

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
September 14, 2011
4:00 P.M.**

I. ROLL CALL

II. REVIEW OF SUMMARY – April 13, 2011 pp. 3-5

III. OLD BUSINESS

- (1) 11-TV-31 **2645 E. Dekist Street**, Tabi White. Request for an extension of time to complete repairs. Previously heard on March 9, 2011. pp. 7-11
- (2) 11-TV-74 **1517 S. Walnut Street**, Jeanne Walters Real Estate. Request for an extension of time to complete repairs. Previously heard on June 8, 2011. pp. 12-18

IV. NEW BUSINESS

- (3) 11-TV-113 **2430 W. 3rd Street**, Peter Nguyen. Request for an extension of time to complete repairs. pp. 19-23
- (4) 11-TV-114 **713-713 ½ N. Lincoln Street**, Peggy Stalter. Request for an extension of time to complete repairs. pp. 24-30
- (5) 11-AA-115 **309 E. 6th Street**, Sonja A. B. Jackson. Request for relief from an administrative decision to consider this a rental property. pp. 31-33
- (6) 11-TV-116 **901 N. Dunn Street**, Elkins Properties. Request for an extension of time to complete repairs. pp. 34-40
- (7) 11-TV-117 **420 S. Fess Avenue**, GMS Enterprises. Request for an extension of time to complete repairs. pp. 41-49
- (8) 11-TV-118 **813-815 W. Cascade Avenue**, Sarah Pavey. Request for an extension of time to complete repairs. pp. 50-55
- (9) 11-V-120 **306 S. Union Street**, Robert Price & Mary Runnells. Request for a modification or exception to the Property Maintenance Code. pp. 56-61
- (10) 11-TV-121 **1002 E. Atwater Avenue**, Kunga Norbu. Request for an extension of time to complete repairs. pp. 62-66

V. GENERAL DISCUSSION

Proposed scheduling of 2012 BHQA meetings for the 3rd Wednesday of the month.
pp. 6

VI. PUBLIC COMMENT

VII. ADJOURNMENT

**BOARD OF HOUSING QUALITY APPEALS
CONSENT AGENDA
CITY HALL McCLOSKEY CONFERENCE ROOM
September 14, 2011, 4:00 P.M.**

I. Extension of time

- (1) 11-TV-31 **2645 E. Dekist Street**, Tabi White. Request for an extension of time to complete repairs. Previously heard on March 9, 2011. pp. 7-11
- (2) 11-TV-74 **1517 S. Walnut Street**, Jeanne Walters Real Estate. Request for an extension of time to complete repairs. Previously heard on June 8, 2011. pp. 12-18
- (4) 11-TV-114 **713-713 ½ N. Lincoln Street**, Peggy Stalter. Request for an extension of time to complete repairs. pp. 24-30
- (7) 11-TV-117 **420 S. Fess Avenue**, GMS Enterprises. Request for an extension of time to complete repairs. pp. 41-49
- (8) 11-TV-118 **813-815 W. Cascade Avenue**, Sarah Pavey. Request for an extension of time to complete repairs. pp. 50-55

II. Administrative Decision

- (5) 11-AA-115 **309 E. 6th Street**, Sonja A. B. Jackson. Request for relief from an administrative decision to consider this a rental property. pp. 31-33

III. Extension of time- State Variance

- (6) 11-TV-116 **901 N. Dunn Street**, Elkins Properties. Request for an extension of time to complete repairs. pp. 34-40
- (10) 11-TV-121 **1002 E. Atwater Avenue**, Kunga Norbu. Request for an extension of time to complete repairs. pp. 62-66

SUMMARY

B.H.Q.A. MEETING OF APRIL 13, 2011

MEMBERS PRESENT: Sandi Cole, Kris Floyd, Elizabeth Gallman, Susie Hamilton, Nikki Johnson

STAFF PRESENT: Michael Arnold, Daniel Bixler, Robert Hoole, Maria McCormick, Norman Mosier, Jo Stong (HAND), Inge van der Cruysse (Legal)

OTHERS PRESENT: Laurie Best (Joseph Droll), Julie Cooper (Matthew Ferguson, The Legacy Group), Judy Fulford (Kenneth Kinney), Sherri Hillenburg (Elkins Apartments), Mark Hoffman (Pavilion Properties), Doug Horn (MCAA), Linda Lee (521 W. Wylie Street), Scott McCoy (Bill & Linda McCoy), Ashley Norman (Jeanne Walters Real Estate), Joanne Sabbagh (Tempo Properties)

I. REVIEW OF SUMMARY – February 9, 2011

Hamilton made a motion to approve the minutes for February 9, 2011. Gallman seconded. Motion passed, 5-0.

II. CONSENT AGENDA

(1) Rescind Variance:

305 E. 9th Street, H.A.N.D., 11-RV-43. Request to rescind a variance for cooking equipment in a sleeping room no longer needed due to a remodel. Recommendation was to grant rescission.

1000 W. Cottage Grove Avenue, H.A.N.D., 11-RV-58. Request to rescind a variance for ceiling height requirement and bedroom pass through access no longer needed due to a remodel.

Recommendation was to grant rescission.

Approved.

(2) Extension of time to complete repairs (items with Life safety and breakdowns):

1004 W. Country Club Drive, Matthew Ferguson, 11-TV-44. Request for an extension of time to complete repairs. Recommendation was to grant with an April 20, 2011 deadline for all electrical and fire safety violations and a May 4, 2011 deadline for all other repairs.

809 N. Walnut Street, Pendragon Properties, 11-TV-45. Request for an extension of time to complete repairs. Recommendation was to grant with an April 22, 2011 deadline for all life safety issues and a May 30, 2011 deadline for all other repairs.

Approved.

(3) Extension of time for exterior work:

1218 N. College Avenue, Pavilion Properties Management, 11-TV-49. Request for an extension of time to complete repairs. Recommendation was to grant with a June 1, 2011 deadline.

Approved.

III. PETITIONS

423 S. Fess Avenue, Jeanne Walters Real Estate, 11-TV-60. The petitioner, Ashley Norman of Jeanne Walters Real Estate, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for extension of time with a July 1, 2011 deadline. Cole made a motion to grant the request per staff recommendation. Johnson seconded. Motion passed, 5-0. Request granted.

3215 E. Braeside Drive, The Legacy Group, 11-TV-54. The petitioner, Julie Cooper of The Legacy Group, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for extension of time for repairs with a June 1, 2011. Gallman made a motion to grant the request per staff recommendation but with a July 1, 2011 deadline. Cole seconded. Motion passed, 5-0. Request granted.

938 N. Walnut Street, Telko, Inc., 11-TV-57. The petitioner, Sherri Hillenburg of Telko, Inc., was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for an extension of time to complete repairs with a June 1, 2011 deadline for applying to the state for a variance, an April 27, 2011 deadline for all other repairs and deny the request for granting a continuance of the five year permit. Floyd made a motion to grant the request for an extension of time to complete repairs per staff recommendation but with a July 1, 2011 deadline for applying to the state, an April 27, 2011 deadline for all other repairs, and grant the request for a five year permit. Gallman seconded. Motion passed, 5-0. Request granted.

531 E. Smith Avenue, Tempo Properties, 11-TV-55. The petitioner, Joanne Sabbagh, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for an extension of time to complete repairs with a June 1, 2011 deadline for applying to the state for a variance, an April 27, 2011 deadline for all other repairs and deny the request for granting a continuance of the five year permit. Cole made a motion to grant the request for an extension of time to complete repairs per staff recommendation but with a July 1, 2011 deadline for applying to the state, an April 27, 2011 deadline for all other repairs, and grant the request for a five year permit. Floyd seconded. Motion passed, 5-0. Request granted.

537 E. Smith Avenue, Tempo Properties, 11-TV-56. The petitioner, Joanne Sabbagh, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for an extension of time to complete repairs with a June 1, 2011 deadline for applying to the state for a variance, an April 27, 2011 deadline for all other repairs and deny the request for granting a continuance of the five year permit. Hamilton made a motion to grant the request for an extension of time to complete repairs per staff recommendation but with a July 1, 2011 deadline for applying to the state, an April 27, 2011 deadline for all other repairs, and grant the request for a five year permit. Cole seconded. Motion passed, 5-0. Request granted.

806 W. Chambers Drive, Joanne Sabbagh, 11-TV-61. The petitioner, Joanne Sabbagh, was present to request an extension of time to complete repairs and an exception to the property maintenance code to allow for a pass through variance on the property. Staff recommendation was to grant the request for extension of time for repair of the sidewalk issues, glazing windows and correcting the basement leak with a July 4, 2011 deadline and to grant the pass through variance. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

801 W. Dodds Street Unit 1, Laurie Best, 11-TV-39. The petitioner, Laurie Best, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for extension of time with a May 15, 2011 deadline. Gallman made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

812 E. 8th Street, Kenneth Kinney, 11-TV-52. The petitioner, Kathy Fulford, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for extension of time with a July 1, 2011 deadline. Cole made a motion to grant the request per staff recommendation with an August 1, 2011 deadline. Gallman seconded. Motion passed, 4-1 (Johnson voted nay). Request granted.

618 S. Mitchell Street, William & Linda McCoy, 11-TV-59. The petitioner, Scott McCoy, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a May 31, 2011 deadline for repair of the roof and an April 27, 2011 deadline for all other repairs. Floyd made a motion to grant the request per staff recommendation but with a June 15, 2011 deadline for repair of the roof. Hamilton seconded. Motion passed, 5-0. Request granted.

409-411 W. 3rd Street, Creative Home Concepts, 11-TV-01. The petitioner was not present to request an extension of time to complete repairs. This petition was previously heard on January 12, 2011. Staff recommendation was to grant the request for extension of time with a May 31, 2011 deadline. Floyd made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

521 W. Wylie Street, Linda Lee, 11-TV-53. The petitioner, Linda Lee, was present but left. She left a hand written note for the Commission. This petition was previously heard on January 12, 2011. Staff recommendation was to deny the request for extension of time. Floyd made a motion to grant the request with a June 1, 2011 deadline. Cole seconded. Motion passed, 5-0. Request granted.

1610 E. 3rd Street, John Causey III, 11-TV-41. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request for extension of time with a June 1, 2011 deadline for exterior painting and an April 30, 2011 deadline for all other repairs. Cole made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 5-0. Request granted.

620 & 622 N. Adams Street, Clifton Bell, 11-TV-42. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request for extension of time with a May 14, 2011 deadline. Cole made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

915-1015 N. Rogers Street, Pendragon Properties, 11-TV-46. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request for extension of time with an April 20, 2011 deadline for all life safety issues and a May 13, 2011 deadline for all other repairs. Cole made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 5-0. Request granted.

100 E. Miller Drive, H.A.N.D., 11-RV-47. The petitioner was H.A.N.D. Staff recommendation was to grant the rescission of the variance allowing fuel fired appliances to remain in their current location without modification. The State of Indiana has no records of code requirements in place at the time of construction, therefore the item can not be in violation. Floyd made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted, variance rescinded.

426 E. 6th Street, Kenneth Kinney, 11-TV-51. Request for an extension of time to complete repairs. This petition was withdrawn.

IV. GENERAL DISCUSSION

Commissioners commented on the consent agenda format. Feedback was provided concerning the packet and its delivery.

V. PUBLIC COMMENT

A general discussion was held regarding the duties and responsibilities of the State and the City with respect to the enforcement of State building codes. Cole made a motion to have research done by the Legal Department entered into the record. Floyd seconded. Motion passed, 5-0.

VI. ADJOURNMENT

Floyd made a motion to adjourn. Hamilton seconded. Motion passed, unanimously. Meeting adjourned at 5:45 PM.

Board of Housing Quality Appeals
2012 Meeting Schedule
4:00 p.m. – McCloskey Room (Room 135)
(3rd Wednesday of the month)

January 18, 2012

February 15, 2012

March 21, 2012

April 18, 2012

May 16, 2012

June 20, 2012

July 18, 2012

August 15, 2012

September 19, 2012

October 17, 2012

November 28, 2012 (4th Wednesday)

December 19, 2012

Note: First meeting of 2013 will be held on January 16, 2013.



City of Bloomington
H.A.N.D.

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

Meeting Date: September 14, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-31 (old)

Address: 2645 E. Dekist Street

Petitioner: Tabitha White (for owner Susan Klages)

Inspector: Jo Stong

Staff Report: November 18, 2010: Conducted cycle inspection
November 22, 2010: Sent cycle report
January 28, 2011: Sent remaining violations report
January 26, 2011: Received appeal
March 9, 2011: Board of Housing Quality Appeals granted a request for an extension of time to complete repairs until March 31, 2011 for all life-safety violations, and until April 30, 2011 for all other violations
July 29, 2011: Reinspection conducted.
August 5, 2011: Received appeal

During the reinspection conducted on July 29, most violations were in compliance. The grounding of the outlets in the kitchen had not been completed, and the repair of the front porch had not been done. The petitioner is requesting an extension of time to complete repairs.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: October 14, 2011

Attachments: Remaining violations report, appeal, photo



**APPLICATION FOR APPEAL
TO THE
BOARD OF HOUSING QUALITY APPEALS**

P.O. Box 100
Bloomington, IN 47402
(812) 349-3420

RECEIVED
AUG 05 2011

BY:

Petitioner's Name: Tabitha White

Petitioner's Address & Phone Number: 2645 E Dekist St Bloomington IN 47405

Owner's Name: Susan Klages

Owner's Address & Phone Number: 78689 Savana LA MAR 760-272-1859 or 760-567-2508
BERMUDA Dunes, CA 92223

Address of Property: 2645 EAST Dekist St. Bloomington IN 47405

Occupant(s) Name(s): Tabitha White

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

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

Identify the variance type you are requesting from the following list and attach the required information.

- A. An extension of time to complete repairs. [Petition type: TV]**
Specify items that need the extension of time to complete, explain why the extension is needed and specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. [Petition type: V]**
Specify the Code reference number you are appealing. Detail why you are requesting the variance. Specify the modifications and or alternatives you are suggesting.
- C. Relief from an administrative decision. [Petition type: AA]**
Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. [Petition type: RV]**
Detail the existing variance. Specify the reason the variance is no longer required.

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: *Tabitha White*

Name (print): Tabitha White

Petition Number: 11-TV-31 (060)



City of Bloomington
Housing and Neighborhood Development

2645 E. Dekist Street
Remaining Violations
August 4, 2011
Page 1 of 2

Remaining Violations Report

275

OWNERS

KLAGES, SUSAN M.
78689 SAVANNA LA MAR
BERMUDA DUNES, CA 92203

AGENT

WHITE, TABI L.
2645 E. DEKIST STREET
BLOOMINGTON IN

Prop. Location: 2645 E DEKIST ST
Date Inspected: 11/18/2010
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: Shed

REINSPECTION REQUIRED

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

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

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

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

INTERIOR:

Kitchen (10-8 x 9-2):

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

EXTERIOR:

Properly repair front porch and steps in a workmanlike manner. PM-303.2, PM 302.10

OTHER REQUIREMENTS:

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

- A completed copy of the Tenants & Owners Rights and Responsibilities Summary **BMC16.12.050 (d)**.
- Inventory & Damage List: The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement **BMC16.12.040**

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





City of Bloomington
H.A.N.D.

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

Meeting Date: September 14, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-74 (old)

Address: 1517 S. Walnut Street

Petitioner: Ashley Norman w/Jeanne Walters Real Estate

Inspector: Jo Stong

Staff Report: February 24, 2011: Conducted cycle inspection
March 4, 2011: Sent cycle report
April 19, 2011: Received first appeal
June 8, 2011: Board of Housing Quality Appeals granted a request for an extension of time to complete repairs until July 8, 2011
July 15, 2011: Legal letter sent
July 27, 2011: Received second appeal

The petitioner is requesting an additional extension of time to complete extensive repairs at the property. The tenants' possessions and housekeeping had been a hindrance to making necessary repairs. The tenants were to move out on August 5, 2011. An extension of time until September 30, 2011 is being sought.

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: September 30, 2011

Attachments: Cycle report, appeal

JS



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

Petitioner's Name: Ashley Norman w/ Jeanne Walters Page & MTE

Petitioner's Address & Phone Number: 812-331-9951 / 107 E. 6th St. -03

Owner's Name: Karen Duffy

Owner's Address & Phone Number: Bloomington, IN

Address of Property: 1517 S. WALNUT

Occupant(s) Name(s): CONZALEZ / RODRIGUEZ

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Ashley Norman

Name (print): Ashley Norman

(Will be assigned by BHQA)
 11-TV-74(000)
 Petition Number: _____

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

tenants will be moving out Aug 5th, 2011
after months of unsuccessful tries to find a new
place, this will give us a chance to do the
HANDWORK (in fact ALL repairs) while vacant
as tenant uncharitableness & living conditions have
created barriers to proper REPAIR (Jo Stang,
inspector, is aware of this tenant-related
condition)

would like to extend time deadline for
REPAIRS to until September 30, 2011.

Signature:

A handwritten signature in black ink, appearing to be "JPM".

Date:

7/27/2011



City of Bloomington
Housing and Neighborhood Development

Cycle Report

6392

OWNERS

DUFFY, DOROTHY
723 W. 9TH ST.
BLOOMINGTON, IN 47404

AGENT

JEANNE WALTERS REAL ESTATE
107 E. 6TH ST.
BLOOMINGTON IN 47408

Prop. Location: 1517 S WALNUT ST
Date Inspected: 02/24/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: CG
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

INTERIOR:

Kitchen (12-4 x 7-0):

Repair the light switch to function as intended. PM-604.3

Repair the wall and ceiling covering to the right of the entry door in a workmanlike manner, and properly surface-coat. PM-304.3

Replace the deteriorated exhaust hood for the stove. PM-304.3, PM-603.1

Properly secure the sink and the countertop behind it to the wall and caulk the joint. PM-304.3, PM-504.1

Repair the right front range burner to function as intended. PM-603.1

Kitchen (cont'd):

Replace the missing drawer front on the cabinet on the north wall.

Dining Area (9-1 x 6-3):

No violations noted.

Northeast Bedroom (12-3 x 8-7):

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

Note: Windows must be measured at the reinspection.

Attic:

Not accessible.

Hallway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Bathroom:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Secure toilet to its mountings. PM-504.1

Properly seal the entire perimeter of the tub including the floor and the window. PM-304.3

Scrape and paint all surfaces where paint is peeling. PM-304.3

Northwest Bedroom (13-0 x 10-3):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Repair the broken window (west wall, north window). PM-303.13

Repair the windows to open and function as intended. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Note: Windows must be measured at the reinspection.

Scrape and paint windows where paint is peeling or wood is exposed. PM-304.3

Living Room (15-0 x 12-3):

Provide operating power to smoke detector. PM-704.1

BASEMENT

Provide operating power to smoke detector. PM-704.1

Restore power to the outlet behind the washing machine and eliminate the extension cord and power strip. PM-604.3, PM-605.

BASEMENT (cont'd)

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

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

EXTERIOR:

Provide an address identification number that is visible from the street.

- Numbers shall be a minimum of 4 inches tall.
- Numbers shall contrast with their background. PM-303.3

Remove and properly dispose of all accumulated or scattered trash on property. PM-302.1

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

Properly install the television cable to eliminate the trip hazard it creates on the ground. PM-302.3

OTHER REQUIREMENTS:

Required documentation:

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

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. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit

1517 S. Walnut Street

February 25, 2011

Page 4 of 4

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.



City of Bloomington
H.A.N.D.

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

Meeting Date: September 14, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-113

Address: 2430 W. 3rd

Petitioner: Peter Nguyen

Inspector: Robert Hoole

Staff Report: June 28, 2011 Complaint inspection report mailed
July 22, 2011 Appeal filed

The petitioner is seeking an extension of time to complete repairs related to a complaint inspection. The petitioner gives no reason for the request. The deadline for repairs to be completed was July 12, 2011. There are other unresolved complaints in this complex.

Staff recommendation: Deny the extension of time.

Conditions:

Compliance Deadline:

Attachments: appeal form, complaint inspection report



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

Petitioner's Name: Peter Nguyen

Petitioner's Address & Phone Number: 2430 W 3rd ST Apt #23

Owner's Name: HAI T MAI 812-219-9862

Owner's Address & Phone Number: 2700 E Briggs Bend

Address of Property: 2430 W 3rd ST Apt #23

Occupant(s) Name(s): Josh Smith, Kristi ~~Smith~~ Jackson

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): _____

(Will be assigned by BHQA)
11-TV-113
 Petition Number: _____

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

They will move out this of month
WE will FIX all APT # 23

Signature: _____ Date: 7-22-11



City of Bloomington
Housing and Neighborhood Development

Complaint Inspection Report

3029

OWNERS

=====

NGUYEN, PETER L.
2700 E. BRIGGS BEND
BLOOMINGTON, IN 47401

Prop. Location: 2430 W 3RD ST
Date Inspected: 06/24/2011
Inspectors: Robert Hoole
Primary Heat Source: Gas
Property Zoning: CA
Number of Stories: 2

Number of Units/Structures: 12 / 1
Number of Bedrooms: 2 each
Max # of Occupants: 4 each
Foundation Type: Basement
Attic Access: N/A
Accessory Structure:

The following items are the result of a complaint inspection conducted on 6/24/2011. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines of up to \$100.00/day. If you have questions regarding this report, please contact this office at 349-3420.

A23

Reinstall the living room closet door and the rear bedroom entry door and repair to open, close, and latch as intended. PM-304.6

Replace the broken receptacle on the west wall of the living room. PM-605.1

Repair the receptacle on the east wall of the rear bedroom to function as intended. PM-605.1

Replace the missing window screens in the rear bedroom. PM-303.14

Repair the north window in the rear bedroom to lock as intended. PM-303.13.2

Complete the installation of the trim on the interior and exterior of the sliding glass door in the living room. PM-303.15

Repair the lights in the common hallway adjacent to this unit to operate consistently. Tenant reports that they are often not operating after dark. PM-402.2

22

Remove the broken glass on the ground below the deck adjacent to the northeast entrance of this building. PM-302.1

Repair the hole in the exterior wall adjacent to the northeast entrance to this building. PM-303.6

Replace the missing light fixture at the northeast entrance to this building. PM-605.1

Increase the capacity or frequency of removal of the dumpster. Trash is overflowing. Tenant reports that this is consistently the case. PM-305.1



City of Bloomington
H.A.N.D.

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

Meeting Date: 14 September 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV -114

Address: 713-713½ N. Lincoln St.

Petitioner: Peggy Stalter

Inspector: Michael Arnold

Staff Report: 19 May 2011 Cycle Inspection
25 May 2011 Cycle Inspection Report Sent
22 July 2011 Reinspection scheduled for 03 August 2011
22 July 2011 Received Appeal

During the cycle inspection it was noted that the tree at the NE corner of the property was in a deteriorated state. Section PM302.4.1 Trees states, "All trees on the premises shall be in good health and pose no danger to persons or building". It was also noted that there were loose stones from the retaining wall that were lying on the public sidewalk. Section PM302.7 Accessory Structures states, "All accessory structures, including detached garages fences and walls, shall be maintained structurally sound and in good repair".

On 20 July 2011 the owner phoned stating she was having difficulty scheduling a tree service due to the recent storms.

Staff recommendation: Grant the variance

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

Compliance Deadline: 31 December 2011

Attachments: Application, Cycle Inspection

ps



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

Petitioner's Name: Peggy Stalter

Petitioner's Address & Phone Number: PO Box 4 ⁴⁷⁴⁶⁸ Unionville 336-5342
~~712~~ 9040 E. STATE ROAD 45

Owner's Name: (Same)

Owner's Address & Phone Number: _____

Address of Property: 913 N. Lincoln

Occupant(s) Name(s): (4 girls)

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Peggy L. Stalter

Name (print): Peggy L. Stalter

(Will be assigned by BHQA)
 11-TV-114
 Petition Number: _____

(Please use the reverse side for further explanation and/or request)



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

7/22/11

(Please write a brief narrative in the space provided below. 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.)

Requesting an extension of the exterior concerns listed on my inspection; tree & wall stonework improvement. (dead limbs)

My tree company is taking emergency work only and is booked up for 3 mos. We intend to complete tree & wall work in late fall and Mike Arnold is OK with this.

Signature:

Peggy Walter

Date:

7/22/11



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

668

OWNERS

=====

STALTER, DENNIS
PO BOX 4
UNIONVILLE, IN 47468

Prop. Location: 713-713½ N LINCOLN ST	Number of Units/Structures: 2 / 1
Date Inspected: 05/19/2011	Number of Bedrooms: 4/1
Inspectors: Mike Arnold	Max # of Occupants: 5/2
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RM	Attic Access: N/A
Number of Stories: 2	Accessory Structure: none

Monroe County records indicate this structure was built in 1900. There were no requirements for emergency egress at the time of construction.

VARIANCE

09/14/1995 Special exception to the minimum ceiling height requirements in the attic top half with the condition that no protrusion extend more than 6'4" from the floor.

Interior:

Basement:

Repair the broken window. PM-303.13 (South wall).

Remove the vine and properly seal around the window to eliminate vine growth in the basement.
PM-303.13

Common Space:

Enclosed Back Porch Room:

No violations noted

Main Level:

Unit 713:

Living Room (14-0 x 14-0), Dining Room (15-0 x 13-0), W. Central Room (12-0 x 9-0):

No violations noted

Kitchen (10-0 x 9-0):

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

Repair/replace the missing cabinet door. PM-304.3 (West wall).

NE Bedroom (14-0 x 14-0):

This room has a door to the exterior

No violations noted

NW Bedroom (13-0 x 13-0):

Existing Egress Window Measurements:

Height: 69 inches (both sashes removed)
Width: 31.5 inches
Sill Height: <44 inches (*Measure at reinspection*)
Openable Area: 15 sq. ft.

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

No violations noted

Bathroom:

Repair the water damage behind the stool and along side the shower enclosure. PM-304.3

Upper Level:

North Bedroom, South Bedroom:

Measure at reinspection

Existing Egress Window Measurements:

Height: 34 inches (both sashes removed)
Width: 30 inches
Sill Height: 14 inches
Openable Area: 7.1 sq. ft.

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

No violations noted

Bathroom:

No violations noted

Unit 713½:

Living Room:

Measure at reinspection

No violations noted

Bedroom:

Measure at reinspection

Existing Egress Window Measurements:

Height: 43 inches
Width: 28 inches
Sill Height: 22 inches
Openable Area: 8.4 sq. ft.

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

No violations noted

Kitchen:

Measure at reinspection

No violations noted

Bathroom:

No violations noted

Exterior:

All trees on premises shall be in good health and pose no danger to persons or building. PM-302.4.1 (Remove the dead/unsafe portions of the tree at the NE corner of the lot).

Re-set or remove the loose stones at the retaining wall that are sitting on the sidewalk. PM-302.7

Required Documentation:

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

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

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)

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



City of Bloomington
H.A.N.D.

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

Meeting Date: September 14th
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 11-AA-115
Address: 309 E. 6th
Petitioner: Sonja A.B. Jackson

Ms. Jackson contacted us to say that she occupies half of the duplex and her grandson, Thomas D. LaVonne, lives in the other half. She requests that it be removed from the rental registration & inspection program.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This agreement shall remain in force so long as Ms. Jackson and Mr. LaVonne reside in the property. This property will be pull dated for 2014 to check residency.

Compliance Deadline: None

Attachments: Appeal form, letter from petitioner



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

RECEIVED
 JUL 18 2011

BY: _____

Petitioner's Name: SONJA A.B. JACKSON

Petitioner's Address & Phone Number: 309 E. SIXTH ST. cell: 812-346-4584

Owner's Name: SAME

Owner's Address & Phone Number: SAME

Address of Property: SAME

Occupant(s) Name(s): SONJA A.B. JACKSON & THOMAS D. LAVONNE

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

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

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: *Sonja A.B. Jackson*

Name (print): SONJA A.B. JACKSON

(Will be assigned by BHQA)
 11-AA-115
 Petition Number: _____

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

I AM REQUESTING THAT MY PROPERTY BE REMOVED FROM YOUR delinquent STATUS.

My home, built by architect Cecil Harlos, at 309 E. Sixth Street, was purchased from Miss Louise Willman in May 1983. I have lived in this home since that date. Ms. Willman told me that her mother was to have occupied the 1 bedroom apartment on the West side; however, her mother passed away before the building was ready for occupancy in 1939. Ms. Willman then rented that space (her first tenant stayed 22 years!) there was an I.U. graduate student renting there when I moved in on May 3rd 1983 (1983) she stayed until she completed his degree in August. In 1991 I moved my mother into that space. She passed away in 2002. My grandson has lived in this space since graduating from high school in 2008, rent free. There has been no rental unit there from April 11, 2002 to this date.

I am presently continuing to recuperate from a fall suffered in November, 2010. My grandson is continuing to live here while caring for me since I returned following 2 surgeries and several months in a rehab facility. My daughter, my son-in-law, and my grandson transport me to doctor appointments and to the grocery store, etc. I do not yet drive my car, but I am getting re-training and will soon be cleared to drive.

Please remove my property from your delinquent status.

My first knowledge of the Bloomington Municipal Code I am being found guilty of lack of permit was when I read your letter filed on May 27, 2011. Thank you!

Signature: Lois B. Jones

Date: 2/10/11



City of Bloomington
H.A.N.D.

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

Meeting Date: September 14, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-116

Address: 901 N. Dunn Street

Petitioner: Cristal Elkins

Inspector: Maria McCormick

Staff Report: April 26, 2011 Cycle Inspection
 July 18, 2011 Re-inspection Completed
 July 18, 2011 Received Appeal

During the Cycle inspection the inspector noted that the sill height of the windows in the northeast & northwest basement bedrooms do not meet the minimum requirements for the time of construction. The petitioner is requesting an extension of time to obtain a variance from the State of Indiana.

Openable area required: 4.75 sq. ft.	Existing area: 5.83 sq. ft.
Clear width required: 18"	Existing width: 28"
Clear height required: 24"	Existing height: 30"
Maximum sill height: 44" above finished floor	Existing sill: 52" above finished floor

Staff recommendation: Grant the extension

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

Compliance Deadline: November 1, 2011

Attachments: Application for Appeal; Cycle Inspection Report



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

RECEIVED
 JUL 18 2011

BY:

Petitioner's Name: Richard Blackletter

Petitioner's Address & Phone Number: 5451 S. Leonard St Rd

Owner's Name: Elkus Prop.

Owner's Address & Phone Number: 220 E. 17.

Address of Property: 901 N Down

Occupant(s) Name(s): _____

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

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

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Signature]

Name (print): R. Blackletter

(Will be assigned by BHQA)
 11-TV-116
 Petition Number: _____

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

Need extension of time to obtain
a var. from State concerning
sill height of 2 Basement Bedroom
windows.

Drinks

Signature: _____ Date: _____



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3572

OWNERS

ELKINS, CRISTAL
2010 W. THAT RD.
BLOOMINGTON, IN 47401

Prop. Location: 901 N DUNN ST
Date Inspected: 04/26/2011
Inspectors: Maria McCormick
Primary Heat Source: ~~Gas~~ Electric
Property Zoning: RC
Number of Stories: 2

AGENT

ELKINS, BARRY
220 E. 17TH STREET
BLOOMINGTON, IN 47408

Number of Units/Structures: 1 / 1
Number of Bedrooms: 5
Max # of Occupants: 5
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

The Monroe County Assessors records indicate that this structure was built in 1992. 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:

Upper Level -

Living Room 21-0 x 11-8:
No violation noted.

Kitchen 13-3 x 9-6:

Properly secure the peeling linoleum around the perimeter of the room. PM-304.4

Bathroom:

No violation noted.

Hallway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

SE Bedroom 10-4 x 9-3:

No violation noted.

Existing Egress Window Measurements:

Height: 25 inches

Width: 35 inches

Sill Height: 24 inches

Openable Area: 6.07 sq. ft.

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

SW Bedroom 10-3 x 9-4:

☐ Properly repair the damaged window screen. PM-303.14

Existing Egress Window Measurements:

Height: 25 inches

Width: 35 inches

Sill Height: 24 inches

Openable Area: 6.07 sq. ft.

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

Lower Level –

Stairway; Furnace Closet; Hallway:

No violation noted.

South Bedroom 10-4 x 9-3:

No violation noted.

Existing Egress Window Measurements:

Height: 25 inches

Width: 35 inches

Sill Height: 24 inches

Openable Area: 6.07 sq. ft.

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

Bathroom/Laundry Room:

☐ Interior walls & ceiling shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. PM-304.3

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

NW Bedroom 11-3 x 9-6:

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

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1992:

Openable area required: 4.75 sq. ft.	Existing area: 5.83 sq. ft.
Clear width required: 18"	Existing width: 28"
Clear height required: 24"	Existing height: 30"
Maximum sill height: 44" above finished floor	Existing sill: 52" 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. 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.

NE Bedroom 9-6 x 9-6:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1992:

Openable area required: 4.75 sq. ft.	Existing area: 5.83 sq. ft.
Clear width required: 18"	Existing width: 28"
Clear height required: 24"	Existing height: 30"
Maximum sill height: 44" above finished floor	Existing sill: 52" 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. 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:

Provide an address identification number that is visible from the street.

- Numbers shall be a minimum of 4 inches tall.
- Numbers shall contrast with their background. PM-303.3

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

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



City of Bloomington
H.A.N.D.

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

Meeting Date: September 14, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-117

Address: 420 S. Fess Avenue

Petitioner: G.M.S. Enterprises, LLC

Inspector: Jo Stong

Staff Report: February 14, 2011: Conducted cycle inspection
February 23, 2011: Sent cycle report
May 9, 2011: Sent Remaining Violations report
June 16, 2011: Conducted reinspection. Furnace not in compliance
June 24, 2011: Sent 2nd Remaining Violations report
July 15, 2011: Received furnace documentation. Furnace did not pass carbon monoxide test
July 21, 2011: Called owners to inform them furnace must be repaired or replaced, or a variance secured
July 27, 2011: Spoke with owner, who said boiler will be repaired. Received appeal.

During a cycle inspection the gas boiler was cited to be cleaned and serviced and to have a carbon monoxide test done on it. A receipt from Midwest Heating, Cooling & Refrigeration sent to HAND by the owner indicated that the unit failed the CO test. The owner is requesting an extension of time to complete repairs on the boiler. All other violations are in compliance.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: October 14, 2011

Attachments: Cycle inspection, appeal, receipt for boiler servicing

A

41



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

RECEIVED JUL 27 2011

BY:

Property Address: 420 S. Fess Ave.

Petitioner's Name: G.M.S. Enterprises, LLC

Address: 601 N. Walnut St.

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 333-2332

E-mail Address: mark@pavprop.com

Owner's Name: G.M.S. Enterprises, LLC

Address: 601 N. Walnut St.

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 812-333-2332

E-mail Address: mark@pavprop.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.

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

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)
11-TV-117
Petition Number: _____

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.

We need an extension of time for the repair/replacement of the boiler system. We will also be researching the difference in the City of Bloomington's code requirement vs. the State of Indiana's code. The reason for this research is to show that we have a valid permit from the State that conflicts with what the City is showing.

Signature (Required):



Name (Print):

Mark Robinson

Date:

7/27/11

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



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

3177

OWNERS

GMS ENTERPRISES
601 N. WALNUT ST.
BLOOMINGTON, IN 47404

Prop. Location: 420 S FESS AVE
Date Inspected: 02/14/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 3

Number of Units/Structures: 9 / 1
Number of Bedrooms: 1 & 2
Max # of Occupants: 2 & 4
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

VARIANCE

11/17/1982 Granted a variance to the light, ventilation and ceiling height requirements for Apt. #9.

**Note: Unit #9 was being used as storage only and was not inspected.
This unit must be inspected prior to occupancy.**

INTERIOR:

Note: Room dimensions and egress window measurements are in the file and are not included in this report.

BASEMENT

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

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

FIRST FLOOR

Unit #1

Living Room:

Provide operating power to smoke detector. PM-704.1

Repair the south window on the east wall to stay open. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Kitchen, Bedroom:

No violations noted.

Bathroom:

Repair the lamp in the exhaust fan to function as intended. PM-402.3

Unit #2

Living Room:

Repair window to latch securely (second window from left). PM-303.13.2

Hallway:

Provide operating power to smoke detector. PM-704.1

Northwest Bedroom, Kitchen:

No violations noted.

Northeast Bedroom:

Egress windows shall be openable without the use of tools. Remove the screws attaching the air conditioner to the window. PM-702.1

Bathroom:

Secure toilet to its mountings. PM-504.1

COMMON HALLWAY

No violations noted.

SECOND FLOOR

Unit #3 (vacant at time of inspection)

Bathroom:

Repair the leak around the base of the sink faucet. PM-504.1

Bedroom, Living Room, Kitchen:

No violations noted.

Unit #4

Kitchen, Living Room, Bedroom, Bathroom:

No violations noted.

Unit #5

Kitchen:

No violations noted.

Living Room:

Provide operating power to smoke detector. PM-704.1

Northeast Bedroom, Office Area:

No violations noted.

Bathroom:

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Properly repair or replace the damaged, curling and/or missing floor covering. PM-304.4

Replace the damaged sink drain. PM-504.1

Unit #6

Living Room:

No violations noted.

Hallway:

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
PM-704.1

Bathroom:

Repair the pressure and volume of the hot water in the sink (pressure is very low). PM-505.3

Bedroom:

Egress windows shall be openable without the use of tools. Remove the screws attaching the air conditioner to the window. PM-702.1

COMMON HALLWAY

Properly repair the doors to the fire escape at the west end of the hallway to function as intended.
PM-303.15

THIRD FLOOR

Unit #7

Living Room/Bedroom, Bathroom, Kitchen:

No violations noted.

Unit #8

Living Room, Kitchen, Bathroom, Bedroom:

No violations noted.

EXTERIOR:

Properly repair loose/missing siding, and surface-coat if necessary. PM-303.2

Properly repair the deteriorated drip line on the soffit on the north side of the structure. PM-303.7

Provide an address identification number that is visible from the street.

- Numbers shall be a minimum of 4 inches tall.
- Numbers shall contrast with their background. PM-303.3

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(this violation has a one-year deadline from the date of the cycle inspection)

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. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

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

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

City of Bloomington

HAND

TO: JO 349-3582

FROM: PAULION
LISA

RE: 420 S FESS

FURNACE TESTING

812-333-2332

MIDWEST HEATING, COOLING, REFRIGERATION INC
 1316 East Richland Drive
 Bloomington, Indiana 47408
 (812) 339-2146

CUSTOMER ORDER NO. <i>201020</i>		PHONE		DATE <i>6-7-11</i>	
NAME <i>Pavilion</i>					
ADDRESS <i>420 S. Jess</i>					
<i>Clean Service Inspect</i>					
SOLD BY	DASH	C.O.D.	CHARGE	CON ACCT	MOSE RETD.
PAID OUT					
QTY.	DESCRIPTION			PRICE	AMOUNT
	<i>Filled & Cleaned Cast Iron Burners replace thermocouple Clean pilot assembly Check sump operation sump operation properly check 2nd safety fire off boiler tank CO reading. Due 3.25 PPM Reading High because of flame impingement on cast trap. Check for gas leaks none found</i>				
	<small>In This Invoice's Full Payment, Client is Responsible for All Legal and Expenses</small>				
RECEIVED BY	<i>at present time</i>				

Thank You!

All claims and returned goods MUST be accompanied by this bill.

10490

Thank You



City of Bloomington
H.A.N.D.

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

Meeting Date: September 14, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-118

Address: 813-815 W. Cascades

Petitioner: Sarah Pavey

Inspector: Robert Hoole

Staff Report: June 2, 2011 Cycle inspection report mailed
August 1, 2011 Appeal filed

The petitioner is requesting an extension of time to replace the furnace. When the furnace was inspected as part of the permit renewal process it was found to have a cracked heat exchanger. The petitioner is seeking the extension of time to accumulate the funds necessary. The petitioner has indicated that the fire extinguisher has already been replaced, although no reinspection has taken place to verify this.

Staff recommendation: Grant the extension of time.

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

Compliance Deadline: October 14, 2011

Attachments: appeal form, cycle inspection report



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

RECEIVED
 AUG 01 2011

BY: _____

Petitioner's Name: SARAH M. PAVEY

Petitioner's Address & Phone Number: 813 W. CASCADES AVE, BLOOMINGTON, IN 47404

Owner's Name: DAVIN C. O'CONNOR & SARAH M. PAVEY 334-8816

Owner's Address & Phone Number: 813 W. CASCADES AVE, BLOOMINGTON, IN 47404

Address of Property: 815 W. CASCADES AVE, BLOOMINGTON, IN 47404

Occupant(s) Name(s): SUSAN DOUGLAS

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Sarah M. Pavey

Name (print): SARAH M. PAVEY

(Will be assigned by BHQA)
 11 - TV - 118
 Petition Number: _____

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

Need to have HVAC inspected and a tested

for carbon monoxide

Requesting 90-day extension.

Signature:

Sarah M Pavey

Date:

8-2-11

Cycle Report

6802

OWNERS

=====

PAVEY, SARAH M.
813 W. CASCADE AVE.
BLOOMINGTON, IN 47404

Prop. Location: 813-815 W CASCADE AVE	Number of Units/Structures: 2 / 1
Date Inspected: 05/23/2011	Number of Bedrooms: 2 each
Inspectors: Robert Hoole	Max # of Occupants: 3 each
Primary Heat Source: Gas	Foundation Type: Crawl Space
Property Zoning: RM	Attic Access: No
Number of Stories: 1	Accessory Structure:

VARIANCE

=====

04/07/2006 Unit #813 is owner-occupied and was not inspected.

Monroe County Assessor's records indicate this structure was built in 1964.
There were no requirements for emergency egress at the time of construction.

INTERIOR

815

Living room (11 x 20)

No violations noted.

Kitchen (10 x 13)

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

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

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

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

PM-603.1

Hallway

No violations noted.

Bath

No violations noted.

Inner bedroom (12 x 10)

Existing Egress Window Measurements:

Height: 31 inches
Width: 31 inches
Sill Height: 46 inches
Openable Area: 6.67 sq. ft.

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

Outer bedroom (12 x 11)

Existing Egress Window Measurements:

Height: 31 inches
Width: 31 inches
Sill Height: 46 inches
Openable Area: 6.67 sq. ft.

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

Crawlspace

No violations noted.

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

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



City of Bloomington
H.A.N.D.

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

Meeting Date: September 14, 2011

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

Variance Request: Request a variance to the requirement that sump pumps not discharge into the sanitary sewer.

Petition Number: 11-V-120

Address: 306 S. Union

Petitioner: Robert Price and Mary Runnels

Inspector: John Hewett

Staff Report: June 22, 2011 Cycle Inspection conducted.
July 7, 2011 Report sent
August 8, 2011 Received Appeal.

During the Cycle inspection the inspector cited a sump pump that discharges into the sanitary sewer line. This is a violation of the PMC. The inspector spoke to a representative of the Utilities Department who recommended that the board grant this variance request for this particular application.

Staff recommendation: Grant the request

Conditions: None

Compliance Deadline: None

Attachments: Cycle Report, Petitioners 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

RECEIVED
AUG 08 2011

BY: _____

Property Address: 306 S. Union, Bloomington, IN

Petitioner's Name: Robert Price and Mary Runnells

Address: 1329 S. High St

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 334-8831

E-mail Address: robcprice@comcast.net mrun4@comcast.net

Owner's Name: Robert C. Price and Mary M. Runnells

Address: 1329 S. High St.

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 334-8831

E-mail Address: robcprice@comcast.net mrun4@comcast.net

Occupants: Daniel McRae, Christopher Ebling, Andrew Kendall, Andrew DeFrancisi, Greg Myers beginng 8/15/11

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: A modification or exception to the Housing Property Maintenance Code. (Petition Type: V)

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)

11 - V - 120

Petition Number: _____

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.

We are requesting an exception to PM-507.2, requiring that sump pump shall discharge to the exterior of a structure, unless used as a lift station for grey water from a washing machine or laundry basin.

The house was built in the early 1950's. The sump pump in the basement to the best of our knowledge has always discharged into the city sewer system. We have owned the house since 2008, and in that time, the only water that has gone into the sump is overflow from the washing machine (which normally discharges to the sewer), water drawn out of the basement air from the humidifier, and water from a burst water pipe. The basement does not flood, and this winter was remodelled to upgrade the bedroom and recreation area and to add a bathroom. The basement is now fully finished except for a small laundry room where the sump pump is located. A screen has been placed over the sump well to keep debris out.

The sump has not been deemed to be in violation in the past; we request that it continue to be grandfathered.

Signature (Required): Mary M. Runnels

Name (Print): Mary M. Runnels Date: 8/8/11

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



City of Bloomington
Housing and Neighborhood Development

Cycle Report and Permit Upgrade Report

1843

OWNERS

PRICE, ROBERT C.
1329 S. HIGH STREET
BLOOMINGTON, IN 47401

RUNNELLS, MARY M.
1329 S. HIGH STREET
BLOOMINGTON, IN 47401

Prop. Location: 306 S UNION ST
Date Inspected: 06/22/2011
Inspectors: John Hewett
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 5
Max # of Occupants: 5
Foundation Type: Basement
Attic Access: No
Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 1953. There were no requirements for emergency egress at the time of construction. The basement bedroom was remodeled under a building permit issued in 2010. The egress requirements at the time of modification are as follows.

Openable area required: 5.0 sq. ft. on grade floor windows, 5.7 all other floors
Clear width required: 20"
Clear height required: 22"
Maximum Allowable Sill Height: 44" above finished floor

Interior

Living room

12-7 x 15-3

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

Kitchen

10-8 x 11-8

No violations noted.

Bathroom

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

Hall

Provide operating power to smoke detector. PM-704.1

59

NW bedroom

10-0 x 12-1

Existing Egress Window Measurements: Single hung replacement. Appears it was replaced pre-2001.

Height: 19.5 inches

Width: 29 inches

Sill Height: 29 inches

Openable Area: 3.92 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

NE bedroom

12-1 x 10-5

The window measurements are the same as noted above.

Basement

Main room (north of stairs)

12-1 x 10-5

No violations noted.

Main room (south of stairs)

15-1 x 15-5

No violations noted.

NW bedroom

12-1 x 9-5

Existing Egress Window Measurements:

Height: 41 inches

Width: 24 inches

Sill Height: 42 inches

Openable Area: 6.83 sq. ft.

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

Bathroom

No violations noted.

Laundry

Provide a complete directory of all service panels and circuits. PM-605.1

Sump pumps shall discharge to the exterior of a structure, unless used as a lift station for grey water from a washing machine or laundry basin. PM-507.2

Mechanical room

No violations noted.

2nd Floor

Bathroom

Repair or replace the GFCI receptacle to power down when tripped. PM-605.1

S bedroom

10-10 x 11-9

Existing Egress Window Measurements: Replacement single hung windows which appear to have been replaced pre-2001

Height: 19.5 inches

Width: 25 inches

Sill Height: 31 inches

Openable Area: 3.38 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

N bedroom

12-6 x 10-10

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

The window measurements are the same as noted above.

Exterior

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

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



City of Bloomington
H.A.N.D.

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

Meeting Date: 14 September 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-121

Address: 1002 E. Atwater St.

Petitioner: Kunga Norbu

Inspector: Michael Arnold

Staff Report: 07 April 2011 Cycle Inspection
 20 April 2011 Cycle Inspection report sent
 20 June 2011 Reinspection scheduled
 13 July 2011 Reinspection completed
 04 August 2011 Sent RV report for windows
 05 August 2011 Received Appeal

During the reinspection of this structure it was noted that some of the sleeping room windows did not meet the minimum requirements for emergency egress at the time of construction. The petitioner is requesting an extension of time to obtain a variance from the Department of Homeland Security. This structure was built in 1979 and the minimum requirements at that time are as follows:

Openable area required:	4.75sq. ft.	Existing:	5.83 sq. ft.
Clear width required:	18"	Existing:	42"
Clear height required:	24"	Existing:	20"
Maximum sill height:	48" above finished floor	Existing:	34"

Staff recommendation: Grant the extension

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

AB

Compliance Deadline: October 10, 2011

Attachments: Remaining Violations report, Petitioner's letter



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

RECEIVED
 AUG 03 2011

BY:.....

Petitioner's Name: KUNGA G. NORBU

Petitioner's Address & Phone Number: P.O. Box 3251 812-320-2507

Owner's Name: Kunga G. NORBU

Owner's Address & Phone Number: P.O. Box 3251

Address of Property: 1002 E ATWATER AVE

Occupant(s) Name(s): _____

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

VARIANCE
 from STATE!
 Please check
 file!

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: *Kunga G. Norbu*

Name (print): Kunga G. NORBU

(Will be assigned by BHQA)
 11-7V-121
 Petition Number: _____

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

Egress windows do NOT MEET
AT Time of construction which
was 1979!

requesting a VARIANCE from the STATE!
Application for variance!

Signature:

A handwritten signature in black ink, appearing to be "K. J. Jones".

Date:

8-5-11