

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
October 17, 2012, 4:00 P.M.**

I. ROLL CALL

- II. REVIEW OF SUMMARY – September 19, 2012 pp. 3-4

Please Note: All items are on the Consent Agenda

III. OLD BUSINESS

- (1) 12-TV-88 **118 E. 17th Street**, Lance Weidner. Request for an extension of time to complete repairs. Previously heard July 18, 2012. pp. 5-7

IV. NEW BUSINESS

- (2) 12-RV-113 **423 S. Fess Avenue**, H.A.N.D. Request for rescission of a variance. pp. 8-10
- (3) 12-TV-114 **2611 N. Walnut Street**, Collier Commercial. Request for an extension of time to complete repairs. pp. 11-19
- (4) 12-TV-115 **301 E. Brownstone Drive**, Brownstone Investment Group. Request for an extension of time to complete repairs. pp. 20-37
- (5) 12-TV-116 **408 E. 17th Street**, CS Property Management. Request for an extension of time to complete repairs. pp. 38-44
- (6) 12-TV-117 **224 W. Kirkwood Avenue**, 222 W. Kirkwood, LLC. Request for an extension of time to complete repairs. pp. 45-47
- (7) 12-V-118 **3305 E. Gosprt Court**, Joseph Ryan. Request for an exception or modification to the Housing Property Maintenance Code. pp. 48-64

V. GENERAL DISCUSSION

VII. PUBLIC COMMENT

VIII. ADJOURNMENT

B.H.Q.A. MEETING OF SEPTEMBER 19, 2012

SUMMARY

MEMBERS PRESENT: Sandi Cole, Kris Floyd, Nikki Johnson, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, John Hewett, Maria McCormick (HAND),
Patty Mulvihill (Legal)

OTHERS PRESENT: Tom Gallagher (711 W. Kirkwood Avenue)

I. REVIEW OF SUMMARY

Strauser made a motion to approve the minutes for June 20, 2012 and July 18, 2012. Johnson seconded. Motion passed, 4-0.

II. CONSENT AGENDA

(1) Relief from Administrative Decision:

904 S. Lincoln Street, Grace Fellowship Assembly of God, 12-AA-94. Request for relief from an administrative decision. Recommendation was to grant relief from the rental registration process as long as the church continues to use the property as housing for its Youth Director, Joe James, and his family.

613 W. Duncan Drive, Cole Roberts, 12-AA-95. Request for relief from an administrative decision. Recommendation was to grant relief from the rental registration process as long as the property is owned by its current owner and his daughter, Margaret Huseby, and her husband occupy the property. The property will be pull checked in one year to check its status.

Approved.

(2) Extension of time – Complete Repairs

325 E. 10th Street, 606 Building Company, 121-TV-97. Request for an extension of time to complete repairs. Recommendation was to grant an extension only for the 3 windows with an October 14, 2012 deadline.

327 E. 2nd Street, Tariq Khan, 12-TV-100. Request for an extension of time to complete repairs. Recommendation was to grant an extension only for electrical repairs with an October 1, 2012 deadline.

505 E. Dixie Street, Catherine Sundwall, 12-TV-106. Request for an extension of time to complete repairs. Recommendation was to grant with an October 4, 2012 deadline for all life safety items and a November 19, 2012 deadline for all other repairs.

206 & 361 E. Varsity Lane, Scott Gilbert, 12-TV-107. Request for an extension of time to complete repairs. Recommendation was to grant with November 19, 2012 deadline for window repairs and October 9, 2012 deadline for all remaining violations.

Approved.

(3) Extension of time – State Variance:

502 E. Graham Place, Thomas Volke, 12-TV-101. Request for an extension of time to complete repairs. Recommendation was to grant with November 19, 2012 deadline.

1019 W. Pinehurst Drive, Mike Avila, 12-TV-105. Request for an extension of time to complete repairs. Recommendation was to grant with November 2, 2012 deadline.

Approved.

(4) Rescission of Variance:

504 N. Lincoln Street, H.A.N.D., 12-RV-109. Request for rescission of a variance. Recommendation to rescind variance granted January 5, 1983 allowing cooking in sleeping room #2 & #3.

213 N. Grant Street, H.A.N.D., 12-RV-110. Request for rescission of a variance. Recommendation to rescind variance granted September 19, 1985 for minimum ceiling height requirements for basement units.

Approved.

III. PETITIONS

711 W. Kirkwood Avenue, Thomas G. Gallagher, 12-TV-111. Pulled from Consent Agenda. The petitioner, Tom Gallagher, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a deadline of October 19, 2012. Cole made a motion to grant the request per staff recommendation with a March 31, 2013 deadline. Strauser seconded. Motion passed, 4-0. Request granted.

515, 521 & 545 E. Smith Avenue, DB Crossing, LLC, 12-TV-42. The petitioner was not present to request an extension of time to complete repairs. This was previously heard at the April 18, 2012 meeting. Staff recommendation was to grant the request with a deadline of November 19, 2012. Floyd made a motion to grant the request with a December 19, 2012 deadline. Strauser seconded. Motion passed, 4-0. Request granted.

519, 541 & 543 E. Smith Avenue, DB Crossing, LLC, 12-TV-103. Pulled from Consent Agenda. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a November 19, 2012 deadline for the State Variance and a September 24, 2012 deadline for all other repairs. Floyd made a motion to grant the request with a December 19, 2012 deadline. Strauser seconded. Motion passed, 4-0. Request granted.

523 & 525 E. Smith Avenue, Harold & Sandra Sabbagh, 12-TV-104. Pulled from Consent Agenda. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an October 15, 2012 deadline for the State Variance and a September 24, 2012 deadline for all other repairs. Floyd made a motion to grant the request with a December 19, 2012 deadline. Strauser seconded. Motion passed, 4-0. Request granted.

2517 S. Milton Drive, Wallace Wampler, 12-TV-81. The petitioner was not present to request an extension of time to complete repairs. This item was previously heard June 20, 2012. Staff recommendation was to grant the request with a December 19, 2012 deadline. Floyd made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 4-0. Request granted.

419 N. Washington Street, Fierst Rentals, 12-TV-102. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an October 21, 2012 deadline. Cole made a motion to grant the request per staff recommendation. Strauser seconded. Motion passed, 4-0. Request granted.

404 W. Kirkwood Avenue, Middle Way House, Inc., 12-TV-108. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an October 3, 2012 deadline for life safety issues and December 31, 2012 deadline for all other repairs. Floyd made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 4-0. Request granted.

1008 W. Kirkwood Avenue, Fred Volland, 12-V-112. The petitioner was not present to request a variance allowing a pass through from one bedroom to access another bedroom. Staff recommendation was to grant the request. Cole made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 4-0. Request granted.

IV. GENERAL DISCUSSION

None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Cole made a motion to adjourn. Floyd seconded. Motion passed, unanimously. Meeting adjourned at 3:26 PM.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 17, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-88 (old)

Address: 118 E. 17th Street Apts. A & B

Petitioner: Richard Blackketter

Inspector: Maria McCormick

Staff Report: April 13, 2012 Completed Cycle inspection
June 7, 2012 Received initial BHQA application for appeal
July 19, 2012 Granted extension of time until September 20, 2012
September 12, 2012 Received 2nd BHQA application for appeal

During the cycle inspection there were several windows that did not meet code for the time of construction. The petitioner is requesting additional time to secure a variance from the state for the windows. He was initially granted 60 days. The application has been submitted to the State.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 18, 2012

Attachments: Application for Appeal



RECEIVED
SEP 12 2012

BY: AC

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 118 E 17th

Petitioner's Name: Richard Blackletter

Address: 5451 S. Leonard Sp. Rd.

City: Bl State: In Zip Code: 47401

Phone Number: 812-327-9791 Email Address: _____

Property Owner's Name: Lance Weldurf

Address: 2004 W. That Rd.

City: Bl State: In Zip Code: 47403

Phone Number: 812-327-7859 Email Address: _____

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 12-TV-88 (OLD)

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

Because of Home Sec. Schedule
and Busy Move in Period additional
time is required to receive Var.

Signature (required):



Name (please print):

R. Blacketter

Date:

9-12-12

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: 17 October 2012
Petition Type: Rescind a Variance
Petition Number: 12-RV-113
Address: 423 S. Fess Ave.
Petitioner: HAND
Inspector: Michael Arnold
Staff Report: 07 May 2012 Cycle Inspection
 29 August 2012 Reinspection

Upon completion of remodel work at this property, it was noted there is now a common kitchen and common bathroom on the second floor. There is no longer a requirement for the November 1978 variance from having these spaces available.

Staff Recommendation: Rescind the variance
Conditions: None
Attachments: Application

AS



RECEIVED
AUG 20 2012

Application for Appeal
To The _____
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 427 S KINGS AVE

Petitioner's Name: HAND

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Property Owner's Name: MORT RUBIN

Address: 3330 DUNBAR RD SU 4

City: HOXBY State: IL Zip Code: 60062

Phone Number: 847-272-1234 Email Address: mrubin.lawyer@sbcglobal.net

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 12-RV-113

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

Discontinued exception for bathroom & kitchen on second floor. Both are now present on second floor

Signature (required): _____

Name (please print): _____ Date: _____

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 17, 2012

Petition Type: An extension of time to secure a State egress window variance.

Petition Number: 12-TV-114

Address: 2611 N. Walnut St.

Petitioner: Keith Williamson-Orion Property Mgmt.

Inspector: Norman Mosier

Staff Report: June 19, 2012 – Conducted Cycle Inspection
August 29, 2012 – Conducted Re-inspection
August 31, 2012 – Received BHQA Appeal

It was noted in the cycle inspection report that the egress windows do not meet egress requirements at the time of construction. Petitioner is requesting an extension of time to secure a Egress window variance from the State Fire Prevention and Building Safety commission/ Dept. of Homeland Security.

The emergency egress windows for structure do not meet the minimum requirements for a multi-unit structure built in 1997. The relevant code is the 1992 Indiana Building Code, section: 1204 (103).

Double Hung pop out:

<u>Openable area required: 5.7 Sq. Ft.</u>	<u>Existing area: 5.08 sq. ft.</u>
Clear width required: 20 inches	Existing width: 30.5 inches
Clear height required: 24 inches	Existing height: 24 inches
Maximum sill height: Not more than 44 above finished floor	Existing sill: 24 inches

Staff recommendation: Grant the request.

Handwritten mark

Conditions:

All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 17, 2012

Attachments: Cycle Report, BHQA Appeal, Petitioner's Letter.

RECEIVED
AUG 31 2012

BY: AC



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 2611 N. Walnut St.

Petitioner's Name: Keith Williamson - Orion Property Management

Address: 400 W. 7th St. Suite 110

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-334-5964 Email Address: kwilliamson@orionpropertymanagement.com

Property Owner's Name: Michael Collier - Collier Commercial

Address: 6025 Waterside Dr.

City: Columbus State: IN Zip Code: 47201

Phone Number: 317-632-5555 Email Address: mcollier@hotelcapital.com

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

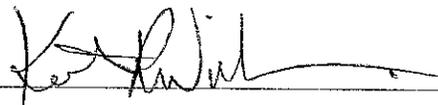
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 12-TV-114

SEE REVERSE

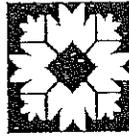
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

We would like time to complete an Application For
VARIANCE (SEE ATTACHED)
All other repairs have been completed.

Signature (required): 

Name (please print): Keith R. Williamson Date: 8-21-12

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

5030

OWNERS

Collior Commercial, Llc - Michael Collior
6025 Waterside Drive
Columbus, IN 47201

AGENT

Orion Management Group, Llc - Keith R. Williamson
400 W. 7th Street, Suite 110
Bloomington, IN 47404

Prop. Location: 2611 N Walnut ST
Number of Units/Structures: 14/1
Units/Bedrooms/Max # of Occupants: 14/3/5

Date Inspected: 06/19/2012
Primary Heat Source: Electric
Property Zoning: CA
Number of Stories: 2

Inspectors: Norman Mosier
Foundation Type: Crawl Space/Basement
Attic Access: Yes
Accessory Structure: None

The Monroe County Assessors records indicate that this structure was built in 1997.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 24 inches
Clear width: 20 inches
Sill height: Not more than 44" above finished floor.

NOTES:

- 🏠 Room dimensions are in the file or listed on the previous cycle inspection report.
- 🏠 Only Units/Rooms with violations shall be listed on this report.

Room Inventory:

Units 1 – 5

1st Floor

Living Room, Kitchen, Bedroom, ½ Bath/Laundry, Furnace Closet

2nd Floor

North Bedroom, South Bedroom/Bath, Hall Bath, Attic

UNITS 6 - 14

1st Floor

Living Room, Kitchen, Bath/Laundry

2nd Floor

North Bedroom, South Bedroom/Bath, Hall Bath, Attic

Basement

Bedroom, Bath, Furnace Closet

GENERAL VIOLATION:

The emergency egress windows for structure do not meet the minimum requirements for a multi-unit structure built in 1997. The relevant code is the 1992 Indiana Building Code, section: 1204 (103).

Double Hung pop out:

Openable area required: 5.7 Sq. Ft.

Existing area: 5.08 sq. ft.

Clear width required: 20 inches

Existing width: 30.5 inches

Clear height required: 24 inches

Existing height: 24 inches

Maximum sill height: Not more than 44 above finished floor Existing sill: 24 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

INTERIOR:

UNIT 1

Attic:

Restore the integrity of the draft stop/fire separation wall in the attic. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. PM-703.1

UNIT 2

Upstairs

Stairway/Hallway:

Repair the smoke detector to be interconnected. PM-704.1

UNIT 3

Main Level

Living Room:

Repair the smoke detector to be interconnected. PM-704.1

Laundry Closet:

Repair/replace the dryer vent hose and/or lint trap to function as intended, dust inside closet.
PM-102.8

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Upstairs

Halfway:

Repair the smoke detector to be interconnected. PM-704.1

UNIT 6

Main Level

Living Room:

Provide operating power to smoke detector. PM-704.1

Repair the hole in the closet door. PM-304.6

Basement

Bedroom:

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Furnace Closet:

Repair the drain to function as intended, makes gurgling sound. PM-504.1

UNIT 7

Main Level

Living Room:

Repair or replace existing smoke detector in a manner so that it functions as intended.
PM-704.1

UNIT 9

Basement

Bedroom:

Repair the hole in the door at the base of stairway. PM-304.6

Repair the smoke detector to be interconnected. PM-704.1

UNIT 10

Main Level

Bathroom:

Replace the defective light switch. PM-605.1

Basement

Bedroom Closet:

Repair the closet door to function as intended, loose at hinges. PM-304.6

UNIT 12

Basement

Bedroom:

Repair the hole in the door at the base of stairway. Pm-304.6

UNIT 13

Upstairs

S Bedroom:

Repair the loose door casing to frame, and repair the door to latch properly. PM-304.6

UNIT 14

Basement

Bathroom:

Secure toilet to its mountings. PM-504.1

EXTERIOR:

Properly label electrical service/meter, A/C disconnects with corresponding unit numbers.

PM-701.2

Repair the hole in the ground on the north side of structure adjacent to unit # 2. Past rain has washed out the dirt down to and underneath the footer of foundation. PM-302.2

OTHER VIOLATIONS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector before the Residential Rental Permit will be issued for this property. BMC16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the

inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 17 October 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-115
Address: 301 E. Brownstone Dr.
Petitioner: Brownstone Terrace
Inspector: Michael Arnold/Robert Hoole
Staff Report: 25 June 2012 Cycle Inspection
 16 July 2012 Inspection report sent
 05 September 2012 Received Appeal

Petitioner is requesting an additional 60 days to complete the repairs. Turnover for the current leasing season delayed completion of the repairs.

Staff recommendation: Grant the extension of time
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: 31 October 2012 for all Life Safety issues (*In Italics on the report*)
 17 December 2012 for all other issues
Attachments: Application, Cycle Inspection Report

RECEIVED
SEP 05 2012



BY: _____

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 301 E. Brownstone Dr.

Petitioner's Name: Brownstone Terrace

Address: 301 E. Brownstone Dr.

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-334-0333 Email Address: management@varsity-properties.com

Property Owner's Name: Brownstone Investment Group

Address: 301 E. Brownstone Dr.

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-334-0333 Email Address: management@varsity-properties.com

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

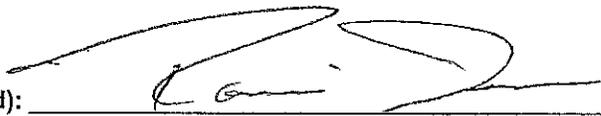
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 12-TV-115

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

We need a 30-60 day extension to get the work done because it fell during turnover which is a very busy time for us.

Signature (required): 

Name (please print): Ronnie Ison Date: 9-5-12

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington Housing and Neighborhood Development

Cycle Report

76

OWNERS

=====

Brownstone Terrace
2015 N. Dunn Street
Bloomington, IN 47408

Prop. Location: 301 E Brownstone DR

Number of Units/Structures: 121/16

Units/Bedrooms/Max # of Occupants: Bld 1: 2/1/2 5/2/4 1/3/5, Bld 2:
4/1/2 6/2/4, Bld 3: 2/1/2 5/2/4 1/3/5, Bld 4: 4/1/2 6/2/4, Bld 5: 2/2/4
2/3/5, Bld 6: 2/2/4 2/3/5, Bld 7: 2/1/2 5/2/4 1/3/5, Bld 8: 7/2/4
1/3/5, Bld 9 : 7/2/4 1/3/5, Bld 10: 2/1/2 3/2/4 3/3/5, Bld 11: 7/2/4
1/3/5, Bld 12 : 7/2/4 1/3/5, Bld 13: 2/1/2 5/2/4 1/3/5, Bld 14: 4/1/2
6/2/4, Bld 15: 4/1/2 6/2/4, Bld 16: 1/3/5

Date Inspected: 06/25/2012

Primary Heat Source: Electric

Property Zoning: PUD

Number of Stories: 2

Inspectors: Robert Hoole/Mike Arnold

Foundation Type: Crawl Space

Attic Access: Yes

Accessory Structure: Carports,
Clubhouse

Monroe County records show these structures were built in 1985. The minimum emergency egress requirements at the time of construction were as follows:

Minimum Openable Height:	24 inches
Minimum Openable Width:	18 inches
Maximum Sill Height:	48 inches above finished floor
Minimum Clear Openable Area:	4.75 square feet

Typical Egress:

Door to the exterior, or:

Casement Window:

Height:	43 inches
Width:	18 inches
Sill Height:	37 inches
Openable Area:	5.31 sq. ft.

Slider Window:

Height:	40.5 inches
Width:	18 inches
Sill Height:	38 inches
Openable Area:	4.92 sq. ft.

Unit 236 and Unit 242-Rear Bedroom:**Slider Window:****Height: 30 inches****Width: 20 inches****Sill Height: 42 inches****Openable Area: 4.16 sq. ft.**

This emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985. The relevant code is the 1980 Indiana Building Code, section: 1204.

Clear height required:	24"	Existing height:	30"
Clear width required:	18"	Existing width:	20"
Maximum sill height:	48" above finished floor	Existing sill:	42"
Openable area required:	4.75sq. ft.	Existing area:	4.16sq. ft.

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Obtain a brochure with measurements or measure units at reinspection
One Bedroom Flat:

Living Room

Kitchen

Bathroom

Bedroom

Two Bedroom Flat:

Living Room

Kitchen

Bathroom

Bedroom 1

Bedroom 2

Three Bedroom Townhouse**Main Level**

Living Room

Kitchen

Dining Room

½ Bathroom

Laundry

Upper Level

Bedroom 1

Bedroom 2

Bedroom 3

Bathroom

Two Bedroom Townhouse**Main Level**

Living Room

Kitchen

Dining Room

½ Bathroom

Laundry

Upper Level

Bedroom 1

Bedroom 2

Bathroom

Note: Only rooms with violations are listed in this report

Interior:

Crawl Spaces:

No violations noted

General Condition:

All fire extinguishers shall be a minimum 1A 10BC classification fire extinguisher and must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

Building 1:

Unit 221:

Utility Closet:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Unit 223:

½ Bathroom:

Eliminate the leak at the stool and repair the water damaged flooring. PM-504.1 and PM-304.4

Unit 227:

Front Bedroom:

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Unit 229:

Entry Hall:

Provide operating power to smoke detector. PM-704.1

Building 2:

Unit 205:

Properly repair and surface coat the deteriorated parts of the ceiling. PM-304.3

Unit 211:

Entry Hall:

Repair door bell to function as intended. PM-605.1

Utility Room:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Bathroom:

Repair the exhaust fan to function as intended. PM-603.1

Unit 215:

Living Room:

Provide operating power to smoke detector. PM-704.1

Building 3:

Unit 172:

Living Room:

Provide operating power to smoke detector. PM-704.1

Stairway:

Replace the damaged/missing handrail. PM-304.5

Unit 174:

Kitchen:

Replace the discharged fire extinguisher. PM-704.3

Utility Room:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Unit 176:

Bedroom:

*Every window shall be capable of being easily opened and held in position by its own hardware.
PM-303.13.2*

Bathroom:

Repair the exhaust fan to function as intended. PM-603.1

Unit 178:

Utility Room:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Unit 180:

Dining Room:

Properly clean the carpeting to eliminate stains and mold. PM-304.1

Front Bedroom:

*Every window shall be capable of being easily opened and held in position by its own hardware.
PM-303.13.2*

Rear Bedroom:

Window shall be capable of closing and latching as intended. PM-303.13.12

Unit 182:

Entry Hall:

Properly repair and finish coat the deteriorated parts of the ceiling. PM-304.1

Kitchen:

Replace the deteriorated exhaust fan. PM-603.1

Unit 184:

Living Room:

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Unit 186:

Utility Room:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Right Front Bedroom:

Repair the window so it closes and latches it intended. PM-303.13.12

Building 4:

Unit 188:

Living Room:

Provide operating power to smoke detector. PM-704.1

½ Bathroom:

Repair the exhaust fan to function as intended. Pm-603.1

Unit 190:

Utility Room:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Unit 192:

General Condition:

No power at inspection. Check electrical at reinspection.

Unit 194:

Entry Hall:

Provide operating power to smoke detector. PM-704.1

Unit 200:

Living Room:

Provide operating power to smoke detector. PM-704.1

Unit 202:

Living Room:

Provide operating power to smoke detector. PM-704.1

Utility Room:

Eliminate the source of the water on the floor. PM-504.1

Upper Level:

Hallway:

Provide operating power to smoke detector. PM-704.1

Front Bedroom, Rear Bedroom:

Repair/replace the doorknob. PM-304.6

Unit 204:

Living Room:

Provide operating power to smoke detector. PM-704.1

Utility Room:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Unit 206: Living Room:

Provide operating power to smoke detector. PM-704.1

Building 5:

Unit 212:

Main Level:

Living Room:

Provide operating power to smoke detector. PM-704.1

Dining Room:

Replace the broken outlet on the north wall. PM-605.1

Upper Level:

Hallway:

Provide operating power to smoke detector. PM-704.1

Building 6:

Unit 220:

Hallway:

Provide operating power to smoke detector. PM-704.1

Unit 224:

Dining Room:

Repair the hole in the wall. PM-304.3

Laundry:

Replace the damaged/deteriorated dryer exhaust line. PM-603.1 (Replacement with plastic is not permitted).

Scrape and paint interior surfaces where paint is peeling or wood is exposed. PM-304.3 (Ceiling).

Unit 226:

Main Level:

Dining Room:

Repair the broken window. PM-303.13

Upper Level:

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Building 7:

Unit 228:

Main Level:

Laundry:

Replace the damaged/deteriorated dryer exhaust line. PM-603.1 (Replacement with plastic is not permitted).

Unit 232:

Main Level:

Laundry:

Replace the damaged/deteriorated dryer exhaust line. PM-603.1 (Replacement with plastic is not permitted).

Unit 234:

Main Level:

Kitchen:

Repair the garbage disposal to function as intended. PM-603.1

Laundry:

Repair/replace the shelving unit. PM-304.1

Upper Level:

Hallway:

Provide operating power to smoke detector. PM-704.1

Unit 240:

Rear Bedroom:

Replace the broken/missing outlet cover plate. PM-605.1 (East wall).

Unit 242:

Kitchen:

Secure the faucet to the sink. PM-504.1

Replace the missing floor vent cover. PM-304.1

Building 8:

Unit 302:

Entry Hall:

Replace the missing furnace closet door handle. PM-304.1

Unit 308:

Rear Bedroom:

Provide operating power to smoke detector. PM-704.1

Building 9:

Unit 328:

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Unit 332:

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Building 10:

Unit 400:

Main Level:

Kitchen:

Replace the missing drawer front. PM-304.1

Upper Level:

Rear Bedroom:

Replace the damaged weather stripping on the door to the exterior. PM-303.15

Unit 402:

Main Level:

Hallway:

Repair the light fixture in the hallway. PM-605.1

Building 11:

Unit 416:

Upper Level:

Hallway:

Provide operating power to smoke detector. PM-704.1

Unit 420:

A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Rear Bedroom:

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Unit 426:

Kitchen:

A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Unit 430:

Living Room:

Provide operating power to smoke detector. PM-704.1

Building 12:

Unit 436:

Entry Hall:

Provide operating power to smoke detector. PM-704.1

Unit 440:

Kitchen:

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Building 13:

Unit 401:

Upper Level:

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1 (Replace the missing hard-wired smoke detection).

Properly repair and surface coat the hole in the wall. PM-304.3

Unit 415:

Entry Hall:

Repair the door bell to function as intended. PM-605.1

Building 14:

Unit 325:

Living Room

Provide operating power to smoke detector. PM-704.1

Unit 329:

Bedroom:

Repair the window to close and latch as intended. PM-303.12.3

Unit 335:

General Condition:

No power at inspection. Check electrical at reinspection.

Living Room:

Provide operating power to smoke detector. PM-704.1

Unit 337:

Upper Level:

Bathroom:

Repair the exhaust fan to function as intended. PM-603.1

Unit 341:

Kitchen:

A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Building 15:

Unit 303:

Living Room:

Provide operating power to smoke detector. PM-704.1

Utility Room:

Eliminate the source of the water on the floor. PM-504.1

Properly repair and surface coat the damage/hole in the ceiling. PM-304.3

Bathroom:

Seal edge of floor covering adjacent to bathtub. PM-304.1

Unit 305:

Living Room:

Provide operating power to smoke detector. PM-704.1

Unit 311:

Bedroom:

*Every window shall be capable of being easily opened and held in position by its own hardware.
PM-303.13.2*

Unit 315:

Living Room:

Provide operating power to smoke detector. PM-704.1

Unit 317:

Living Room:

Provide operating power to smoke detector. PM-704.1

Unit 319:

Utility Room:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Unit 321:

Living Room:

Provide operating power to smoke detector. PM-704.1

Utility Room:

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Attics:

No violations noted

Exterior:

General:

Label the meter and shut off boxes. PM-605.1

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Replace the deteriorated/missing air conditioning line insulation. PM-603.1

Building 1:

Unit 221:

Repair/replace the soft deck boards. PM-303.10

Building 2:

Unit 217:

Replace the broken deck boards. PM-303.10

Building 3:

Unit 182:

Replace the broken boards in the ramp. PM-303.10

Building 5:

Replace the missing trim along the east end roof line. PM-303.7 East end

Unit 216:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2 (Entry door).

Building 6:

Unit 220:

Secure the front deck handrail at the steps. PM-303.12

Unit 222:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2 (Entry door).

Unit 226:

Secure the front deck railing and repair the flooring at the base of the railing. PM-303.12

Secure the deck railing on the upper level. PM-303.12

Building 7:

Remove the trash and debris from the stair wells. PM-302.1

Secure the railing at the common area at Unit 240. PM-303.12

Unit 230:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2 (Entry door).

Secure the front deck handrail at the steps. PM-303.12

Unit 234:

Secure the handrail at the corner. PM-303.12

Building 8:

Secure the deck railing at the stair landing. PM-3-3.12

Secure the satellite line to the side of the building. PM-605.1

Unit 314:

Secure the deck railing at the stair landing. PM-3-3.12 (Rear deck).

Unit 9:

Unit 322:

Repair/replace the sliding door screen. PM-3-3.15

Unit 326:

Properly bury or secure the cable line to the structure. PM-605.1

Building 10:

Secure the window frame on the south side of the structure. PM-304.3

Secure the loose crawl space vents. PM-304.3

Seal the gap at the A/C line South wall-east end. PM-304.3

Unit 408:

Replace the missing protective cover for the light fixture. PM-605.1

Building 11:

Repair the crack in the front sidewalk. PM-302.3

Unit 416:

Secure the deck railing at the stair landing. PM-3-3.12 (Rear deck).

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 17, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-116
Address: 408 E. 17th Street
Petitioner: Jill Robinson for CS Property
Inspector: Maria McCormick
Staff Report: June 21, 2012 Completed cycle inspection
July 19, 2012 Re-inspected tenant violation
September 7, 2012 Application for Appeal received

During the cycle inspection there were several violations noted. The petitioner is requesting an extension of time to complete all the repairs due to staffing issues experienced during the month of August. They have scheduled a re-inspection for October 16, 2012.

Staff recommendation: Grant the extension of time.
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: October 20, 2012
Attachments: Application for Appeal; Cycle Report



RECEIVED
SEP 07 2012

SEP 07 2012

BY: _____

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 408 E. 17th Street

Petitioner's Name: Jill Robinson

Address: 225 N. Washington Street

City: Bloomington State: IN Zip Code: 47408

Phone Number: 330-1411 Email Address: jrobinson@cspropertymanagement.com

Property Owner's Name: CS Property

Address: 225 N. Washington Street

City: Bloomington State: IN Zip Code: 47408

Phone Number: 330-1411 Email Address: _____

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 12-TV-116

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

As we are wrapping up our busiest time of year, we are short-staffed. One of our maintenance technicians passed away in August & another one was terminated leaving us two techs for 460 units. We respectfully request another ~~60~~ 60 days to complete the work.

Signature (required):



Name (please print):

JILL ROBINSON

Date:

9-4-12

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
Housing and Neighborhood Development

Cycle Report

2868

OWNERS

Ferguson, Connie M.
225 N. Washington St.
Bloomington, IN 47408

AGENT

Robinson, Jill
225 N. Washington Street
Bloomington, IN 47408

Prop. Location: 408 E 17th ST
Units/Bedrooms/Max # of Occupants: 10/1/2
Date Inspected: 06/21/2012
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 10/1

Inspectors: Maria McCormick
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

Monroe County Assessor's records indicate that this structure was built in 1964. At that time there were no minimum requirements for emergency egress.

Room dimensions are in the file, only rooms with violations will be listed in this report.
All bedrooms have the following window for egress:

Existing Egress Window Measurements:

Height: 23 ½ inches
Width: 34 ¾ inches
Sill Height: 23 inches
Openable Area: 5.68 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

INTERIOR:

Apt. 1 – Tenant Violations –

Living Room:

7/29/12
A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. The aisle(s) shall be continuous, unobstructed, and a minimum of 36 inches in width in accordance with the locally adopted fire code. PM-702.1 & PM-702.2

Replace the missing cover plate on the phone jack. PM-605.1

Hallway:

AM/30/12
C
A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. The aisle(s) shall be continuous, unobstructed, and a minimum of 36 inches in width in accordance with the locally adopted fire code. PM-702.1 & PM-702.2

Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

Bathroom:

Properly ground the electrical receptacle. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Replace the missing protective cover for the light fixture. PM-605.1

Apt. 2 –

Living Room:

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Properly ground the electrical receptacle on the west wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

Bedroom:

Properly remove, clean & sanitize the mold and mildew from around the window. PM-304.3

Bathroom:

Properly ground the electrical receptacle. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Apt. 3 –

Kitchen:

Properly re-caulk around the countertop to eliminate water infiltration. PM-304.3

Apt. 4 –

Bathroom:

Properly ground the electrical receptacle. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Apt. 5 –

Kitchen:

Provide electrical power to the receptacle to the left of the sink so that it functions as intended. PM-605.1

Properly repair or replace broken or missing cabinet door. PM-304.3

Bathroom:

Properly ground the electrical receptacle. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Mechanical Closet:

Properly install a TPR tube on the water heater. Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Apt. 6 –

Bathroom:

Properly secure the loose electrical receptacle. PM-605.1

Seal edge of floor covering adjacent to bathtub. PM-304.1

Apt. 7 –

Bathroom:

Properly ground the electrical receptacle. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Apt 8 –

This unit had no electricity at the initial inspection. All electrical will be checked at re-inspection and must be brought into compliance in the same 60 days as the rest of the building.

Bathroom:

Properly repair floor on the left side of the bathtub. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. PM-304.2 & PM-304.4

Apt. 9 –

Kitchen:

Repair garbage disposal to function as intended. PM-504.1 & PM-605.1

Bathroom:

Secure toilet to its mountings. PM-504.1

Properly ground the electrical receptacle. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Apt. 10 –

No violation noted.

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. Scrape and paint exterior metal surfaces where paint is peeling and all metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion. All metal surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. PM-303.2 (This item only has a compliance deadline of June 19, 2013.)

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Secure the guardrail and the handrail on the east stairway so they are capable of withstanding normally imposed loads. PM-303.12

From May 15th to October 15th of each year, every door opening directly from any rental unit to the outdoors, and every window or other outside opening used for ventilation purposes shall be supplied with approved screening. Apt. 1 is missing a screen in the front window. PM-303.14

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 17, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-117
Address: 224 W. Kirkwood Ave.
Petitioner: Heather VanNess
Inspector: Maria McCormick

Staff Report: This property has complied with all Title 16 requirements. However, before HAND can issue a rental occupancy permit the property must be in compliance with all of the requirements of the City Planning Dept. The petitioner is requesting an additional 9 months to complete these requirements.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 18, 2012

Attachments: Application for Appeal

for

RECEIVED
SEP 11 2012



BY: _____
Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 224 W Kirkwood Ave.

Petitioner's Name: Heather VanNess, property manager

Address: office: 940 S Clarizz Blvd #25

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812.333.3333 Email Address: hvanness@abodes.com

Property Owner's Name: 222 W. Kirkwood, LLC

Address: same as office

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV).
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 12-TV-117

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

In order to obtain a City Permit for Occupancy, solar panels must be installed on the rooftop of the building prior to any occupancy of the commercial tenant space on the ground level of the building. At this time we are asking that the Temporary Rental Occupancy Permit, which expires on 9/13/12, be extended for another 9 months. This would allow us more time to get the commercial space rented and install the panels once a Lease Agreement is signed. As we understand the process, once the commercial space is leased and we have the solar panels installed, we will then qualify for a regular Occupancy Permit.

Signature (required): Heather Vanness

Name (please print): Heather Vanness Date: 9/11/12

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 17, 2012

Petition Type: An extension of time to secure a State egress variance.

Petition Number: 12-TV-118

Address: 3305 E. Gosport Ct.

Petitioner: Joseph Ryan/ Hallmark Rentals & Mgmt. Inc.

Inspector: Norman Mosier

Staff Report: July 3, 2012 – Conducted Cycle Inspection
September 12, 2012 – Received BHQA Appeal
September 19, 2012 – Scheduled Re-inspection

It was noted during the cycle inspection that the master bedroom window does not meet egress requirements at the time of construction. Petitioner is requesting an extension of time to secure a variance from the Fire Prevention and Building Safety Commission/Dept. of Homeland Security.

Master Bedroom 21-2 x 15-3:

The emergency egress window does not meet the minimum requirements for a one and two family structure built in 1987. The relevant code is the Indiana Building Code, section: R-211.2.

CASEMENT WINDOW

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.24 sq. ft.</u>
<u>Clear width required: 20 inches</u>	<u>Existing width: 10 inches</u>
Clear height required: 24 inches	Existing height: 61 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 20 inches

Staff recommendation: Grant the request.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 17, 2012

Attachments: Cycle Report, BHQA Appeal, Remaining Violations Report, Petitioner's Letter

RECEIVED
SEP 13 2012



BY: _____
Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 3305 E. Gosport Court

Petitioner's Name: Joseph Ryan

Mailing Address: Unit 3230 Box 302

City: DPO State: AA Zip Code: 34031

Phone Number: (310) 471-7081 Email Address: jsryanjr@gmail.com

Property Owner's Name: (Same as above.)

Address: (U.S. domicile) 11750 Sunset Blvd., #318

City: Los Angeles State: CA Zip Code: 90049

Phone Number: (310) 471-7081 Email Address: (same)

Occupants: (None)

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number: 12TV-118

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

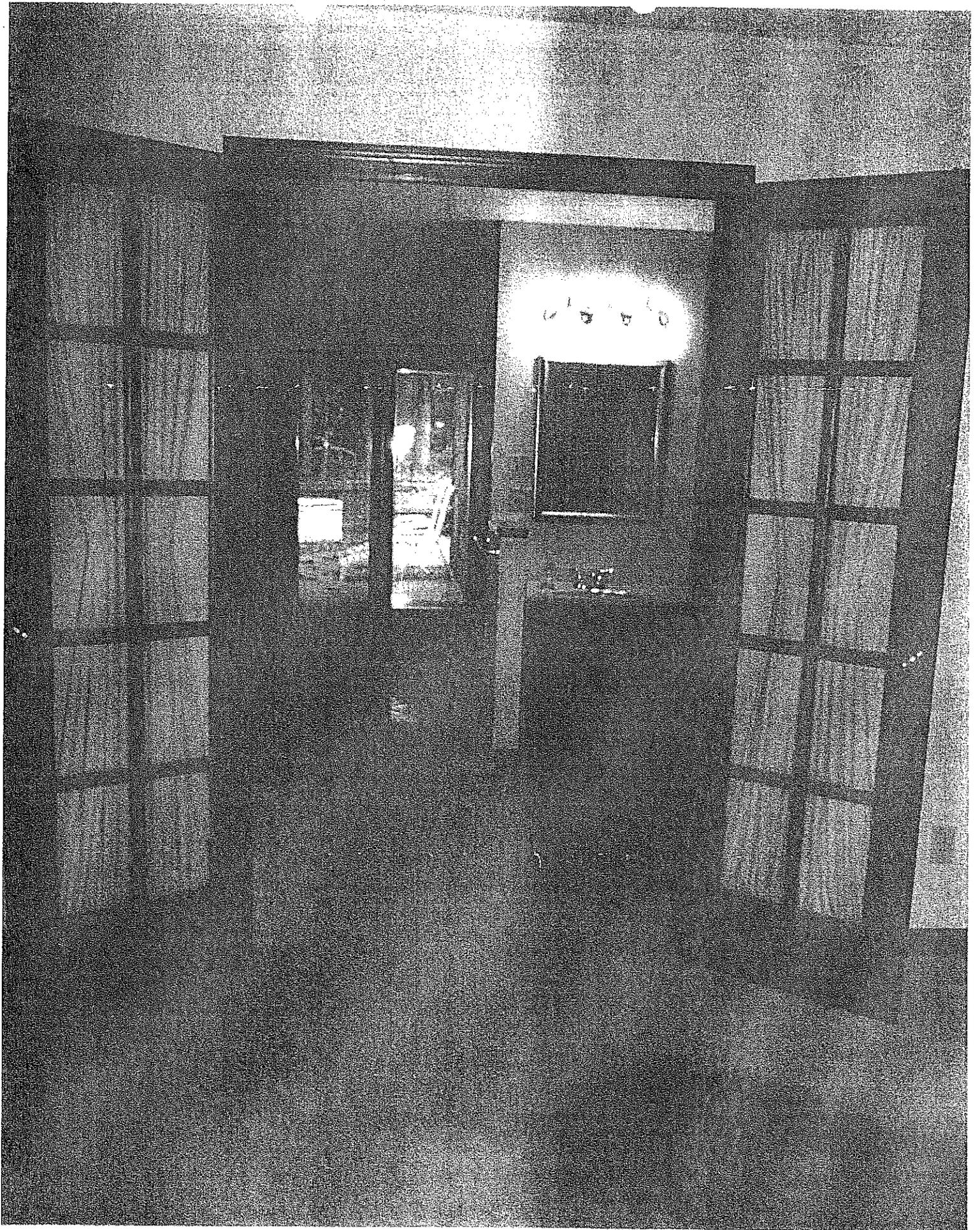
This is an appeal to allow the existing back door to be considered the master bedroom's "Emergency Egress Opening," to allow granting of a rental permit without modifying the bedroom's window. The bedroom connects to the back door via a four foot wide opening with double doors and a straight unencumbered path to the back sliding door, which opens onto the back deck at ground level. (See accompanying photos.) This provides outstandingly quick and safe egress for residents and access for first responders. The bedroom's window also rotates open, but not to the required width of 20 inches, so to substitute the window for the back door as the emergency egress would require replacing the entire 6-ft by 6-ft custom window, which would be very expensive and could harm the appearance and value of the house. We have recently bought the house and only want to rent it out until we move in upon my retiring from the U.S. Foreign Service in July 2014, so we hope to avoid substantial, permanent alterations for such a short rental period. More importantly, a window exit would not be as quick and safe as the back door exit is already. We therefore feel that the requested exception is consistent with the housing code's purposes of promoting safety and preserving property values. Thank you.

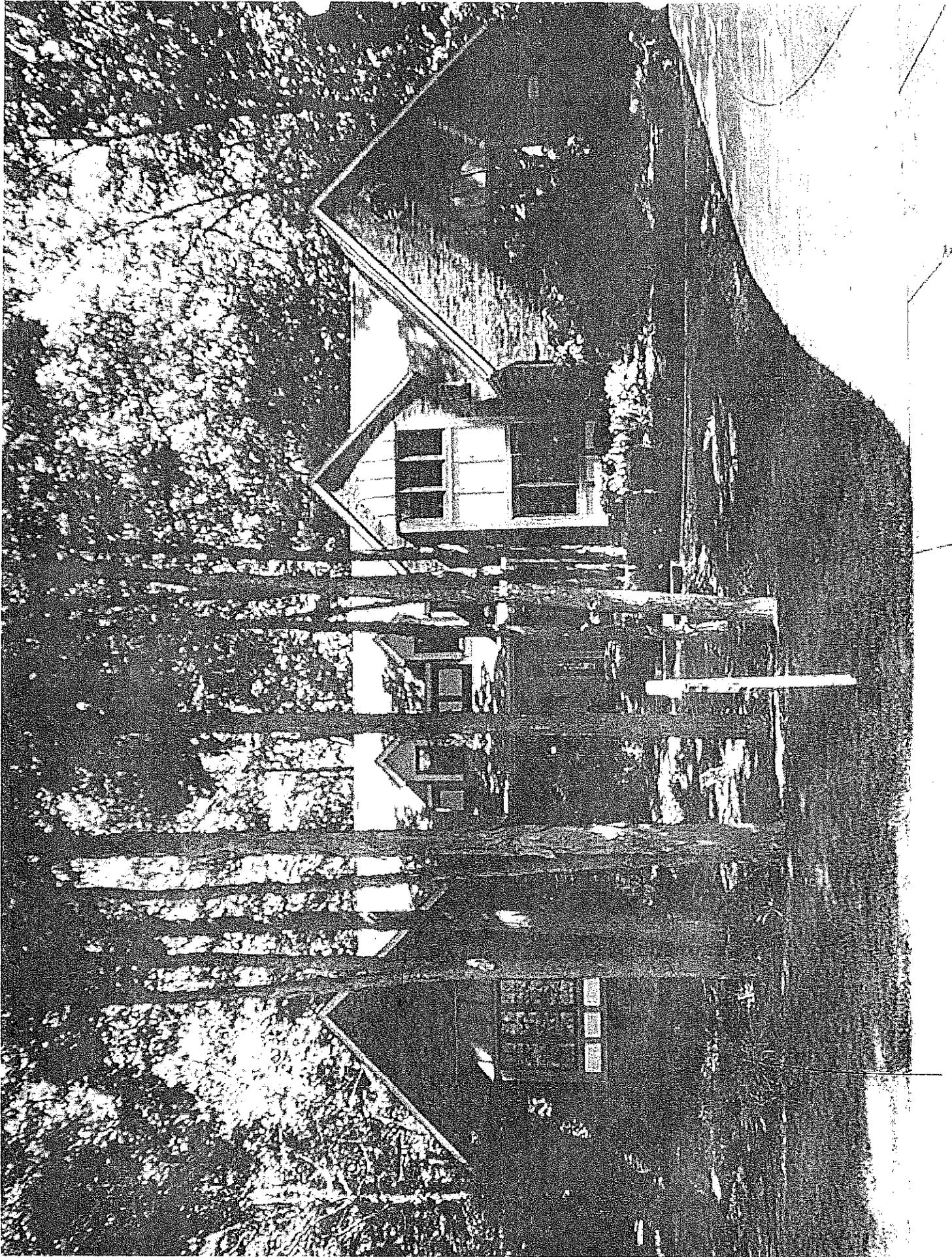
Signature (required): Joseph S Ryan Jr

Name (please print): Joseph S. Ryan Jr. Date: 8-31-2012

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.







Master bedroom window



City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

9904

OWNERS

Ryan, Joseph S. & Paulette F.
Unit 3230 Box 302
Dpo, AA 34031-0302

AGENT

Hallmark Rentals & Mgmt. Inc.
1205 N. Walnut St.
Bloomington, IN 47404

Prop. Location: 3305 E Gosport CT
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/4/3

Date Inspected: 07/03/2012
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

Inspectors: Norman Mosier
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: Gazebo

The Monroe County Assessor's records indicate that this structure was built in 1987.
Minimum egress requirements for a single family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 24 inches
Clear width: 20 inches
Sill height: Not more than 44 inches above finished floor.

INTERIOR:

MAIN LEVEL

Foyer:

No violations noted.

Living Room 29-8 x 17-6:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

S Dining Room 15 x 13-4:

Repair/replace the defective dimmer switch. PM-605.1

S Hallway:

No violations noted.

Garage:

Locks on egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort. Replace the lock with a single cylinder, thumb-lever lock, on exterior entry door and interior door to S hallway. PM-702.3

Laundry Room:

No violations noted.

½ Bath:

No violations noted.

Kitchen:

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor.
PM-704.3.

Breakfast Nook:

No violations noted.

W Hall Closet: NOTE, access to crawlspace in closet.

No violations noted.

Crawlspace:

No violations noted.

Utility Closet:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level: 0 parts per million (ppm)
Acceptable level in a living space: 9 ppm
Maximum concentration for flue products: 50 ppm
PM-603.1

Master Bedroom 21-2 x 15-3:

The emergency egress window does not meet the minimum requirements for a one and two family structure built in 1987. The relevant code is the Indiana Building Code, section: R-211.2.

CASEMENT WINDOW

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.24 sq. ft.</u>
<u>Clear width required: 20 inches</u>	<u>Existing width: 10 inches</u>
<u>Clear height required: 24 inches</u>	<u>Existing height: 61 inches</u>
<u>Maximum sill height: 44 inches above finished floor</u>	<u>Existing sill: 20 inches</u>

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Master Bath:

Repair the sliding door leading to the deck to open as intended, won't slide in track, sticks.
PM-303.15

Closet:

No violations noted.

UPSTAIRS

Stairway/Hallway:

No violations noted.

SW Bedroom 16 x 11-7:

Repair/replace the broken left side window screen. PM-303.14

SW Bedroom: (continued)

Existing Egress Window Measurements: Casement: const. Yr. - 1987

Height: 43 inches

Width: 24.75 inches

Sill Height: 37.5 inches

Openable Area: 7.39 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bath:

No violations noted.

Middle S Bedroom 15 x 13:

Repair/replace the broken right side window screen. PM-303.14

Existing Egress Window Measurements: Casement: const. Yr. - 1987

Height: 43 inches

Width: 24.75 inches

Sill Height: 37.5 inches

Openable Area: 7.39 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

N Bedroom 17-6 x 13:

No violations noted.

Existing Egress Window Measurements: Casement: const. Yr. - 1987

Height: 43 inches

Width: 24.75 inches

Sill Height: 37.5 inches

Openable Area: 7.39 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Closet, Attic, Hall Bath, Bonus Room 18-6 x 11-6:

No violations noted.

EXTERIOR:

No violations noted.

Gazebo:

No violations noted.

Required documentation:

Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner.** BMC16.12.060

C
8-22-12
MM

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
Housing and Neighborhood Development

SEP 19 2012

REMAINING VIOLATIONS REPORT

9904

OWNERS

Ryan, Joseph S. & Paulette F.
Unit 3230 Box 302
Dpo, AA 34031-0302

AGENT

Hallmark Rentals & Mgmt. Inc.
1205 N. Walnut St.
Bloomington, IN 47404

Prop. Location: 3305 E Gosport CT
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/4/3

Date Inspected: 07/03/2012
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

Inspectors: Norman Mosier
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: Gazebo

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

INTERIOR:

MAIN LEVEL

Foyer:

No violations noted.

Living Room 29-8 x 17-6:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

S Dining Room 15 x 13-4:

Repair/replace the defective dimmer switch. PM-605.1

S Hallway:

No violations noted.

Garage:

Locks on egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort. Replace the lock with a single cylinder, thumb-lever lock, on exterior entry door and interior door to S hallway. PM-702.3

Laundry Room:

No violations noted.

½ Bath:

No violations noted.

Kitchen:

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Breakfast Nook:

No violations noted.

W Hall Closet: NOTE, access to crawlspace in closet.

No violations noted.

Crawlspace:

No violations noted.

Utility Closet:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level: 0 parts per million (ppm)
Acceptable level in a living space: 9 ppm
Maximum concentration for flue products: 50 ppm
PM-603.1

Master Bedroom 21-2 x 15-3:

The emergency egress window does not meet the minimum requirements for a one and two family structure built in 1987. The relevant code is the Indiana Building Code, section: R-211.2.

CASEMENT WINDOW

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.24 sq. ft.</u>
<u>Clear width required: 20 inches</u>	<u>Existing width: 10 inches</u>
<u>Clear height required: 24 inches</u>	<u>Existing height: 61 inches</u>
<u>Maximum sill height: 44 inches above finished floor</u>	<u>Existing sill: 20 inches</u>

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Master Bath:

Repair the sliding door leading to the deck to open as intended, won't slide in track, sticks.
PM-303.15

Closet:

No violations noted.

UPSTAIRS

Stairway/Hallway:

No violations noted.

SW Bedroom 16 x 11-7:

Repair/replace the broken left side window screen. PM-303.14

SW Bedroom: (continued)

Existing Egress Window Measurements: Casement: const. Yr. - 1987

Height: 43 inches

Width: 24.75 inches

Sill Height: 37.5 inches

Openable Area: 7.39 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bath:

No violations noted.

Middle S Bedroom 15 x 13:

Repair/replace the broken right side window screen. PM-303.14

Existing Egress Window Measurements: Casement: const. Yr. - 1987

Height: 43 inches

Width: 24.75 inches

Sill Height: 37.5 inches

Openable Area: 7.39 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

N Bedroom 17-6 x 13:

No violations noted.

Existing Egress Window Measurements: Casement: const. Yr. - 1987

Height: 43 inches

Width: 24.75 inches

Sill Height: 37.5 inches

Openable Area: 7.39 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Closet, Attic, Hall Bath, Bonus Room 18-6 x 11-6:

No violations noted.

EXTERIOR:

No violations noted.

Gazebo:

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

This is the end of this report.