

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
December 18, 2013, 4:00 P.M.**

I. ROLL CALL

II. REVIEW OF SUMMARY – November 20, 2013 pp. 2-3

III. CONSENT AGENDA

[OLD BUSINESS]

- (1) 13-TV-67 **303 E. Smith Avenue**, Michel King. Request for an extension of time to complete repairs. Previously heard July 17, 2013, August 21, 2013 and October 16, 2013. pp. 4-10
- (2) 13-TV-97 **601 S. Woodlawn Avenue**, Jean Ann Colbert. Request for an extension of time to complete repairs. Previously heard September 18, 2013. pp. 11-19

[NEW PETITIONS]

- (3) 13-RV-126 **615 N. Lincoln Street**, H.A.N.D. Request for rescission of a variance. pp. 20-21
- (4) 13-TV-127 **2372 S. Henderson Street**, Pengyum Li. Request for an extension of time to complete repairs. pp. 22-28
- (5) 13-TV-128 **2404 S. Woolery Mill Drive**, Orion Property Management. Request for an extension of time to complete repairs. pp. 29-33
- (6) 13-TV-129 **221 E. 12th Street**, Teresa Klassen. Request for an extension of time to complete repairs. pp. 34-42
- (7) 13-RV-130 **108 E. Cottage Grove Avenue**, H.A.N.D. Request for rescission of a variance. pp. 43-49
- (8) 13-TV-131 **808 S. Rogers Street**, Jøn Thomas. Request for an extension of time to complete repairs. pp. 50-56

IV. GENERAL DISCUSSION

Remind Commission of Officer elections next month.

V. PUBLIC COMMENT

VI. ADJOURNMENT

B.H.Q.A. MEETING OF NOVEMBER 20, 2013

SUMMARY

MEMBERS PRESENT: Megan Binder, Kris Floyd, Susie Hamilton, Nikki Johnson, Eric Spoonmore

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, John Hewett, Norman Mosier, Jo Stong, Dee Wills (HAND), Greg Small (Legal)

OTHERS PRESENT: Kelly Harding (2444-2448 W. Marlene Drive), Mary Ann Waggoner (Summit Pointe – Willowbrook)

I. REVIEW OF SUMMARY

Hamilton made a motion to approve the minutes for November 20, 2013. Johnson seconded. Motion passed, 5-0.

II. CONSENT AGENDA

1613 S. Highland Avenue, Brian Mears, 13-TV-111. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a January 20, 2014 deadline.

1507 E. Hunter Avenue, H.A.N.D., 13-RV-112. Request for rescission of a variance. Staff recommendation to grant the rescission.

1700 N. Lincoln Street, Lisa Allen, 13-TV-113. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a January 20, 2014 deadline.

116 N. Walnut Street, H.A.N.D., 13-RV-114. Request for rescission of a variance. Staff recommendation to grant the rescission.

510 E. Smith Avenue, H.A.N.D., 13-RV-115. Request for rescission of a variance. Staff recommendation to grant the rescission.

2370 S. Henderson Street, Jeanne Walters Real Estate, 13-TV-116. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a January 20, 2014 deadline.

607 E. 2nd Street, H.A.N.D., 13-RV-119. Request for rescission of a variance. Staff recommendation to grant the rescission.

807 N. Lincoln Street, Rebecca Swanson, 13-TV-120. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 20, 2014 deadline.

1323 N. Washington Street, John Seeber, 13-TV-122. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a November 25, 2013 deadline.

420 N. Lincoln Street, H.A.N.D., 13-RV-123. Request for rescission of a variance. Staff recommendation to grant the rescission.

560 S. Basswood Drive, Apt. G, Michael Newman, 13-TV-124. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a December 20, 2013 deadline.

861-863 S. Park Square Drive, H.A.N.D., 13-RV-125. Request for rescission of a variance. Staff recommendation to grant the rescission.

Approved.

III. PETITIONS

2444-2448 W. Marlene Drive, Kelly Harding, 13-TV-118. The petitioner, Kelly Harding, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a November 21, 2013 deadline for all life safety violations and a December 20, 2013 deadline for all other violations. Harding reported that property is vacant. Johnson made a motion to grant the request for an extension of time for all violations with a deadline that all repairs be completed prior to re-occupancy, and that this will be routinely verified by HAND staff. Hamilton seconded. Motion passed, 5-0. Request granted.

1275 N. Maple Street, Matthew Ferguson, 13-TV-117. Pulled from Consent Agenda. The petitioner, Mary Ann Waggoner of Summit Pointe – Willowbrook, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a December 01, 2013 deadline for all repairs. Floyd made a motion to grant the request with a January 15, 2014 deadline for all window replacement, deck repairs and Unit 1203 repairs, and a December 01, 2013 deadline for all other issues cited in the report. Johnson seconded. Motion passed, 5-0. Request granted.

701 E. Summitview Place, Scott May, 13-TV-65. Pulled from Consent Agenda. The petitioner, Mary Ann Waggoner of Summit Pointe – Willowbrook, was present to request an extension of time to complete repairs. This was previously heard July 17, 2013. Staff recommendation was to grant the request with a January 20, 2014 deadline for all repairs. Floyd made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 4-0-1 (Johnson abstained). Request granted.

IV. GENERAL DISCUSSION
None.

V. PUBLIC COMMENT
None.

VI. ADJOURNMENT
Floyd made a motion to adjourn. Hamilton seconded. Motion unanimously passed. Meeting adjourned at 4:26 PM.



City of Bloomington
H.A.N.D.

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

Meeting Date: December 18, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-67

Address: 303 E. Smith Avenue

Petitioner: Michael J. King

Inspector: Jo Stong

Staff Report: April 16, 2013: Conducted cycle inspection
June 3, 2013: Conducted reinspection
June 3, 2013: Received appeal
July 18, 2013: Sent amended report
September 10, 2013: Received copy of letter from State
October 16, 2013: BHQA granted extension of time until
December 16, 2013

The bedroom in unit #3 has no window. An incorrect code was cited on the original inspection report, and an amended report was sent out citing the correct code. The State responded to a request for a variance with the incorrect code. An extension of time is needed to complete the variance process. As of November 20, 2013, the owner was waiting for a letter from Homeland Security.

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: January 31, 2014

Attachments: Amended cycle report, application, copy of relevant code



RECEIVED JUN 07 2013

RECEIVED NOV 20 2013

Application for Appeal To The BY: _____

Board of Housing Quality Appeals

P.O. Box 100

Bloomington, IN 47402

812-349-3420

BY: _____

hand@bloomington.in.gov

Property Address: 303 East Smith #3

Petitioner's Name: Michel J King

Address: 351 South Lincoln St

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-333-6440 Email Address: mykdds10@gmail.com

Property Owner's Name: Michel J King

Address: 3708 Sterling Ave

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-369-9244 Email Address: mykddc10@gmail.com

Occupants: 1

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.

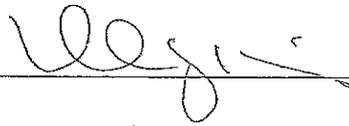
OFFICE USE ONLY
Petition Number 13-TV-67

(OLD BUSINESS)

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 property has had a variance since 1984 + there is no room for a window in the bedroom because of the construction of the building. This apartment has been occupied since the building was built in the 1960's. Since I have owned this building (1989) this is the first that I have heard of this problem. I do not understand why I have a \$20.00 fee for this.

Signature (required): 
Name (please print): Michel J. King Date: 6/4/13

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.

All stairs and exits in Group H occupancies shall open directly upon a street or alley or upon a yard or court not less than four feet (4') in width directly connected to a street or alley by means of a passageway not less in width than the stairway opening into such passageway and not less than seven feet (7') in height.

Light, Ventilation, and Sanitation

Sec. 1305. All rooms of Group H occupancies used for eating, living, or sleeping purposes shall be provided with light and ventilation by means of windows with an area not less than one-seventh of the total floor area of such room or rooms.

Light, ventilation and sanitation shall be provided as specified by the sections on Plumbing, Electrical, and Heating, Ventilating and Air Conditioning.

See Plumbing Rules and Regulations, Volume III, for recommended sanitary facilities.

Exit Lighting and Signs

Sec. 1306. All fire exits, stairways, and passages thereto, and all exits and stairways from such portions of the structure to which the public has access shall be marked and illuminated as described and specified in Chapter 34.

Enclosure of Vertical Openings

Sec. 1307. All elevator shafts, vent shafts, stairways and other vertical openings shall be enclosed, and the enclosure shall be as specified under Types of Construction, except stairways in buildings two stories in height.

Fire-Extinguishing Apparatus

Sec. 1308. Automatic sprinklers, standpipes and basement pipe inlets shall be installed as and when required in Chapter 38.

Special Hazards

Sec. 1309. Chimneys and heating apparatus shall conform to the requirements of Chapter 37.

The storage and handling of gasoline, fuel oil and other flammable liquids shall not be permitted in any Group H occupancy unless such storage and handling comply with the Flammable Liquid Code of State Fire Marshal's Dept., published Oct. 26, 1948.

All doors leading into rooms in which volatile flammable liquids are used or kept shall be of one-hour fire-resistive construction and shall be kept normally closed.

Every boiler room or room containing a central heating plant using solid or liquid fuel shall be separated from the rest of the building by a "Special Occupancy Separation."

Exceptions: 1) Such furnaces may be used without an "Occupancy Separation" in buildings not more than two stories in height.

2. In building of Type V construction an "Ordinary Occupancy Separation" may be used.

1st copy available in ordinary

CHAPTER 14—REQUIREMENTS FOR GROUP I OCCUPANCIES

Sec. 1401. Group I occupancies shall be: Dwellings.

For occupancy separation see Table No. 5-B.

Sec. 1402. One-family dwellings are not included in the mandatory classification of these Rules and Regulations, but the attention of the building and buying public is called to the economic advantages of insisting upon the construction of buildings of this type, based upon the minimum requirements of these Rules and Regulations, including the mechanical parts under other covers. Additional local ordinances may govern.

Sec. 1403. Buildings or parts of buildings classed in Group I because of the use or character of the occupancy shall not exceed, in area or height, the limits specified in Sections 505, 506, and 507.

Sec. 1404. All exterior walls or parts of walls except on street fronts of Group I occupancies which are less than three feet (3') from adjacent property lines shall have no openings therein, shall be of not less than one-hour fire-resistive construction and shall be constructed as specified in Parts V, VI and VII.

For regulating adjacent buildings on the same property see Section 504.

Sec. 1405. Stairs and exits shall be provided as and when required in Chapter 38.

Sec. 1406. All rooms of Group I occupancies used for eating, living or sleeping purposes shall be provided with light and ventilation by means of windows with an area not less than one-tenth of the total floor area of such room or rooms.

Light, ventilation and sanitation shall be provided as required by any State laws which are intended to regulate such light, ventilation and sanitation.

See Plumbing Rules and Regulations, Volume III, for recommended sanitary facilities.

Sec. 1407. Stairs in Group I occupancies need not be enclosed. Dumb-waiter shafts, clothes chutes and other similar vertical openings shall be protected as specified in Section 3003.

Sec. 1408. Fire-extinguishing apparatus when installed shall conform to the requirements of Chapter 38.

Group I Occupancies Defined

One-Family Dwellings

new

Construction and Area

Location on Property

Exits and Facilities

Light, Ventilation and Sanitation

Enclosure of Vertical Openings

Fire-Extinguishing Apparatus



City of Bloomington
Housing and Neighborhood Development

Amended Cycle Report

4138

OWNERS

King, Michel
351 S. Lincoln
Bloomington, IN 47401

Prop. Location: 303 E Smith AVE
Number of Units/Structures: 3/1
Units/Bedrooms/Max # of Occupants: 3/1/1

Date Inspected: 04/16/2013
Primary Heat Source: Electric
Property Zoning: CG
Number of Stories: 1

Inspector: Jo Stong
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: None

NOTE: This is an amended report. The citation for the violation in the bedroom of apartment #3 was incorrect.

The property was reinspected on June 3, 2013. All other violations have been remedied.

Monroe County Assessor's records indicate this structure was built in 1960. There were no requirements for emergency egress at the time of construction.

INTERIOR:

Unit #1

Living Room /Kitchen (12-11 x 12-5):

No violations noted.

Bedroom (11-4 x 7-9):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. IC 22-11-18-3.5

8

Existing Egress Window Measurements (double-hung):

Height: 33 inches

Width: 21 ¼ inches

Sill Height: 46 ½ inches

Openable Area: 4.93 sq. ft.

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

Bathroom:

No violations noted.

Attic:

No violations noted.

Unit #2

Living Room/Kitchen (15-4 x 12-6):

Clean the heating/air conditioning grille. BMC 16.04.060(c)

Bedroom (11-4 x 8-0):

No violations noted.

Note: Egress window measurements are the same as in the bedroom in Unit #2.

Bathroom:

Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Unit #3

Living Room/Kitchen (16-0 x 12-7):

No violations noted.

Bedroom (12-7 x 10-5):

This room has no window and as such does not meet the minimum code requirements for light and ventilation at the time the structure was built. **The relevant code is the 1959 Indiana Building Code, section: 1305.** For that reason, the City will not issue a rental permit until either a window is installed to meet the code requirement at the time of construction, or you apply for a variance for light and ventilation 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.

Bathroom:

No violations noted.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary 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. BMC16.03.060(c), BMC16.10.030(b)

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 shall at that time jointly complete an inventory and damage list, and this shall be signed by the owner and at least one tenant. Duplicate copies of the inventory and damage list shall be retained by all parties. 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. BMC 16.03.050(e), BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): 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 16.03.030(d)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: December 18, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-97 (old business)

Address: 601 S. Woodlawn

Petitioner: Paul Colbert

Inspector: Norman Mosier

Staff Report: **June 6, 2013**-Conducted Cycle Inspection
August 15, 2013-Received BHQA Appeal for September Meeting
September 9, 2013-Adjusted BHQA Deadlines, October 18, 2013 for Life Safety Violations and November 18, 2013 For all Other Violations.
November 15, 2013-Conducted BHQA Re-inspection, All Life Safety Violations complied
November 21, 2013-Received BHQA Appeal (old business)

The petitioner states that the owner (mother), whom he is doing repairs for is retired and on a fixed income. Petitioner is making the repairs as the money is provided by owner. Petitioner states that the repairs are taking longer than anticipated. Petitioner is requesting an extension of time to complete the repairs.

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: February 8, 2014

Attachments: Cycle Report, Remaining Violation Report, December BHQA Appeal



RECEIVED
NOV 2013

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: 601 S. Woodlawn Ave.

Petitioner's Name: Paul Colbert

Address: P.O. Box 1094

City: Bloomington State: IN Zip Code: 47402

Phone Number: (812) 202 0664 Email Address: paulrcolbert@yahoo.com

Property Owner's Name: Jean Ann Colbert

Address: 322 Arcadia Court

City: Fort Wayne State: IN Zip Code: 46807

Phone Number: (260) 456-0172 Email Address: colbert@IPFW.edu

Occupants: Joe Hiland, Bill Johnston

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: old business

- (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 13-TV-97

(OLD BUSINESS)

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.

The home owner, Jean Ann Colbert, is retired and on a fixed income. I have been doing repairs ~~me~~ and since I have limited time to devote and my mother has limited funds for repairs I am requesting an ~~and~~ additional extension because ~~the~~ one of the repairs is taking longer than anticipated. All of the life safety issues have been repaired and taken care of.

An extension until mid-December should ~~be~~ provide sufficient time to complete repairs.

Signature (required): Paul Colbert

Name (please print): Paul Colbert Date: Nov 18, 2013

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

NOV 20 2013

REMAINING VIOLATIONS REPORT

3713

OWNERS

Colbert, Jean Ann
322 Arcadia Court
Fort Wayne, IN 46807

AGENT

Colbert, Paul
601 S. Woodlawn Avenue
Bloomington, IN 47401

Prop. Location: 601 S Woodlawn AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 06/06/2013
Primary Heat Source:
Property Zoning: RC
Number of Stories: 2

Inspectors: Norman Mosier
Foundation Type:
Attic Access: Yes
Accessory Structure: None

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 Residential Rental Unit and Lodging Establishment Inspection Program 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 BMC 16.03.040

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

Living Room 15 x 14-8:

Install the missing striker plate for the deadbolt on the entry door. BMC 16.04.060(a)

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

EXTERIOR:

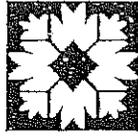
Repair the surface of the ceiling on the front porch to be free of holes, cracks, peeling paint and sagging materials. Also buckling of the ceiling has occurred. BMC 16.04.060(a)

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)

(This violation has a one-year deadline from the date of the Cycle Inspection.)

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 16.03.030(d)

This is the end of this report.



City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

3713

OWNERS

Colbert, Jean Ann
322 Arcadia Court
Fort Wayne, IN 46807

AGENT

Colbert, Paul
601 S. Woodlawn Avenue
Bloomington, IN 47401

Prop. Location: 601 S Woodlawn AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 06/06/2013
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

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

Monroe County Assessor's records indicate this structure was built in 1935.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

MAIN LEVEL

Living Room 15 x 14-8:

MC

Repair the storm door to fit the doorjamb and to latch properly. BMC 16.04.060(a)

MC

Install the missing striker plate for the deadbolt on the entry door. BMC 16.04.060(a)

C

Repair the broken window, west wall, left side. BMC 16.04.060(b)

MC

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. BMC16.04.020(a)(5); 2009 IEC Article 406(D)(3)

18

W Bedroom 12 x 11-2:

1 C
10-18-13
N/A

Every window shall be capable of being easily opened and held in position by its own hardware. BMC 16.04.060(b)

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, crack in south wall. BMC 16.04.060(a)

Existing Egress Window Measurements: Dbl hung: Const. yr. - 1935

Height: 34.5 inches

Width: 25 inches

Sill Height: 19.5 inches

Openable Area: 5.99 sq. ft.

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

Bathroom:

C

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. BMC 16.04.060(a)

C

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. BMC 16.04.060(a)

Dining Room 15 x 11-8:

No violations noted.

E Bedroom 11-10 x 9-8: Same window as above.

No violations noted.

Kitchen:

N/C

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

BASEMENT

Stairway:

C 2
10-18-13
N/A

C Close off the ceiling to the attic for stairway leading to the basement. BMC 16.04.060(a)

Main Room:

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:

C
11-15-13
13-F wood - SUP
N/A

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm BMC 16.01.060(f) and 16.04.060 (c)

Attic: See stairway violation.

EXTERIOR:

N/C Repair the surface of the ceiling on the front porch to be free of holes, cracks, peeling paint and sagging materials. Also buckling of the ceiling has occurred. BMC 16.04.060(a)

C Trim all tree branches away from the siding and roofline to maintain a 3' clearance on structure. BMC 16.04.040(e)

N/C Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)
(This violation has a one-year deadline from the date of the Cycle Inspection.)

C Remove the vines that are growing on the structure. BMC 16.04.050(b)

Finish the repair of the back porch. BMC 16.04.050(a)

Handwritten notes in a circle: 3 C, 10-18-13, NM, N/C

C Repair/replace the left side of the garage door to function as intended. BMC 16.04.050(a)

OTHER REQUIREMENTS:

Required documentation:

C Complete the enclosed registration form. A street address is required for both owner and agent. This form must be signed by the owner. This form must be submitted to the HAND office within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.010(b) and BMC 16.01.030(b)

Handwritten notes in a circle: REC'D 8-14-13, NM

Required documentation:

C A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)

Handwritten notes in a circle: REC'D 8-14-13, NM

Required documentation:

C 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. BMC 16.03.050(e) and BMC 16.10.030(b)

Handwritten notes in a circle: C

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 16.03.030(d)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: December 18, 2013

Petition Type: Rescind a Variance

Petition Number: 13-RV-126

Address: 615 N. Lincoln St.

Petitioner: HAND

Inspector: Norman Mosier

Staff Report: June 26, 2012-Conducted Cycle Inspection
September 11, 2012 - Owner Scheduled Re-inspection
September 17, 2012 - Owner Rescheduled Re-inspection
November 2, 2012 - Conducted Re-inspection and received BHQA Appeal
December 2, 2012 – Start Legal
December 13, 2012 – Received BHQA Appeal for January 16, 2013 BHQA Meeting
January 17, 2013 – Sent Notice of Board Action
February 11, 2013 – Stop Legal
June 13, 2013 – Owner Scheduled BHQA Re-inspection
June 23, 2013 – Completed Plan Review
August 6, 2013 – Owner Scheduled BHQA Re-inspection
September 17, 2013 – Conducted BHQA Re-inspection
November 4, 2013 – HAND Submitted BHQA Staff Report To Rescind Variance for Ceiling Height in Upstairs Unit.

This property was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction (**Built in 1900**) did not address ceiling heights; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application



City of Bloomington
H.A.N.D.

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

Meeting Date: December 18, 2013
Petition Type: An extension of time to secure a State egress window variance.
Petition Number: 13-TV-127
Address: 2372 S. Henderson St.
Petitioner: Pengyun Li
Inspector: Norman Mosier
Staff Report: Conducted Cycle Inspection – August 26, 2013
November 5, 2013 – Received BHQA Appeal

It was noted during the cycle inspection that the egress windows do not meet egress requirements at the time of construction. Petitioner is requesting an extension of time to secure a State egress window variance through the Fire Prevention and Building Safety Commission/Dept. of Homeland security.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1983. The relevant code is the Indiana Building Code, section: 211.

Openable area required: 4.75 Sq. Ft.	Existing area: 4.81sq. ft.
Clear width required: 18 inches	Existing width: 30.5 inches
Clear height required: 24 inches	Existing height: 22.75 inches
Maximum sill height: 48 inches above finished floor	Existing sill: 31 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: February 18, 2014

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

RECEIVED
NOV 05 2013



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

Property Address: 2372 Henderson St

Petitioner's Name: Pengyan Li

Address: 2426 S shadow Grove Ct

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-392-8988 Email Address: lipengyan2003@hotmail.com

Property Owner's Name: Same as above

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: Megan Snyder

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 13-TV-127

SEE REVERSE

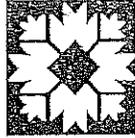
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

I need extension time to wait for my variance application approval

Signature (required): Ben Li

Name (please print): Benjamin Li Date: 11/5/13

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

10214

OWNERS

Li, Pengyun
2426 S. Shadow Grove Court
Bloomington, IN 47401

Prop. Location: 2372 S Henderson ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/5

Date Inspected: 08/26/2013
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

Inspectors: Norman Mosier
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1983.
Minimum egress requirements for a single family dwelling built at the time of construction.
Openable area: 4.75 Sq. Ft.
Clear height: 24 inches
Clear width: 18 inches
Sill height: Not more than 48 inches above finished floor.

INTERIOR:

MIAN LEVEL

½ Bath, Kitchen, Living Room 15-9 x 15, Balcony:
No violations noted.

BASEMENT

Stairs:

No violations noted.

Main Room:

Replace the broken doorknob on the sliding glass door. BMC 16.04.060(a)

Closet:

Replace the missing receptacle cover plate. BMC 16.04.060(b)

Secure the loose bar for hanging clothes in the closet. BMC 16.04.060(a)

26

Bathroom/Utility Room:

Repair the shower door to latch properly. BMC 16.04.060(a)

Secure the loose sink faucet. BMC 16.04.060(c)

2nd LEVEL

Stairway/Hallway:

No violations noted.

E Bedroom 13-10 x 10:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1983. The relevant code is the Indiana Building Code, section: 211.

Openable area required: 4.75 Sq. Ft.

Existing area: 4.81 sq. ft.

Clear width required: 18 inches

Existing width: 30.5 inches

Clear height required: 24 inches

Existing height: 22.75 inches

Maximum sill height: 48 inches above finished floor Existing sill: 31 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.

Hall Bath:

No violations noted.

W Bedroom 11-5 x 7-10:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1983. The relevant code is the Indiana Building Code, section: 211.

Openable area required: 4.75 Sq. Ft.

Existing area: 4.87sq. ft.

Clear width required: 18 inches

Existing width: 30.5 inches

Clear height required: 24 inches

Existing height: 23 inches

Maximum sill height: 48 inches above finished floor Existing sill: 31 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.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector **within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)**

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. BMC 16.03.050(e) and BMC 16.10.030(b)**

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 16.03.030(d)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: December 18, 2013
Petition Type: An extension of time to complete repairs.
Petition Number: 13-TV-128
Address: 2404 S Woolery Mill Dr.
Petitioner: Orion Property Management
Inspector: John Hewett
Staff Report: September 23, 2013 Cycle Inspection
November 18, 2013 Received Appeal.

During the cycle Inspection the windows were cited for not meeting the egress requirements at the time of construction. The petitioner has appealed to the State for a variance and is requesting additional time to secure that variance.

Bedroom Egress window information:

Openable area required: 5.0 sq. ft. ground floor, 5.7 all other	Existing area: 5.59 (2 nd floor)
Clear width required: 20"	Existing width: 31"
Clear height required: 22"	Existing height: 26"
Maximum Allowable Sill Height: 44" above finished floor	Existing sill: 23"

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: March 15, 2014

Attachments: Cycle Inspection Report, Petition form

J



RECEIVED
NOV 18 2013

BY: [Signature]

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: 2404 S. Woolery Mill Dr.

Petitioner's Name: 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: Pat Tabib Ghaffari

Address: 9640 Nw 2nd St. # 6304

City: Pembroke State: FL Zip Code: 33024

Phone Number: 954-330-4310 Email Address: ghaffari01@att.net

Occupants: Mallory McClure & Jennifer Ramage

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 13-TV-128

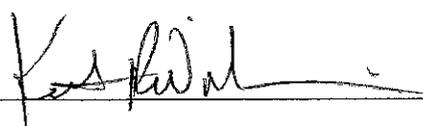
SEE REVERSE

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 are asking for an extension on time for completion because we are applying for a variance with the state.

Our state application must be submitted by December 11, 2013 and the next review meeting is January 7, 2014.

These are the next available dates for the variance application review.

Signature (required): 

Name (please print): Keith R. Williamson Date: 11-18-13

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

9776

OWNERS

Pat Tabib Ghaffari
9640 Nw 2nd St. #6304
Pembroke Pines, FL 33024

AGENT

Orion Property Mgt
400 W 7th St. Ste 110
Bloomington, IN 47404

Prop. Location: 2404 S Woolery Mill DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 09/23/2013 Inspectors: John Hewett
Primary Heat Source: Electric Foundation Type: Slab
Property Zoning: PUD Attic Access: No
Number of Stories: 2 Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 2008.
These are the minimum requirements for emergency egress windows at the time of construction:

Openable area required: 5.0 sq. ft. ground floor openings
5.7 sq. ft. all others
Clear width required: 20"
Clear height required: 22"
Maximum Allowable Sill Height: 44" above finished floor

Interior

Living room

15-4 x 15-10

No violations noted.

Kitchen

14-1 x 12-4

No violations noted.

½ bath, laundry/mechanical room
No violations noted.

2nd Floor

SE bedroom 9-4 x 9-6, NE bedroom 9-4 x 9-6, W bedroom 13-0 x 12-0

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2008. The relevant code is the 2008 Indiana Residential Code, section: R310.1.1.

Openable area required:	5.7 sq. ft.	Existing area:	5.59sq. ft.
Clear width required:	20"	Existing width:	31"
Clear height required:	22"	Existing height:	26"
Maximum sill height:	44" above finished floor	Existing sill:	23"

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.

Hall bath, Master bath
No violations noted.

Exterior

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): 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 16.03.030(d)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: 18 December 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-129

Address: 221 E. 12th St.

Petitioner: Teresa Klassen

Inspector: Michael Arnold

Staff Report: 25 October 2013 Received Complaint
28 October 2013 Complaint Inspection
04 November 2013 Inspection Report sent
19 November 2013 received request for extension of time

During the complaint inspection it was noted that the east foundation wall was showing deterioration as well as part of the south wall. The owner is requesting additional time for the contractor to complete these 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 December 2013

Attachments: Report, Pictures, Application



RECEIVED

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: 221 E. 12th 47408

Petitioner's Name: Teresa Klassen

Address: 812 W. Howe

City: Bloomington State: IN Zip Code: 47403

Phone Number: 332 1368 Email Address: tklassen@umail.iu.edu

Property Owner's Name: Teresa Klassen

Address: Same

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: Justin Hodorek Apt. B; Rob Gowins Apt. A

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 13-TV-129

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.

I need additional ~~time~~ ^{beyond the 2 week limit allowed by the HANO inspector} for the basement work to be done.

I met with the structural engineer (as per the inspection)

on ^{Nov. 11} Monday after receiving the HANO inspection on

Thursday ^{Nov. 7} before last. I had talk from the engineer regarding recommendations as to what should be done last Friday

(Nov 15). I started ^{an} meeting with masonry contractors yesterday today and tomorrow (Nov. 18 19 and 20) and

the 1st one said the quickest he could get to it would be the end of November. So there is no way I could manage to get

this work done within the 2 week deadline set by the HANO inspector (Mike Arnold). All the other

work ~~will be done~~ will be done ^{by the deadline}. I am guessing that I might need another ~~3 months~~ ^{3 months} to get the masonry work done.

Except the exterior painting, for which Mike Arnold said I may have a one-year deadline.

Signature (required): Teresa C. Klassen

Name (please print): Teresa Klassen Date: 11/19/13

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

Complaint Report

2798

OWNERS

=====

Klassen, Teresa C.
812 W. Howe St.
Bloomington, IN 47403

Prop. Location: 221 E 12th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/Eff/5 1/1/5

Date Inspected: 10/28/2013
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: Mike Arnold
Foundation Type: Basement
Attic Access: N/A
Accessory Structure: none

The following items are the result of a complaint inspection conducted on 10/28/2013. It is your responsibility to repair these items and to schedule a reinspection within fourteen (14) days of the receipt of this report. Failure to comply with this inspection report will result in this matter being turned over to the City Legal Department. If you have questions regarding this report, please contact this office at 349-3420.

Basement:

Properly stabilize the south foundation wall or provide documentation from a structural engineer that the wall is safe. BMC 16.04.060(b) (Front portion of wall is leaning and separating from the rear portion of the wall. There is deterioration of the rear portion of the wall).

Properly stabilize the east wall at the south window or provide documentation from a structural engineer that the wall is safe. Insure that the window and framing are secure and weather tight. BMC 16.04.060(b)

Repair the basement door to close and latch as intended. BMC 16.04.060(b)

Floor drain(s) are clogged. These should be cleaned out to allow for proper drainage. BMC 16.04.060(a)

Main Level:**General:**

Verify and repair the cause of low water pressure when multiple fixture in use at same time or provide documentation from the plumber that pressure is adequate. BMC 16.04.060(b)

37

Exterior:

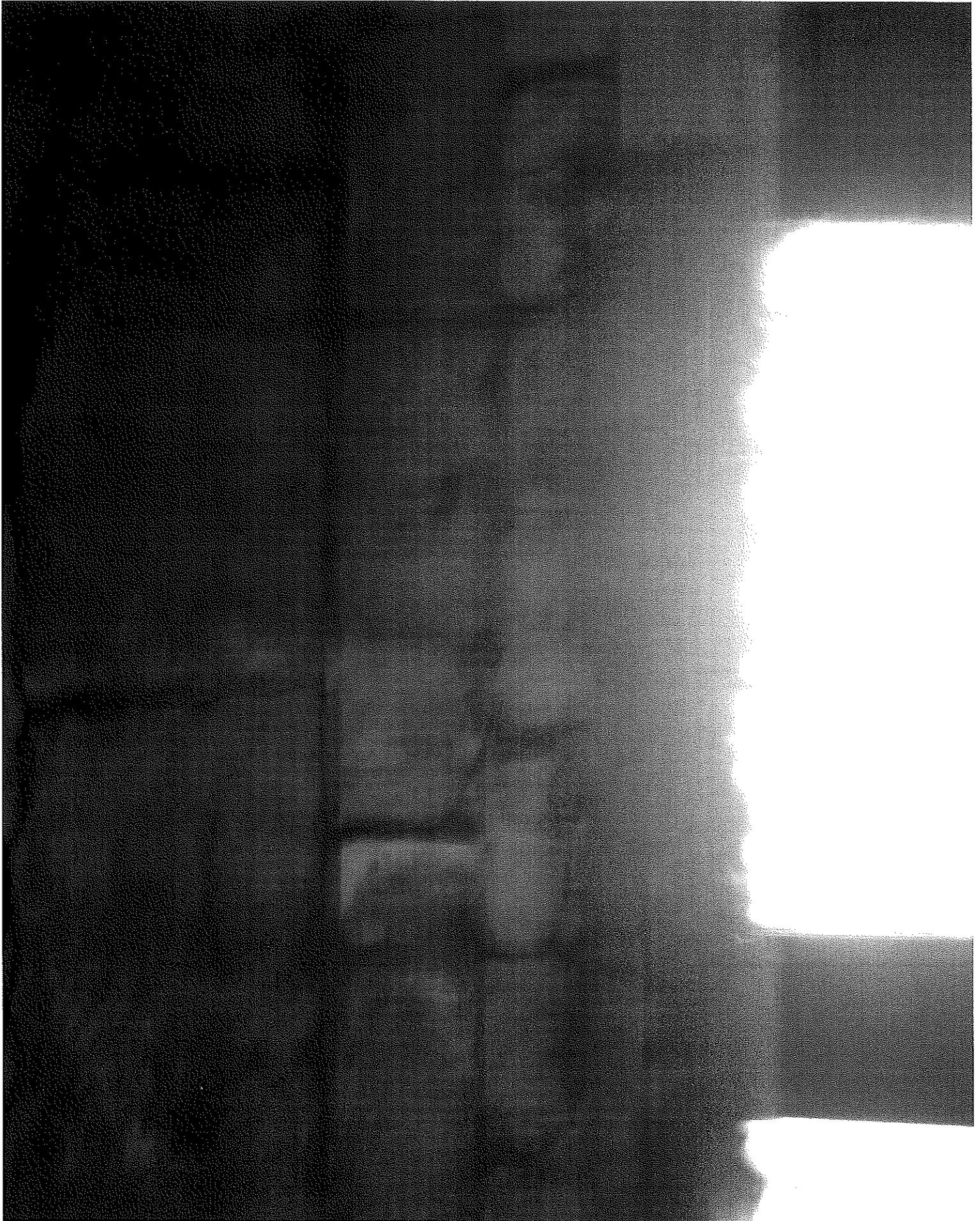
Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)

(Primarily the entrance to west unit, porch and porch posts.

*deadline 10/28/14
per Lisa*

Properly weather strip the front entry door to make it weather tight. BMC 16.04.060(a)











City of Bloomington
H.A.N.D.

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

Meeting Date: December 18, 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-130
Address: 108 E. Cottage Grove Avenue
Petitioner: HAND
Inspector: Jo Stong
Staff Report: October 29, 2013: Conducted cycle inspection
November 18, 2013: Mailed report

This property was built in 1925 and was granted a variance to the light, ventilation and ceiling height requirements of the Property Maintenance Code on September 16, 1982. The Residential Rental and Lodging Establishment Inspection Program does not include light, ventilation or ceiling height requirements and the Building Code in place at the time of construction did not address light, ventilation or ceiling heights; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance
Conditions: None
Attachments: Cycle Report, Application

PA



RECEIVED
NOV 29 2013

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

Property Address: 108 E. Cottage Green

Petitioner's Name: HAND

Address: 401 N. MORTON St. 130

City: BLOOMINGTON State: IN Zip Code: 47404

Phone Number: 349-3420 Email Address: _____

Property Owner's Name: Gary A. & Gary H. Tarter

Address: P.O. Box 1841

City: Bloom State: IN Zip Code: 47402

Phone Number: 330-1501 Email Address: officegtrentals@comcast.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)

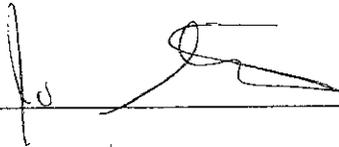
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 13-RV-130

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 property was previously granted a variance to the light, ventilation and ceiling height requirements of the Property Maintenance Code. The Residential Rental & Lodging Establishment Inspection Program does not include these requirements and the building Code in place at the time of construction did not address these requirements; therefore we are asking the Board to rescind this variance.

Signature (required):



Name (please print):

Jo Stong
HAND INSPECTOR

Date:

11.21.2013

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

224

OWNERS

=====

Tarter, Gary A.
Po Box 1841
Bloomington, IN 47402

Tarter, Gary H.
2111 Blue Bell Court
Bloomington, IN 47404

AGENT

=====

Tarter, Gary A.
Po Box 1841
Bloomington, IN 47402

Prop. Location: 108 E Cottage Grove AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/5/5

Date Inspected: 10/29/2013
Primary Heat Source: Gas
Property Zoning: CD
Number of Stories: 2

Inspector: Jo Stong
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

VARIANCE

=====

09/16/1982 Granted a variance to the ceiling height, light and ventilation requirement for the basement.

This property was previously granted a variance to the light, ventilation and ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include these requirements and the Building Code in place at the time of construction did not address these requirements; therefore we are asking the Board to rescind this variance.

Monroe County Assessor's records indicate this structure was built in 1925.
There were no requirements for emergency egress at the time of construction.

46

INTERIOR:

Living Room (14-9 x 12-0), Dining Room (8-9 x 7-0):

No violations noted.

Kitchen (11-6 x 8-3):

No violations noted.

It is strongly recommended that A minimum 1A 10BC classification fire extinguisher be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.

Hallway:

No violations noted.

Bathroom:

Properly secure the tub surround where it is pulling away from the wall. BMC 16.04.060 (a)

Southeast Bedroom (11-4 x 10-9):

Scrape and paint the windows where paint is peeling or wood is exposed. BMC 16.04.060(f)

Existing Egress Window Measurements (double-hung):

Height: 23 inches

Width: 31 ¾ inches

Sill Height: 22 ½ inches

Openable Area: 5.07 sq. ft.

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

Northeast Bedroom (11-6 x 10-6):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 26 inches

Width: 31 ¾ inches

Sill Height: 22 ½ inches

Openable Area: 5.73 sq. ft.

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

SECOND FLOOR

East Room (11-2 x 5-8):

No violations noted.

Note: There is no emergency egress from this room to the exterior.

West Bedroom (14-4 x 14-3):

Note: A door leading directly to the exterior serves as the emergency egress for this sleeping room.

No violations noted.

Hallway:

Replace the missing/broken electrical receptacle cover plate. BMC 16.040.060(a)

Bathroom:

No violations noted.

BASEMENT

Living Room (22-5 x 10-2):

Replace the broken electrical receptacle cover plate on the south wall. BMC 16.040.060(a)

Kitchen (8-0 x 7-7):

This is the second kitchen in this unit. There is a stove, sink and refrigerator in the kitchen.

During the cycle inspection, conditions were noted that indicate that this property may be in violation of Bloomington Municipal Code Title 20 with regard to the number of kitchens. This unit needs to be brought into compliance with Title 20 within sixty (60) days from the date of this inspection to avoid possible legal action by the City of Bloomington Legal Department. *The City's Planning Department will be the Department which decides whether or not a violation of Title 20 has occurred and whether or not any violation of Title 20 has been remedied.* For more information, please contact the Planning Department at 349-3423. *Please note that the City of Bloomington Housing and Neighborhood Development Department will not issue a residential rental occupancy permit for any property that is not compliance with Title 20 of the Bloomington Municipal Code.*

It is strongly recommended that A minimum 1A 10BC classification fire extinguisher be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.

West Bedroom (11-1 x 10-7):

No violations noted.

Existing Egress Window Measurements (sliding):

Height: 34 inches

Width: 21 ½ inches

Sill Height: 42 ½ inches

Openable Area: 5.08 sq. ft.

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

Mechanical Room:

No violations noted.

East Bedroom (10-4 x 7-10):

Properly secure and mount the can light in the ceiling. BMC 16.04.060(c)

Existing Egress Window Measurements (sliding):

Height: 34 inches

Width: 21 ½ inches

Sill Height: 44 inches

Openable Area: 5.08 sq. ft.

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

Bathroom:

Ensure the bottom of the shower door seals properly. BMC 16.04.060(c)

Hallway:

No violations noted.

EXTERIOR:

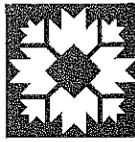
No violations noted.

OTHER REQUIREMENTS:

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): 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 16.03.030(d)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.

This is the end of this report.



**City of Bloomington
Housing and Neighborhood Development**



City of Bloomington
H.A.N.D.

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

Meeting Date: December 18, 2013
Petition Type: An extension of time to complete repairs.
Petition Number: 13-TV-131
Address: 808 S. Rogers St.
Petitioner: Jon Thomas
Inspector: Norman Mosier
Staff Report: January 16, 2013 – Conducted Cycle Inspection
April 8, 2013-Conducted Re-inspection, all complied except exterior painting. Issued temporary permit.
November 18, 2013-Sent EE reminder report
November 21, 2013-Received BHQA Appeal (December)

It was noted during the cycle inspection that the exterior of the structure needed to be painted. Petitioner states that the structure is 75% scraped and primed. Petitioner is requesting an extension of time to complete the exterior painting due to inclement weather.

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: May 31, 2014

Attachments: Cycle Report, EE Reminder, BHQA Appeal, Petitioner's Letter

RECEIVED
NOV 21 2013



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: 808 S. ROGERS ST.

Petitioner's Name: JON B. THOMAS

Address: 6795 N. PATTERSON RD.

City: SOLSBERY State: IN Zip Code: 47459

Phone Number: 876-8488 Email Address: futurity_reillc@gmail.com

Property Owner's Name: FUTURITY REAL ESTATE, LLC

Address: _____

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 13-TV-131

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.

WARM WEATHER EXTENSION REQUESTED FOR EXTERIOR
PAINTING. HOUSE CURRENTLY 75% ~~AND~~ SCRAPED AND PRIMED.
WILL PAINT IN SPRING.

Signature (required): Jon B Thomas

Name (please print): JON B. THOMAS Date: 11/18/13

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

EXTERIOR EXTENSION REMINDER REPORT

4300

OWNERS

Thomas, Jon B.
6795 N. Patterson Rd.
Solsberry, IN 47459

Prop. Location: 808 S Rogers ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/1/1

Date Inspected: 01/16/2013
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: Norman Mosier
Foundation Type: Basement
Attic Access: No
Accessory Structure: Shed, carport

VARIANCE

04/01/1996 Rental permit is for 1 occupant each unit as per BZA UV-21-96.

This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on 01/16/2014.

If you have made all of the repairs on this report, contact our office immediately to schedule the required drive-by 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 16.10.030 of the Bloomington Municipal Code.

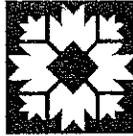
It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)
(This violation has a one-year deadline from the date of the Cycle Inspection.)

This is the end of this report.

53



City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

4300

OWNERS

Thomas, Jon B.
6795 N. Patterson Rd.
Solsberry, IN 47459

Prop. Location: 808 S Rogers ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/1/1

Date Inspected: 01/16/2013
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: Norman Mosier
Foundation Type: Basement
Attic Access: No
Accessory Structure: Shed, Carport

VARIANCE

04/01/1996 Rental permit is for 1 occupant each unit as per BZA UV-21-96.

Monroe County Assessor's records indicate this structure was built in 1925.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

UNIT A

Living Room 13-4 x 12-6:

Every window shall be capable of being easily opened and held in position by its own hardware, east wall, right side window and window on the south wall. BMC 16.04.060(b)

Kitchen:

Every window shall be capable of being easily opened and held in position by its own hardware. BMC 16.04.060(b)

Bathroom:

No violations noted.

Bedroom 11-4 x 10:

Every window shall be capable of being easily opened and held in position by its own hardware, east windows. BMC 16.04.060(b)

Existing Egress Window Measurements: Dbl hung: const. Yr. - 1925

Height: 24 inches

Width: 27 inches

Sill Height: 27.5 inches

Openable Area: 4.50 sq. ft.

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

UNIT B

Living Room 11-8 x 7-8:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. BMC 16.04.060(a)

Provide operating power to smoke detector. IC 22-11-18-3.5

Kitchen:

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks (repair faucet in a manner so that there is adequate water pressure and volume).

BMC 16.04.060(b)

Breakfast Nook:

No violations noted.

Bedroom 11-4 x 10: Same window as above.

No violations noted.

Bathroom:

Seal edge of floor covering adjacent to shower and seal the shower door at track for door. BMC 16.04.060(a)

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east wall at shower at base. BMC 16.04.060(a)

BASEMENT

W Room:

Provide operating power to smoke detector. IC 22-11-18-3.5

C
1-PPM SUPPLY

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
BMC 16.01.060(f) and 16.04.060 (c)

E Room:

No violations noted.

EXTERIOR:

M/C Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)
(This violation has a one-year deadline from the date of the Cycle Inspection.)

Carport, Shed:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

C A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)

Required documentation:

C 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. BMC 16.03.050(e) and BMC 16.10.030(b)

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 16.03.030(d)

This is the end of this report.