

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL McCLOSKEY CONFERENCE ROOM  
June 18, 2014, 4:00 P.M.**

I. ROLL CALL

II. OLD BUSINESS

- (1) 14-TV-38 **540 S. Basswood Drive**, Herman and Kittle Properties. Request for an extension of time to complete repairs. Previously heard April 16, 2014.  
pp. 3-7

III. NEW BUSINESS

- (2) 14-TV-66 **320 S. Washington Street**, Middle Way House, Inc.. Request for an extension of time to complete repairs. pp. 8-11
- (3) 14-AA-68 **1203 S. Grant Street**, Joyce Ferrand. Request for relief from an administrative decision. pp. 12-15
- (4) 14-TV-69 **1400 E. Atwater Avenue**, Rose-lo Properties. Request for an extension of time to complete repairs. pp. 16-20
- (5) 14-TV-70 **125 N. Washington Street**, Henry Berman (Lisa Trimble). Request for an extension of time to complete repairs. pp. 21-31
- (6) 14-TV-72 **638 E. Sherwood Hills Drive**, Michael Richardson (Orion Property Management). Request for an extension of time to complete repairs. pp. 32-36
- (7) 14-TV-73 **1102 S. Stull Avenue**, Dana Morrison. Request for an extension of time to complete repairs. pp. 37-42
- (8) 14-AA-74 **1232 E. Wylie Street**, Susan Wunder. Request for relief from an administrative decision. pp. 43-50
- (9) 14-TV-75 **1721 S. Highland Avenue**, Abodes, Inc. Request for an extension of time to complete repairs. pp. 51-61
- (10) 14-RV-76 **104 E. Grimes Lane**, H.A.N.D. Request to rescind a variance. p. 62

IV. WITHDRAWN

- (11) [WITHDRAWN] 14-TV-71 **406 S. Eastside Drive**, Cathy Crosson. Request for an extension of time to complete repairs.

V. GENERAL DISCUSSION

VI. PUBLIC COMMENT

VII. ADJOURNMENT

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL McCLOSKEY CONFERENCE ROOM  
June 18, 2014, 4:00 P.M.**

**CONSENT AGENDA ITEMS**

I. **OLD BUSINESS**

- (1) 14-TV-38 **540 S. Basswood Drive**, Herman and Kittle Properties. Request for an extension of time to complete repairs. Previously heard April 16, 2014.

II. **NEW BUSINESS**

- (2) 14-TV-66 **320 S. Washington Street**, Middle Way House, Inc.. Request for an extension of time to complete repairs.
- (3) 14-AA-68 **1203 S. Grant Street**, Joyce Ferrand. Request for relief from an administrative decision.
- (4) 14-TV-69 **1400 E. Atwater Avenue**, Rose-lo Properties. Request for an extension of time to complete repairs.
- (5) 14-TV-70 **125 N. Washington Street**, Henry Berman (Lisa Trimble). Request for an extension of time to complete repairs.
- (6) 14-TV-72 **638 E. Sherwood Hills Drive**, Michael Richardson (Orion Property Management). Request for an extension of time to complete repairs.
- (7) 14-TV-73 **1102 S. Stull Avenue**, Dana Morrison. Request for an extension of time to complete repairs.
- (8) 14-AA-74 **1232 E. Wylie Street**, Susan Wunder. Request for relief from an administrative decision.
- (9) 14-TV-75 **1721 S. Highland Avenue**, Abodes, Inc. Request for an extension of time to complete repairs.
- (10) 14-RV-76 **104 E. Grimes Lane**, H.A.N.D. Request to rescind a variance.



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 18, 2014

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-38 (Old Business)

Address: 540 S. Basswood Dr.

Petitioner: Canterbury House Apartments

Inspector: Mosier/McCormick/Wills

Staff Report: August 8, 2013 - Conducted Cycle Inspection  
January 14, 2014 – Received March BHQA Appeal  
January 21, 2014 - Re-inspection cancelled, no tenant notification  
January 23, 2014 – Conducted Re-inspection  
April 7, 2014 – Conducted Re-inspection  
April 16, 2014 – Conducted BHQA Re-inspection for interior violations  
May 16, 2014 – Received BHQA Appeal under Old Business.

It was noted during the cycle inspection that there are numerous exterior repairs to be completed. Petitioner is requesting an additional extension of time to complete the remaining repairs. See report.

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: August 18, 2014

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

4



RECEIVED  
MAY 26 2014

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

Property Address: 540 S. Basswood Dr. Bloomington, IN 47403

Petitioner's Name: Canterbury House Apts

Address: 540 S. Basswood Dr.

City: Bloomington State: IN Zip Code: 47403

Phone Number: 812-332-7522 Email Address: bloomington@hermannkittle.com

Property Owner's Name: Herman and Kittle Properties

Address: 500 E 96th St. #300

City: Indianapolis State: IN Zip Code: ~~47403~~ 46240

Phone Number: 317-846-3111 Email Address: bloomington@hermannkittle.com

Occupants: Tenants

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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-TV-38  
(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.

We Just completed 104 Door replacement project at a cost of  
\$29,000.00

— Request for time extention to complete the following:

- \* 208 Dryer vent clean out and installation of new animal proof cover.
- \* Roof repairs
- \* Gutter repairs
- \* Siding repairs and Power washing of buildings

Signature (required):

Chris Ruback

Name (please print):

Chris Ruback

Date:

5-16-14

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

**REMAINING VIOLATIONS REPORT**

7739

**OWNERS**

Herman & Kittle Properties  
500 E. 96th St. Suite 300  
Indianapolis, IN 46240

**AGENT**

Chris Rubeck  
540 S. Basswood Dr.  
Bloomington, IN 47403

Prop. Location: 540 S Basswood DR

Number of Units/Structures: 208/17

Units/Bedrooms/Max # of Occupants: Bld 1: 12/2/5, Bld 2: 8/3/5, Bld 3: 16/3/5, Bld 4: 8/1/5,  
Bld 5: 12/2/5, Bld 6: 12/2/5, Bld 7: 16/2/5, Bld 8: 16/2/5, Bld 9: 16/2/5, Bld 10: 8/1/5 8/2/5, Bld  
11: 12/1/5, Bld 12: 8/3/5, Bld 13: 16/3/5, Bld 14: 8/3/5, Bld 15: 8/3/5, Bld 16: 12/2/5, Bld 17:  
12/1/5

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

Inspectors: Mosier/Wills/McCormick  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: Garages

**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.

**EXTERIOR:**

Repair/replace all of the damaged, rusted front doors on the units. BMC 16.04.050(a)

Properly label electrical service meters, A/C quick disconnects with corresponding unit numbers.  
BMC 16.04.020 and BMC 16.04.050(b)

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

Secure the loose gutters and downspouts. BMC 16.04.050(a)

Repair or replace damaged or deteriorating roofing. This is to be done in a workmanlike manner and includes but is not limited to damaged or deteriorating roofing material, sheathing, and all structural members. BMC 16.04.050(a)

Repair the loose and/or missing siding on Buildings 528, 548, & 556. BMC 16.04.050(a)

Replace all of the broken dryer vents on BLDG. 568. BMC 16.04.050(a)

Properly reconnect all gutters/downspouts in a manner that reasonably directs water away from the structure, and resolve the erosion that is associated with this violation.  
BLDGS 500, 512, 520, 524, 548, 549.  
BMC 16.04.050(a) & BMC 16.04.040 (b)

Clean all dryer vents. BMC 16.04.060(c)

Repair/replace the damaged columns adjacent to Bldg 536 - Units G and C and on Bldg. 532 - K .  
BMC 16.04.050(a)

Repair the sidewalks to the second floor units for BLDG 504. BMC 16.04.050(a)

Remove the graffiti from the backside of the buildings. BMC 16.04.050(g)

Repair the failing retaining wall in front of the drainage pit behind BLDG 512. BMC 16.04.050(a)

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: June 18, 2014  
Petition Type: An extension of time to complete repairs.  
Petition Number: 14-TV-66  
Address: 320 S. Washington Street  
Petitioner: Middle Way House, Inc.  
Inspector: Maria McCormick  
Staff Report: November 14, 2013 Completed cycle inspection  
March 28, 2014 Completed re-inspection

During the cycle inspection it was cited that documentation was needed from the State of Indiana the boiler had passed its annual inspection. In the process of obtaining this information it was discovered that the wrong gauges were installed when the boiler was initially installed. The petitioner is requesting an extension of time to get the correct gauges installed. All other violations have been complied.

Staff recommendation: Grant the extension.  
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 1, 2014  
Attachments: Application for Appeal; Remaining Violations Report



RECEIVED  
MAY 17 2014

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

BY: .....

Property Address: 320 S. Washington Street

Petitioner's Name: Zane Cook

Address: 401 S. Washington St.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-327-10112 Email Address: Casedraspring@gmail.com

Property Owner's Name: Toby Strout middleway House, INC.

Address: 320 S. Washington St.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-333-7404 Email Address: tobystrout@hotmail.com

Occupants: 6/1/2

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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-TV-66

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 requesting additional time on this matter due to the original contractors installing the incorrect gages. We are working with the Department of Homeland Security to get codes/laws supporting this, so we can get reimbursement from them to get this issue resolved. Being a non-profit agency we are on a tight budget.

In addition due to the boiler system having to be shut down for the repair, it would be best to do the repair when we switch from heat to air. In all, we are requesting the extension until the end of May, 2014.

Thank you.

Signature (required):



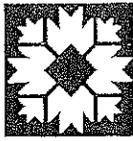
Name (please print):

Lane Cook

Date:

4-17-14

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

APR 07 2014

Remaining Violation Report

9420

OWNERS

Middle Way House, Inc.  
P.O. Box 95  
Bloomington, IN 47402

Prop. Location: 320 S Washington ST  
Number of Units/Structures: 6/1  
Units/Bedrooms/Max # of Occupants: 6/1/5

Date Inspected: 11/14/2013  
Primary Heat Source: Gas  
Property Zoning: CD  
Number of Stories: 2

Inspectors: Maria McCormick  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: no

**Required Documentation:**

Boiler(s) are to be inspected every twelve months as per Indiana Code. A completed copy of the State of Indiana final Boiler Inspection report stating that the system is functioning as intended must be reviewed by this office before a Rental Occupancy Permit will be issued. BMC 16.04.060(c)

**The inspector must review the documentation that certifies the boiler passes a State Boiler inspection before the permit for this property will be issued. At the re-inspection on 03/28/2014 a boiler inspection report was reviewed that noted deficiencies.**

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.

Failure to provide required documentation will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.03.050 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required review of the documents. Our mailing address and telephone number are listed below.

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



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Relief from an Administrative Decision**

Meeting Date: June 18, 2014  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from the requirement to register as a rental  
Petition Number: 14-AA-68  
Address: 1203 S. Grant Street  
Petitioner: Joyce Ferrand

The property was inherited by Ms. Ferrand upon the death of her parents. She has allowed her son, Chris, and his wife to occupy the house. He is employed with IU and his wife has proximity to needed health care. The owner stated she intends to sell the property, but would prefer not to have it as a rental in so far as it is exclusively for her family until that time. This unit will not be rented to anyone else in the future.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner, Joyce Ferrand, and occupied by her son, Chris Ferrand, and his family. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form

*JF*



APR 22 2014

RECEIVED

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: 1203 So Grant St

Petitioner's Name: Joyce Ferrand

Address: 2690 Hinson Rd

City: Martinsville State: IN Zip Code: 46151

Phone Number: 765-342-2189 Email Address: \_\_\_\_\_

Property Owner's Name: Joyce Ferrand

Address: 2690 Hinson Rd

City: Martinsville State: IN Zip Code: 46151

Phone Number: 765-342-2189 Email Address: \_\_\_\_\_

Occupants: DAVID & SUELLA FERRAND

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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-AA-68

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.

Please see attached ;

Thank you

Signature (required): Joyce Ferrand

Name (please print): Joyce Ferrand Date: 4-13-14

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.

Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402 812-349-3420

RECEIVED  
APR 22 2014

BY \_\_\_\_\_

April 13, 2014

Joyce Ferrand  
2690 Hinson Rd  
Martinsville, IN 46151  
765-342-2189

Re; Petition

To Whom It May Concern,

I am requesting an exception to the Residential Rental Unit and Lodging Establishment Inspection Program. I am requesting that the home at 1203 S. Grant Street not be required to be inspected. The home has changed owners but it is still owned by the same family and is not a rental property. The home was my Mother and Father's and they both have passed. Due to my Mother's passing I, Joyce Ferrand, have since inherited the home. Not wanting to sale just yet because it is the home I grew up in and it was my parents, nor wanting the headache of renting it but knowing the home did not need to set empty I have allowed my son and his family to live there. My son Chris Ferrand ask to live in the home wanting to be closer to work, he is employed at IU. Suella, my daughter-in-law, also needing and wanting to be located in Bloomington to be closer to her doctors'. I agreed to let them live in the home and **not** collect rent due to their medical finances. Due to the fact there is no mortgage or monies owed on the home I do not need to charge my son.

---

~~Thank you for your time and consideration on this matter. If you have any further questions you may reach me at 765-342-2189.~~

Sincerely,  
Joyce Ferrand



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 18, 2014

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-69

Address: 1400 E. Atwater Ave.

Petitioner: Rose-Lo Properties/Deborah Rosenberg

Inspector: Norman Mosier

Staff Report: February 18, 2014 – Conducted Cycle Inspection  
April 29, 2014 – Received BHQA Appeal & Conducted Re-inspection

It was noted during the cycle inspection that the front steps are failing and need to be repaired or replaced. Tenants have a walkway around the house in addition to the front steps to enter the structure. 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: August 18, 2014

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

AB



RECEIVED  
APR 29 2014

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

Property Address: 1406 E Actwater  
Petitioner's Name: Deborah Rosenberg - Rose-Lo Properties LLC  
Address: 12546 Scottish Bend  
City: Carmel State: IN Zip Code: 46033  
Phone Number: 3175074050 Email Address: debbie@rose-lo.com  
Property Owner's Name: Same as above  
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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-TV-69

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.

The steps leading to the front door of the home need to be repaired. We have the job on the schedule however with the cold weather and rain, we have had to reschedule as pouring concrete has not been possible. This job will be complete by June 1 2014.

Signature (required): Deborah Rosenberg  
Name (please print): Deborah Rosenberg Date: 4/28/2014

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

41

OWNERS

Rosenberg, Allen & Deborah  
12546 Scottish Bend  
Carmel, IN 46033

Prop. Location: 1400 E Atwater AVE  
Number of Units/Structures: 6/1  
Units/Bedrooms/Max # of Occupants: 6/1/1

Date Inspected: 02/18/2014  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

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

Monroe County Assessor's records indicate this structure was built in 1927.  
There were no requirements for emergency egress at the time of construction.

GENERAL STATEMENT:

Egress window measurements for structure are as follows:

Existing Egress Window Measurements: Dbl hung; Const. Yr. - 1927  
Height: 24 inches  
Width: 32 inches  
Sill Height: 25 inches  
Openable Area: 5.33 sq. ft.

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

INTERIOR:

MAIN LEVEL

Living Room 22 x 12:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, west wall adjacent to the archway and at the top of the archway. BMC 16.04.060(a)

Dining Room 13 x 11-6, Kitchen 10 x 6-6, Hallway:

No violations noted.

C Hall Bath:

Replace the missing striker plate on the door jamb. BMC 16.04.060(a)

C Repair the sink drain to function as intended, slow. BMC 16.04.060(b)

C Secure toilet to its mountings. BMC 16.04.060(a)

C Seal the top of the shower surround. BMC 16.04.060(a)

C SE Bedroom 11 x 10: See general statement.

Repair the broken window, east wall, lower sash. BMC 16.04.060(b)

**BASEMENT**

C Stairway:

Install a handrail for the upper half of the stairway. Every flight of stairs which is more than 3 risers high shall have handrails. Every open portion of a stair, porch, landing or balcony which is more than 30 inches above the floor or grade below shall have guardrails.  
BMC 16.04.020

Main Room: Furnace doc. presented, 0 - supply

No violations noted.

**2<sup>nd</sup> LEVEL**

Stairway/Hallway, Balcony, SE Bedroom 10 x 10, E Central Bedroom 10 x 9, NE Bedroom 10 x 9, N Bathroom, NW Bedroom 11 x 10, SW Bedroom 11 x 10: See general statement for bedrooms.

No violations noted.

C S Bathroom:

Seal the top of the shower surround. BMC 16.04.060(a)

**EXTERIOR:**

M/C Repair/Replace the deteriorated front steps. BMC 16.04.050(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: 18 June 2014

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-070

Address: 125 N. Washington St.

Petitioner: Lisa Thinble

Inspector: Michael Arnold

Staff Report: 06 March 2014 Cycle Inspection with agent  
28 March 2014 Sent Inspection Report  
17 April 2014 Site visit to verify window measurements  
24 April 2014 Sent amended report with measurements  
07 May 2014 Received Appeal

During the cycle inspection it was noted that many windows had issues with open functioning properly. There is difficulty in getting replacement parts and management needs more 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: 18 September 2014 for window repairs  
18 July 2014 for all other items

Attachments: Cycle Inspection report, Application



RECEIVED  
MAY 07 2014

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: 125 N. Washington  
Petitioner's Name: Lisa Thimble Property manager  
Address: 124 E. 6th Street  
City: Bloom State: IN Zip Code: 47408  
Phone Number: (812) 336-2009 Email Address: smithhouseinfo@comcast.net  
Property Owner's Name: Henry Berman  
Address: 1005 Meadowbrook  
City: Bloom State: IN Zip Code: 47401  
Phone Number: (812) 336-2009 Email Address: smithhouseinfo@comcast.net  
Occupants: 14 units, 30 ~~units~~ tenants

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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-TV-70

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.

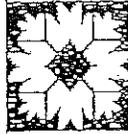
The majority of our violations were our windows. They are broken and once they are raised, they will not stay up by themselves. They were installed when the building was built around 1994. They are vinyl so it's impossible to attach any hardware to them. The company that manufactured them is out of business, so we're not able to order any of the kind we have. No local stores sell them. They're on a tracking system & they aren't made like that anymore. I've had 3 different people look at them and have been told that they have to be completely replaced. I have recently found a sister company and I think we can order just the bottom half (with new latches), instead of whole window. I just need more time to get

Signature (required): Lisa Jewel Trimble

Name (please print): Lisa Jewel Trimble Date: 5/7/14

to get them ordered and installed

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

APR 24 2014

Cycle Report  
Amended 17 April 2014

5759

OWNERS

=====

Berman, Henry  
1005 Meadowbrook  
Bloomington, IN 47401

Agent

=====

Lisa J. Thimble  
124 E. 6<sup>th</sup> St.  
Bloomington IN 47408

Prop. Location: 125 N Washington ST  
Number of Units/Structures: 14/1  
Units/Bedrooms/Max # of Occupants: 1/Eff/5 3/1/5 6/2/5 4/3/5

Date Inspected: 03/06/2014  
Primary Heat Source: Gas  
Property Zoning: CD  
Number of Stories: 3

Inspectors: Mike Arnold  
Foundation Type: Slab  
Attic Access: No  
Accessory Structure: none

This property was previously granted a variance to the minimum ceiling height and bathroom exhaust requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height or bathroom exhaust requirement. The Building Code in place at the time of construction addresses minimum ceiling height and bathroom exhaust and a variance from these issues is required from Indiana Department of Homeland Security. See 1997 Indiana Building Code Section 103.3.3.4 Headroom and Section 1203.3 Ventilation for the requirements at the time of construction.

The variance to the Residential Rental and Lodging Establishment Inspection Program must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

Monroe County records show this structure was built in 1998. The minimum emergency egress requirements at the time of construction were as follows:

Height: 24 inches  
Width: 20 inches  
Sill Height: 44 inches  
Openable Area: 5.70 sq. ft.

Typical Egress Window:

Height: 24.5 inches  
Width: 33.5 inches  
Sill Height: 23.5 inches  
Openable Area: 5.70 sq. ft.

Interior:

General:

Each unit shall have a smoke detector in each sleeping room, in the corridor or area giving access to each separate sleeping area and on each story. All detectors shall receive the primary power from the building wiring. Because this structure may have been released for construction by the State before the 1998 Indiana Building Code, the reference information is also listed for the 1993 Indiana Building Code. 1993 – IBS Section 1210 or 1998 – Section 310.9 BMC 16.04.020(b) **Verify and test common area smoke detectors in each unit at reinspection).**

Unit 3:

Main Level:

Living Room (13-0 x 13-0), Kitchen, Laundry Room, Bathroom:

No violations noted

Bedroom (13-0 x 11-0):

Repair window to latch securely. BMC 16.04.060(b)

Upper Level:

Right Bedroom (10-0 x 10-0), Left Bedroom (10-0 x 10-0), Bathroom:

No violations noted

Unit 4:

Main Level:

Living Room (13-0 x 12-0):

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

**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 (12-0 x 11-0):**

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

**Upper Level:**

**Bedroom (11-0 x 10-0):**

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

**Bathroom, Laundry Room:**

No violations noted

**Unit 5:**

**Main Level:**

**Living Room (12-3 x 10-0), Kitchen, ½ Bathroom:**

No violations noted

**Upper Level:**

**Master Bathroom, Bathroom:**

No violations noted

**NE Bedroom (12-4 x 10-9):**

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

**SE Bedroom (10-6 x 9-3):**

No violations noted

**Unit 6:**

**Main Level:**

**Living Room (13-0 x 12-0):**

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. IC 22-11-18-3.5 (Maintain the hard-wired power source).

**Kitchen, ½ Bathroom:**

No violations noted

**Upper Level:**

**Right Bathroom, Left Bathroom:**

No violations noted

**Right Bedroom (11-0 x 9-0), Left Bedroom (12-0 x 11-0):**

No violations noted

**Middle Bedroom (9-0 x 8-0):**

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. IC 22-11-18-3.5 (Maintain the hard-wired power source).

**Unit 7:**

**Main Level:**

**Living Room (13-0 x 12-0):**

Every window shall be capable of being easily opened and held in position by its own hardware and shall be able to latch as intended. BMC 16.04.060(b) (Right window).

**Kitchen, ½ Bathroom, Laundry Room:**

No violations noted

**Upper Level:**

**Bathroom:**

No violations noted

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**Right Bedroom (13-0 x 11-0), Left Bedroom (11-0 x 10-0):**

No violations noted

**Unit 8:**

**Main Level:**

**Living Room (16-0 x 13-0), ½ Bathroom, Utility Room:**

No violations noted

**Kitchen:**

Repair and properly surface coat the crack in the ceiling. BMC 16.04.060(a)

**Upper Level:**

**Bathroom:**

No violations noted

**Right Bedroom (14-0 x 10-0), Left Bedroom (16-0 x 10-0):**

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. IC 22-11-18-3.5 (Maintain the hard-wired power source).

**Unit 9:**

**Main Level:**

**Living Room (20-0 x 12-5):**

Repair/replace the knob on the door to the patio. BMC 16.04.060(a)

**Kitchen, ½ Bathroom, Laundry Room:**

No violations noted

**Upper Level:**

**NE Bedroom (10-10 x 10-2), NW Bedroom (10-11 x 9-6), Bathroom:**

No violations noted

**Unit 10:**

**Main Level:**

**Living room (15-9 x 12-7):**

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. IC 22-11-18-3.5 (Maintain the hard-wired power source) (**Secure to the ceiling and test at reinspection**).

**Kitchen:**

No violations noted

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**Bedroom (10-2 x 9-9):**

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. IC 22-11-18-3.5 (Maintain the hard-wired power source).

**Upper Level:**

**Left Bedroom (14-10 x 10-4), Bathroom:**

No violations noted

**Right Bedroom (14-10-0 x 10-4):**

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. IC 22-11-18-3.5 (Maintain the hard-wired power source).

**Unit 11:**

**Main Level:**

**Living Room (17-0 x 16-0):**

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. IC 22-11-18-3.5 (Maintain the hard-wired power source).

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

**Kitchen, ½ Bathroom:**

No violations noted

**Upper Level:**

**Bathroom:**

Repair/replace the broken faucet handle. BMC 16.04.060(a)

**Left Bedroom (12-0 x 10-0), Right Bedroom (13-0 x 10-0):**

No violations noted

**Unit 12:**

**Main Level:**

**Living Room (14-0 x 12-0), Kitchen, Bathroom, Bedroom (12-0 x 10-0):**

No violations noted

**Upper Level:**

**Right Bathroom, Laundry Room, Left Bedroom (14-0 x 10-0), Right Bedroom (13-0 x 9-0):**

No violations noted

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**Left Bathroom:**

Seal the top of the shower surround. BMC 16.04.060(a)

**Unit 13:**

**Living Area/Sleeping Area [(11-0 x 11-0)+(10-0 x 10-0)]:**

**This room has a door to the exterior.**

No violations noted

**Kitchen, Utility:**

No violations noted

**Bathroom:**

*Install an exhaust fan. BMC 16.04.020(a) (1993 Indiana Building Code).*

*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](http://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.*

**Unit 14:**

**Living Room (15-0 x 12-6), Kitchen, Bathroom:**

No violations noted

**Bedroom (12-0 x 10-0)**

**This room has a door to the exterior.**

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. IC 22-11-18-3.5 (Maintain the hard-wired power source).

**Unit 15:**

**Living Room (12-9 x 11-6), Kitchen, Bathroom:**

No violations noted

**Bedroom (14-6 x 9-4):**

**This room has a door to the exterior.**

No violations noted

**Unit 16:**

**Living Room 147 x 12-9), Kitchen, Bathroom, Bedroom (12-6 x 11-0):**

No violations noted

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**Exterior:**

Replace the missing sections of the downspouts. BMC 16.04.050(a)

**Required Documentation:**

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)

**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 16.03.050(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: June 18, 2014  
Petition Type: An extension of time to complete repairs.  
Petition Number: 14-TV-72  
Address: 638 E. Sherwood Hills Dr.  
Petitioner: Orion Property Management  
Inspector: Norman Mosier  
Staff Report: March 3, 2014 – Conducted Cycle Inspection  
May 12, 2014 – Received BHQA Appeal

After conducting the cycle inspection, a water hose connecting to the washing machine had burst, causing additional damage in the unit. The unit is vacant at the time of cycle inspection. The 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: August 18, 2014

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

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RECEIVED  
MAY 12 2014

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](mailto:hand@bloomington.in.gov)

Property Address: 638 E. Sherwood Hills

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: kwilliams@orionpropertymanagement.com

Property Owner's Name: Michael Richardson

Address: 2725 S. Jaylen Ct.

City: Bloomington State: IN Zip Code: 47403

Phone Number: 812-320-5997 Email Address: mrichardson@midwestcolorprinting.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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-TV-72

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.

Additional time is needed to complete the repairs because after the initial inspection a washer hose blew and caused additional damage (minor) that is under repair.

Signature (required): Keith B. Williamson Agent

Name (please print): Keith B. Williamson Date: 5-12-14

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

6657

OWNERS

Richardson, Michael  
2725 S. Jalen Court  
Bloomington, IN 47403

AGENT

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

Prop. Location: 638 E Sherwood Hills DR  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/5

Date Inspected: 03/04/2014  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 2

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

The Monroe County Assessor's records indicate that this structure was built in 1996.  
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 44 inches above finished floor.

**NOTE:** Electricity is not turned on at time of cycle inspection. Electrical system will be checked at the re-inspection.

**INTERIOR:**

**MAIN LEVEL**

Living Room 13-5 x 11-10, ½ Bath, Kitchen, Furnace Closet, Laundry Closet: See note.  
No violations noted.

**2<sup>nd</sup> LEVEL**

Stairway/Hallway, Hall Bath: See note.  
No violations noted.

W Bedroom 10 x 9-11: See note.  
No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1996  
Height: 25 inches  
Width: 35 inches  
Sill Height: 20 inches  
Openable Area: 6.07 sq. ft.

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

**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. BMC 16.04.020

E Bedroom 14-3 x 10: See note.  
Same window as above.  
No violations noted.

**EXTERIOR:**

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (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: June 18, 2014  
Petition Type: An extension of time to complete repairs.  
Petition Number: 14-TV-73  
Address: 1102 S. Stull Avenue  
Petitioner: Dana Morrison  
Inspector: Jo Stong  
Staff Report: February 10, 2014: Conducted cycle inspection  
February 18, 2014: Mailed inspection report  
April 14, 2014: Owner scheduled reinspection  
May 13, 2014: Received appeal  
May 21, 2014: Conducted reinspection

During a cycle inspection of the above property several violations of the Residential Rental Unit and Lodging Establishment Inspection Program were noted. The petitioner is requesting an extension of time to complete repairs until September 1, 2014, stating that the repairs are extensive and that she would like to make the repairs while the tenants are out of the country during the summer. A reinspection conducted on May 21 indicated that all but one life-safety violations had been corrected.

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 3, 2014 for all life safety issues  
September 1, 2014 for all other items

Attachments: Remaining violations report, appeal



RECEIVED  
MAY 13 2014

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

BY: [Signature]

Property Address: 1102 S. Stull

Petitioner's Name: DANA MORRISON (DAVID)

Address: 5820 S. HANDY Rd

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-348-1524 Email Address: dmorrison@aol.com

Property Owner's Name: Same

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Occupants: Amy Burrell + Family

**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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-TV-73

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.

Report request that Peeling Paint on ceilings & Windows need painted. Tenant will be gone to Brazil June 15 for one month. The repair requires repair or removal of Drywall in her Bedroom + that of her childrens Bedroom. Tenant concurred that repairs be done while she is gone. Also, we are replacing windows in house this summer so we wanted to see what was still exposed after the installation. Then Paint where needed, and is paint while she + her children are gone for the summer. I believe all should be completed by Sept 1, 2014 Thank you for your consideration.

Asking for ext. to paint front Porch, she has to remove all her objects from Porch will do it while she is gone Dana Morris.

Signature (required): Dana Morris

Name (please print): Dana Morrison Date: 5-13-14

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**

**Remaining Violations Report  
Property was reinspected on May 21, 2014**

1813

OWNERS

Morrison, David & Dana  
5820 S. Handy Rd.  
Bloomington, IN 47401

Prop. Location: 1102 S Stull AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 02/10/2014  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 2

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

**REINSPECTION REQUIRED**

This report is your 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. **Your request for an extension of time to complete repairs will be heard at the next Board of Housing Quality Appeals meeting scheduled for June 18, 2014.**

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.

40

**INTERIOR:**

**Living Room:**

Scrape and paint the northwest window and sill on the east wall where paint is peeling or wood is exposed. BMC 16.04.060(f)

**Southeast Bedroom:**

Properly repair and paint the damaged ceiling. BMC 16.04.060(a)

**Dining Room:**

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

**SECOND FLOOR (attic)**

**South Bedroom:**

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

Properly repair and paint the damaged ceiling. BMC 16.04.060(a)

**BASEMENT**

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)

**Southwest Room:**

Eliminate the leak in the drain along the west wall. BMC 16.04.060(c)

**EXTERIOR:**

All residential rental units shall conspicuously display the unit's address number on the front of the unit. BMC 16.04.100

Remove the tree and branches that have fallen in the back yard. BMC 16.04.040(a),(c)

Remove the trees growing against the south side of the foundation. All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. BMC 16.04.040(e)

Scrape and paint the ceiling of the front porch where paint is peeling or wood is exposed. BMC  
16.04.050(e)  
(the painting violation has a one-year deadline from the date of the cycle inspection)

**OTHER REQUIREMENTS:**

**The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied:**

- A completed copy of the Tenants & Owners Rights and Responsibilities Summary  
**BMC16.03.060(c)**
- Inventory & Damage List: 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  
**BMC16.03.050**

**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 the report



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Relief from an Administrative Decision**

Meeting Date: June 18, 2014  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from the requirement to register as a rental  
Petition Number: 14-AA-74  
Address: 1232 E. Wylie Street  
Petitioner: Susan Wunder

The two unit property is owned by Susan Wunder. It has been a rental property with Ms. Wunder living in one or the other unit throughout that time. For the past five years she has occupied the upstairs unit, while her son, Tim, and her grandson have occupied the lower unit. The house has been used exclusively for her family during this time. This unit will not be rented to anyone else in the future.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner, Susan Wunder, and occupied by her son, Tim and his family. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form

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MAY 1 2014

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](mailto:hand@bloomington.in.gov)

Property Address: 1232 E. Wylie St.

Petitioner's Name: Susan Wunder

Address: 1232 E. Wylie St.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 334-8951 Email Address: swunder2002@yahoo.com

Property Owner's Name: Susan Wunder

Address: as above

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: as above Email Address: \_\_\_\_\_

Occupants: Myself, my son, and my grandson

- 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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-AA-74

SEE REVERSE

Copy - Email already submitted

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 have owned this home for 20+ years. It was a two-unit rental when I purchased it, after initially renting the bottom unit for 2 years. For many years I continued to live in the lower apartment with my <sup>school-age</sup> son, while renting out the upper half-story. However, for the past 5-10 years the entire house has provided a home to my growing family. My son, his wife and my grandson Connor set up house in the upper unit as I remained downstairs. No rent was involved as Jim was attending Ivy Tech & not yet earning. Jim & Ashley divorced 2 years ago and Ashley moved to another address. Jim & Connor (whom Jim claims as a dependent), remain in the home. They now occupy the downstairs unit while I have my private space.

continued →

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.

Details continued

upstairs.

This scenario works beautifully for the three of us. My son, now earning just above minimum wage cannot afford his own home, and is able to live here with Connor rent free. He + I value our independent units under a shared roof. Having nana upstairs is an enormous help to Jim as he juggles his work + Connor's school schedule. It's also a boon to Connor. When his dad works early shift, Connor can open the kitchen door downstairs and walk up from my entryway for breakfast with me without going outside. He often stays the night with me when Jim works late or needs a break.

As this illustrates, 1232 E. Wylie is very much a one family home with the convenience of two semi-private living areas. I have no intention of renting either unit again. Therefore I appeal to HAND to allow us to enjoy our two unit home as the uniquely suitable home it is for three generations without

future inspections attendant on rental  
regulations.

Sincerely

Susan Wundt

**Jacob Franklin**

**From:** Lisa Abbott  
**Sent:** Wednesday, May 14, 2014 1:38 PM  
**To:** Jacob Franklin  
**Subject:** Fwd: Petition Type V--Paper copy with \$20 in the mail today

Can you pull this file? Thanks.

Lisa

----- Forwarded message -----

**From:** **sue wunder** <[swunder2002@yahoo.com](mailto:swunder2002@yahoo.com)>  
**Date:** Wed, May 14, 2014 at 12:45 PM  
**Subject:** Petition Type V--Paper copy with \$20 in the mail today  
**To:** "[hand@bloomington.in.gov](mailto:hand@bloomington.in.gov)" <[hand@bloomington.in.gov](mailto:hand@bloomington.in.gov)>

**Petition Type V--Exception to Residential Rental Unit and Lodging Establishment Inspection Program**

I have owned and occupied my home at 1232 E. Wylie St. in Bloomington for twenty plus years. It was already a two-unit rental when I purchased it, after initially renting (e.g. paying rent for) the bottom unit for two years. For many years after purchasing the house I continued to live in the lower apartment with my school-age son while renting out the upper half-story. However, for the past five to six years the entire house has been occupied by three generations of my family. In 2008 my son, his wife and their son Connor set up their household in the upper unit as I remained downstairs. No rent was involved as Tim was attending Ivy Tech and not yet earning. Tim's wife left him two years ago, moving to another address. Tim and Connor (whom Tim claims as a dependent) remain in the home. They now occupy the two bedroom downstairs unit while I enjoy my private space upstairs.

This scenario works beautifully for the three of us. My son, now earning slightly above minimum wage, cannot afford his own home and is able to live here rent free with Connor, who is now eight and attending the same school, Rogers Elementary that Tim did. Tim and I value our independent units under this shared roof. Having me right upstairs is an enormous help to him as he juggles his work and Connor's school schedule. It's also an added layer of security for Connor. When his dad must work an early shift, Connor can open his kitchen door downstairs, and walk up from my separate entryway to breakfast with me--without going outside. He often spends the night up here when Tim works late or needs a break.

As this illustrates, 1232 E. Wylie is now, and has long been very much a one-family home, with the important convenience of two independent living areas. I have no intention of renting either unit again. I therefore appeal to HAND to allow us to enjoy our two unit home as the uniquely suitable home it is for three generations--without the inspections attendant on now inapplicable rental regulations.

Sincerely,

Susan Wunder

5/15/2014

--  
Housing and Neighborhood Development Department  
City of Bloomington  
(812) 349-3420



Daniel Bixler <bixlerd@bloomington.in.gov>

---

**Fwd: Addendum to Susan Wunder's Petition V re: 1232 E. Wylie St.**

1 message

---

Lisa Abbott <abbottl@bloomington.in.gov>  
To: Daniel Bixler <bixlerd@bloomington.in.gov>

Wed, May 28, 2014 at 11:45 AM

I think this might be a rental BHQA thing.

----- Forwarded message -----

From: **sue wunder** <swunder2002@yahoo.com>  
Date: Wed, May 28, 2014 at 10:57 AM  
Subject: Addendum to Susan Wunder's Petition V re: 1232 E. Wylie St.  
To: "hand@bloomington.in.gov" <hand@bloomington.in.gov>

FYI, If my already submitted petition is granted, I would like to combine the separate meters and fuse boxes of my home (one for upstairs, one for downstairs) into a single unit. Thanks!

Sue Wunder

--  
Housing and Neighborhood Development Department  
City of Bloomington  
(812) 349-3420



**City of Bloomington  
Housing and Neighborhood Development**



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Variance**

Meeting Date: June 18, 2014

Petition Type: A modification or exception to the Property Maintenance Code

Variance Request: Request for relief from requirement to make repairs.

Petition Number: 14-V-75

Address: 1721 S. Highland Ave.

Petitioner: Heather VanNess

Inspector: John Hewett

Staff Report:        March 7, 2014        Cycle Inspection  
                               March 26, 2014        Sent Report  
                               May 16, 2014        Received appeal  
                               June 13, 2014        Re-inspection.

During the Cycle Inspection, multiple violations were cited. The petitioner claims these violations are caused by the autistic son of the tenant and would like to leave the repairs to be completed at the time the tenant moves from the unit.

Staff recommendation: Grant the request for the drywall, bathroom door and cabinet door, all other violations shall be complied.

Conditions: These repairs will not need to be made as long as the current tenant lives in this unit.

Compliance Deadline: none

Attachments: Cycle Report, Petitioner's letter, photos

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MAY 13 2014



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](mailto:hand@bloomington.in.gov)

Property Address: 1721 S. Highland

Petitioner's Name: Heather Vanness

Address: 940 S. Clarizz Blvd. #25

City: Bloomington State: IN Zip Code: 47401

Phone Number: 333-3333 Email Address: hvanness@abodes.com

Property Owner's Name: Highlands LLC

Address: 940 S. Clarizz Blvd. #25

City: Bloomington State: IN Zip Code: 47401

Phone Number: 333-3333 Email Address: hvanness@abodes.com

Occupants: Shirley Stephens & son

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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-AA-75

14-V-75

SEE REVERSE



In 2008, Shirley Stephens and her young son, Isaiah, moved in to 1721 S Highland Avenue. Isaiah is now a 5-6 yr old autistic boy who sometimes lashes out and in turn causes damages to their home. Examples of this are extensive chewing of the drywall in his bedroom, holding on to the window sill and kicking holes in the wall under the window, putting holes in doors, tearing up blinds, putting holes in screen doors, and tearing off cabinet doors. Over the years, Shirley has put in minimal work orders to have some of these items fixed, at her expense, such as the screen door to keep bugs out, and getting the blinds replaced to block out the sun. She has not, however, reported the holes and chews in the drywall to be fixed, or the cabinet doors to be replaced. We estimate the damage of the drywall, door replacement for the cabinet, and door replacement for the bathroom to be approximately \$775. This would be a significant financial burden for a single mom of a special needs child. Shirley has renewed for another year, until August 2015. Abodes is asking for a modification to be made on the Cycle Inspection Report for us to complete the specific repairs of drywall damage, bathroom door replacement, and kitchen cabinet door replacement to be made when the current resident, Shirley Stephens and her son, move out of the home so that the damages don't occur again, forcing the resident to be charged both now and at move out. The move in inspection report indicates that none of these problems existed 6 years ago when the residents moved in. Thank you.



City of Bloomington  
Housing and Neighborhood Development

Home Inspections Report & Cycle Report

4357

OWNERS

Abodes, Inc.  
940 S. Clarizz Boulevard #25  
Bloomington, IN 47401

Prop. Location: 1721 S Highland AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 03/07/2014  
Primary Heat Source: Electric  
Property Zoning: RS  
Number of Stories: 1

Inspectors: John Hewett  
Foundation Type: Crawl Space  
Attic Access: No  
Accessory Structure:

The Monroe County Assessors records indicate that this structure was built in 1996. These are the minimum egress requirements for One and two Family Dwellings built or altered between 1990 and 1996.

Clear opening height: 24"  
Clear opening width: 18"  
Sill height: 44" above finished floor  
Openable area: 4.75 sq. ft.

Interior

Kitchen

22-2 x 11-5

Replace the broken cabinet door on the sink cabinet. BMC 16.04.060(a)

NW bedroom

12-1 x 9-0

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1996. The relevant code is the 1990 Indiana Residential Code, section: 210.2.

Openable area required:	4.75sq. ft.	Existing area: -	5.35 sq. ft.
Clear width required:	18"	Existing width:	33.5"
Clear height required:	24"	Existing height:	23"
Maximum sill height:	44" above finished floor	Existing sill:	30.5"

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](http://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.

Living room

6-7 x 16-0

Repair or replace the delaminating exterior door. BMC 16.04.060(a)

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible.

BMC 16.04.060(a)

N center Bedroom

9-7 x 12-0

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

**The window measurements are the same as noted above.**

Bathroom

NC Repair the hole(s) in the door or replace the door. BMC 16.04.060(a)

C Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

NE bedroom

13-5 x 11-5

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

**The window measurements are the same as noted above.**

Exterior

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

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 16.12.050 (d) and 16.10.030(b)

Required documentation:

3/31/14 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

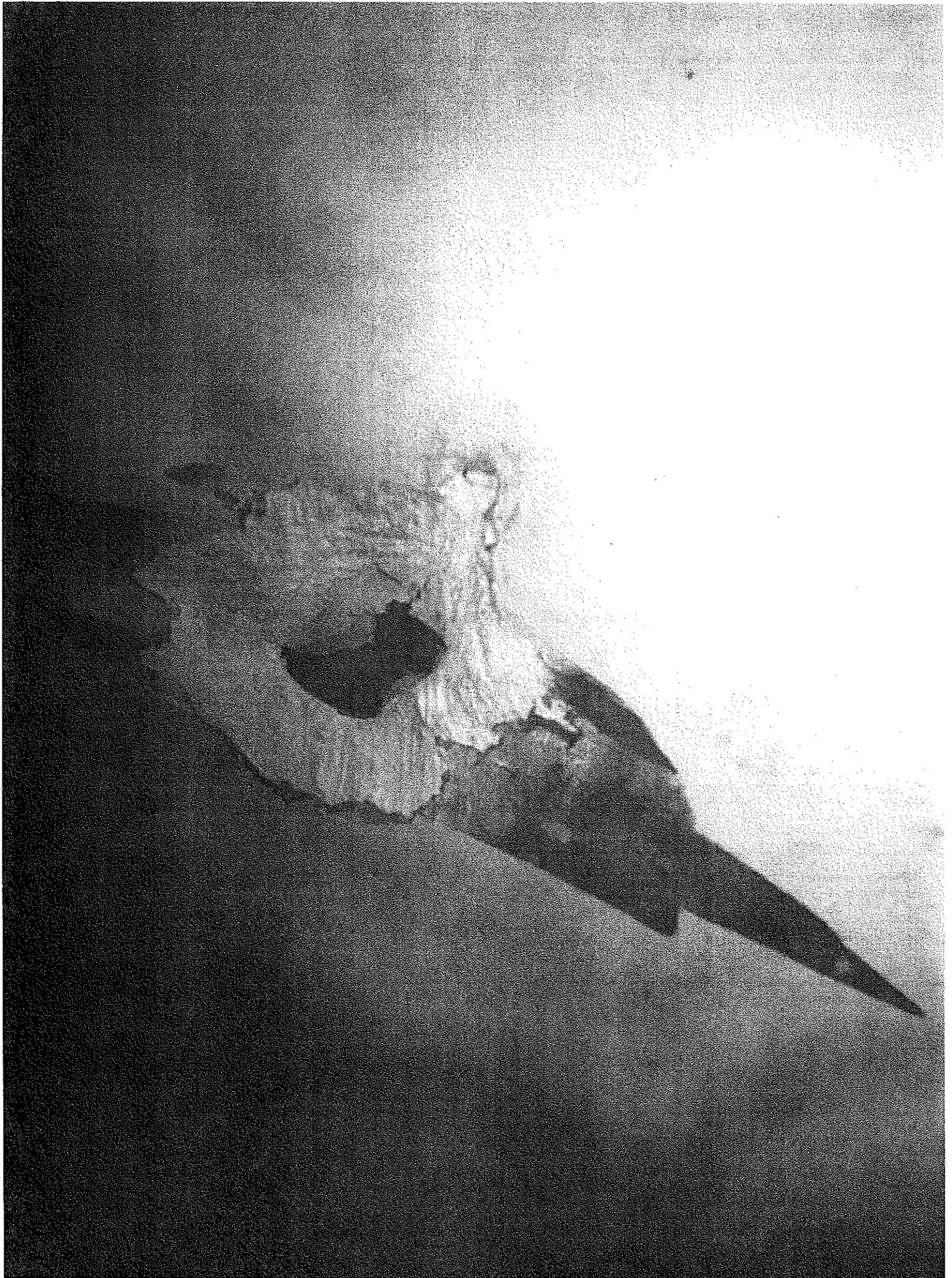
deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC16.12.040 and 16.10.030(b)

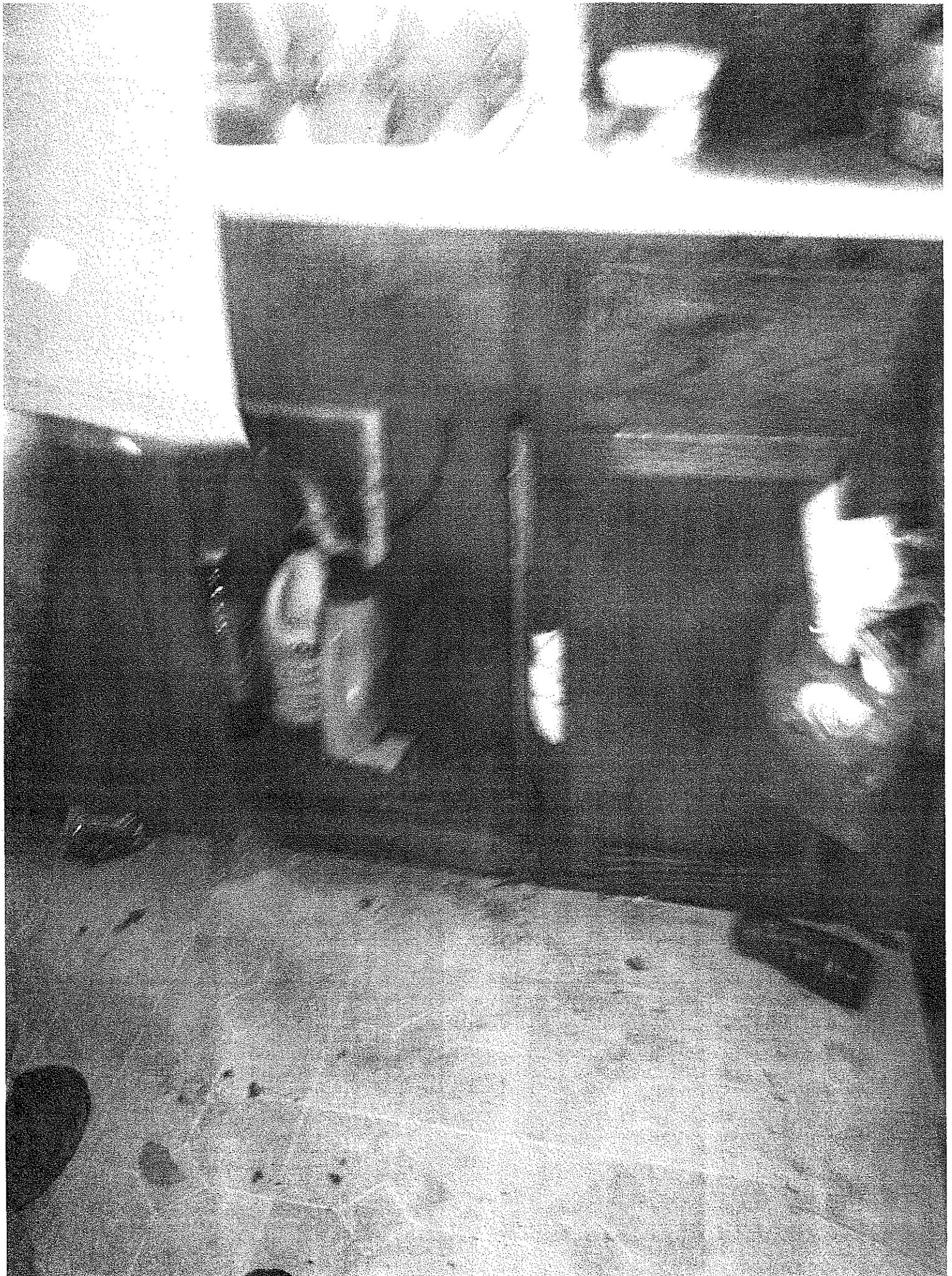
Required documentation:

Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner and provided to the office within 60 days of the date of the inspection or a \$25.00 fee will be levied.** BMC 16.03.010(b), BMC 16.10.030(b)

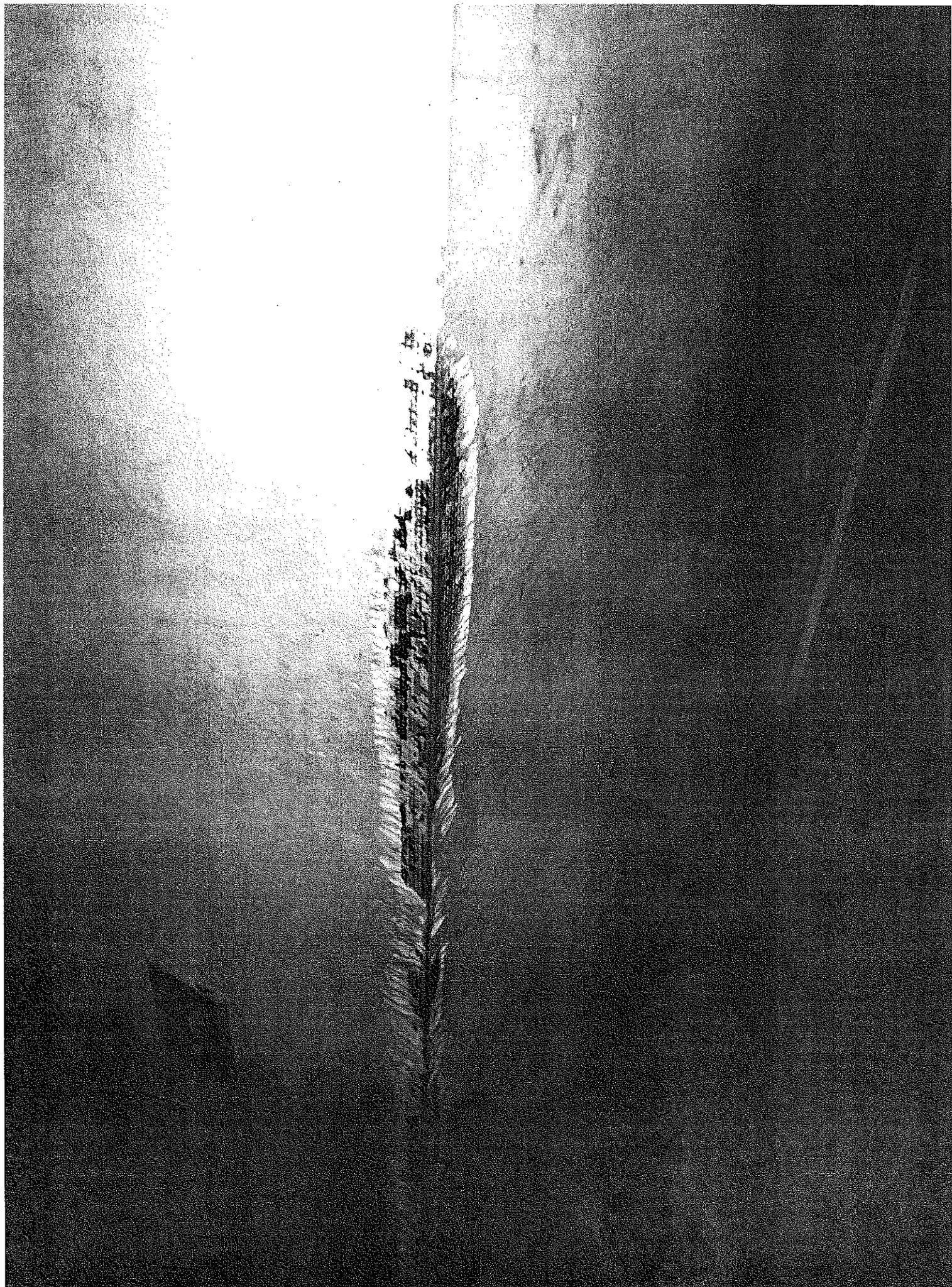
When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration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

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: June 18, 2014  
Petition Type: Rescind a variance  
Petition Number: 14-RV-76  
Address: 104 E Grimes Ln.  
Petitioner: HAND  
Inspector: John Hewett

Staff Report:

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 did not address ceiling heights; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None