

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL McCLOSKEY CONFERENCE ROOM  
May 18, 2016, 4:00 P.M.**

I. **ROLL CALL**

II. **REVIEW OF SUMMARY** – April 20, 2016

III. **CONSENT AGENDA**

- (1) 15-TV-251, **113 S. Gentry Street**, Olympus Properties (Stardust Development, LLC). Request for an extension of time to complete repairs. Previously heard November 18, 2015.
- (2) 15-TV-267, **2440 S. Henderson Street**, Valenti Real Estate Services, Inc. (LifeDesigns, Inc.). Request for an extension of time to complete repairs. Previously heard December 16, 2015.
- (3) 16-TV-96, **333 S. Jordan Avenue**, Charles & Sue Sinn, Sr. Request for an extension of time to complete repairs.
- (4) 16-TV-98, **308 N. Lincoln Street**, Orion Property Management (VCW Holdings, LLC). Request for an extension of time to complete repairs.
- (5) 16-TV-99, **2611 N. Walnut Street**, Orion Property Management (Michael Collier). Request for an extension of time to complete repairs.
- (6) 16-TV-100, **148-150 E. Willow Court**, Dwayne Woods. Request for an extension of time to complete repairs.
- (7) 16-RV-102, **809 S. Washington Street**, H.A.N.D. (Brink, LLC). Request for rescission of a variance.
- (8) 16-RV-103, **1113 S. Washington Street**, H.A.N.D. (B. Venturas, LLC). Request for rescission of a variance.
- (9) 16-RV-104, **117 E. 19<sup>th</sup> Street**, H.A.N.D. (Roy J. Campbell). Request for rescission of a variance.
- (10) 16-TV-105, **3326 S. Oaklawn Circle**, Parker Real Estate Management (Stephen Freeman). Request for an extension of time to complete repairs.
- (11) 16-RV-106, **730 E. Hunter Avenue**, H.A.N.D. (J. Brian Jager). Request for rescission of a variance.
- (12) 16-RV-107, **315 W. 16<sup>th</sup> Street**, H.A.N.D. (Phil Jones). Request for rescission of a variance.
- (13) 16-TV-108, **3230 E. John Hinkle Place Unit B**, Dennis L. and Karen L. Morgan. Request for an extension of time to complete repairs.
- (14) 16-TV-110, **527 E. 7<sup>th</sup> Street**, Diamond Properties, LLC. Request for an extension of time to complete repairs.
- (15) 16-RV-111, **322-322 ½ S. Jordan Avenue**, H.A.N.D. (Bruce Storm). Request for rescission of a variance.

- (16)16-RV-112, **610 N. Dunn Street**, H.A.N.D. (10-29, LLC). Request for rescission of a variance.
- (17)16-RV-113, **429 S. Henderson Street**, H.A.N.D. (Tariq Khan). Request for rescission of a variance.
- (18)16-RV-114, **605 N. Fairview Street**, H.A.N.D. (Jane Henderson). Request for rescission of a variance.
- (19)16-RV-115, **1312 S. Grant Street**, H.A.N.D. (David Carrico). Request for rescission of a variance.
- (20)16-RV-116, **518 S. Washington Street**, H.A.N.D. (Tariq Khan). Request for rescission of a variance.
- (21)16-RV-117, **611 N. Washington Street**, H.A.N.D. (Tariq Khan). Request for rescission of a variance.

IV. **PETITIONS**

- (22)16-AA-43, **1124 S. Henderson Street**, Our Cottage Industry, LLC. Request for relief from an administrative decision. Previously heard April 220, 2016.
- (23)16-TV-109, **201 S. Smith Road**, Sam Frank. Request for an extension of time to complete repairs.
- (24)16-AA-118, **1036 S. Mitchell Street**, Stephen & Eileen Katz. Request for relief from an administrative decision.
- (25)16-AA-119, **760 S. Basswood Drive**, Robert E. Lee. Request for relief from an administrative decision.

V. **GENERAL DISCUSSION**

VI. **PUBLIC COMMENT**

VII. **ADJOURNMENT**

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call [812-349-3429](tel:812-349-3429) or e-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).*

# B.H.Q.A. MEETING OF APRIL 20, 2016

## SUMMARY

MEMBERS PRESENT: Kris Floyd, Elizabeth Gallman, Nikki Gastineau, Andrew J. Guenther, Susie Hamilton

STAFF PRESENT: Michael Arnold, Daniel Bixler, John Hewett, Norman Mosier, Doris Sims, Jo Stong, Matthew Swinney, Dee Wills (HAND), Christopher Wheeler (Legal)

GUESTS: Nikki J. Ball (Henderson Court Apartments), Pat Goyle (Eloise McGhee), Bret Johnson (1832 S. Covey Lane), Jon Lawrence (Our Cottage Industry, LLC), Vicki Linder (2673 S. McCartney Lane), Alana Linder (2673 S. McCartney Lane), Eloise McGhee (2490 S. Winslow Court), Michael Powell (825 S. Eastside Drive), Jan Sorby (Our Cottage Industry, LLC)

Meeting start time 4:04 PM.

### I. REVIEW OF SUMMARY

Gastineau made a motion to approve the minutes for January 20, 2016. Hamilton seconded. Motion passed, 5-0.

### II. ELECTION OF 2016 OFFICERS

Hamilton nominated Kris Floyd for Chair. Galman seconded. Motion passed, 4-0-1. (Floyd abstained.) Hamilton nominated Nikki Gastineau for Vice-Chair. Gallman seconded. Motion passed, 4-0-1. (Gastineau abstained.)

### III. CONSENT AGENDA

15-TV-135, **1530 W. Arlington Road**, Mike Beyers. Request for an extension of time to complete repairs. Previously heard July 15, 2015. Staff recommendation to grant the request with an October 30, 2016 deadline.

15-TV-167, **2604 E. Eastgate Lane/2663 E. 7<sup>th</sup> Street**, Michelle Mosier (CRE Rentals). Request for an extension of time to complete repairs. Previously heard August 19, 2015. Staff recommendation to grant the request with an April 30, 2016 deadline for all smoke detectors and life-safety violations and a June 16, 2016 deadline for all other violations.

15-TV-249, **106-108, 110-112, 113-115 and 114-116 W. Pinewood Drive**, Ashael L. Summitt. Request for an extension of time to complete repairs. Previously heard November 18, 2015. Staff recommendation is to deny the request and for the owner to schedule the cycle inspection for all units no later than May 05, 2016. If additional time beyond 60 days to complete repairs is necessary, additional time may be requested.

15-TV-253, **2200 E. 7<sup>th</sup> Street**, Jake Flagle. Request for an extension of time to complete repairs. Previously heard November 18, 2015. Staff recommendation to grant the request with an April 30, 2016 deadline for all life-safety violations and a June 16, 2016 deadline for all other violations.

15-TV-261, **1705 N. Lincoln Street**, College Properties (Dan Langley). Request for an extension of time to complete repairs. Previously heard December 16, 2015. Staff recommendation to grant the request with a June 19, 2016 deadline.

15-TV-276, **3200 E. John Hinkle Place Unit I**, Casa de Jang, LLC. Request for an extension of time to complete repairs. Previously heard December 16, 2015. Staff recommendation to grant the request with a June 20, 2016 deadline.

16-TV-25, **1702-1704 S. Olive Street**, Jim Gronquist. Request for an extension of time to complete repairs. This petition was withdrawn.

16-RV-27, **111 E. 16<sup>th</sup> Street**, H.A.N.D. (Mary Karen S. Haley). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-29, **714 E. 2<sup>nd</sup> Street**, H.A.N.D. (Dawid Maidi). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-30, **310 E. 17<sup>th</sup> Street**, H.A.N.D. (Michael & Julia Donham). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-31, **302 E. 19<sup>th</sup> Street**, H.A.N.D. (Lon Stevens). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-32, **2604 E. Eastgate Lane/2663 E. 7<sup>th</sup> Street**, H.A.N.D. (Donald M. Collier). Request for

rescission of a variance. Staff recommendation to grant the rescission.

16-TV-33, **3100 S. Walnut Street Pike**, Katie Flora (Willow Manor c/o Grandview Care). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a May 02, 2016 deadline to schedule an inspection and a June 01, 2016 deadline to complete repairs to the common stairwells.

16-RV-34, **1012 W. 6<sup>th</sup> Street**, H.A.N.D. (Lawrence Cook & Su Fredrickson). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-35, **101-103 S. Yancy Lane**, Wilma Estelle Corrigan (Dorothy Dowdy). Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 20, 2016 deadline.

16-RV-36, **705 E. Allendale Drive**, H.A.N.D. (Mary L. Hartle). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-37, **306 S. Euclid Avenue**, H.A.N.D. (Norman Ladd). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-38, **715 N. Maple Street**, H.A.N.D. (Richard D. Wells). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-39, **148-150 E. Willow Court**, H.A.N.D. (Dwayne Woods). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-40, **3717 E. 3<sup>rd</sup> Street**, Xiu Dong. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an April 29, 2016 deadline.

16-RV-41, **430 E. 10<sup>th</sup> Street**, H.A.N.D. (10-29, LLC). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-42, **102 S. Hillsdale Drive**, Mike Hensinger (Surariz, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a May 01, 2016 deadline.

16-TV-44, **402 S. Highland Avenue**, Dorothy Kinney. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 16, 2016 deadline.

16-RV-45, **417 S. Fess Avenue**, H.A.N.D. (Mary Alice Hoover). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-46, **402, 428, 444, 448 & 450 E. Melrose Avenue**, Tim Bonner (Regency Consolidated Residential, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant the request with an April 26, 2016 deadline for the smoke detector in Unit 428 and a May 01, 2016 deadline for all other violations.

16-RV-47, **505 W. Dodds Street**, H.A.N.D. (Jane Henderson). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-48, **1105 S. Fairview Street**, H.A.N.D. (CPW Properties, LLC). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-49, **2010 N. Monroe Street**, Jennifer & Allen Teare (Pegasus Properties). Request for an extension of time to complete repairs. Staff recommendation to grant the request with an April 30, 2016 deadline for all smoke detectors and life-safety violations and a June 16, 2016 deadline for all other violations.

16-TV-50, **1019 W. Gourley Pike**, Jennifer & Allen Teare (Pegasus Properties). Request for an extension of time to complete repairs. Staff recommendation to grant the request with an April 30, 2016 deadline for all life-safety violations and a June 20, 2016 deadline for all other violations.

16-RV-52, **317 N. Fairview Street**, H.A.N.D. (Jane Henderson). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-53, **708 S. Park Avenue**, Ian Miller. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 20, 2016 deadline.

16-RV-54, **509 N. Grant Street**, H.A.N.D. (Roger Fierst). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-56, **2331 E. 7<sup>th</sup> Street**, H.A.N.D. (Matt & Donna Carter). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-57, **643 N. Monroe Street**, H.A.N.D. (Kathleen Johnson). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-58, **704 W. Allen Street**, H.A.N.D. (Karen Cherrington). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-59, **411 N. Washington Street**, H.A.N.D. (Mary & Dan Friedman). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-61, **305 S. Euclid Street**, Bloomington Rentals (Evie Ladin). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a July 01, 2016 deadline.

16-TV-64, **607 N. Monroe Street**, Janel Fifer. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an April 29, 2016 deadline.

16-TV-65, **212 S. Roosevelt Street**, Yaling Huang. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an April 30, 2016 deadline for all life-safety violations and a June 20, 2016 deadline for all other violations.

16-RV-66, **510 S. Woodlawn Avenue**, H.A.N.D. (Larry McConnaughy). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-67, **503 N. Grant Street**, H.A.N.D. (Roger Fierst). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-68, **1207 S. Lincoln Street**, H.A.N.D. (Jonathan Cargill). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-69, **613 E. Moody Drive**, H.A.N.D. (Spicer Rentals). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-70, **1612 E. Matlock Road**, H.A.N.D. (Cream and Crimson Management, LLC). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-71, **328 S. Fairview Street**, Bloomington Rentals (Rob DeCleene). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 20, 2016 deadline.

16-RV-72, **1114 S. Woodlawn Avenue**, H.A.N.D. (Kenneth Craig). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-75, **211 S. Roosevelt Street**, H.A.N.D. (David & Lesa Henson). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-76, **1503 S. Walnut Street**, H.A.N.D. (James Crane). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-77, **723 S. Park Avenue**, H.A.N.D. (Patricia St. John). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-79, **3011 S. Acadia Court**, Scott Perez (Elon Property Management). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a May 10, 2016 deadline.

16-TV-80, **1832 S. Covey Lane**, Bret Johnson on behalf of Brady Johnson (LifeDesigns). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a July 19, 2016 deadline.

16-RV-81, **104 E. Wilson Street**, H.A.N.D. (Robert Keefer). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-82, **631 N. Walnut Street**, H.A.N.D. (Jon Holden). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-83, **104 N. Roosevelt Street**, H.A.N.D. (David & Bonnie Steele). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-84, **417 E. 9<sup>th</sup> Street**, H.A.N.D. (PLK Rentals, LLC). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-85, **111 E. 16<sup>th</sup> Street**, Emily Brown (Karen Haley). Request for an extension of time to complete repairs. Staff recommendation to grant the request with an April 20, 2016 deadline.

16-RV-86, **320 E. 1<sup>st</sup> Street**, H.A.N.D. (Karen Allen). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-87, **549 S. Lincoln Street**, Matt Murphy. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a July 20, 2016 deadline.

16-TV-88, **1518 E. Atwater Avenue**, Cedarwood Properties, LLC. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a July 08, 2016 deadline.

16-RV-89, **415 E. 4<sup>th</sup> Street**, H.A.N.D. (Anyetsang Properties). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-91, **339 S. Fairview Street**, H.A.N.D. (Karen Allen). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-92, **500 N. Grant Street/401 ½ E. 9<sup>th</sup> Street**, H.A.N.D. (Douglas McCoy). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-93, **815 N. College Avenue**, GMS Enterprises. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 15, 2016 deadline.

16-TV-94, **2367 S. Brandon Court**, Scott Perez (Elon Property Management). Request for an extension of time to complete repairs. Staff recommendation to grant the request with an April 30, 2016 deadline for all life-safety violations and a June 20, 2016 deadline for all other violations.

16-TV-95, **120 S. Kingston Drive**, Mick Hix (David Bilfeld). Request for an extension of time to

complete repairs. Staff recommendation to grant the request with a June 20, 2016 deadline.  
**Approved.**

#### **IV. PETITIONS**

16-AA-28, **825 S. Eastside Drive**, Susan Powell (Byrne Trust – Cal Beisner, executor). Michael Powell was present to request relief from an administrative decision. Staff recommendation was to grant the request for relief from the rental registration process for the duration of time Mike & Susan Powell and family reside here with no more than one unrelated adult and it is owned by the Byrne Trust (Cal Biesner, executor). The property will be pull dated in one year to check its status. Floyd made a motion to grant the request per staff recommendation. Gastineau seconded. Motion passed, 5-0. Request granted.

16-TV-55, **2673 S. McCartney Lane**, Hyde Park Partnership, LLC (Nancy Young and Howard Young). The petitioner was not present to request an extension of time to complete repairs. Tenants, Vicki and Alana Linder, were present. Staff recommendation was to grant the request with a May 08, 2016 deadline. Gastineau made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

16-AA-43, **1124 S. Henderson Street**, Our Cottage Industry, LLC. The petitioners, Jan Sorby and Jon Lawrence, were present to request relief from an administrative decision requiring completion of repairs cited on the cycle inspection report. Staff recommendation was to deny the request and require all repairs be completed and re-inspected by May 01, 2016. Gastineau made a motion to deny the request per staff recommendation with conditions that repairs must be completed and re-inspected on (1) the cleaning and servicing of the bathroom exhaust fan and (2) the trimming of the trees and bushes on the exterior no later than May 01, 2016 or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines and (3) discussion of the exterior siding shall be tabled until the May 18, 2016 meeting. Guenther seconded. Motion passed, 4-0 (Hamilton left meeting at 4:47 PM). Request denied for items 1, 2; request tabled for item 3.

16-V-51, **2490 S. Winslow Court**, Nikki Ball (Jonathan Cohn). This item was heard concurrent with petition 16-V-60. Petitioner, Nikki Ball, was present to request a modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program such that Unit 2490 be exempt from compliance with violations noted in the November 15, 2015 cycle inspection with this being a onetime exception that does not relieve the landlord from continuing to have unit 2490 inspected during all future HAND inspections. Staff recommendation was to grant the request. Floyd made a motion to grant the request per staff recommendation. Gastineau seconded. Motion passed, 4-0. Request granted.

16-V-60, **2490 S. Winslow Court**, Eloise McGhee (Jonathan Cohn). This item was heard concurrent with petition 16-V-51. Petitioner, Eloise McGhee, was present to request a modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program such that Unit 2490 be exempt from compliance with violations noted in the November 15, 2015 cycle inspection with this being a onetime exception that does not relieve the landlord from continuing to have unit 2490 inspected during all future HAND inspections. Staff recommendation was to grant the request. Floyd made a motion to grant the request per staff recommendation. Gastineau seconded. Motion passed, 4-0. Request granted.

16-AA-62, **2504 E. Covenanter Drive**, Kim Underwood (Bill and Barb Sycks). The petitioner was not present to request relief from an administrative decision. Staff recommendation was to grant the request for relief from the rental registration process on condition that property is owned by current owner, Bob and Barb Sycks, and is occupied by current residents, Kim and Doug Underwood, and no more than one additional unrelated adult, with the property pulled dated for one year for a status check. Floyd made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 4-0. Request granted.

16-AA-63, **2633 E. Oaklawn Court**, Jerome C. & Melinda B. Neely. The petitioner was not present to request relief from an administrative decision. Staff recommendation was to grant the request for relief from the rental registration process on condition that property is owned by current owner,

Jerome C. and Melinda B. Neely, and is occupied by current resident, Michael J. Neely, and no more than one additional unrelated adult, with the property pulled dated for one year for a status check. Floyd made a motion to grant the request per staff recommendation. Guenther seconded. Motion passed, 4-0. Request granted.

16-AA-73, **1516 E. Matlock Road**, Pamela London & Samuel Zivot. The petitioner was not present to request relief from an administrative decision. Staff recommendation is to deny the request and for the owner to schedule and conduct a cycle inspection, or other action must be taken to remove this property from the jurisdiction of Title 16, with the number of tenants reduced to not more than three unrelated adults as required by May 20, 2016. Floyd made a motion to deny the request per staff recommendation. Guenther seconded. Motion passed, 4-0. Request denied.

15-TV-181, **100-102 S. Yancy Lane**, Wilma Estelle Corrigan (Dorothy Dowdy). The petitioner was not present to request an extension of time to complete repairs. This item was previously heard October 21, 2015. Staff recommendation was to grant the request with an April 30, 2016 deadline for all life safety violations and a June 20, 2016 deadline for all other repairs. Floyd made a motion to grant the request per staff recommendation. Gastineau seconded. Motion passed, 4-0. Request granted.

15-TV-278, **2455 E. Tamarack Trail**, Edward Pate (Meadowood Five Star Retirement). The petitioner was not present to request an extension of time to complete repairs. This item was previously heard December 16, 2015. Staff recommendation was to grant the request with a May 19, 2016. Floyd made a motion to grant the request per staff recommendation. Guenther seconded. Motion passed, 4-0. Request granted.

16-TV-78, **604 W. Allen Street**, Don Miller. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a June 20, 2016 deadline. Floyd made a motion to grant the request per staff recommendation with clarification that repairs include both main and accessory structures. Gallman seconded. Motion passed, 4-0. Request granted.

**V. GENERAL DISCUSSION**

None.

**VI. PUBLIC COMMENT**

None.

**VII. ADJOURNMENT**

Floyd made motion to adjourn. Gastineau seconded. Motion unanimously passed. Meeting adjourned at 5:41 PM.



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-251 Old Business

Address: 113 S Gentry

Petitioner: Michael Baldomero, Property Manager

Inspector: John Hewett

Staff Report:

Cycle Inspection	October 28, 2014
Re-inspection	February 12, 2015
Sent EE reminder	September 10, 2015
Received appeal	October 13, 2015
Board granted extension	November 18, 2015
Received appeal (old business)	April 7, 2016
Extension expired	April 18, 2016

The exterior painting requires replacement of some wood and the electrical service wires are very close to the area where the work must be done. The contractor hired by the petitioner is working closely with Duke Energy to complete the repairs but they are experiencing difficulty completing the work due to the proximity of the high voltage wiring.

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 17, 2016

Attachments: Petitioner's letter and email

RECEIVED  
APR 07 2016



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: 113 S Gentry Street Bloomington 47404  
Petitioner's Name: Michael Baldomero Property Manager  
Address: 2620 N Walnut Street Olympus Properties  
City: Bloomington State: IN Zip Code: 47404  
Phone Number: 812-334-8200 Email Address: managers@olyprop.com  
Property Owner's Name: Stardust Development LLC  
Address: 403 E 6th St  
City: Bloomington State: IN Zip Code: 47408  
Phone Number: 812-334-8200 Email Address: managers@olyprop.com  
Occupants: 4 Apartments: Gentry 1-4

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 15-TV-251

(OLD BUSINESS)

SEE REVERSE

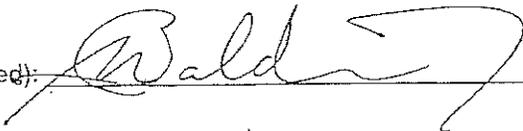
PREVIOUSLY HAND 11-18-15 JH

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

In accordance with a phone conversation with Mr. John Hewett on April 6, 2016, Olympus Properties formally requests an extension for the repairs and painting that need to be completed on 113 S. Gentry Street building. A petition for extension was granted in the past, Petition Number: 15-TV-251. This extension is set to expire 4/18/2016.

Olympus Properties has engaged the services of Pritchett Brothers and Freedom Paint & Wallcovering to address the work necessary to satisfy the HAND notice. Issues were encountered when dealing with the power lines attached to the building. In my e-mail dialogue with Pritchett Brothers (attached), concern was raised by the contractors that the work may not be completed within the specified timeline due to the complex steps that may need to be taken by Duke Eclectic to ensure safety to all involved and uninterrupted service to the surrounding structures.

Enclosed you will find the original petition, several HAND notices, and pictures to illustrate the problems encountered. Thank you for your consideration. We are diligently working to satisfy the issues identified by HAND, and feel we can complete the project with more time.

Signature (required):  Olympus Properties  
Name (please print): Mike Baldomero Date: 4/07/2016

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.



Mike Baldomero &lt;manager@olympusproperties.com&gt;

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**Fwd: 113 Gentry**

1 message

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Brian Stroud <maintenance@olympusproperties.com>  
To: Mike Baldomero <manager@olympusproperties.com>

Wed, Apr 6, 2016 at 4:34 PM

IS THIS IT ?

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

From: Property Manager <manager@olympusproperties.com>  
Date: Tue, Mar 29, 2016 at 12:18 PM  
Subject: Fwd: 113 Gentry  
To: Ferguson Dave <DLF@ferglaw.com>, Stroud Brian  
<maintenance@olympusproperties.com>

FYI

Mike

Sent from my iPhone

Begin forwarded message:

From: Jon Pritchett <jp@pritchettbros.com>  
Date: March 29, 2016 at 9:37:42 AM EDT  
To: Property Manager <manager@olympusproperties.com>  
Subject: RE: 113 Gentry

I met with another higher Duke rep on Monday.

They really have to work on a plan for this site.

I have 2 trips so far .

You have asked for a budget , I am not sure what the final scope will be. And it will be impossible to tell unless you could get close enough.

1) I have to somehow get a scaffold or lift through the hot wires to even work on front. Duke has to be present . I am waiting on some kind of plan from them. At this point, Duke has not given me a good answer. They may have to shut down power or reroute just to do front. I have to be completely sure that our employees or subs will be safe.

2) Front dormer, scrape, remove debris , fix rotted areas, ( we do not know the amount and we will not be able to see this until we are up to structure). I am not comfortable giving a budget. The metal surface may be rusted on top, their may be rotting behind it.

3) Windows, scaffold or lift , remove storms , repair each window ( repair rotted wood, this could be 1 hour or 2 days depending on condition ) and paint . Budget for each subject to change \$1200 to \$1500 per window. Please note, some windows may be way less than that, some may be more. This is just a budget.

I understand that you may have to give the owner something, I will gladly meet with them to discuss in person.

Thanks

Jon Pritchett

From: Property Manager [mailto:manager@olympusproperties.com]  
Sent: Tuesday, March 22, 2016 2:33 PM  
To: Jon Pritchett <jp@pritchettbros.com>  
Subject: Re: 113 Gentry

Jon,

Excellent plan. We'll start with the quote. See what you think form there.

Mike

On Tue, Mar 22, 2016 at 1:50 PM, Jon Pritchett <jp@pritchettbros.com> wrote:

I am not sure if we can get this completed by the 18th.

I am really not sure I can give you a quote unless I can get access to the metal work (window) to access the situation.

I will know more tomorrow when I meet with Duke

Jon

From: Property Manager [mailto:manager@olympusproperties.com]  
Sent: Tuesday, March 22, 2016 1:36 PM  
To: Jon Pritchett <jp@pritchettbros.com>  
Cc: Brian Stroud <maintenance@olympusproperties.com>; Eiko Kocher <operations@olympusproperties.com>  
Subject: Re: 113 Gentry

John,

Thank you so much for the response. It appears that HAND will re-inspect April 18, 2016. We had filed an extension to complete this work previously. I wanted to be sure you and I were on the same page as far as work and when it was to be completed. Eiko is still a part of this project. I am assisting to help with communication and such.

I knew this was a rather involved project due to the power line issues. I look forward to your quote. If approved, do you feel we can have the work completed by April 18, 2016?

Again, thank you for your input. When you have the quote ready, please send it to my attention as well as Eiko's.

Thank you,

Mike

On Tue, Mar 22, 2016 at 11:23 AM, Jon Pritchett <jp@pritchettbros.com> wrote:

Mike

Thanks for calling.

What I am trying to do is put together a plan for gentry. I am actually meeting with Duke energy engineer on site tomorrow at 9am. I need to have them tell me what to do to protect everyone on both the alley and the front

Eiko has asked me to quote on the front window repair and paint the rest of the windows. \

This is a very dangerous job due to the power lines.

Once I find out what Duke says, I will get back with you,

My cell is 812-345-9251

Thanks

Jon Pritchett

-

Mike Baldomero  
Property Manager

Olympus Properties  
2620 N Walnut St, Suite 1000 | Bloomington, IN 47404  
tel: (812) 334-8200 | cell: (812) 679-7756 | fax: (812) 961-1115  
manager@olyprop.com  
www.olyprop.com

"We're where you want to live!"

(812) 334-8200 EMERGENCY MAINTENANCE (all hours)  
(812) 339-4477 QUIET NIGHTS (Noise Complaints)

-

Mike Baldomero  
Property Manager

Olympus Properties  
2620 N Walnut St, Suite 1000 | Bloomington, IN 47404  
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4/6/2016

Olympus Properties, LLC. Mail - Fwd: 113 Gentry

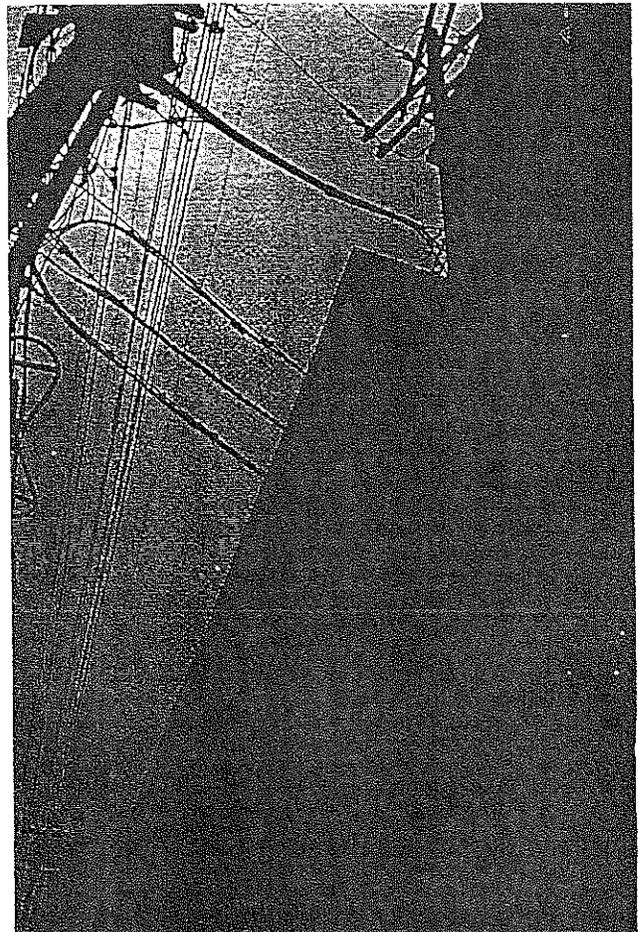
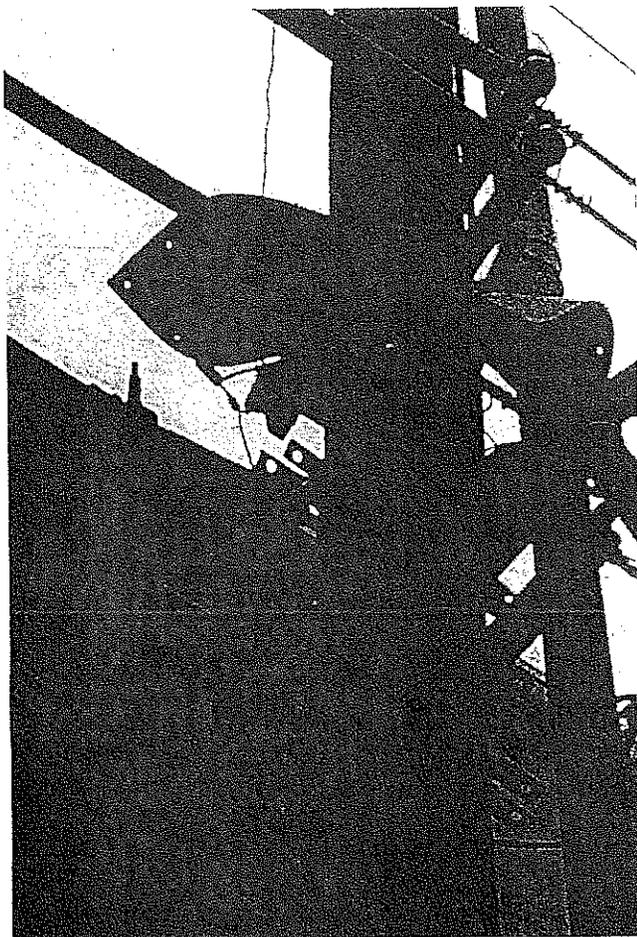
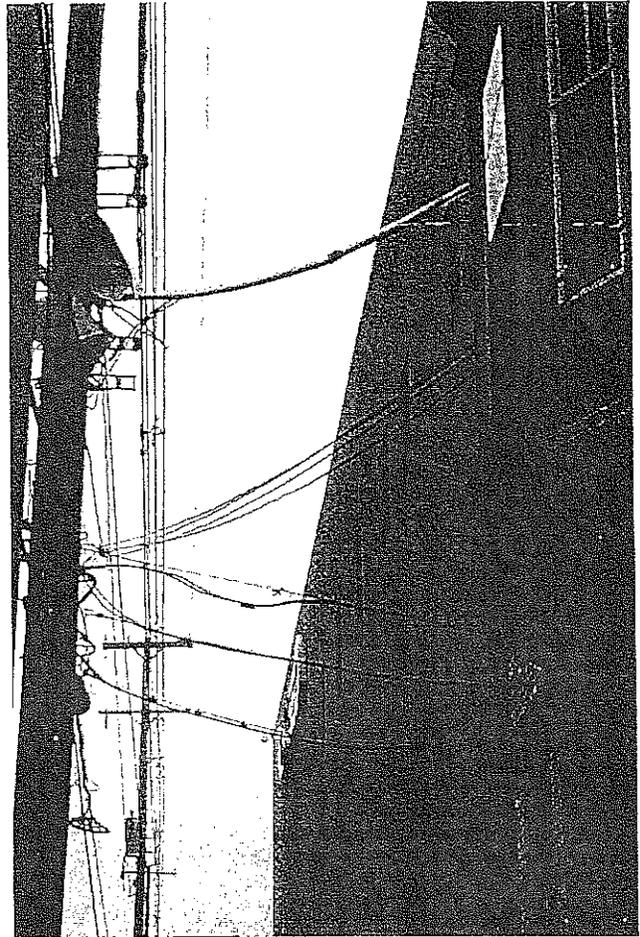
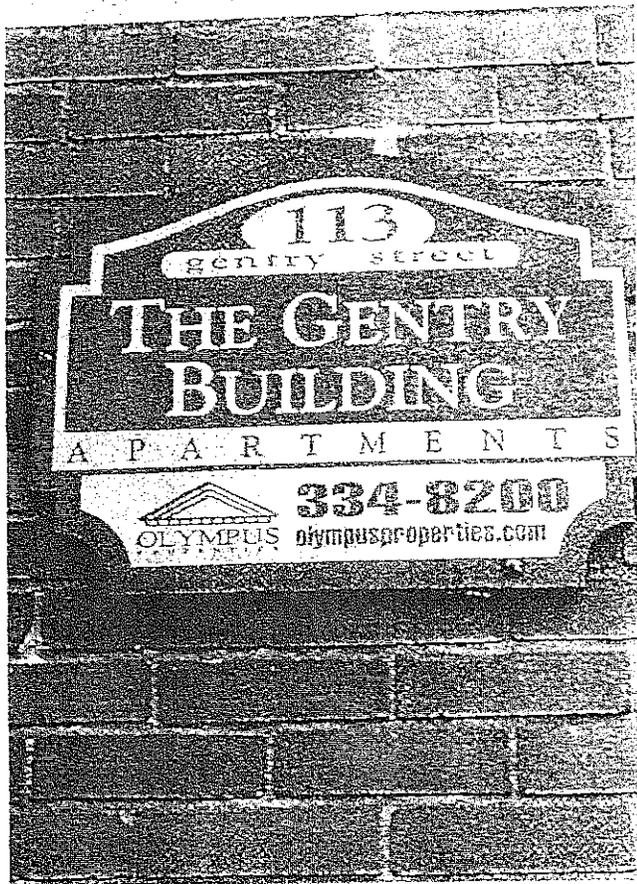
(812) 339-4477 QUIET NIGHTS (Noise Complaints)

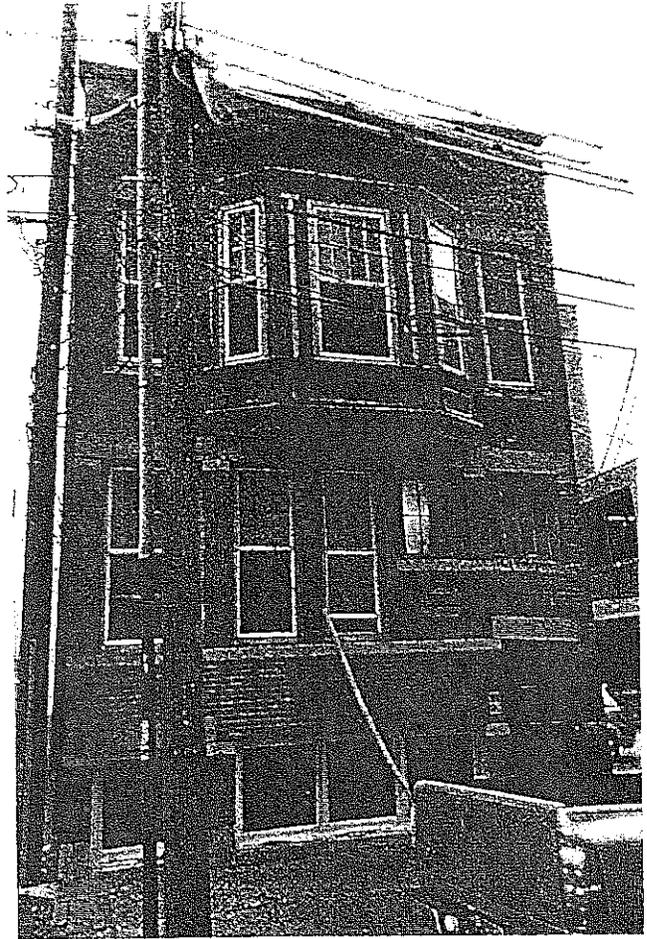
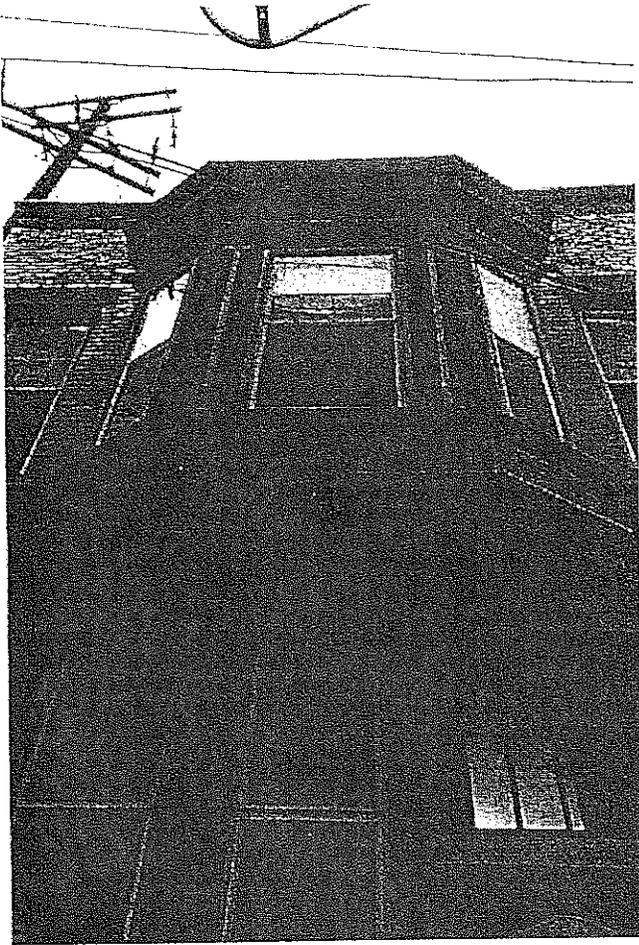
—  
Brian Stroud  
Maintenance Supervisor

Olympus Properties  
2620 N Walnut St, Suite 1000 | Bloomington, IN 47404  
tel: (812) 334-8200 | fax: (812) 961-1115  
maintenance@olyprop.com  
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(812) 339-4477 QUIET NIGHTS (Noise Complaints)







City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-267

Address: 2440 S. Henderson St.

Petitioner: Crawford Apts./Stacey Carlisle

Inspector: Mosier/Swinney

Staff Report: September 24, 2015 – Conducted Cycle Inspection  
November 10, 2015 – Received BHQA Appeal  
March 16, 2016 - First BHQA Deadline

It was noted during the cycle inspection that the all windows will not latch properly. Crawford Apts was granted an extension of time in December with a deadline of March 16, 2016. During the extension of time the contractor and window manufacturer decided the windows were a bad design and the majority need to be replaced. Petitioner anticipates it will take 6-8 weeks order new windows and install them. Petitioner is requesting an extension of time till June 15, 2016 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: June 17, 2016

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

✓

RECEIVED  
APR 18 2016



BY: PU

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: 2440 S. Henderson St. Bloomington, IN  
Petitioner's Name: Stacey Carlske-Valenti Real Estate Services, Inc  
Address: 1052 N. Girls School Road, Suite 110  
City: Indianapolis State: IN Zip Code: 46214  
Phone Number: 317-273-0312 Email Address: Stacey@Valentigroup.com  
Property Owner's Name: Life Designs, Inc  
Address: 200 East Winslow Road  
City: Bloomington State: IN Zip Code: 47401  
Phone Number: 800-875-9615 Email Address: Srinne@lifedesignsinc.org  
Occupants: Number of occupants = 27

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 15-TV-267

OLD BUSINESS

SEE REVERSE

Previously filed  
12.16.15

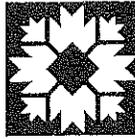


Details for Extension Request:

On December 17<sup>th</sup> HAND provided an extension of time to complete repairs needed after a HOME Funds inspection. The problem in question is regarding the windows and that they hardware is not properly working to open and close the windows.

During the time of the extension we have had the original General Contractor and the window Manufacturer (Anderson Windows) visit the apartment community on two different occasions to try to find a fix that will cause the windows to work properly. The General Contractor and Window manufacturer have just come to the conclusion that the windows were a poor design and the majority of the windows need to be replaced.

It is anticipated to take approximately 6-8 weeks to have the new windows ordered, received and installed. Therefore; we are requesting an additional extension until June 15, 2016 to have the windows working properly.



City of Bloomington  
Housing and Neighborhood Development

Home Inspection Report

10022

OWNERS

Crawford LP  
200 E Winslow Rd  
Bloomington, IN 47401

AGENT

Hayes, Carson L.  
5665 W. State Road 46  
Bloomington, IN 47404

Prop. Location: 2440 S Henderson ST  
Number of Units/Structures: 25/1  
Units/Bedrooms/Max # of Occupants: 25/1/5

Date Inspected: 09/24/2015	Inspectors: Mosier/Swinney/Woolford
Primary Heat Source: Electric	Foundation Type: Slab
Property Zoning: CA	Attic Access: N/A
Number of Stories: 3	Accessory Structure: None

This property was built in 2013. This structure is fully sprinklered and meets the requirements of IBC Sec. 1026, Exception 1 for emergency egress.

Each Unit is a 1 bedroom unit. Only the rooms with violations will be listed in this report. Plan files with room dimensions are saved electronically.

Home inspection was for 10 units, could not verify the exact units so all units were inspected for home compliance.

**General Statement**

Every window shall have a functioning locking device, window latch and shall be maintained in good condition. Window locks in rental units shall be capable of tightly securing the window and shall be openable without special knowledge or effort (Includes replacing missing window cranks). BMC 16.04.060(b)

## INTERIOR

### 1<sup>st</sup> Floor

#### 112

See General Statement.

#### 113

See General Statement.

#### 114

See General Statement.

#### 115

See General Statement.

#### 116

See General Statement.

### 2<sup>nd</sup> Floor

#### 202

See General Statement.

#### Bathroom

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

#### 203

See General Statement.

#### Bathroom

Repair the GFCI outlet to function as intended. BMC 16.04.020 (IEC 210.8) and BMC 16.04.060(b)

#### 204

See General Statement.

#### Bathroom

This room was not inspected at the time of this inspection, as it was not accessible due to construction. This room must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. **This applies even if the tenants do not have access to this area of the property.** BMC 16.03.040

#### 205

See General Statement.

#### Bedroom

Repair the light fixture to function as intended. BMC 16.04.060(b)

**206**

See General Statement.

Mechanical Room

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Kitchen

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

**207**

See General Statement.

Mechanical Room

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Bathroom

Repair/replace the damaged door. BMC 16.04.060(a)

Bathroom

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Secure loose electrical light switch. BMC 16.04.060(b)

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

Bedroom

Repair/replace the damaged door frame and install missing door. BMC 16.04.060(a)

Properly repair or replace damaged floor covering, deep scratches at the door. BMC 16.04.060(a)

**208**

See General Statement.

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

**209**

See General Statement.

Kitchen

Repair the range hood light fixture to function as intended. BMC 16.04.060(b)

Bathroom

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

**210**

See General Statement.

Bathroom

Replace the broken light switch makes sparking noise when flipped. BMC 16.04.060(b)

Mechanical Room

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

**211**

See General Statement.

Bathroom

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

**3<sup>rd</sup> Floor**

**302**

See General Statement.

Repair all smoke detectors in this unit to be interconnected. IC 22-11-18-3.5

**303**

See General Statement.

Mechanical Room

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Kitchen

Clean and service the exhaust fan so that it functions as intended and the grease filter does not rub.  
BMC 16.04.060(c)

Bathroom

Secure toilet to its mountings. BMC 16.04.060(c)

Bedroom

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

**304**

See General Statement.

Closet

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Kitchen

Repair garbage disposal to function as intended (it is jammed). BMC 16.04.060(c)

Bathroom

This room was not inspected at the time of this inspection, as it was not accessible due to being under construction. This room must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. **This applies even if the tenants do not have access to this area of the property.** BMC 16.03.040

305

See General Statement.

Bedroom

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

306

See General Statement.

Mechanical Room

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

307

See General Statement.

308

See General Statement.

Repair all smoke detectors in this unit to be interconnected. IC 22-11-18-3.5

Mechanical Room

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Bathroom

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

309

See General Statement.

Bathroom

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Closet

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

310

See General Statement.

Bathroom

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Secure toilet to its mountings. BMC 16.04.060(c)

Mechanical Room

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

311

See General Statement.

Bathroom

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Mechanical Room

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

Closet

Repair/replace the door to latch and function as intended. BMC 16.04.060(a)

**EXTERIOR**

No violations noted.

**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**

Provide documentation of the fire suppression/fire alarm systems annual inspection as required by the Indiana Fire Prevention Code. BMC 16.01.060(f)

**Required documentation**

**Provide documentation that the elevator has been tested and approved for use. BMC 16.01.060(f)**

---

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: May 18, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-96

Address: 333 S Jordan

Petitioner: Charles R. Sinn Sr.

Inspector: John Hewett

Staff Report: Cycle Inspection, no interior violations April 10, 2015  
Report and Temporary permit sent May 6, 2015  
Mailed Exterior Extension Reminder March 8, 2016  
Received Appeal form and check March 21, 2016

The exterior painting has triggered the replacement of windows and siding. The petitioner is requesting additional time to complete this work.

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: August 5, 2016

Attachments: Petitioner's letter .



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)

RECEIVED  
03.21.16  
DRB

**NOTE:** A \$20 filing fee must accompany this application. The property will not be placed on the meeting agenda until the filing fee is received.

Property Address: 333 S. Jordan Ave

Petitioner's Name: Charles R. Sinn Sr.

Address: 2557 S. Smith Road

City: Bloomington State:IN Zip Code: 47401

Phone Number: 812-339-9005 Email Address: sinnsrentals@yahoo.com

Property Owner's Name: Charles and Sue Sinn Sr.

Address: 2557 S. Smith Road

City: Bloomington State:IN Zip Code: 47401

Phone Number: 812-339-9005 Email Address: sinnsrentals@yahoo.com

Occupants: 6

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 check the petition type that you are requesting:

- An extension of time to complete repairs (Petition type TV)
- A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
- Relief from an administrative decision (Petition type AA)
- Rescind a variance (Petition type RV)

OFFICE USE ONLY

Petition Number 16-TV-96

JH

**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.

To meet compliance we are in the process of replacing all of the windows in the house. After hiring a contractor that backed out on us, we ran out of time to get the job done before tenants arrived in August. The new windows will appear to be the same, but will allow a larger opening to meet egress standards which is also an upgrade. Once the windows are installed we are going to have the house sided to eliminate the need for paint in the future. This should be a big improvement. Our current tenants are moving out the first week in May. We will have the job finished by the beginning of August when our next tenants arrive. Thank you for your help in this matter.

Signature (required): Charles R. Sinn Sr

Name (please print): Charles R. Sinn Sr.      Date: 3/15/16

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016  
Petition Type: An extension of time to complete repairs.  
Petition Number: 16-TV-98  
Address: 308 N. Lincoln Street  
Petitioner: Keith Williamson—Orion Property Management  
Inspector: Jo Stong  
Staff Report: January 20, 2016: Conducted cycle inspection  
January 28, 2016: Mailed inspection report  
March 23, 2016: Received appeal

During a cycle inspection of the above property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were noted, including a damaged window. The petitioner is seeking an extension of time to complete repairs: The window had to be ordered and would not be ready for installation until after the 60-day deadline.

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: May 25, 2016 for all life-safety violations  
June 17, 2016 for all other repairs  
Attachments: Cycle report, appeal, photos

JK



RECEIVED  
MAR 23 2016

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: 308 N Lincoln St.

Petitioner's Name: Keith Williamson - Orion Property Management

Address: 400 W 7th Street Suite 106

City: Bloomington State: IN Zip Code: 47404

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

Property Owner's Name: VCW Holdings, LLC

Address: 6299 Nall, Suite 10

City: Shawnee Mission State: KS Zip Code: 66202

Phone Number: \_\_\_\_\_ Email Address: rachel@vcwholding.com

Occupants: Anthony Vo and Victor Kamhazi

**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 16-TV-98

SEE REVERSE





**City Of Bloomington**  
**Housing and Neighborhood Development**

RENTAL PERMIT INFORMATION

**JAN 28 2016**

R & A Properties, Llc  
6299 Nall Avenue Suite 10  
Shawnee Mission, KS 66202

Property Location: 308 N Lincoln ST

Please find enclosed the Cycle Inspection Report which details recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **MAR 28 2016** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with BMC 16.10.020(a) and 16.10.040(a) of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

**If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.**

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing & Neighborhood Development  
Encl: Inspection Report,



**City Of Bloomington**  
**Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

9732

Owner

R & A Properties, Llc  
6299 Nall Avenue Suite 10  
Shawnee Mission, KS 66202

Orion Property Management  
400 W. 7<sup>th</sup> Street, Suite 106  
Bloomington, IN 47404

Prop. Location: 308 N Lincoln ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/5

Date Inspected: 01/20/2016  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 2

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

The Monroe County Assessors records indicate that this structure was built in 1995. 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:**

**Note:** Room dimensions are in the file and are not included in this report.

Living Room:

Clean the return air grille. BMC 16.04.060(c)

Kitchen, Half Bath, Dining Room:

No violations noted.

**BASEMENT**

Stairway:

Repair or replace existing smoke detector so that it functions as intended (tenant reports that replacing battery does not stop the detector from beeping). IC 22-11-18-3.5

Garage, Study:

No violations noted.

**SECOND FLOOR**

East Bedroom:

No violations noted.

Existing Egress Window Measurements (double-hung; both sashes removable):

Height: 59 ½ inches

Width: 34 inches

Sill Height: 21 ½ inches

Openable Area: 14.05 sq. ft.

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

Attic:

No violations noted.

East Bath:

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

Hallway:

No violations noted.

West Bedroom:

Repair or replace the damaged window (top sash has separated; glass and frame sagging, will not latch).  
BMC 16.04.060(a), (b)

**Note:** Egress window measurements are the same as in the east bedroom.

West Bath:

No violations noted.

**EXTERIOR:**

No violations noted.

**OTHER REQUIREMENTS:**

**Required documentation:**

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

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)

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: May 18, 2016  
Petition Type: An extension of time to complete repairs.  
Petition Number: 16-TV-99  
Address: 2611 N. Walnut St.  
Petitioner: Keith Williamson  
Inspector: Matt Swinney  
Staff Report: January 28, 2016 Completed Cycle Inspection Report

Owner has requested an extension of time to complete the repairs. A couple of the repairs are more involved, like removing and replacing concrete sidewalk and require more time to complete.

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 28, 2016

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



RECEIVED  
MAR 23 2016

BY: CW

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

Property Address: 2611 N Walnut

Petitioner's Name: Keith Williamson - Orion Property Management

Address: 400 W 7th Street Suite 106

City: Bloomington State: IN Zip Code: 47404

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

Property Owner's Name: Michael Collier

Address: 201 N. Illinois St. 16th Floor South Tower

City: Indianapolis State: IN Zip Code: 46204

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

Occupants: \_\_\_\_\_

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

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

**Please circle the petition type that you are requesting:**

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the 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)

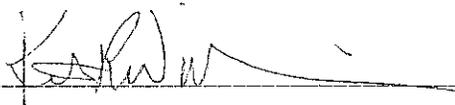
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 16-TV-99

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.

Some of the work required from the inspection is a little extensive. There is a section of sidewalk that needs to be torn out and re-poured. We have that scheduled for next week, weather-permitting. There are also 2 units that need vinyl flooring replace in the units.

We just need a little more time to make the repairs.

Signature (required): 

Name (please print): Keith B. Williamson Date: 3-23-16

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**

RENTAL PERMIT INFORMATION

**FEB 08 2016**

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

Property Location: 2611 N Walnut ST

Please find enclosed the Cycle Inspection Report which details recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **APR 08 2016** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with BMC 16.10.020(a) and 16.10.040(a) of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

**If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.**

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing & Neighborhood Development  
Encl: Inspection Report,  
Xc: Orion Management Group, Llc: P.O. Box 371, Bloomington, IN 47404



City Of Bloomington  
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

5030

Owner

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

Agent

Orion Management Group, Llc  
P.O. Box 371  
Bloomington, IN 47404

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

Date Inspected: 01/28/2016  
Primary Heat Source: Electric  
Property Zoning: CA  
Number of Stories: 2

Inspector: Matt Swinney  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

Variance: 01/04/2013 This property has been granted a variance from the Indiana State Fire Safety and Building Safety Commission on November 07, 2012 for the egress requirements. Project Name: CAMPUS EDGE TOWNHOMES WINDOWS; Variance Number: 12-11-8.

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

---

**NOTES:**

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

*NA*

401 N Morton St  
Bloomington, IN 47404  
Fax (812) 349-3582

City Hall

bloomington.in.gov

Rental Inspection (812) 349-3420  
Neighborhood Division (812) 349-3421  
Housing Division (812) 349-3401

Existing Egress Window Measurements:

Height: 24 inches

Width: 30.5 inches

Sill Height: 24 inches

Openable Area: 5.08 sq. ft.

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

**INTERIOR**

**UNIT 1**

Living Room

Repair the light fixture to function as intended. BMC 16.04.060(b)

Front Balcony

Repair the light fixture to function as intended. BMC 16.04.060(b)

Kitchen

Repair the light fixture to function as intended. BMC 16.04.060(b)

**Upstairs**

Hall Bathroom

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Master Bathroom

Repair the faucet to eliminate the constant dripping. BMC 16.04.060(c)

**UNIT 2**

Entry

Repair the entry door to be weather tight. No gaps shall be visible around the edges. BMC 16.04.060(a)

½ Bath

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Bedroom Closet

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- **shall extend to within 6" of floor.** BMC 16.04.060(c)

**Upstairs**

Hall Bathroom

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

Front Master Bathroom

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Front Bedroom

Replace the missing protective cover for the light fixture. BMC 16.04.060(c)

**UNIT 3**

No violations noted.

**UNIT 4**

**Upstairs**

**Master Bathroom**

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

**UNIT 5 (VACANT)**

**Upstairs**

**Master Bathroom**

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**UNIT 6 (VACANT)**

**Upstairs**

**Master Bathroom**

Properly install or replace the aerator on the sink faucet so that it functions as intended.

BMC 16.04.060(c)

**UNIT 7 (VACANT)**

**½ Bath/Laundry**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Upstairs**

**Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Stairwell**

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

**UNIT 8 (VACANT)**

**Entry**

Repair or replace the peeling linoleum. BMC 16.04.060(a)

**½ Bath/Laundry**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Upstairs**

**Master Bathroom**

Replace bad vanity electrical switch. BMC 16.04.060(b)

**UNIT 9 (VACANT)**

**Entry**

Repair or replace the peeling linoleum. BMC 16.04.060(a)

**Upstairs**

**Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Master Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Basement**

**Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**UNIT 10**

**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)

**Upstairs**

**Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Repair the exhaust fan light fixture to function as intended. BMC 16.04.060(b)

**Master Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Repair the exhaust fan light fixture to function as intended. BMC 16.04.060(b)

**UNIT 11**

**½ Bath/Laundry**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Upstairs**

**Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Master Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Basement**

**Bathroom**

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

**UNIT 12 (VACANT)**

**Kitchen**

Replace the missing protective cover for the light fixture. BMC 16.04.060(c)

**Basement**

**Bedroom**

Repair or replace the peeling/warped linoleum. BMC 16.04.060(a)

**UNIT 13**

**½ Bath/Laundry**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Upstairs**

**Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

## Basement

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- **drain by gravity**
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. BMC 16.04.060(c)

## UNIT 14

### ½ Bath/Laundry

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

## EXTERIOR

Properly install approved exterior vent cover on the bathroom/laundry exhaust for Units 12 and 9. BMC 16.04.050(a)

Properly repair or replace damaged or deteriorated siding at the back of Unit 7 in a manner that leaves the structure weather tight and excludes the entrance of rodents. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating siding and structural members. BMC 16.04.050(a)

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, free from trip hazards (Units 13 and 14), and maintained free from hazardous conditions. BMC 16.04.040(c)

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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: May 18, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-100

Address: 148-150 E. Willow Court

Petitioner: Dwayne Woods

Inspector: Jo Stong

Staff Report: January 5, 2016: Conducted cycle inspection  
January 26, 2016: Sent inspection report  
March 23, 2016: Received application fee  
March 29, 2016: Received appeal  
April 4, 2016: Conducted reinspection. Property in compliance except for the variance from the State.

This property was granted a variance in 2004 to the minimum room size requirements of the Property Maintenance Code, which allowed each side of the duplex to have an additional bedroom (four bedrooms in each unit). This variance has been rescinded (April 20, 2016) because the BHQA did not have the authority to grant a variance to State law. The petitioners are appealing to the State for a variance so that the rooms may be approved sleeping rooms. and appealing to this Board for an extension of time to allow the property to go through this process.

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 13, 2016  
Attachments: Cycle Report, Appeal

*[Handwritten mark]*



RECEIVED  
103.28.16

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: 148-150 Willow Court Blgtn, IN

Petitioner's Name: DWAYNE WOODS

Address: 1101 E. MILLER DR.

City: Blgtn State: IN Zip Code: 47401

Phone Number: 812 606 1992 Email Address: hwwoods1961@gmail.com

Property Owner's Name: SAME

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

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

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

Occupants: JERRY TITHE, / JOHN SUMMERLOT

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 16-TV-100

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.

Appealed to State for Variance  
waiting for reply

Signature (required): Wayne L. Woods

Name (please print): DWAYNE L. Woods Date: 3/23/2016

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 INSPECTION REPORT

5173

Owner(s)

Woods, Dwayne  
1101 E. Miller Dr.  
Bloomington, IN 47401

Prop. Location: 148 E Willow CT  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/3/5

Date Inspected: 01/05/2016  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 1

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

12/08/2004 Special exception to the minimum room size requirements in the basement northwest room with the following conditions: single and multiple-station smoke alarms shall be installed in each sleeping room; outside of each separate sleeping area; in each additional story of the dwelling, including basements and cellars.

This property was previously granted a variance to the minimum room size requirements of the Property Maintenance Code. The State has determined that the Board of Housing Quality Appeals did not have the authority to grant variances to State Code; therefore the variance 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.

The Monroe County Assessors records indicate that this structure was built in 1994. 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.

Existing Egress Window Measurements in all sleeping rooms (double-hung):

Height: 26 inches  
Width: 31 ¾ inches  
Sill Height: 27 ½ inches  
Openable Area: sq. ft.

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

### INTERIOR:

#### **UNIT 148**

##### **Lower Level**

Family Room, Furnace Room, South Bedroom, Bathroom, Garage:

No violations noted.

##### Northwest Bedroom (11-2 x 6-8):

This room does not meet the minimum room width requirements for habitable spaces. Minimum room dimensions shall be in accordance with those codes in effect at the time the residential rental unit or accessory structure thereof was built or remodeled (1994, CABO One and Two Family Dwelling Code, Section R204: "Habitable rooms, except kitchens, shall not be less than 7 feet in any horizontal dimension.").

For that reason, the City will not issue a rental permit listing this room as a bedroom until a variance is received from the Indiana Fire Prevention 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.

##### **Main Level**

Living Room, Kitchen, South Bedroom, Bath:

No violations noted.

#### **UNIT 150**

##### **Lower Level:**

Family Room, Furnace Room, Southwest Bedroom, Bathroom, Garage, Southeast Bedroom:

No violations noted.

##### Northeast Bedroom:

This room does not meet the minimum room width requirements for habitable spaces. Minimum room dimensions shall be in accordance with those codes in effect at the time the residential rental unit or accessory structure thereof was built or remodeled (1994, CABO One and Two Family Dwelling Code, Section R204: "Habitable rooms, except kitchens, shall not be less than 7 feet in any horizontal dimension.").

For that reason, the City will not issue a rental permit listing this room as a bedroom until a variance is

received from the Indiana Fire Prevention 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.

#### **Main Level**

Kitchen, South Bedroom (not being used as a bedroom), Bath:  
No violations noted.

#### Attic:

No violations noted.

#### Living Room:

Repair the ~~sliding glass~~ *French double* door to be weather tight. No gaps shall be visible around the edges. BMC 16.04.060(a)

#### **EXTERIOR:**

Provide electrical power to the receptacles on the deck and patio of unit 148 so that they function as intended. BMC 16.04.060(c)

#### **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 to Rescind Variance**

Meeting Date: 18 May 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-102  
Address: 809 S. Washington St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 23 March 2016                      Cycle Inspection  
                  28 March 2016                      BHQA Application

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. This structure was built in 1899.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

✱



City of Bloomington  
H.A.N.D.

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

Meeting Date: 18 May 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-103  
Address: 1113 S. Washington St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 23 March 2016                      Cycle Inspection  
                  28 March 2016                      BHQA Application

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. This structure was built in 1920.

Staff Recommendation:        Rescind the variance.

Conditions:                  None

Attachments:                None



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-104  
Address: 117 E 19th St.  
Petitioner: HAND  
Inspector: John Hewett  
Staff Report: October 18, 2015      Cycle Inspection  
January 29, 2016      Re-inspection, all complied  
March 29, 2016      Application for Appeal

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

Staff Recommendation:      Rescind the variances.  
Conditions:      None  
Attachments:      None



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-105

Address: 3326 S Oaklawn Circle

Petitioner: Candace Mullis (agent for Parker Mgmt.)

Inspector: John Hewett

Staff Report:      March 14, 2016      Complaint Inspection  
                         March 18, 2016      Sent Complaint Report  
                         March 29, 2016      Received appeal  
                         April 26, 2016      Petitioner scheduled re-inspection for May 31, 2016

This unit was inspected under Title 16 for a complaint about cigarette smoke from the adjacent unit causing a very strong smell in this unit. The complaint was valid. The petitioner has asked for additional time to address the problem. A re-inspection has been scheduled for May 31, 2016.

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: June 1, 2016

Attachments: Complaint Inspection report, petitioners letter.



RECEIVED  
MAR 29 2016

BY: EW

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: 3326 S. Oaklawn Circle

Petitioner's Name: Cardace Mullis

Address: 621 N Walnut St / P.O. Box 1112

City: Bloomington State: In Zip Code: 47404

Phone Number: 812 339 2115 Email Address: cmullis@parker.mgt.com

Property Owner's Name: Stephen Freeman

Address: 4004 Irvington Blvd, Apt #417

City: Houston State: Tx Zip Code: 77009

Phone Number: 216-926-4038 Email Address: \_\_\_\_\_

Occupants: Ralf Spindler, Daniela Spindler

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 16-TV-105





March 28, 2016

City Of Bloomington  
Housing and Neighborhood Development  
P.O. Box 100  
Bloomington, Indiana 47402

To Whom It May Concern:

Enclosed you will find the Application for Appeal and the \$20.00 filing fee for 3326 S Oaklawn Circle.

A Complaint Inspection was conducted on 03/14/16. The complaint inspection was for cigarette smoke smell coming into this unit from the adjacent unit that is owner occupied. The Home Owners Association cannot complete the repairs to keep the smell from coming through to 3326 till the end of April 2016.

For the reasons above, I am requesting an extension of time to complete the necessary repairs till May 2, 2016.

Yours Truly,  
Candi Mullis  
Maintenance Coordinator  
Parker Real Estate Mgt.  
cmullis@parkermgt.com  
812-339-2115



City Of Bloomington  
Housing and Neighborhood Development

APR 06 2016

RENTAL PERMIT INFORMATION

Freeman, Stephen  
4004 Irvington Boulevard, Apt. 417  
Houston, TX 77009

Property Location: 3326 S Oaklawn CIR

Please find enclosed the Cycle Inspection Report which details recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **JUN 05 2016** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with BMC 16.10.020(a) and 16.10.040(a) of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

**If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.**

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing & Neighborhood Development  
Encl: Inspection Report,  
Xc: Parker Real Estate Management: P O Box 1112, Bloomington, IN 47402

JK



City Of Bloomington  
Housing and Neighborhood Development

APR 06 2016

CYCLE INSPECTION REPORT

9230

Owner(s)

Freeman, Stephen  
4004 Irvington Boulevard, Apt. 417  
Houston, TX 77009

Agent

Parker Real Estate Management  
P O Box 1112  
Bloomington, IN 47402

Prop. Location: 3326 S Oaklawn CIR  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 02/25/2016  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Inspector: Swinney/McCormick  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

Monroe County Assessors records indicate that this structure was built in 2000. These are the minimum requirements for emergency egress required at that time.

Clear Height: 22"  
Clear Width: 18" for casements; 20" for other styles  
Maximum Sill Height: 44" above the finished floor  
Openable Area: 4.75 sq. ft.

INTERIOR:

**Main Level –**

Living Room 13-3 x 13-0; Half Bath; Laundry Closet; Mechanical Closet:

No violations noted.

Kitchen 13-3 x 14-0:

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**2nd Level –**

Hallway; Attic:

No violations noted.

Bathroom:

Properly secure the loose GFCI receptacle. BMC 16.04.060(c)

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

Front Bedroom 12-2 x 13-0; Middle Bedroom 16-4 x 10-1:

No violations noted.

Existing Egress Window Measurements:

Height: 24 inches

Width: 39 inches

Sill Height: 24 inches

Openable Area: 6.50 sq. ft.

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

Front Bedroom 10-10 x 9-9/Bath:

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Existing Egress Window Measurements:

Height: 27 inches

Width: 30 inches

Sill Height: 18 inches

Openable Area: 5.62 sq. ft.

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

**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 to Rescind Variance**

Meeting Date: May 18, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-106  
Address: 730 E Hunter Ave.  
Petitioner: HAND  
Inspector: John Hewett  
Staff Report: March 3, 2016      Cycle Inspection, no violations  
                  March 31, 2016      Application for Appeal

This property was previously granted a variance to the pass through requirements of the Property Maintenance Code. This variance is no longer needed, the room configuration has slightly changed and there is no pass through here; therefore we are asking the board to rescind these variance.

Staff Recommendation:      Rescind the variance.

Conditions:      None

Attachments:      None

167



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-107  
Address: 315 W. 16<sup>th</sup> Street  
Petitioner: HAND  
Inspector: Dee Wills  
Staff Report: March 28, 2016 Completed Cycle Inspection  
March 31, 2016 Application for Appeal

This property was previously granted a variance to the ceiling height, light and ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height, light and ventilation requirement and the Building Code in place at the time of construction did not address ceiling heights, light and ventilation; therefore we are asking the Board to rescind this variance. This structure was built in 1899.

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

WJK



City of Bloomington  
H.A.N.D.

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

Meeting Date: 18 May 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-102

Address: 3230 E. John Hinkle Pl. B

Petitioner: Dennis Morgan

Inspector: Michael Arnold

Staff Report: 08 March 2016 Cycle Inspection  
 17 March 2016 Sent Report  
 30 March 2016 Received BHQA Application  
 01 April 2016 BHQA Report Written

During the cycle inspection it was noted that the egress windows did not meet the minimum code requirements for the time of construction. Petitioner is requesting additional time to request a variance from Department of Homeland Security for the window measurements. Monroe County records show this structure was built in 1993. The code requirements and the actual measurements are as follows:

Required	Existing
<b>Height:</b> 24 inches	<b>Height:</b> 23.25 inches
Width: 20 inches	Width: 43 inches
Sill Height: 44 inches above finished floor	Sill Height: 25 inches above finished floor
Openable Area: 5.7 sq. ft.	Openable Area: 6.94 sq. ft.

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 August 2016

Attachments: Cycle Inspection; Application



RECEIVED  
03.31.16  
DZ

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: 3230 E. John Hinkle Pl, unit B

Petitioner's Name: Dennis L. Morgan

Address: 9495 N Moon Rd.

City: Gosport State: TN Zip Code: 47433

Phone Number: 812-876-1758 E-mail Address: dennis.morgan@smumc.church

Owner's Name: Dennis L. & Karen L. Morgan

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

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

Phone Number: \_\_\_\_\_ E-mail 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.

**Identify the variance type that you are requesting from the following drop down menu:**

Variance Type: Want extension of time to get a variance approved by state

Reminder:  
A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)  
Petition Number: 16-TV-108

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
  - 1. Specify the items that need the extension of time to complete.
  - 2. Explain why the extension is needed.
  - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
  - 1. Specify the code reference number you are appealing.
  - 2. Detail why you are requesting the variance.
  - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
  - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
  - 1. Detail the existing variance.
  - 2. Specify the reason the variance is no longer needed.

Have applied for variance with Indiana Dept. of Homeland Security and need 90 days for application to be approved.

Signature (Required):

Dennis L. Morgan

Name (Print):

Dennis L. Morgan

Date:

3/28/16

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



# APPLICATION FOR VARIANCE

State Form 44400 (R7 / 10-13)  
Approved by State Board of Accounts, 2013

INDIANA DEPARTMENT OF HOMELAND SECURITY  
CODE SERVICES SECTION  
302 West Washington Street, Room W246  
Indianapolis, IN 46204-2739  
[http://www.in.gov/dhs/fire/fp\\_bs\\_comm\\_code/](http://www.in.gov/dhs/fire/fp_bs_comm_code/)



**INSTRUCTIONS:** Please refer to the attached four (4) page instructions.  
Attach additional pages as needed to complete this application.

Variance number (Assigned by department)

### 1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)

Name of applicant <b>Dennis L. Morgan</b>	Title <b>Owner</b>
Name of organization	Telephone number ( )
Address (number and street, city, state, and ZIP code) <b>9495 N Moon Rd, Gosport, IN 47433</b>	

### 2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)

Name of applicant	Title
Name of organization	Telephone number ( )
Address (number and street, city, state, and ZIP code)	

### 3. DESIGN PROFESSIONAL OF RECORD (If applicable)

Name of design professional	License number
Name of organization	Telephone number ( )
Address (number and street, city, state, and ZIP code)	

### 4. PROJECT IDENTIFICATION

Name of project	State project number	County
Address of site (number and street, city, state, and ZIP code)		
Type of project <input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input checked="" type="checkbox"/> Existing		

### 5. REQUIRED ADDITIONAL INFORMATION

The following required information has been included with this application (check as applicable):

A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)

One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.

Written documentation showing that the local fire official has received a copy of the variance application.

Written documentation showing that the local building official has received a copy of the variance application.

### 6. VIOLATION INFORMATION

Has the Plan Review Section of the Division of Fire and Building Safety issued a Correction Order?

Yes (If yes, attach a copy of the Correction Order.)     No

Has a violation been issued?

Yes (If yes, attach a copy of the Violation and answer the following.)     No

Violation issued by:

Local Building Department   
 State Fire and Building Code Enforcement Section   
 Local Fire Department

**7. DESCRIPTION OF REQUESTED VARIANCE**

Name of code or standard and edition involved 1993 Indiana Building Code	Specific code section Windows 1204
Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.) Installed windows do not meet specified Required minimum height Current 23 3/4" (24" required)	

**8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED**

Select one of the following statements:

Non-compliance with the rule will not be adverse to the public health, safety or welfare; or

Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts demonstrating that the above selected statement is true:

height equals 23 3/4" (required 24")  
width is 35" (required 20")

**9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE**

Select at least one of the following statements:

Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.

Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building or structure.

Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.

Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts demonstrating that the above selected statement is true:

**10. STATEMENT OF ACCURACY**

I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application Dennis L. Morgan	Please print name Dennis L. Morgan	Date of signature (month, day, year) 3/29/16
Signature of design professional (if applicable)	Please print name	Date of signature (month, day, year)

**11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement.)**

I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant	Please print name	Date of signature (month, day, year)
------------------------	-------------------	--------------------------------------



**City Of Bloomington**  
**Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

4915

Owner(s)

Dennis L. Morgan  
9495 N Moon Rd  
Gospport, IN 47433

Prop. Location: 3230 E John Hinkle PL UNIT B  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/5

Date Inspected: 03/08/2016  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 1

Inspector: Mike Arnold  
Foundation Type: Slab  
Attic Access: N/A  
Accessory Structure: none

**Monroe County records show this structure was built in 1993. 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:** 5.7 sq. ft.

Interior:

Living Room (15-0 x 13-0), Dining Room (11-0 x 9-0), Kitchen (11-0 x 9-2), Bathroom, Master

Bathroom:

No violations noted

Bedroom 1 (10-0 x 9-0), Bedroom 2 (10-0 x 9-0):

The **emergency egress window** does not meet the minimum requirements for a **one and two family dwelling/multi-unit structure** built in 1993:

<b>Openable area required:</b>	5.7sq. ft.	<b>Existing area:</b>	5.65 sq. ft.
<b>Clear width required:</b>	20"	<b>Existing width:</b>	35"
<b>Clear height required:</b>	24"	<b>Existing height:</b>	23.25"
<b>Maximum sill height:</b>	44" above finished floor	<b>Existing sill:</b>	25" above finished floor

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).

*MM*

401 N Morton St  
Bloomington, IN 47404  
Fax (812) 349-3582

City Hall

bloomington.in.gov

Rental Inspection (812) 349-3420  
Neighborhood Division (812) 349-3421  
Housing Division (812) 349-3401

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.

**Master Bedroom (13-0 x 10-0):**

The emergency egress window does not meet the minimum requirements for a **one and two family dwelling/multi-unit structure built in 1993:**

Openable area required:	5.7sq. ft.	Existing area:	6.94 sq. ft.
Clear width required:	20"	Existing width:	43"
<b>Clear height required:</b>	<b>24"</b>	<b>Existing height:</b>	<b>23.25"</b>
Maximum sill height:	44" above finished floor	Existing sill:	25" above finished floor

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.

**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 May 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-110

Address: 527 E. 7<sup>th</sup> St.

Petitioner: Heather Lauer (Diamond Properties, LLC)

Inspector: Michael Arnold

Staff Report: 10 April 2015      Cycle Inspection  
27 April 2015      Sent Report  
25 June 2015      Scheduled Reinspection  
05 August 2015      Reinspection Completed  
26 August 2015      Sent Temporary Permit  
19 February 2016      Sent Exterior Extension Reminder

During the cycle inspection it was noted that there was deteriorated paint on the exterior of the structure. The owner is requesting an additional six months to complete the work during warm weather months.

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 November 2016

Attachments: Exterior Extension Reminder Report; Application



RECEIVED  
04.01.16  
DLB

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: 527 E 7th Street  
Petitioner's Name: Heather Lauer (Diamond Properties LLC)  
Address: P.O. Box 1834  
City: Blgtn State: IN Zip Code: 47402  
Phone Number: 812-332-4984 Email Address: greglauer2@yahoo.com  
Property Owner's Name: Diamond Properties LLC  
Greg and Heather Lauer  
Address: P.O. Box 1834  
City: Blgtn State: IN Zip Code: 47402  
Phone Number: 812-332-4984 Email Address: greglauer2@yahoo.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 16-TV-110

SEE REVERSE

MA

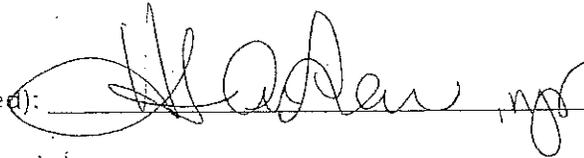
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request; the amount of time needed to bring the property into compliance,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

We are requesting an extension of time to complete painting the exterior of the house.

I believe if we have an extension of 2 months we would be able to secure painters and complete work taking the weather into consideration.

Thank you for your consideration of our request of a 2 month extension

Signature (required):



Name (please print):

Heather Lauer

Date:

4-1-16

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 INSPECTION REPORT

**FEB 19 2016**

2572

Owner(s)

Diamond Properties, Llc  
 Po Box 1834  
 Bloomington, IN 47402

Prop. Location: 527 E 7th ST  
 Number of Units/Structures: 1/1  
 Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/5

Date Inspected: 04/10/2015  
 Primary Heat Source: Gas  
 Property Zoning: RM  
 Number of Stories: 1

Inspector: Mike Arnold  
 Foundation Type: Basement  
 Attic Access: No  
 Accessory Structure: none

**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 04/10/2015.**

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 item has a deadline of 10 April 2016).**





City of Bloomington  
H.A.N.D.

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

Meeting Date: 18 May 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-111  
Address: 322 S. Jordan Ave.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 06 April 2016      Cycle Inspection  
                  07 April 2016      BHQA Application

This property was previously granted a variance to the light and ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include light and ventilation requirements and the Building Code in place at the time of construction did not address light and ventilation requirements; therefore we are asking the Board to rescind this variance. This structure was built in 1940.

Staff Recommendation: Rescind the variance.

Conditions: None  
Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-112  
Address: 610 N. Dunn Street  
Petitioner: HAND  
Inspector: Jo Stong

**Staff Report:**

This property was previously granted a variance to the minimum ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height requirement and the Building Code in place at the time of construction (1920) did not address ceiling height; therefore we are asking the Board to rescind the variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

JK



City of Bloomington  
H.A.N.D.

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

Meeting Date: 18 May 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-113  
Address: 429 S. Henderson St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 08 April 2016      Cycle Inspection  
                  20 April 2016      BHQA Application

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 a light, ventilation and ceiling height requirement and the Building Code in place at the time of construction did not address light, ventilation and ceiling height, therefore we are asking the Board to rescind this variance. This structure was built in 1920.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

✓



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-114  
Address: 605 N Fairview St.  
Petitioner: HAND  
Inspector: Matt Swinney  
Staff Report: March 31, 2016      Cycle Inspection

This property was previously granted a variance to the minimum ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height requirements and the Building Code in place at the time of construction did not address minimum floor, minimum ceiling height, and upgrade electrical service requirements; therefore we are asking the Board to rescind this variance. The structure was built in 1940.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-115  
Address: 1312 S Grant St.  
Petitioner: HAND  
Inspector: Matt Swinney  
Staff Report: March 16, 2016      Cycle Inspection

This property was previously granted a variance to the pass through and minimum ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a pass through or minimum ceiling height requirement and the Building Code in place at the time of construction did not address pass through or minimum ceiling height requirements; therefore we are asking the Board to rescind this variance. The structure was built in 1920.

Staff Recommendation:      Rescind the variance.

Conditions:      None

Attachments:      None



City of Bloomington  
H.A.N.D.

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

Meeting Date: 18 May 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-116  
Address: 516-518 S. Washington St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 08 April 2016      Cycle Inspection  
                  20 April 2016      BHQA Application

This property was previously granted a variance to room access/pass-through requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a room access/pass-through requirement and the Building Code in place at the time of construction did not address room access/pass-through, therefore we are asking the Board to rescind this variance. This structure was built in 1925.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: 18 May 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-117  
Address: 611 N. Washington St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 08 April 2016      Cycle  
                  14 April 2016      BHQA Application

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016

Petition Type: Relief from an administrative decision

Variance Request: Relief from being required to complete repairs.

Petition Number: 16-AA-43

Address: 1124 S. Henderson St.

Petitioner: Our Cottage Industry, LLC (Jon Lawrence & Janice Sorby)

Inspector: Maria McCormick

Staff Report: 11/18/2015 Completed Cycle Inspection  
01/15/2016 Received Application for Appeal  
04/27/2016 BHQA tabled issue of exterior siding.

The petitioners are requesting relief from an administrative decision, to not have to complete the repairs that were cited on the cycle inspection report. It was cited in the cycle report to repair or replace the damaged or deteriorated siding. There is a section on the west side of the house where the vinyl siding is missing. The petitioners are asking that they not be required to make repairs to their damaged siding.

Staff recommendation: Deny the relief from administrative decision.

Conditions: All repairs shall be completed and re-inspected by the date specified below.

Compliance Deadline: June 15, 2016

Attachments: Application for Appeal; Cycle Inspection Report

1/16



RECEIVED  
JAN 15 2016

BY: CW

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: 1124 S. Henderson  
Petitioner's Name: Oon Cottage Industry LLC [Don Lawrence & Janice Sorky]  
Address: 525 E. Grimes Lane  
City: Bloomington State: IN Zip Code: 47401  
Phone Number: 812-650-2810 Email Address: JoanLawrence@gmail.com  
Property Owner's Name: Same as above  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_  
Occupants: Kristin Retherford, Justin Wane (daughter Ariel)

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:

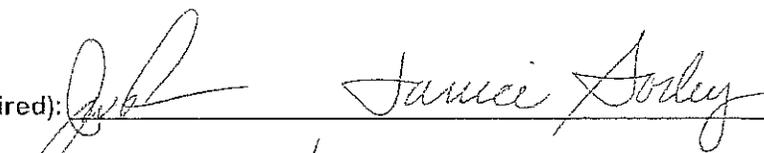
- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
- C) Relief from an administrative decision (Petition type AA)**
- D) Rescind a variance (Petition type RV)

**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 16-AA-43

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.

See attached document & photo

Signature (required):  Janice Sorley  
Name (please print): Jan Lawrence / Janice Sorley Date: 1/12/2016

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.

We are the owners of 1124 S. Henderson, Bloomington, IN, 47401. We respectfully request consideration for relief from an administrative decision. The three cited violations found during the recent cycle inspection are not in violation of Title 16, Residential Rental Unit and Lodging Code.

This house, as well as our other rental units, are located close to our home and we take pride in the condition and appearance of our all our rentals. This house is adjacent to our own home. We support the HAND inspection process and desire consistency in the application of code throughout our neighborhood and the city.

**Violation 1:**

Inspection Report: "clean and service the exhaust fan". Code 16.04.060(c)

*Code 16.04.060 Interior Structure (c) All equipment contained within the interior of a residential rental unit and its accessory structures shall be maintained in good repair, in accordance with its manufacturer's guidelines and in accordance with this Title.*

- The fan works perfectly. The inspector thought it sounded a little loud. After receiving the report we inquired via email about a decibel rating or some type of guidance and received none. Looking for guidance, we read code and found it does not address the sound of an exhaust fan that functions perfectly. Additionally, there is an operable window in the bathroom and a fan is not required.

**Violation 2:**

Inspection Report: "trim all tree branches away from the siding and roofline to maintain a 3' clearance". BMC 16.04.040(e)

*Code: 16.04.040 Exterior Property Areas. (e) 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.*

- The tree in question is actually a Northern Bayberry (*Myrica Pensylvanica*) shrub and part of the foundation planting and thus not a tree. This bayberry does NOT pose danger to persons or property and is in good health. The code cited in the report does not specify a 3' clearance nor does it pertain to shrubbery.

**Violation 3:**

Inspection Report: "Properly repair or replace damaged or deteriorated siding in a manner that leaves structure weather tight and excludes the entrance of rodents. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deterioration siding and structural members. On the west side of the house. 16.04.050(a)

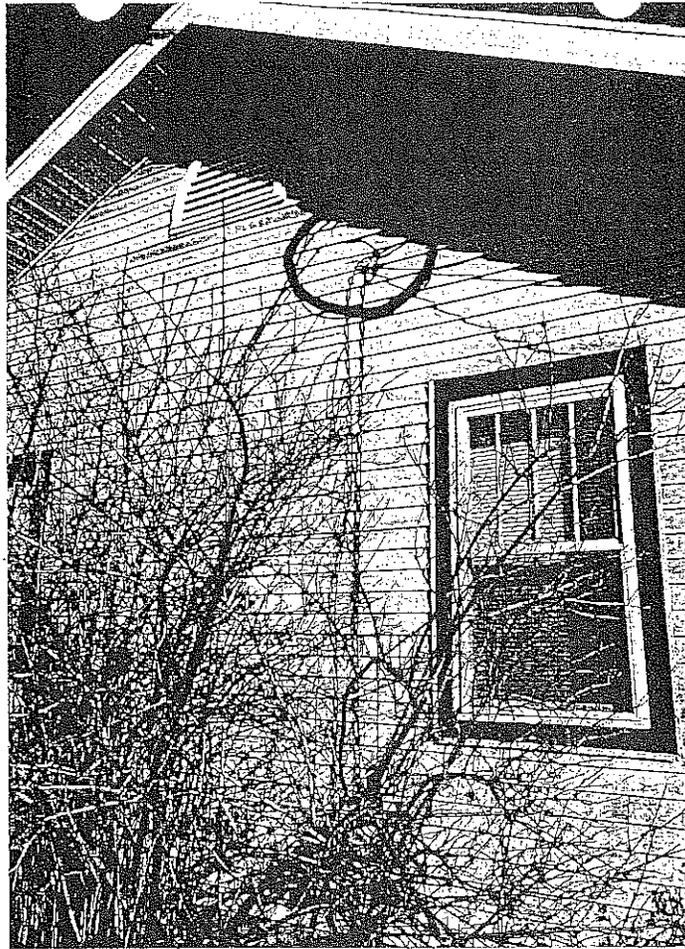
*16.04.050 Exterior Structure. (a) All portions of the exterior of a residential rental unit and its accessory structures shall be maintained in a structurally sound manner, be in good repair and be maintained in accordance with this Title.*

- The property is weather tight and excludes the entrance of rodents. It is structurally sound and is not visually unpleasant. Several years ago an arborist was delivering a very tall tree to a neighbor and accidentally detached the telephone/cable line attached to the west side of the house. The tree tore a small hole in the vinyl siding (see attached photo). We could not find siding to match the color of the vinyl. The tear is high on the house, small and located under the overhang of the roof and the vinyl siding encases the original historic redwood siding which is painted and in itself rot and water resistant. We feel mismatched vinyl siding would be more visually jarring than the small tear. This small tear has passed several inspection cycles and is not in violation of code.

The above cited violations are not supported in code and we respectfully ask that you remove them from our landlord record. Perhaps what has been identified as a violation should have only been friendly suggestions rather than citations as the property does not violate code or even the spirit of the code. For your information, it has long been our plan to remove the vinyl siding and restore the original historic character to the skin of this building. The fan functions perfectly and is very powerful, but we will probably take a look at it. We will evaluate the shrub in the spring and trim any winter damage but it is a beautiful addition to the gardens.

Two of our goals have always been that no one should ever be able to determine, by looking, that one of our houses is a rental and that we would never rent a house that we would not desire to live in ourselves. We purchased our properties because we live near them. The only way we could ensure the integrity of our neighborhood and quality of our life was by owning, maintaining and restoring these properties. We have been invited multiple times to include our home and the adjacent rental properties on the Bloomington Garden Tour. We received Bloomington Restoration Inc's (BRI) Outstanding Preservation Project Award for 2015 for work on one of our rental houses that we moved to our neighborhood. We actually care about houses and work hard to make them nice--and legal. We are deeply troubled by receiving citations that are not supported in the code and with the inconsistent application of code to the large volume of rundown, non-compliant rental properties across Bloomington that somehow pass inspection.

Thank you for your consideration.



Rip in  
vinyl siding



City Of Bloomington  
Housing and Neighborhood Development

DEC 10 2015

RENTAL PERMIT INFORMATION

Our Cottage Industry, Llc  
525 E. Grimes Ln.  
Bloomington, IN 47401

Property Location: 1124 S Henderson ST

Please find enclosed the Cycle Inspection Report which details recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **FEB 08 2016** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with BMC 16.10.020(a) and 16.10.040(a) of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

**If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.**

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing & Neighborhood Development  
Encl: Inspection Report,

*NM*  
401 N Morton St  
Bloomington, IN 47404  
Fax (812) 349-3582

City Hall  
[bloomington.in.gov](http://bloomington.in.gov)

Rental Inspection (812) 349-3420  
Neighborhood Division (812) 349-3421  
Housing Division (812) 349-3401



City Of Bloomington  
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

5287

Owner(s)

Our Cottage Industry, Llc  
525 E. Grimes Ln.  
Bloomington, IN 47401

Prop. Location: 1124 S Henderson ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 11/18/2015  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Inspector: Maria McCormick  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

Monroe County Assessor's records indicate that this structure was built in 1930. There were no minimum requirements for emergency egress at that time.

INTERIOR:

Kitchen/Dining Area 17-0 x 9-6; Living Room 15-8 x 12-8; Hallway:  
No violations noted.

Bathroom:

Clean and service the exhaust fan. BMC 16.04.060(c)

North Bedroom 12-4 x 11-8:

No violations noted.

Existing Egress Window Measurements:

Height: 48 inches  
Width: 31 ½ inches  
Sill Height: 34 inches  
Openable Area: 10.50 sq. ft.

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

South Bedroom 17-3 x 9-6:

No violations noted.

Existing Egress Window Measurements:

Height: 48 inches

Width: 29 inches

Sill Height: 34 inches

Openable Area: 9.66 sq. ft.

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

**Basement –**

Hallway/Stairway:

No violations noted.

Storage Area (unfinished):

No violations noted.

Family Room (3<sup>rd</sup> Bedroom):

No violations noted.

This room has a door to the exterior for egress.

**EXTERIOR:**

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

Properly repair or replace damaged or deteriorated siding in a manner that leaves the structure weather tight and excludes the entrance of rodents. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating siding and structural members. On the west side of the house. BMC 16.04.050(a)

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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: May 18, 2016  
Petition Type: An extension of time to complete repairs.  
Petition Number: 16-TV-109  
Address: 201 S. Smith Rd.  
Petitioner: Sam Frank  
Inspector: Maria McCormick

Staff Report: The petitioner is requesting an extension of time to complete the cycle inspection. This property has been a rental, the permit expired on 03/12/2016. Mr. Frank scheduled a cycle inspection prior to the expiration of his permit. However he will be moving into this house making it owner occupied by May 2016.

Staff recommendation: Grant the extension

Conditions: Documentation showing that the house is now owner-occupied must be submitted to the HAND office 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: June 15, 2016

Attachments: Application for Appeal

Text



RECEIVED  
04.01.16  
D23

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: 201 S. SMITH RD

Petitioner's Name: SOM FRANK

Address: 2703 N. BROWNCLIFF LN.

City: BLOOMINGTON State: IN Zip Code: 47408

Phone Number: 812-272-9444 Email Address: SOMUEKFRANK@gmail.com

Property Owner's Name: \_\_\_\_\_

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)

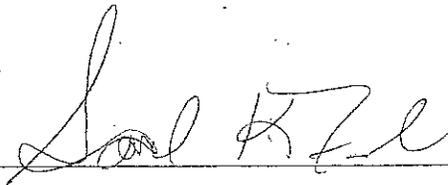
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 16-TV-109

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.

REQUEST AN EXTENSION AS I WILL BE MOVING INTO  
THE RENTAL PROPERTY ONCE MY HOUSE IS SOLD  
REQUESTING A 90-DAY EXTENSION

Signature (required):



Name (please print):

SAMUEL K FRANK

Date:

4-1-16

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016

Petition Type: Relief from an administrative decision

Variance Request: Relief from being required to schedule a rental inspection.

Petition Number: 16-AA-118

Address: 1036 S. Mitchell St.

Petitioner: Stephen Katz

Staff Report: Last Cycle inspection conducted: March 15, 2011  
Received Appeal and fee: April 14, 2016  
Permit expired: April 19, 2016

This property is currently occupied by tenants, but the owner plans to move into this property when their current home is sold. The home will then be owner occupied and no longer used as a residential rental.

Staff recommendation: Grant the relief from administrative decision.

Conditions: The petitioner shall not be required to schedule this unit for a Cycle inspection unless it is still occupied by tenants after the deadline listed below; at which time it will be turned over to the City of Bloomington Legal department for further action to include the possibility of fines.

Compliance Deadline: June 8, 2016

Attachments: Appeal form



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)

401 N. MORTON  
 Showers Building  
 Ground Floor  
 suite 130

**NOTE:** A \$20 filing fee must accompany this application. The property will not be placed on the meeting agenda until the filing fee is received.

Property Address: 1036 S. Mitchell St., Bloomington

Petitioner's Name: Stephen Katz

Address: 2008 E. Greenbriar Ln.

City: Bloomington State:IN Zip Code: 47401

Phone Number: 812-332-5810 Email Address: katzs@indiana.edu

Property Owner's Name: Stephen and Eileen Katz

Address: 2008 E. Greenbriar Ln.

City: Bloomington State:IN Zip Code: 47401

Phone Number: 812-3325810 Email Address: katzs@indiana.edu

Occupants: one

RECEIVED  
 APR 14 2016  
 EW

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 check the petition type that you are requesting:

- An extension of time to complete repairs (Petition type TV)
- A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
- Relief from an administrative decision (Petition type AA)
- Rescind a variance (Petition type RV)

OFFICE USE ONLY

Petition Number 16-AA-118

SEE REVERSE

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

Signature (required): 

Name (please print): Stephen Katz      Date: April 14, 2016

We just received notice that the retail permit of our property needs to be renewed by having it re-inspected. We are about to move into that property--pending sale of our current house--by mid-summer. We request an exemption from the inspection at this time because that property will no longer be for rent within the next three months as we will be moving in there as soon as our current house is sold. We expect that this will occur by mid-summer; anticipated date is July 15, 2016.

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 18, 2016

Petition Type: Relief from an administrative decision

Variance Request: Relief from being required to complete the repairs required by the Cycle Inspection Report.

Petition Number: 16-AA-119

Address: 760 S. Basswood Dr.

Petitioner: Robert E. Lee

Staff Report: February 29, 2016 Cycle Inspection conducted  
March 30, 2016 Report sent  
April 11, 2016 Petitioner calls director, disagrees with report.  
Advised to appeal to BHQA.  
April 19, 2016 Received appeal.

The petitioner is requesting relief from the requirement to caulk around countertops, sinks, and bathtub/shower assemblies. The Cycle Inspection Report lists seventeen (17) specific locations in this complex where the inspectors identified failed, cracked or peeling caulk or grout. The use of caulk is not a specific requirement of the Building Code; however, it is a common maintenance practice. The HAND Department requires caulk to be replaced when we identify failed, cracked or missing caulk. The petitioner has stated that the inspector is being arbitrary in his enforcement of Title 16, and that the Code does not mention caulk, so these violations should not be enforced.

Staff recommendation: Deny the relief from administrative decision.

Conditions: The violations shall be repaired and re-inspected by the deadline given on the cover letter mailed with the Cycle Inspection Report.

Compliance Deadline: May 29, 2016

Attachments: Appeal form, Cycle Inspection Report

**RECEIVED**  
APR 19 2016

BLOOMINGTON

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: .....

**NOTE:** A \$20 filing fee must accompany this application. The property will not be placed on the meeting agenda until the filing fee is received.

Property Address: 760 S Basswood DR

Petitioner's Name: Lee, Robert E.

Address: 175 S. Muessing Rd

City: Indianapolis State:IN Zip Code: 46229

Phone Number: 317-250-2038 Email Address: wert2600@cocmcast.net

Property Owner's Name: same

Address: same

City: same State:same Zip Code: same

Phone Number: same Email Address: same

Occupants: 114 units

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 check the petition type that you are requesting:

- An extension of time to complete repairs (Petition type **TV**)
- A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type **V**)
- Relief from an administrative decision (Petition type **AA**)
- Rescind a variance (Petition type **RV**)

OFFICE USE ONLY

Petition Number 16-AA-119

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 had an inspection and have an issue with the code quoted in your report. Our property is well maintained and well caulked. Your inspector has written us up for caulking around the showers and sinks quoting BMC 16.04.060(a) which says

"All portions of the interior of a residential rental unit and its accessory structures shall be maintained in a structurally sound manner, be in good repair and be maintained in accordance with this title"

It makes no mention of caulking. In fact nothing in your ordinance says anything about caulking. I called and asked the administrator about it who had no suggestions. Ordinances and codes have to be black and white with no gray zone. I asked for any information HAND had about caulking and they had nothing. I then asked for the training information your inspectors were trained with and there is nothing. Your inspectors only have on the job training I was told. No statement of caulking in your code and inspectors with no training manuals, how are they coming up with this? What code or ordinance can this be enforced with when nothing is stated or trained? It seems to be left up to an inspector having a good or bad day? Code is very specific with many details so we the public can't be pushed around by city inspectors with a personal opinion. As we go through making repairs found on this inspection we will address any caulking problems found faulty but we will not caulk over good caulking which was noted as bad. Also we grout our floor tile tight to the tub and do not want to deal with caulk at this location as it deteriorates over time, inspector says you must caulk them all. Show me an ordinance or code speaking directly to the issue in black and white that I have to caulk to an inspectors personal opinion or a code addressing the issue.

Sincerely

Robert E. Lee

Owner

Signature (required):



Name (please print): Robert E. Lee Date: 4/18/2016

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.



**MAR 30 2016**

**City Of Bloomington**  
**Housing and Neighborhood Development**  
RENTAL PERMIT INFORMATION

Lee, Robert E.  
 175 S. Muessing Rd.  
 Indianapolis, IN 46229

Property Location: 760 S Basswood DR

Please find enclosed the Cycle Inspection Report which details recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **MAY 29 2016** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with BMC 16.10.020(a) and 16.10.040(a) of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

**If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.**

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report,

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



**City Of Bloomington  
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

7689

Owner(s)

Lee, Robert E.  
175 S. Muessing Rd.  
Indianapolis, IN 46229

Agent

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

Prop. Location: 760 S Basswood DR

Number of Units/Structures: 66/7

Units/Bedrooms/Max # of Occupants: 66: 16/ 1 /5; 40/ 2 /5; 10/ 3/ 5

Date Inspected: 02/29/2016  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Inspector: Swinney/ Wills  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 2005.  
Minimum requirements for emergency egress windows at the time of construction.

Openable area required: 5.0 sq. ft. grade floor windows; 5.7 all other floors  
Clear width required: 20"  
Clear height required: 24"  
Maximum Allowable Sill Height: 44" above finished floor

NOTE:

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

Egress Window Measurements are as follows:**Existing Egress Window Measurements: (Dbl. Hung pop outs)**

Height: 27 inches  
Width: 31 inches  
Sill Height: 23 inches  
Openable Area: 5.81

***N/M***

**GENERAL VIOLATION FOR ALL BUILDINGS:**

Restore the integrity of the all draft stops and fire separation walls in the attics. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. BMC 16.04.020 and 2000 IBC Sec. 711

**INTERIOR****Building 760****Unit B****Kitchen**

Repair the range hood light fixture to function as intended. BMC 16.04.060(a)

**Master Bathroom**

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

**Hall Bathroom**

Secure toilet to its mountings. BMC 16.04.060(c)

**Unit C****Bedroom 1**

Properly repair or replace loose, damaged, or missing floor covering. BMC 16.04.060(a)

**Laundry Closet**

Repair the light fixture to function as intended. BMC 16.04.060(a)

**Unit D****Master Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

**Bedroom 1**

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

**Unit E****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)

**Unit G****Left Bathroom**

Repair the faucet to eliminate the constant dripping. BMC 16.04.060(c)

**Kitchen**

Repair the faucet to eliminate leaking. BMC 16.04.060(c)

**Building 762****Unit A****Hall Bathroom**

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

**Unit B****Master Bathroom**

Repair the exhaust fan light fixture to function as intended. BMC 16.04.060(a)

**Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Unit C****Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Master Bathroom**

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

**Kitchen**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Unit D****Kitchen**

Secure loose electrical receptacle. BMC 16.04.060(b)

**Unit E****Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Secure loose electrical receptacle at the sink. BMC 16.04.060(b)

**Unit F****Left Bathroom**

Repair the faucet to eliminate the constant dripping. BMC 16.04.060(c)

**Building 770****Common Hall**

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

**Unit A****Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Bedroom**

Secure loose electrical receptacle by the closet. BMC 16.04.060(b)

**Unit B****Hall Bathroom**

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Unit C****Hall Bathroom**

Repair the exhaust fan light fixture to function as intended. BMC 16.04.060(a)

**Unit F**Hall Bathroom

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

**Unit G**Entry

Properly secure the threshold in the exterior doorway. BMC 16.04.060(b)

Kitchen

Secure loose GFCI electrical receptacle. BMC 16.04.060(b)

**Unit H**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)

Hall Bathroom

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

**Building 772****Unit A**

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

**Unit B**Bathroom

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

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)

**Building 792****Unit A**Living Room

Replace the missing sliding glass door knob/lock assembly in a manner so that it functions as intended. BMC 16.04.060(b)

**Unit B**Kitchen

Properly secure the loose faucet assembly so that it may function as intended. BMC 16.04.060(a)

**Unit D**Kitchen

**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.**

**Unit H**Kitchen

Repair the faucet to eliminate the constant dripping. BMC 16.04.060(c)

Middle Bedroom

Repair the window to remain fully open using hardware that is part of the window. BMC 16.04.060(b)

→ Bldg 780

**Unit G****Middle Bathroom**

Repair the faucet to eliminate the constant dripping. BMC 16.04.060(c)

Properly secure the sink faucet so that it may function as intended. BMC 16.04.060(c)

Properly replace the missing sink stopper. BMC 16.04.060(a)

**Master Bathroom**

Properly secure the sink faucet so that it may function as intended. BMC 16.04.060(c)

Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Properly secure the loose GFCI electrical receptacle so that it may function as intended. BMC 16.04.060(b)

**Unit C****Master Bathroom**

Properly install/wire (or replace) GFCI protected receptacle so that it functions as intended. BMC 16.04.060(b)

**Unit B****Middle Bathroom**

Properly re-caulk around the sink and countertop to eliminate water infiltration. BMC 16.04.060(a)

**Rear Bathroom**

Repair the surface of the ceiling to be free of cracks. BMC 16.04.060(a)

**Unit A****Living Room**

Repair or replace sliding glass door handle assembly in a manner so that it functions as intended. BMC 16.04.060(b)

**Master Bathroom**

Properly re-caulk around the sink and countertop to eliminate water infiltration. BMC 16.04.060(a)

**Middle Bathroom**

Properly re-caulk around the sink to eliminate water infiltration. BMC 16.04.060(a)

**EXTERIOR**

No violations noted.

Other requirements

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.