daughter contacted the Administration soon after to confirm the address change, and that is the address to which the Administration mailed the determination letter. Although Brown claims that she moved to another address in September 2019, nothing in the record suggests that she alerted the Administration to this. In short, “there is sufficient evidence such that a reasoning mind reasonably could . . . reach[] the factual conclusion the agency reached”—that the determination letter was mailed to Brown’s residence of record in October 2019 and that she did not request a hearing until July 2024. *Crawford*, 482 Md. at 695–96 (cleaned up). Accordingly, there was substantial evidence to support the Administration’s decision to reject Brown’s hearing request as untimely, and we shall affirm.

**JUDGMENT OF THE CIRCUIT
COURT FOR FREDERICK
COUNTY AFFIRMED. COSTS TO
BE PAID BY APPELLANT.**