

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL McCLOSKEY CONFERENCE ROOM  
March 21, 2012  
4:00 P.M.**

I. ROLL CALL

II. REVIEW OF SUMMARY – None

III. NEW BUSINESS

- (1) 12-TV-17 **320 N. Lincoln Street**, Mort Rubin. Request for an extension of time to complete repairs. pp. 5-15
- (2) [WITHDRAWN] 12-TV-19 **427 S. Madison Street**, Perry Olds. Request for an extension of time to complete repairs.
- (3) 12-TV-20 **512 W. Northlane Drive**, Joseph Christine, LLC. Request for an extension of time to complete repairs. pp. 16-22
- (4) 12-TV-21 **101 N. Roosevelt Street**, Diana Reynolds. Request for an extension of time to complete repairs. pp. 23-27
- (5) 12-TV-22 **503 E. Graham Place**, Norman Grandos. Request for an extension of time to complete repairs. pp. 28-36
- (6) 12-TV-23 **629-631 N. Morton Street**, Fuch's Investments, LLC. Request for an extension of time to complete repairs. pp. 37-44
- (7) 12-RV-24 **311 E. 11<sup>th</sup> Street**, H.A.N.D. Request for rescission of a variance. pp. 45-47
- (8) 12-RV-25 **711 W. Dodds Street**, H.A.N.D. Request for rescission of a variance. pp. 48-50
- (9) 12-TV-26 **626 S. Mitchell Street**, Mark & Ida Medlyn. Request for an extension of time to complete repairs. pp. 51-57
- (10) 12-TV-27 **2417 S. Madison Street**, Jason Feagans. Request for an extension of time to complete repairs. pp. 58-63
- (11) 12-TV-28 **812 S. Madison Street**, Kurt Larsen & Karen Pitkin. Request for an extension of time to complete repairs. pp. 64-68
- (12) 12-TV-30 **702 E. Maxwell Lane**, Sara Miller. Request for an extension of time to complete repairs. pp. 69-74
- (13) 12-TV-31 **575 E. Graham Place**, Adam Stout. Request for an extension of time to complete repairs. pp. 75-79
- (14) 12-TV-32 **318 W. 16<sup>th</sup> Street**, Facilitatech. Request for an extension of time to complete repairs. pp. 80-86
- (15) 12-TV-33 **315 S. Eastside Drive**, Carl Horne. Request for an extension of time to

- complete repairs. pp. 87-93
- (16) 12-TV-34 **1440-1442 S. Winfield Road**, Andrew Bucksbarg. Request for an extension of time to complete repairs. pp. 94-99
- (17) 12-TV-35 **813 S. Lincoln Street**, Mort Rubín/College Rentals, LLC. Request for an extension of time to complete repairs. pp. 100-106
- (18) 12-TV-36 **219-3382 S. Burks Court**, Dara May. Request for an extension of time to complete repairs. pp. 107-116
- (19) 12-TV-37 **508 N. Washington Street**, Cheryl Underwood. Request for an extension of time to complete repairs. pp. 117-125
- (20) 12-TV-38 **1900 S. Oakdale Drive West**, Wapehani Hills Apartments, LLC. Request for an extension of time to complete repairs. pp. 126-132

IV. **GENERAL DISCUSSION**

VII. **PUBLIC COMMENT**

VIII. **ADJOURNMENT**

**BOARD OF HOUSING QUALITY APPEALS  
CONSENT AGENDA  
CITY HALL McCLOSKEY CONFERENCE ROOM  
March 02, 2012, 4:00 P.M.**

I. Extension of time- State Variance

- (3) 12-TV-20 **512 W. Northlane Drive**, Joseph Christine, LLC. Request for an extension of time to complete repairs. pp. 16-22
- (5) 12-TV-22 **503 E. Graham Place**, Norman Grandos. Request for an extension of time to complete repairs. pp. 28-36
- (6) 12-TV-23 **629-631 N. Morton Street**, Fuch's Investments, LLC. Request for an extension of time to complete repairs. pp. 37-44

II. Extension of time- Complete repairs

- (1) 12-TV-17 **320 N. Lincoln Street**, Mort Rubin. Request for an extension of time to complete repairs. pp. 5-15
- (4) 12-TV-21 **101 N. Roosevelt Street**, Diana Reynolds. Request for an extension of time to complete repairs. pp. 23-27
- (10) 12-TV-27 **2417 S. Madison Street**, Jason Feagans. Request for an extension of time to complete repairs. pp. 58-63
- (12) 12-TV-30 **702 E. Maxwell Lane**, Sara Miller. Request for an extension of time to complete repairs. pp. 69-74
- (16) 12-TV-34 **1440-1442 S. Winfield Road**, Andrew Bucksberg. Request for an extension of time to complete repairs. pp. 94-99
- (17) 12-TV-35 **813 S. Lincoln Street**, Mort Rubin/College Rentals, LLC. Request for extension of time to complete repairs. pp. 100-106

III. Extension of time- State Variance and complete repairs

- (13) 12-TV-31 **575 E. Graham Place**, Adam Stout. Request for an extension of time to complete repairs. pp. 75-79
- (18) 12-TV-36 **219-3382 S. Burks Court**, Dara May. Request for an extension of time to complete repairs. pp. 107-116

IV. Rescission of variance

- (7) 12-RV-24 **311 E. 11<sup>th</sup> Street**, H.A.N.D. Request for rescission of a variance. pp. 45-47
- (8) 12-RV-25 **711 W. Dodds Street**, H.A.N.D. Request for rescission of a variance. pp. 48-50





City of Bloomington  
H.A.N.D.

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

Meeting Date: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-17

Address: 320 N. Lincoln St.

Petitioner: Jeanne Walters Real Estate

Inspector: Norman Mosier

Staff Report: September 23, 2011 – Conducted Cycle Inspection  
January 18, 2012 – Conducted Re-inspection  
January 20, 2012 – Received BHQA Appeal

It was noted during the cycle inspection that the soffit on the south and west sides of the structure (2<sup>nd</sup> level) is deteriorated and needs to be repaired. It was also noted that the exterior of the structure needs to be painted where paint is peeling or wood is exposed. Petitioner is requesting a 6 month extension of time.

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: July 21, 2012

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



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

RECEIVED

hand@bloomington.in.gov BY: \_\_\_\_\_

Property Address: 320 North Lincoln Street

Petitioner's Name: Jeanne Walters Real Estate

Address: 107 East 6th Street

City: Bloomington State: IN. Zip Code: 47408

Phone Number: 331-8951 E-mail Address: rentals@jeannewalters.com

Owner's Name: Mort Rubin / College Rentals LLC

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

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

Phone Number: <sup>(847)</sup> 272-1234 E-mail Address: mrubinlawyer@sbcglobal.net

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

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

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

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

Variance Type: Extension

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)  
12-TV-17  
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.

1. All Exterior Items Listed on the last page of the Cycle Inspection Report

2. Scaffolding will be needed for items on list. Need appropriate weather.

3. Asking for a 6 mo extension (July)

Signature (Required): Kelly Martel

Name (Print): Kelly Martel Date: 1/19/12

**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.





City of Bloomington  
Housing and Neighborhood Development

JAN 23 2012

REMAINING VIOLATIONS REPORT

1204

OWNERS

Rubin, Mort  
3330 Dundee Road Suite C4  
Northbrook, IL 60062

AGENT

Jeanne Walters Real Estate  
107 E. 6th St.  
Bloomington, IN 47408

Prop. Location: 320 N Lincoln ST  
Date Inspected: 09/23/2011  
Inspectors: Norman Mosier  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

Number of Units: 8/1  
Number of Bedrooms: 8 sleeping rooms  
Max # of Occupants: 1 each  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

VARIANCE

03/02/1983 Granted a variance for the light and ventilation requirements for the basement rooms.

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

8

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.

**EXTERIOR:**

Repair the deteriorated soffit on the west and south sides of structure. PM-303.7

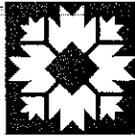
Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2  
(This violation has a one-year deadline from the mailing date of the cycle inspection.)

**OTHER REQUIREMENTS:**

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

- A completed copy of the Tenants & Owners Rights and Responsibilities Summary BMC16.12.050 (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  
Housing and Neighborhood Development

Cycle Report

1204

OWNERS

Rubin, Mort  
3330 Dundee Road Suite C4  
Northbrook, IL 60062

AGENT

Jeanne Walters Real Estate  
107 E. 6th St.  
Bloomington, IN 47408

Prop. Location: 320 N Lincoln ST  
Date Inspected: 09/23/2011  
Inspectors: Norman Mosier  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

Number of Units/Structures: 8 / 1  
Number of Bedrooms: 8 sleeping rooms  
Max # of Occupants: 1 each  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

VARIANCE

03/02/1983 Granted a variance for the light and ventilation requirements for the basement rooms.

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

INTERIOR:

Entryway:

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

Living Room 16-8 x 14-9:

Secure the loose and sagging ceiling tiles. PM-304.3

Living Room 16-8 x 14-9: (continued)

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

Dining Room 13-10 x 13-5:

Replace the broken receptacle on the east wall. PM-605.1

Bedroom 13-7 x 11-9:

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

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

**Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1930**

**Height: 27 inches**

**Width: 27 inches**

**Sill Height: 24 inches**

**Openable Area: 5.06 sq. ft.**

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

Bathroom:

Secure toilet to its mountings. PM-504.1

Repair the sink faucet to eliminate the constant dripping. PM-504.1

Kitchen:

Repair the left front burner to light as intended. PM-603.1

Replace the missing burner knob on the stove. PM-603.1

Properly install or replace the aerator on sink faucet so that it functions as intended. PM-504.1

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.

Laundry Room:

Repair/replace the bent receptacle cover plate. PM-605.1

**BASEMENT**

Stairway/Hallway:

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

Replace the discharged fire extinguisher. PM-704.3

SE Bedroom 14 x 8-5: Exit door for egress requirements.

Provide operating power to smoke detector. PM-704.1

SW Bedroom 13-11 x 8:

Replace the broken receptacle cover plate on the south wall. PM-605.1

**Existing Egress Window Measurements: Hinged window: Const. Yr. - 1930**

**Height: 15 inches**

**Width: 33.5 inches**

**Sill Height: 62 inches**

**Openable Area: 3.49 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-16.04.400 (b)

Bathroom:

No violations noted.

N Bedroom 14 x 8-5:

Replace the missing protective cover for both light fixtures. PM-605.1

**Existing Egress Window Measurements: Hinged window: Const. Yr. - 1930**

**Height: 15 inches**

**Width: 33.5 inches**

**Sill Height: 62 inches**

**Openable Area: 3.49 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-16.04.400 (b)

Hall Bath:

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

C  
REMOVED

**2nd LEVEL**

Stairway/Hallway:

- C 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

Hall Bath:

- C Seal edge of floor covering adjacent to bathtub. PM-304.1
- C Clean and service the exhaust fan. PM-603.1

NE Bedroom 11-8 x 7-7:

No violations noted.

**Existing Egress Window Measurements: Dbl hung: const. yr. - 1930**

**Height: 27 inches**

**Width: 27 inches**

**Sill Height: 24 inches**

**Openable Area: 5.06 sq. ft.**

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

Closet:

- C Repair the door to fit the door jamb and to latch properly. PM-304.6

SE Bedroom 13-5 x 10-11:

- C Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3
- C Secure the loose lock on the window. PM-303.13

**Existing Egress Window Measurements: Dbl hung: const. yr. - 1930**

**Height: 27 inches**

**Width: 27 inches**

**Sill Height: 24 inches**

**Openable Area: 5.06 sq. ft.**

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

SW Bedroom 13-1 x 11:

- C Replace the old smoke detector, does not function as intended. PM-704.1
- C Every window shall be capable of being easily opened and held in position by its own hardware, west window, right side. PM-303.13.2

C SW Bedroom 13-1 x 11: (continued)

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

**Existing Egress Window Measurements: Dbl hung: const. yr. - 1930**

**Height: 27 inches**

**Width: 27 inches**

**Sill Height: 24 inches**

**Openable Area: 5.06 sq. ft.**

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

C NW Bedroom 13-9 x 10-1: Exit door for egress requirements

Repair the door to latch properly. PM-304.6

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

Attic:

No violations noted.

**EXTERIOR:**

C Clean debris from the roof, gutters and downspouts. PM-303.7

C Secure guttering to the structure, above the front porch. PM-303.7

N/C Repair the deteriorated soffit on the west and south sides of structure. PM-303.7

C Secure the handrail so it is capable of withstanding normally imposed loads, top of stairs @ landing. PM-303.12 (exterior)

N/C 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 mailing date of the cycle inspection.)

OTHER REQUIREMENTS:

Required documentation:

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

Required documentation:

N/C The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. 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: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-20

Address: 512 W. Northlane

Petitioner: Candi Mullis

Inspector: Robert Hoole

Staff Report: January 9, 2012                      Cycle inspection report mailed  
January 24, 2012                      Appeal filed  
February 14, 2012                      Reinspection conducted

The petitioner is requesting an extension of time to secure an egress variance from the State of Indiana.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1993:

|                         |                          |                  |                     |
|-------------------------|--------------------------|------------------|---------------------|
| Openable area required: | 4.75 sq. ft.             | Existing area:   | <b>4.72 sq. ft.</b> |
| Clear width required:   | 18"                      | Existing width:  | 34"                 |
| Clear height required:  | 24"                      | Existing height: | <b>20"</b>          |
| Maximum sill height:    | 44" above finished floor | Existing sill:   | 36"                 |

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: April 21, 2012

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 hand@bloomington.in.gov

RECEIVED JAN 24 2012

BY: .....

Property Address: 512 W Northlane Drive

Petitioner's Name: Candi Mullis

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

City: Bloomington

State: Indiana

Zip Code: 47402

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Joseph Christine, LLC

Address: 3756 Sterling Ave

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 812-332-6333

E-mail Address:

Occupants: Stephen Borowski; Ryan Hennessey; Christopher Jelewski

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)

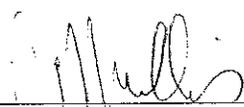
12-TV-20

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.

I am requesting an extension of time to complete repairs at 512 W Northlane Dr. The request for the extension of time is to be able to properly complete all paperwork and receive the variance request for the upper level 3 bedrooms windows that do not meet egress code requirements for the time the structure was built. I am requesting till March 30, 2012. The next deadline for the Dept of Homeland Security commission meeting is February 8, 2012 and the Commission meeting is set for March 6, 2012. This will allow enough time for the meetings and the variance to be mailed to the owner and back to Parker Management.

Signature (Required): 

Name (Print): Candi Mullis Date: 1/11/12

**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

4632

OWNERS

=====

Joseph Christine, Llc  
3756 Sterling Ave.  
Bloomington, IN 47401

AGENT

=====

Parker Real Estate Management  
621 N. Walnut Street  
Bloomington, IN 47402

Prop. Location: 512 W Northlane DR  
Date Inspected: 12/30/2011  
Inspectors: Robert Hoole  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 3  
Max # of Occupants: 5  
Foundation Type: Crawl Space  
Attic Access: No  
Accessory Structure:

The Monroe County Assessors records indicate that this structure was built in 1993. 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**

Living room (15 x 18)

Thoroughly clean and service the furnace. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. PM-603.1

½ bath

No violations noted.

20

Kitchen (14 x 17)

No violations noted.

Front bedroom / bath (10 x 15)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1993:

|                         |                          |                  |                     |
|-------------------------|--------------------------|------------------|---------------------|
| Openable area required: | 4.75 sq. ft.             | Existing area:   | <b>4.72 sq. ft.</b> |
| Clear width required:   | 18"                      | Existing width:  | 34"                 |
| Clear height required:  | 24"                      | Existing height: | <b>20"</b>          |
| Maximum sill height:    | 44" above finished floor | Existing sill:   | 36"                 |

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.

2<sup>nd</sup> floor bath

Replace the light switch closest to the door. PM-605.1

North rear bedroom (9 x 13)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1993:

|                         |                          |                  |                     |
|-------------------------|--------------------------|------------------|---------------------|
| Openable area required: | 4.75 sq. ft.             | Existing area:   | <b>4.72 sq. ft.</b> |
| Clear width required:   | 18"                      | Existing width:  | 34"                 |
| Clear height required:  | 24"                      | Existing height: | <b>20"</b>          |
| Maximum sill height:    | 44" above finished floor | Existing sill:   | 36"                 |

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.

South rear bedroom (9 x 13)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1993:

|                         |                          |                  |                     |
|-------------------------|--------------------------|------------------|---------------------|
| Openable area required: | 4.75 sq. ft.             | Existing area:   | <b>4.72 sq. ft.</b> |
| Clear width required:   | 18"                      | Existing width:  | 34"                 |
| Clear height required:  | 24"                      | Existing height: | <b>20"</b>          |
| Maximum sill height:    | 44" above finished floor | Existing sill:   | 36"                 |

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.

Crawlspace

No violations noted.

**EXTERIOR**

Label the electrical disconnect / meter base to indicate which unit it serves. PM-605.1

**OTHER REQUIREMENTS**

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)



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-21

Address: 101 N. Roosevelt Street

Petitioner: Audrey McGuire, Diana McGuire Reynolds

Inspector: Jo Stong

Staff Report: November 4, 2011: Conducted cycle inspection  
November 11, 2011: Sent report  
January 23, 2012: Sent remaining violations report  
January 25, 2012: Received appeal  
March 1, 2012: Conducted reinspection  
March 7, 2012: Sent remaining violations report

During a cycle inspection violations of the Property Maintenance Code were found, including a leaking roof and windows which did not operate as intended. The petitioner is seeking an extension of time to complete repairs on the roof and to have the windows replaced if necessary. While there has been no reinspection, the petitioner states that all other repairs have been made.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: March 30, 2012

Attachments: Remaining Violations Report, Appeal



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  
JAN 25 2012

BY: \_\_\_\_\_

Property Address: 101 North Roosevelt Street, Bloomington, IN 47408

Petitioner's Name: Diana McGuire Reynolds

Address: 2312 West Beaumont Lane

City: Bloomington State: Indiana Zip Code: 47404

Phone Number: (812) 325-8969 E-mail Address: reynolds54@comcast.net

Owner's Name: Audrey McGuire, Diana McGuire Reynolds

Address: 2312 West Beaumont Lane

City: Bloomington State: Indiana Zip Code: 47404

Phone Number: 812-325-8969 E-mail Address: reynolds54@comcast.net

Occupants: John, Ryan,

**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)  
12-TV-21  
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.

Extension of time to complete repairs: We have been trying to locate the source of a ceiling leak since last summer and have attempted to have it repaired several times since it was first noticed. Unfortunately, it did not become apparent that the leak was not repaired until late this fall as the summer was mostly dry after our second or third attempt to locate and repair the leak. We have finally determined that to ensure the leak is repaired and will stay that way, we will need to replace part of the roof over the back bathroom and possibly some of the roof decking. We have attempted a temporary repair until we can re-roof this section of the house as we had already begun to install new drywall in the ceiling of the bathroom when we discovered during the next heavy rain that the leak was still there. Due to the time of year and the unpredictable weather, I am requesting an extension through the end of February. We will hopefully be able to complete the repairs before then, but it will depend upon the weather.

Additionally, we are still negotiating with the company who installed the replacement windows that no longer function properly. If they can't repair the windows, we will install new windows. This again is a bit dependent upon the weather but hopefully will be finished within a week or two.

All other repairs noted have been addressed and could be inspected at this time.

Thank you.

Signature (Required): *Diana McGuire Reynolds*

Name (Print): Diana McGuire Reynolds Date: 1/23/12

- 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.





**City of Bloomington  
Housing and Neighborhood Development**

Remaining Violations Report

5137

OWNERS

Reynolds, Diana J.  
2312 W. Beaumont Lane  
Bloomington, IN 47404

Mcguire, Audrey J.  
2312 W. Beaumont Lane  
Bloomington, IN 47404

Prop. Location: 101 N Roosevelt ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 11/04/2011  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Inspectors: Jo Stong  
Foundation Type: Crawl Space  
Attic Access: No  
Accessory Structure: None

**REMAINING VIOLATIONS**

**This report is your reminder from the Housing and Neighborhood Development Department that there are outstanding violations on the property. You have applied for an extension of time from the Board of Housing Quality Appeals (BHQA). This appeal will be heard on March 21, 2012.**

**Property was reinspected on March 1, 2012**

**INTERIOR:**

South Center Bedroom (12-3 x 9-7):

Repair the window to function as intended (will not stay open). Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Existing Egress Window Measurements (double-hung; both sashes removable):  
Height: 49 inches

26

Width: 28 inches  
Sill Height: 29 inches  
Openable Area: 9.53 sq. ft.

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

Southeast Bedroom (12-3 x 9-6):

Repair the south window to function as intended (will not stay open). Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Note: Egress window will be measured at the reinspection.**

Family Room (23-5 x 13-3):

Correct the polarity of the electrical receptacle on the north wall, east outlet. The hot and neutral conductors are reversed. PM-605.1

**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).**

**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)**



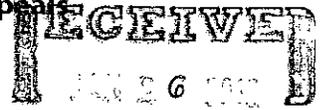
of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: April 21, 2012

Attachments: Cycle Inspection report, Appeal 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 BY: \_\_\_\_\_



Property Address: 503 E Graham Place, Bloomington, Indiana 47401

Petitioner's Name: Candi Mullis

Address: P.O. Box 1112 47402/ 621 N Walnut St 47404

City: Bloomington

State: Indiana

Zip Code: 47402

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Norman Grandos

Address: 5605 Autumn Woods Trail

City: Fort Wayne

State: Indiana

Zip Code: 46835

Phone Number: 260-486-5152

E-mail Address:

Occupants: VACANT

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!

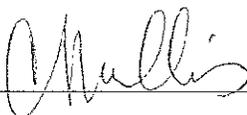
(Will be assigned by BHQA)
12-TV-22
Petition Number: \_\_\_\_\_

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.

SEE ATTACHED.

Signature (Required):



Name (Print): Candi Mullis

Date: 1/25/12

**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**



**Parker  
Real Estate  
Management**

621 N. Walnut St.  
P.O. Box 1112  
Bloomington, IN 47402

January 25, 2012

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

To Whom It May Concern:

Enclosed please find the Application for Appeal and the \$20.00 filing fee for 503 E Graham Place.

A cycle inspection was conducted on January 9, 2012. All violations have been complete except for the windows that now are in non-compliance. I have asked the Department of Homeland Security and the Fire Prevention and Building Safety Commission for a variance for these windows. I am requesting an extension of time to complete the application process and the approval decision till April 1, 2012. The commission meeting and review is on March 6, 2012. After the review meeting we will need to have copies of the variance, if granted to provide to the HAND Department.

Per the inspection:

Basement Bedroom- The egress window does not meet the minimum code requirements for the time the structure was built. The window shall be altered or replaced to meet the code requirements at the time of construction.

Existing Egress Window Measurements:

Height: 17.5 inches

Width: 34.5 inches

Sill Height: 39 inches

Openable Area: 4.19 Sq. Ft.

2<sup>nd</sup> Floor Front Bedroom- The egress window does not meet the minimum code requirements for the time the structure was built. The window shall be altered or replaced to meet the code requirements at the time of construction.

Existing Egress Window Measurements:

Height: 23.25 inches

Width: 29.75 inches

Sill Height: 31.5 inches

Openable Area: 4.8 Sq. Ft.

2<sup>nd</sup> Floor Rear Bedroom- The egress window does not meet the minimum code requirements for the time the structure was built. The window shall be altered or replaced to meet the code requirements at the time of construction.

Existing Egress Window Measurements:

Height: 23.25 inches

Width: 29.75 inches

Sill Height: 31.5 inches

Openable Area: 4.8 Sq. Ft.

For the reasons stated below we request an extension of time.

There are 2 windows in the front bedroom, 2 windows in the rear bedroom and 1 window in the basement bedroom. These windows have never been violated in past inspections.

Yours Truly,  
Candi Mullis  
Maintenance Coordinator  
Parker Real Estate Mgt.



**City of Bloomington  
Housing and Neighborhood Development**

Cycle Report

420

OWNERS

Grandos, Norman  
5605 Autumn Woods Trail  
Fort Wayne, IN 46835

AGENT

Parker Real Estate Management  
Po Box 1112  
Bloomington, IN 47402

Prop. Location: 503 E Graham PL      Number of Units/Structures: 1 / 1  
Date Inspected: 01/09/2012      Number of Bedrooms: 3  
Inspectors: John Hewett      Max # of Occupants: 5  
Primary Heat Source: Electric      Foundation Type: Basement  
Property Zoning: RM      Attic Access: Yes  
Number of Stories: 2      Accessory Structure:

VARIANCE

BASEMENT CENTER ROOM IS NOT HABITABLE SPACE.

Monroe County Assessor's records indicate this structure was built in 1983.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.  
Clear width required: 18"  
Clear height required: 24"  
Maximum Allowable Sill Height: 48" above finished floor

Interior

Hallway

No violations noted.

Kitchen

10-11 x 7-5

No violations noted.

34  
78

Half bath

No violations noted.

Living room

14-2 x 16-2

Repair the frame of the sliding glass door to hold the glass securely. PM-303.15

Basement

Middle room

12-0 x 11-4

This room has no egress to the exterior and can not be used as a sleeping room.

Mechanical/ bathroom

No violations noted.

Bedroom

10-5 x 14-5

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983. The relevant code is the 1980 Indiana Building Code, section: 1204.

|                                   |                          |                         |              |
|-----------------------------------|--------------------------|-------------------------|--------------|
| <b>Openable area required:</b>    | 4.75sq. ft.              | <b>Existing area:</b>   | 4.19 sq. ft. |
| Clear width required:             | 18"                      | Existing width:         | 34.5"        |
| <b>Clear height required: 24"</b> |                          | <b>Existing height:</b> | 17.5"        |
| Maximum sill height:              | 48" above finished floor | Existing sill:          | 39"          |

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.

2<sup>nd</sup> Floor

W bedroom 11-10 x 8-3; E bedroom, 14-3 x 10-0

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983. The relevant code is the 1980 Indiana Building Code, Section: 1204.

|                                   |                          |                         |             |
|-----------------------------------|--------------------------|-------------------------|-------------|
| <b>Openable area required:</b>    | 4.75sq. ft.              | <b>Existing area:</b>   | 4.8 sq. ft. |
| Clear width required:             | 18"                      | Existing width:         | 29.75"      |
| <b>Clear height required: 24"</b> |                          | <b>Existing height:</b> | 23.25"      |
| Maximum sill height:              | 48" above finished floor | Existing sill:          | 31.5"       |

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

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

Bathroom

No violations noted.

Exterior

No violations noted.

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)



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-23

Address: 629-631 N. Morton

Petitioner: Sheila Pugh

Inspector: John Hewett

Staff Report: October 11, 2011                      Cycle Inspection  
January 26, 2012                      Re-inspection and Received Appeal

During the Cycle inspection the windows were identified as not meeting the Building Code at the time of construction. The petitioner has requested additional time to secure a variance from the State of Indiana. All other violations are complied.

Window measurements are as follows.

|                                |                          |                         |             |
|--------------------------------|--------------------------|-------------------------|-------------|
| <u>Openable area required:</u> | 5.7sq. ft.               | <u>Existing area:</u>   | 5.01sq. ft. |
| Clear width required:          | 20"                      | Existing width:         | 37"         |
| <u>Clear height required:</u>  | 24"                      | <u>Existing height:</u> | 19.5"       |
| Maximum sill height:           | 44" above finished floor | Existing sill:          | 31"         |

|                                |                          |                         |             |
|--------------------------------|--------------------------|-------------------------|-------------|
| <u>Openable area required:</u> | 5.7sq. ft.               | <u>Existing area:</u>   | 5.44sq. ft. |
| Clear width required:          | 20"                      | Existing width:         | 38.25"      |
| <u>Clear height required:</u>  | 24"                      | <u>Existing height:</u> | 20.5"       |
| Maximum sill height:           | 44" above finished floor | Existing sill:          | 27"         |

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: April 21, 2012

Attachments: Cycle Inspection report, Appeal letter.

27. 100-



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

RECEIVED  
JAN 26 2012

BY \_\_\_\_\_

Petitioner's Name: Sheila F. Pugh

Petitioner's Address & Phone Number: 3802 E. 3rd St., Blgtn, IN 47401

Owner's Name: Fuck's Investments, LLC

Owner's Address & Phone Number: 105 Catron Dr., Reno, NV, 89512

Address of Property: 629 & 631 N. Morton St, Blgtn IN 47404

Occupant(s) Name(s): Kerrin Dolder, Joseph Williams, Jack Pupillo, Patrick Denny, Rick VanGorp, Tomlyda

- 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: Sheila F. Pugh

Name (print): Sheila F. Pugh  
812-327-0675

(Will be assigned by BHQA)  
12-TV-23  
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.)

*Could not find anyone who was qualified to give estimate but I have it now and have forwarded it to the Indiana Dept of Homeland Security with a check in the amount of \$276.<sup>00</sup>.  
The first application I mailed to 402 W Wash, Indy & that is an incorrect address!  
I have attached the Application For Variance.*

Signature: *Sheila Hugh*

Date: *1-23-12*



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

6956

OWNERS

Fuchs Investments, Llc  
105 Catron Drive  
Reno, NV 89512

AGENT

Bossert, Marilyn  
1412 S. Meridian Street  
Marion, IN 46953

|                                       |                                   |
|---------------------------------------|-----------------------------------|
| Prop. Location: 629 & 631 N Morton ST | Number of Units/Structures: 2 / 1 |
| Date Inspected: 10/11/2011            | Number of Bedrooms: 3 each        |
| Inspectors: John Hewett               | Max # of Occupants: 5             |
| Primary Heat Source: Electric         | Foundation Type: Slab             |
| Property Zoning: CD                   | Attic Access: No                  |
| Number of Stories: 2                  | Accessory Structure:              |

Monroe County Assessor's records indicate this structure was built in 1996. HAND department records indicate the apartments were added in 2002.

Minimum requirements for emergency egress windows at the time the apartments were added:

Openable area required: 5.7 sq. ft.

Clear width required: 20"

Clear height required: 24"

Maximum Allowable Sill Height: 44" above finished floor

Unit 629

Living room

16-6 x 20-2

No violations noted.

Kitchen

16-6 x 8-10

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.

41  
28

NE bedroom

11-3 x 10-8

This room has a door to the exterior for emergency egress.

Bathroom

No violations noted.

Mechanical closet

Repair the door to operate easily and install a knob on the door. PM-304.6

Thoroughly clean and service the furnace. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. PM-603.1

NW bedroom

8-9 x 12-5

Replace or repair the broken door jamb. PM-304.3

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002:

|                         |                          |                  |             |
|-------------------------|--------------------------|------------------|-------------|
| Openable area required: | 5.7sq. ft.               | Existing area:   | 5.01sq. ft. |
| Clear width required:   | 20"                      | Existing width:  | 37"         |
| Clear height required:  | 24"                      | Existing height: | 19.5"       |
| Maximum sill height:    | 44" above finished floor | Existing sill:   | 31"         |

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.

SW bedroom

8-8 x 11-2

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002:

|                                |                                 |                         |                    |
|--------------------------------|---------------------------------|-------------------------|--------------------|
| <u>Openable area required:</u> | <u>5.7sq. ft.</u>               | <u>Existing area:</u>   | <u>5.44sq. ft.</u> |
| <u>Clear width required:</u>   | <u>20"</u>                      | <u>Existing width:</u>  | <u>38.25"</u>      |
| <u>Clear height required:</u>  | <u>24"</u>                      | <u>Existing height:</u> | <u>20.5"</u>       |
| <u>Maximum sill height:</u>    | <u>44" above finished floor</u> | <u>Existing sill:</u>   | <u>27"</u>         |

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

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at [www.in.gov/dhs/2375.htm](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.

Common Laundry between Units

No violations noted.

Unit 631

Kitchen

11-6 x 12-3

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.

Replace the missing/broken electrical receptacle cover plate on the north wall. PM-605.1

Repair/ replace the broken floor tiles. PM-304.4

Dining area

12-0 x 13-0

Repair/ replace the broken floor tiles. PM-304.4

N bedroom

9-9 x 11-11

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002:

|                         |                          |                  |             |
|-------------------------|--------------------------|------------------|-------------|
| Openable area required: | 5.7sq. ft.               | Existing area:   | 5.44sq. ft. |
| Clear width required:   | 20"                      | Existing width:  | 38.25"      |
| Clear height required:  | 24"                      | Existing height: | 20.5"       |
| Maximum sill height:    | 44" above finished floor | Existing sill:   | 27"         |

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.

Center bedroom 9-9 x 12-0, S bedroom 12-0 x 11-1

Existing Egress Window Measurements:

- Height: 25 inches
- Width: 37.75 inches
- Sill Height: 26.5 inches
- Openable Area: 6.55 sq. ft.

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

Living room

17-1 x 19-1

Repair the ceiling fan to function as intended by the manufacturer. PM-605.1

Bathroom

Repair the bathtub to drain properly. The tenant stated that it drains very slowly. PM-504.1

Mechanical closet

Thoroughly clean and service the furnace. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. PM-603.1

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 to Rescind a Variance**

Meeting Date: March 21, 2012

Petition Type: Petition to Rescind a Variance

Petition Number: 12-RV-24

Address: 311 E. 11<sup>th</sup> Street

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: The variance from 08/04/1988 is for a basement apartment that is no longer in existence as this property has been converted back into a single family rental.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application

R



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  
DEC 6 2012

BY: \_\_\_\_\_

Property Address: 311 E. 11<sup>th</sup> Street

Petitioner's Name: HAND

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

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

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

Owner's Name: CJ Satellite, LLC c/o Cassie Lukens

Address: PO Box 337

City: Clear Creek State: IN Zip Code: 47426

Phone Number: <sup>(812)</sup> 321-7466 E-mail Address: cassiegl@bluemarble.net

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

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

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

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

Variance Type: Rescind a variance

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 month's agenda!

(Will be assigned by BHQA)  
12-RV-24  
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.

This property has converted back to a single family & Apt. 1 has been removed from the basement. There is no longer a need for the ceiling ht. variance.

Signature (Required): M. McCormick for HAND

Name (Print): Maria McCormick Date: ~~1/11/12~~ 2/1/12

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  
H.A.N.D.

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

Meeting Date: March 21, 2012  
Petition Type: Petition to rescind a variance  
Petition Number: 12-RV-25  
Address: 711 W. Dodds  
Petitioner: HAND  
Inspector: Robert Hoole  
Staff Report: November 7, 2011 Permit upgrade inspection conducted  
January 23, 2012 Reinspection completed

HAND is requesting that the variance to minimum light and ventilation requirements for the basement be rescinded. There is no longer living or sleeping space in the basement.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application

*Handwritten mark*



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  
FEB 01 2012

BY: .....

Property Address: 711 W. Rodds

Petitioner's Name: HAND

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

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

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

Owner's Name: Brian Kearney

Address: PO Box 1702,

City: Bloomington State: IN Zip Code: 47402

Phone Number: 334-2824 E-mail Address: bkearney@indiana.edu

Occupants: vacant

**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: Residual Variance

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)  
12-RV-25  
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.

*no longer needed*

Signature (Required): *Robert Hoole*

Name (Print): Robert Hoole Date: ~~7/30/12~~ 1/31/12

**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  
H.A.N.D.

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

Meeting Date: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-26

Address: 626 S. Mitchell Street

Petitioner: Mark & Ida Medlyn

Inspector: Jo Stong

Staff Report: June 11, 2010: Conducted cycle inspection  
June 15, 2010: Sent cycle report  
June 24, 2010: Copy of report given to owner and her son  
August 16, 2010: Conducted reinspection. All but exterior painting complete.  
December 23, 2011: Property file was out of circulation due to clerical error and returned to circulation. Painter was called to see if exterior work was complete. Painter stated it was not.  
December 30, 2011: Drive-by inspection conducted; painting not complete.  
January 18, 2012: After staffing the situation it was suggested that the owner apply for an extension of time to complete the painting. Sent paperwork to apply to owner's son at his request.  
January 30, 2012: Received appeal

The only outstanding violation for this property is the exterior painting of the garage. The petitioner is requesting an extension of time to complete the painting until July 1, 2012 at the latest.

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

A

51

of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 1, 2012

Attachments: Cycle report, appeal



RECEIVED  
JAN 30 2012

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

Property Address: 626 S. Mitchell

Petitioner's Name: Mack + Ida G. Medley

Address: 4007 Canal

City: Champaign State: IL Zip Code: 61822

Phone Number: 2173598971 E-mail Address: McM749@MSN.com

Owner's Name: Ida G Medley

Address: 701 Bell Trace

City: Bloomington State: IN Zip Code: 47408

Phone Number: 3321703 E-mail Address: \_\_\_\_\_

Occupants: 1

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

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

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

Variance Type: AT 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)  
12-TV-26  
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 were notified of a problem last summer. All of the problems were fixed but on side of the garage. It was not painted due to the tenant being allergic to the smell. She has since moved. The contractor will be contacted. He will be done by July 1, 2012 or sooner.

Signature (Required): Mark C. Medley  
 Name (Print): Mark C. Medley Date: 1/20/12

**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

1544

**OWNERS**

                      
MEDLYN, IDA  
701 BELL TRACE CIRCLE  
BLOOMINGTON, IN 47408

Prop. Location: 626 S MITCHELL ST  
Date Inspected: 06/11/2010  
Inspectors: Jo Stong  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: Detached Garage

**INTERIOR:**

Living Room (15-3 x 10-2), Dining Room (12-0 x 7-2):  
No violations noted.

Kitchen/Laundry Room:

Service the metal-headed fire extinguisher. 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

Southeast Bedroom (11-8 x 10-2):

No violations noted.

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

Height: 74 ½ inches  
Width: 35 inches  
Sill Height: 27 inches

55  
49

Openable Area: 18.10 sq. ft.

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

Bathroom:

No violations noted.

Southwest Bedroom (11-6 x 9-5) + (8-4 x 7-6):

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

Existing Egress Window Measurements (double-hung):

Height: 25 inches

Width: 27 inches

Sill Height: 27 inches

Openable Area: 4.68 sq. ft.

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

**BASEMENT**

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

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:**

Remove and properly dispose of yard waste/brush pile. PM-102.3 & PM-302.1

Scrape and paint exterior surfaces of garage 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  
H.A.N.D.

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

Meeting Date: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-27

Address: 2417 – 2419 S. Madison

Petitioner: Jason Feagans

Inspector: Robert Hoole

Staff Report:            November 16, 2011            Cycle inspection report mailed  
                                  January 23, 2012            Remaining violations report mailed  
                                  February 2, 2012            Appeal filed

The petitioner is seeking an extension of time to complete the replacement of inoperable windows in the property. The property was vacant at the time of the inspection.

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: April 21, 2012 or prior to occupancy

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  
hand@bloomington.in.gov**

**RECEIVED**  
FEB 02 2012

**Property Address:** 2417 South Madison St., Bloomington, IN 47401

**Petitioner's Name:** Jason Feagans

**Address:** 3044 Mattatha Dr.

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47401

**Phone Number:** (812) 369-5732

**E-mail Address:** jasonfeagans@yahoo.com

**Owner's Name:** Jason Feagans

**Address:** 3044 Mattatha Dr.

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47401

**Phone Number:** 812-369-5732

**E-mail Address:** jasonfeagans@yahoo.com

**Occupants:** Vacant

**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)

12-TV-27

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.

The windows on this unit failed inspection because some of them could not be opened. An attempt was made to purchase parts to fix these windows. The parts are no longer manufactured. New windows have been ordered and will be replaced by March 1st. I will schedule a re inspection as soon as the windows are replaced.

Signature (Required): Jason Feagan

Name (Print): Jason Feagan

Date: 1/27/12

**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

JAN 23 2012

Remaining Violation Report  
No reinspection conducted

9735

OWNERS

=====

Feagans, Jason M.  
3044 Mattatha Drive  
Bloomington, IN 47401

|  |                                   |
|--|-----------------------------------|
| Prop. Location: 2417-2419 S Madison ST | Number of Units/Structures: 2 / 1 |
| Date Inspected: 10/31/2011             | Number of Bedrooms: 2/eff         |
| Inspectors: Robert Hoole               | Max # of Occupants: 2/2           |
| Primary Heat Source: Gas               | Foundation Type: Crawl Space      |
| Property Zoning: RS                    | Attic Access: No                  |
| Number of Stories: 1                   | Accessory Structure:              |

**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.

Monroe County Assessor's records indicate this structure was built in 1962 and half of it is a mobile home. There were no requirements for emergency egress at the time of construction.

**INTERIOR**

**2417**

General Violation: Repair all windows in this unit to open and close as intended and to be equipped with crank handles. PM-303.13.2

West bedroom (8 x 8)

The window could not be opened. It will be measured at the reinspection.

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

Properly terminate the dangling wires at the north end of the ceiling in an approved mounted junction box with a cover installed. PM-605.1

Hallway

Provide operating power to smoke detector. PM-704.1

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

Bath

No violations noted.

Laundry area

No violations noted.

Kitchen (8 x 6)

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.

Living room (12 x 17)

Replace the missing window on the west wall. PM-303.15

East bedroom (9 x 7)

The window could not be opened. It will be measured at the reinspection.

Repair the entry door to open and close and latch as intended. PM-304.6

**2419**

Main room (15 x 24)

This room has an exterior door for egress.

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

Bath

No violations noted.

Kitchen (12 x 3)

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

Eliminate all unused openings in service panel/junction box, by installing approved rigid knockout blanks. PM-604.3

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.

**EXTERIOR**

Replace the missing skirting. PM-303.5

**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)





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

RECEIVED  
BOARD

BY: .....

Petitioner's Name: KURT LARSEN

Petitioner's Address & Phone Number: KURT LARSEN 333 8733

Owner's Name: KURT LARSEN / KAREN PITKIN

Owner's Address & Phone Number: 8 5025 HERITAGE WOODS RD BLOOMINGTON, IN 47401

Address of Property: 812 MADISON

Occupant(s) Name(s): EMPTY

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

EXTERIOR PAINTING OF  
FACIA BOARD, WAIT FOR GOOD  
WEATHER - 5 MONTHS

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: Kurt Larsen

Name (print): KURT LARSEN

12-TV-28  
Petition Number: \_\_\_\_\_

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

65  
59



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.)

FRONT EXTERIOR FACIA BOARD  
NEEDS SOME PREP & PAINTING  
I WOULD LIKE TO WAIT FOR  
GOOD WEATHER TO DO THE JOB  
ANOTHER 5 MONTHS

Signature: Kevin [Signature] Date: 1/31/12



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

8204

OWNERS

LARSEN, KURT  
5025 E. HERITAGE WOODS ROAD  
BLOOMINGTON, IN 47401

PITKIN, KAREN  
5025 E. HERITAGE WOODS ROAD  
BLOOMINGTON, IN 47401

Prop. Location: 812 S MADISON ST  
Date Inspected: 02/18/2011  
Inspectors: John Hewett  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 1

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Cellar  
Attic Access: N/A  
Accessory Structure:

Interior

Living room/ Dining room

11-5 x 21-0

No violations noted.

NE bedroom 10-4 x 11-3, NW bedroom 11-4 x 12-5

Existing Egress Window Measurements:

Height: 24 inches

Width: 27 inches

Sill Height: 28 inches

Openable Area: 4.5 sq. ft.

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

W room (laundry etc.)

15-8 x 9-8

No violations noted.

Bathroom

No violations noted.

Cellar

Repair the furnace to be securely in place on the return plenum not leaning against the stairs. PM-603.1

Exterior

67

EB

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, 02/18/2011.

Other requirements

Required documentation:

C

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

Required documentation:

C

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. 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: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-30

Address: 702 E. Maxwell Lane

Petitioner: Judy Jacobs for R. Summers

Inspector: Maria McCormick

Staff Report: October 21, 2011 Completed Cycle inspection  
January 12, 2012 Sent Remaining Violations Report  
February 3, 2012 Received Application for Appeal

During the cycle there were multiple violations noted. The petitioner is seeking an extension of time to complete the repairs.

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: March 31, 2012

Attachments: Application for Appeal, Remaining Violations Report



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
FEB 08 2012

BY: .....

Property Address: 702 EAST MAXWELL LANE

Petitioner's Name: Judy Jacobs for R. SUMMERS

Address: 708 LEE ST

City: ELLETTSVILLE State: IN Zip Code: 47409

Phone Number: 812 876-5643 E-mail Address: J.JACOBI@NETZ.ERD.COM

Owner's Name: ROSSAWE SUMMERS

Address:

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: 360-4137 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:

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)
12-TV-30
Petition Number:

70

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.

*Need more time to complete the needed work.*

Signature (Required): *Judy Jacobs*

Name (Print): *Judy Jacobs* Date: 1/19/12

**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

71  
08



City of Bloomington  
Housing and Neighborhood Development

JAN 17 2012

Remaining Violation Report

6903

OWNERS

Miller, Sara J.  
4633 S. Old State Road 37  
Bloomington, IN 47401

AGENT

Jacobs, Judy A.  
708 Lee Street  
Ellettsville, IN 47429

Prop. Location: 702 E Maxwell LN  
Date Inspected: 10/21/2011  
Inspectors: Maria McCormick  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: Garage

**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.

Monroe County Assessor's records indicate that this structure was built in 1948. At that time there were no minimum requirements for emergency egress.

**INTERIOR:**

Kitchen 11-4 x 13-8:

Repair the stove to function as intended, so that the pilot lights stay lit and all of the burners function. PM-404.7

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.

Mechanical Room:

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

|  |                           |
|--|---------------------------|
| 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

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. Properly repair the wall adjacent to the electrical box. PM-304.3

Properly cover the electrical panel. PM-605.1

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

East Bedroom 9-6 x 13-4:

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

**EXTERIOR:**

Repair the front gate on the fence to function as intended. PM-302.7 & PM-302.7.1

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. Both on the house and the garage. PM-303.2

(This item only has a compliance deadline of October 21, 2011)

**Detached Garage –**

This is not habitable space. Remove the bed from this area. PM-404.4.4

**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**

**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**

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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 16.12.080 (b)



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 21, 2012  
Petition Type: An extension of time to complete repairs.  
Petition Number: 12-TV-31  
Address: 575 E Graham Place  
Petitioner: James Stout  
Inspector: John Hewett  
Staff Report: November 23, 2011      Cycle Inspection  
February 10, 2012      Received Appeal

During the Cycle inspection the windows were identified as not meeting the Building Code at the time of construction. The petitioner has requested additional time to secure a variance from the State of Indiana and to repair the upper handrail. Other violations are still outstanding

Window measurements are as follows:

|                               |                          |                         |               |
|-------------------------------|--------------------------|-------------------------|---------------|
| Openable area required:       | 4.75sq. ft.              | Existing area:          | 4.92sq. ft.   |
| Clear width required:         | 18"                      | Existing width:         | 30.5"         |
| <b>Clear height required:</b> | <b>24"</b>               | <b>Existing height:</b> | <b>23.25"</b> |
| Maximum sill height:          | 48" above finished floor | Existing sill:          | 31"           |

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: April 21, 2012

Attachments: Cycle Inspection report, Appeal 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  
FEB 10 2012

BY: \_\_\_\_\_

Property Address: 575 GRAMAM PLACE Bloomington, IN. 47401

Petitioner's Name: JAMES O. Stout mgr.

Address: 3300 N. 7<sup>TH</sup> ST

City: Terre Haute State: INDIANA Zip Code: 47804

Phone Number: 812-878-7419 E-mail Address: debbyfaye@aol.com

Owner's Name: Adam J. Stout

Address: 5<sup>W</sup> 86<sup>TH</sup> ST. Apt. 3D

City: New York State: New York Zip Code: 10024

Phone Number: 646-648-1450 E-mail Address: adamstoutqc@aol.com

Occupants: 2 ADULT MALES CARL FRANKLIN T BRAIN DOWDOLL

**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: Code : Window Egress 2 story + Handrail

**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)  
12-TV-31  
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.

BASE FOR HAND RAIL upper floor is ON ORDER with Supplier. INSTALLATIONS will be Performed AS SOON AS recieved by INSTALLER.

Window Variance Application with HomeLand Security was Resubmitted For Resigning by Owner. Resubmitte was Late FOR Feb meeting. Expect VARIANCE AFTER MARCH meeting.

Signature (Required): James O. Stout

Name (Print): JAMES O. STOUT Date: 1/19/12 2/9/12

**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.





City of Bloomington  
Housing and Neighborhood Development

Cycle Report

475

OWNERS

Stout, Adam J.  
5 W. 86th Street #3d  
New York, NY 10024

AGENT

Stout, James  
3300 N. 7th Street  
Terre Haute, IN 47804

Prop. Location: 575 E Graham PL  
Date Inspected: 11/23/2011  
Inspectors: John Hewett  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 2

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 3  
Max # of Occupants: 5  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: none

Monroe County Assessor's records indicate this structure was built in 1983.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

Interior

Entry

Secure the loose handrail so it is capable of supporting all normally imposed loads. PM-304.5

Kitchen

10-9 x 5-1

No violations noted.

Living room

16-3 x 14-1

Repair the sliding door to be weather tight when closed. PM-303.15

½ bathroom

No violations noted.

78

Basement

Bedroom

20-3 x 11-10

This room has a door to the exterior for emergency egress.

Repair the sliding door to latch. PM-303.15

Mechanical closet/ bathroom

Repair or replace the damaged vinyl flooring. PM-304.4

2<sup>nd</sup> Floor

Rear bedroom 13-8 x 9-6, Front Bedroom 11-3 x 7-8

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983:

|                               |                          |                         |               |
|-------------------------------|--------------------------|-------------------------|---------------|
| Openable area required:       | 4.75sq. ft.              | Existing area:          | 4.92sq. ft.   |
| Clear width required:         | 18"                      | Existing width:         | 30.5"         |
| <b>Clear height required:</b> | <b>24"</b>               | <b>Existing height:</b> | <b>23.25"</b> |
| Maximum sill height:          | 48" above finished floor | Existing sill:          | 31"           |

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.

Hallway

Secure the loose handrail so it is capable of supporting all normally imposed loads. PM-304.5

Bathroom

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)

Required documentation:

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: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-32

Address: 318 W. 16<sup>th</sup> Street Apt. #4

Petitioner: Debra Chase, Tenant

Inspector: Maria McCormick

Staff Report: January 20, 2012 – Completed Cycle Inspection  
February 10, 2012 – Received Application for Appeal  
During the cycle inspection it was noted that in Apartment #4 the path ways to the exterior doors and windows needed to be at least 36” wide. It was also noted that the amount of clutter in the apartment needed to be reduced significantly. The petitioner is seeking an extension of the 14 day deadline that comes with tenant violations and is seeking additional time to complete the cleanup of her apartment.

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: April 15, 2012

Attachments: Tenant Violation Report, Application of Appeal, Photos

*[Handwritten mark]*

80  
*[Handwritten initials]*

RECEIVED



BY: \_\_\_\_\_

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

RECEIVED  
10 2012

Property Address: 318 W. 16<sup>th</sup> St., Apt #4

Petitioner's Name: Debra Chase

Address: 318 W. 16<sup>th</sup> St., Apt #4

City: Bloomington State: IN Zip Code: 47402

Cell Phone 812-272-1303

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

Owner's Name: FACILITECH

Address: 738 S. MURTON

City: BLOOMINGTON State: IN Zip Code: 47403

Phone Number: 323-1306 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: \_\_\_\_\_

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)  
12-TV-32  
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.

I need two weeks.  
 I need more time to complete moving items. I have to come from out of town each day & come. It is winter and the weather is a problem if there is snow or ice. I look after my Dad who is house bound because of health and age problems. I have to find someone to look after him so I can go.

Signature (Required): Debra S. Chase

Name (Print): Debra S. Chase Date: 1/19/12

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

JAN 31 2012

Debra Chase  
318 W. 16th Street #4  
Bloomington, IN 47404

RE: NOTICE OF TENANT VIOLATION

Dear Resident(s):

On January 20, 2012, a rental property inspection was performed at 318 W. 16th Street. During the inspection violations of the Bloomington Housing Code were found. Enclosed is the inspection report which cites violations that are the responsibility of the resident(s) to correct. Please correct the violations **within fourteen days** and contact this office no later than **February 13, 2012**, to schedule the required reinspection. Our mailing address and telephone number are listed below.

This directive is issued in accordance with Section PM 106.1 and PM 106.2 of the Housing-Property Maintenance Code of Bloomington. You have the right to appeal to the Board of Housing Quality Appeals. If you need more than fourteen days to correct the violations, or if you want to appeal any violation, 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.

Please remember, it is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required reinspection.

Sincerely,

Housing & Neighborhood Development Department

Enc: Inspection Report

xc: Owner

23  
~~24~~



City of Bloomington  
Housing and Neighborhood Development

Tenant Violation Report

2392

OWNERS

Facilitech  
738 S Morton  
Bloomington, IN 47403

TENANT

Debra S. Chase  
318 W. 16<sup>th</sup> Street #4  
Bloomington, IN 47404

Prop. Location: 318 W 16th ST  
Date Inspected: 01/20/2012  
Inspectors: Maria McCormick  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

Number of Units/Structures: 5 / 1  
Number of Bedrooms: 1-2br; 4-1br.  
Max # of Occupants: 2 & 4  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: None

During an inspection for renewal of the Rental Occupancy Permit on this property, violations were noted that are the responsibility of the tenant(s) to correct. The violations must be corrected and re-inspected for compliance with the Property Maintenance Code within 14 days of the date on which this notice was mailed. It is the responsibility of the tenant to contact this office to schedule the required re-inspection at 349-3420. Any questions can be addressed to the inspector at 349-3420.

Failure to comply with the requirements of this notice will result in this matter being forwarded to the City's Legal Department for legal action and fines under the provisions of Title 16 of the Bloomington Municipal Code.

**Apt. 4 -**

Living Room 12-0 x 13-0 - TENANT VIOLATION:

Reduce the amount of clutter to an average and manageable amount for a single adult. PM-304.1

A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the exterior. Remove clutter that is obstructing access to all ingress & egress areas in a manner that will provide a minimum 36 inch wide path of travel. PM-702.1

84  
~~78~~

Living Room continued:

Tenant(s) must remove or rearrange items in a manner that allows the inspector access to all items and areas subject to inspection in regards to the City of Bloomington Property Maintenance Code. This includes but is not limited to all windows, doors, electrical receptacles and appliances, mechanical appliances, plumbing facilities, and attic/basement areas. PM-104.4

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

Bedroom 9-1 x 11-7:

Reduce the amount of clutter to an average and manageable amount for a single adult. PM-304.1

A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the exterior. Remove clutter that is obstructing access to all ingress & egress areas in a manner that will provide a minimum 36 inch wide path of travel. PM-702.1

Tenant(s) must remove or rearrange items in a manner that allows the inspector access to all items and areas subject to inspection in regards to the City of Bloomington Property Maintenance Code. This includes but is not limited to all windows, doors, electrical receptacles and appliances, mechanical appliances, plumbing facilities, and attic/basement areas. PM-104.4





City of Bloomington  
H.A.N.D.

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

Meeting Date: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-33

Address: 315 S. Eastside Drive

Petitioner: Carle Horne

Inspector: Jo Stong

Staff Report: February 4, 2011: Conducted cycle inspection  
February 8, 2011: Sent report  
March 17, 2011: Conducted reinspection with Carl. All violations in compliance except exterior painting. Temporary permit issued.  
December 8, 2011: Sent reminder that exterior violations remain.  
February 16, 2012: Conducted reinspection. Exterior painting not in compliance. Received appeal.

During a cycle inspection violations of the Property Maintenance Code were noted, including peeling paint and exposed wood on parts of the exterior property area. These violations had a deadline of February 4, 2012 (one year from the cycle inspection). The petitioner scheduled a reinspection knowing the painting had not been completed, believing it was better to let HAND see what had been done than to let the deadline go by without any action on his part. He is requesting an extension of time to complete the exterior painting.

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 21, 2012

Attachments: Cycle report, appeal, photos



RECEIVED  
FEB 10 2012

APPLICATION FOR APPEAL  
TO THE  
BOARD OF HOUSING QUALITY APPEALS

BY:.....

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

Petitioner's Name: Carl Horne 336-4061

Petitioner's Address & Phone Number: 2604 E. 5<sup>th</sup> St., Bloomington, IN 47408

Owner's Name: Carl Horne

Owner's Address & Phone Number: 2604 E. 5<sup>th</sup> St., Bloomington, IN 47408 336-4061

Address of Property: 315 Eastside Dr., Bloomington, IN 47401

Occupant(s) Name(s): Rebecca Horne, D. Jackson Wright

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.

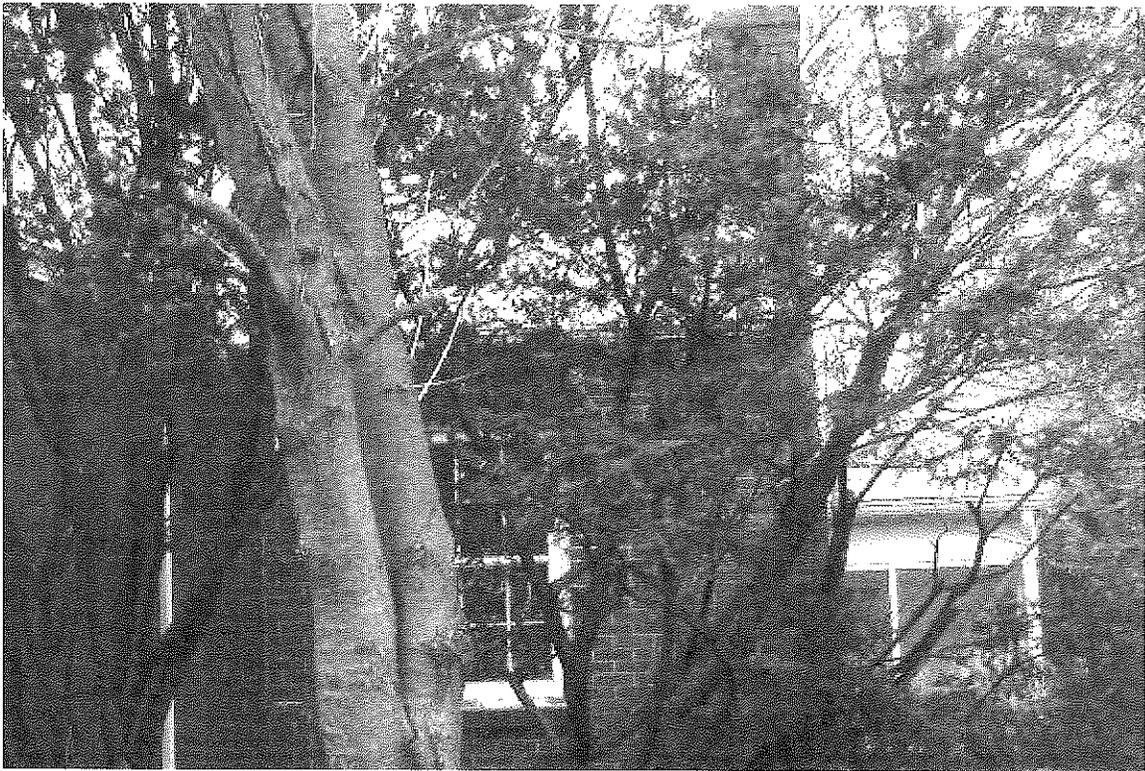
- A. An extension of time to complete repairs. [Petition type: TV]  
Specify items that need the extension of time to complete, explain why the extension is needed and specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. [Petition type: V]  
Specify the 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: Carl Horne

Name (print): Carl Horne

Petition Number: 12-TV-33





City of Bloomington  
Housing and Neighborhood Development

Cycle Report

5996

OWNERS

=====

HORNE, CARL S.  
2604 E. 5TH ST  
BLOOMINGTON, IN 47408

Prop. Location: 315 S EASTSIDE DR  
Date Inspected: 02/04/2011  
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: Basement  
Attic Access: Yes  
Accessory Structure: None

**INTERIOR:**

Living Room (22-9 x 14-3):

No violations noted.

**Note: Fireplace has been sealed.**

Den/Office (11-7 x 9-3):

**Note: This has also been referred to as the northwest bedroom in previous cycles.**

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 26 ½ inches  
Width: 43 inches  
Sill Height: 23 inches  
Openable Area: 7.91 sq. ft.

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

90  
91

Half Bath:

No violations noted.

Attic:

Clear the blockages from the roof vents so that they function as intended. PM-605.1

Southeast Bedroom (13-3 x 11-2):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 22 inches

Width: 27 inches

Sill Height: 24 inches

Openable Area: 4.12 sq. ft.

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

Bathroom:

No violations noted.

Hallway:

Replace the battery in the smoke detector (very weak noise). PM-704.1

Northeast Bedroom (11-9 x 11-4):

Repair the broken panes (3) in the east window. PM-303.13

Existing Egress Window Measurements (double-hung):

Height: 23 inches

Width: 27 inches

Sill Height: 23 inches

Openable Area: 4.31 sq. ft.

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

Kitchen (19-3 x 9-5):

Mount the fire extinguisher in an approved location. 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.

**BASEMENT**

**Note: Gas furnace is new.**

No violations noted.

**EXTERIOR:**

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

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

**Screen Room:**

Scrape and paint ceiling where paint is peeling or wood is exposed. PM-303.2

**(exterior painting violations have a one-year deadline from the date of the cycle inspection)**

**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)**

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



City of Bloomington  
Housing and Neighborhood Development

Remaining Violation Report

5996

OWNERS

Horne, Carl S.  
2604 E. 5th St  
Bloomington, IN 47408

Prop. Location: 315 S Eastside DR  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 02/04/2011  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

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

**This report is your reminder from the Housing and Neighborhood Development Department that the temporary permit issued on March 17, 2011 has expired, and that there are outstanding violations on the property. You have applied for an extension of time from the Board of Housing Quality Appeals (BHQA). This appeal will be heard on March 21, 2012.**

**EXTERIOR:**

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

**Screen Room:**

Scrape and paint ceiling where paint is peeling or wood is exposed. PM-303.2  
**(exterior painting violations have a one-year deadline from the date of the cycle inspection)**

93  
~~87~~



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-34

Address: 1440-1442 S. Winfield Rd.

Petitioner: Andrew Barksbarg

Inspector: Maria McCormick

Staff Report: December 7, 2011 - Completed cycle inspection for 1442.  
February 22, 2012 – Received application of Appeal

During the cycle inspection it was noted that the stairs on the exterior rear deck of the structure needed repaired or replaced. The petitioner is requesting an extension of time to complete this work.

Staff recommendation: Grant the extension of time.

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

Compliance Deadline: March 31, 2012

Attachments: Cycle Report, Application for Appeal

*JP*



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

hand@bloomington.in.gov

BY: \_\_\_\_\_

Property Address: 1440 S. WILDFIELD RD, BLOOMINGTON, IN 47401

Petitioner's Name: ANDREW BUCKSBARG

Address: 629 Vanderbilt Street  
Brooklyn, NY 11218  
U.S.A. :: n\_drew@organicode.net

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

Phone Number: 812-219-5310 E-mail Address: N DREW @ ORGANICODE.NET

Owner's Name: ANDREW BUCKSBARG

Address: SEE PETITIONER'S ABOVE

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

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

Occupants: ERNESTO LOPEZ

**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: 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!

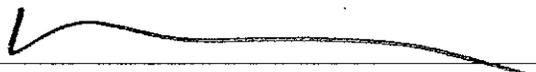
(Will be assigned by BHQA)  
12-TV-34  
Petition Number: \_\_\_\_\_

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.

I NEED MORE TIME DUE TO THE WEATHER AND A CURRENT HEALTH CONDITION. I HAVE COMPLETED ALL OF THE ITEMS EXCEPT THE NEW REPAIRS TO THE DECK. EVERYTHING IS UP-TO-DATE OTHERWISE.

THANKS,  
ANDREW

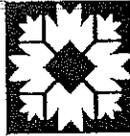
Signature (Required): 

Name (Print): ANDREW BULTSBANK Date: FEB. 11, 2012

**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

2187

OWNERS

Bucksbarg, Andrew  
629 Vanderbilt Street  
Brooklyn, NY 11218

AGENT

Bucksbarg, Matt  
715 Eagle Creek  
Valparaiso, IN 46385

Prop. Location: 1440-1442 S Winfield RD  
Date Inspected: 12/07/2011  
Inspectors: Maria McCormick  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 1

Number of Units/Structures: 2 / 1  
Number of Bedrooms: 2 each unit  
Max # of Occupants: 3 each unit  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

Note: This cycle is for 1440 only, it was owner occupied when 1442 was last cycled.

Monroe County Assessor's records indicate that this structure was built in 1960. At that time there were no minimum requirements for emergency egress.

INTERIOR:

Living Room 12-8 x 18-6:

No violation noted.

Kitchen 10-8 x 11-11:

Install GFCI protected receptacles in this room. All countertop receptacles in kitchens and all bathroom receptacles shall be GFCI protected. PM-604.3

Bathroom:

No violation noted.

Hallway:

Install a vent cover on the return air vent. PM-601.1 & PM-601.2

97

SE Bedroom 11-1 x 14-6:

Install a vent cover on the return air vent. PM-601.1 & PM-601.2

Existing Egress Window Measurements:

Height: 32 ¼ inches

Width: 15 ¼ inches

Sill Height: 47 inches

Openable Area: 3.42 sq. ft.

**Note: 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-16.04.400 (b)**

NE Bedroom 11-1 x 14-6:

No violation noted.

Existing Egress Window Measurements:

Height: 32 ¼ inches

Width: 15 ¼ inches

Sill Height: 47 inches

Openable Area: 3.42 sq. ft.

**Note: 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-16.04.400 (b)**

**Common Area –**

Back Entryway:

Repair the screen door to latch properly. PM-303.15

Basement:

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

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm

PM-603.1

**EXTERIOR:**

Repair or replace steps to both sides of the rear deck in a manner that meets the following:

- The maximum riser height shall be 7 ¼ inches and the minimum tread depth shall be 10 inches.
- The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch.
- The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch.
- The walking surface of treads and landings of a stairway shall be sloped no steeper than 2%.

PM-302.3

Label the electrical and air conditioning disconnects with the unit numbers. PM-102.3, PM-603.1 & PM-605.1

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2  
(This item only has a compliance deadline of December 5, 2012.)

Properly seal the gaps around the garage doors. PM-303.6

**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**

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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 16.12.080 (b)



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-35

Address: 813-813 ½ S. Lincoln

Petitioner: Jeanne Walters Real Estate

Inspector: Robert Hoole

Staff Report: November 16, 2011                      Cycle inspection report mailed  
February 15, 2012                                      Appeal filed

The petitioner is requesting an extension of time to resolve issues concerning over-occupancy and the Unified Development Ordinance that were brought to light during the cycle inspection. The petitioner specifically requests an extension to accommodate the current occupants of the property.

Staff recommendation: Grant the extension of time for UDO / over-occupancy issues.

Conditions: No extension of time is granted for inspection items other than UDO / over-occupancy issues. 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: UDO / over-occupancy issues: August 1, 2012  
All other inspection items: April 21, 2012

Attachments: Cycle inspection report, appeal form

*ju*

RECEIVED  
FEB 15 2012



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



Property Address: 813 S. Lincoln

Petitioner's Name: Jeanne Walters Real Estate

Address: 107 E 6th

City: Bloomington State: IN Zip Code: 47408

Phone Number: (812) 331-8951 E-mail Address: rentals@jeannewalters.com

Owner's Name: Mort Rubin / College Rentals LLC

Address: 3330 DUNOGE ROAD Suite C4

City: MURFREESBORO State: IL Zip Code: 60062

Phone Number: 847-272-1234 E-mail Address: mrubinlawyer@sbcglobal.net

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

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

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

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

Variance Type: Extension

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)  
12-TV-35  
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.

Asking for time to accomodate current tenants.

Signature (Required): Kelly Martel

Name (Print): Kelly Martel Date: 2/13/12

**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.



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Cycle Report

4192

OWNERS

=====

Rubin, Mort  
3330 Dundee Road Suite C4  
Northbrook, IL 60062

AGENT

=====

Jeanne Walters Real Estate  
107 E. 6th St.  
Bloomington, IN 47408

Prop. Location: 813-813 1/2 S Lincoln  
Date Inspected: 09/23/2011  
Inspectors: Robert Hoole  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Number of Units/Structures: 2 / 1  
Number of Bedrooms: 2br up/1br down  
Max # of Occupants: 3/2  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: Garage

VARIANCE

=====

08/10/1995 Special exception to the minimum ceiling height requirement in the lower unit and the minimum egress requirement in the upper unit. A RENTAL PROPERTY WITH A LIFE/SAFETY VARIANCE IS ELIGIBLE FOR A THREE-YEAR PERMIT ONLY.

Monroe County Assessor's records indicate this structure was built in 1952. There were no requirements for emergency egress at the time of construction.

Conditions were noted during the cycle inspection that may indicate this property is over occupied and in violation of the Bloomington Municipal Code (BMC) Title 20. This property shall be brought into compliance with Title 20 requirements within 60 days of the date of this inspection to avoid possible legal action by the City of Bloomington Legal Department.

INTERIOR

Living room (21 x 14)

No violations noted.

103  
9

Kitchen (11 x 10)

No violations noted.

1<sup>st</sup> floor southeast bedroom (10 x 12)

**Existing Egress Window Measurements:**

**Height: 19 inches**  
**Width: 31 inches**  
**Sill Height: 35 inches**  
**Openable Area: 4.09 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-16.04.400 (b)

1<sup>st</sup> floor northeast bedroom (12 x 12)

**Existing Egress Window Measurements:**

**Height: 19 inches**  
**Width: 31 inches**  
**Sill Height: 35 inches**  
**Openable Area: 4.09 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-16.04.400 (b)

1<sup>st</sup> floor bath

No violations noted.

1<sup>st</sup> floor northwest bedroom (14 x 12)

**Existing Egress Window Measurements:**

**Height: 19 inches**  
**Width: 31 inches**  
**Sill Height: 35 inches**  
**Openable Area: 4.09 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-16.04.400 (b)

Basement kitchen (15 x 12)

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.

The kitchen in the basement is in violation of the Unified Development Ordinance.

- 1) Remove all kitchen appliances and properly terminate all pipes.
- 2) Remove kitchen sinks and either replace the counter top so that no sink hole exists or remove all of the cabinets in the kitchen area.
- 3) Perform a joint inspection with HAND and Planning Departments to confirm compliance. PM 102.3, BMC 20.11.020

Basement living room (14 x 15)

No violations noted.

Basement northwest bedroom (12 x 15)

The window was covered in plastic and could not be measured.

Basement bath

No violations noted.

Basement southwest bedroom (8 x 21)

**Existing Egress Window Measurements:**

**Height:** 17 ¼ inches  
**Width:** 26 ¾ inches  
**Sill Height:** 39 inches  
**Openable Area:** 3.20 sq. ft.

**Note: This is a single hung window. It appears to have been recently installed.**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 19XX:

|                         |                        |                  |         |
|-------------------------|------------------------|------------------|---------|
| Openable area required: | sq. ft.                | Existing area:   | sq. ft. |
| Clear width required:   | "                      | Existing width:  | "       |
| Clear height required:  | "                      | Existing height: | "       |
| Maximum sill height:    | " above finished floor | Existing sill:   | "       |

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.

Detached garage

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)**

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: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-36

Address: 219 – 3382 S. Burks Ct.

Petitioner: Jeanne Walters Real Estate

Inspector: Robert Hoole

Staff Report: December 15, 2011      Cycle inspection report mailed  
February 15, 2012      Appeal filed  
February 18, 2012      Amended inspection report mailed

The petitioner is seeking an extension of time to complete repairs and to secure an egress variance from the State of Indiana. During the initial cycle inspection only one side of the duplex could be accessed. A second inspection was conducted in the area previously inaccessible and an amended report was issued February 18, 2012.

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1994:

|   |                                    |
|---|------------------------------------|
| <b>Openable area required: 4.75 sq. ft.</b>   | <b>Existing area: 3.84 sq. ft.</b> |
| Clear width required: 18"                     | Existing width: 27"                |
| <b>Clear height required: 24"</b>             | <b>Existing height: 20 1/2"</b>    |
| Maximum sill height: 44" above finished floor | Existing sill: 31"                 |

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: April 21, 2012

Attachments: Appeal form, amended cycle inspection report



RECEIVED

FEB 15 2012

Application For Appeal

To The

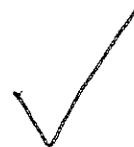
Board of Housing Quality Appeals

P.O. Box 100

Bloomington, IN 47402

812-349-3420

hand@bloomington.in.gov



Property Address: 219-3382 S. Burks

Petitioner's Name: Jeanne Walters Real Estate

Address: 107 E 6th Street

City: Bloomington State: IN Zip Code: 47408

Phone Number: 331-8951 E-mail Address: rentals@jeannewalters.com

Owner's Name: Dara May

Address: 9044 LORTON STATION BLVD #103

City: LORTON State: VA Zip Code: 22079

Phone Number: 812-360-5996 E-mail Address: dara.m.may@gmail.com

Occupants: Chelsea & Robert Schoch

**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: Extension

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)

12-TV-36

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.

Extension of time. Applying for  
Variance on rear BR window &  
F. BR window

Signature (Required): Kelly Martel

Name (Print): Kelly Martel Date: 2/15/12

**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.





City of Bloomington  
Housing and Neighborhood Development

FEB 18 2012

Amended Cycle Report

5182

OWNERS

=====

May, Dara M.  
9044 Lorton Station Blvd #103  
Lorton, VA 22079

AGENT

=====

Jeanne Walters Real Estate  
107 E. 6th St.  
Bloomington, IN 47408

Prop. Location: 3382 S Burks CT, 219 S Burks DR  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: 2/2/4

Date Inspected: 12/12/2011  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

Inspectors: Robert Hoole  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure:

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.

INTERIOR

3382

Living room (12 x 16)

No violations noted.

Laundry

No violations noted.

Dining room (9 x 11)

No violations noted.

Kitchen (7 x 5)

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

Hallway

No violations noted.

Bath

No violations noted.

Attached garage

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

Rear bedroom / bath (11 x 11)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1994:

|   |                                    |
|---|------------------------------------|
| <b>Openable area required: 4.75 sq. ft.</b>   | <b>Existing area: 3.84 sq. ft.</b> |
| Clear width required: 18"                     | Existing width: 27"                |
| <b>Clear height required: 24"</b>             | <b>Existing height: 20 1/2"</b>    |
| Maximum sill height: 44" above finished floor | Existing sill: 31"                 |

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.

Front bedroom (11 x 12)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1994:

|   |                                    |
|---|------------------------------------|
| <b>Openable area required: 4.75 sq. ft.</b>   | <b>Existing area: 3.84 sq. ft.</b> |
| Clear width required: 18"                     | Existing width: 27"                |
| <b>Clear height required: 24"</b>             | <b>Existing height: 20 1/2"</b>    |
| Maximum sill height: 44" above finished floor | Existing sill: 31"                 |

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.

Attic

No violations noted.

Crawlspace

No violations noted.

**219**

Living room (12 x 30)

No violations noted.

Laundry

No violations noted.

Kitchen (8 x 5)

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

Bath

Secure the loose GFCI receptacle adjacent to the sink. PM-605.2

West bedroom (11 x 11)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1994:

|   |                                    |
|---|------------------------------------|
| <b>Openable area required: 4.75 sq. ft.</b>   | <b>Existing area: 3.84 sq. ft.</b> |
| Clear width required: 18"                     | Existing width: 27"                |
| <b>Clear height required: 24"</b>             | <b>Existing height: 20 1/2"</b>    |
| Maximum sill height: 44" above finished floor | Existing sill: 31"                 |

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.

East bedroom / bath (12 x 20)

Replace the missing HVAC ceiling register. PM-603.1

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1994:

|   |                                    |
|---|------------------------------------|
| <b>Openable area required: 4.75 sq. ft.</b>   | <b>Existing area: 3.84 sq. ft.</b> |
| Clear width required: 18"                     | Existing width: 27"                |
| <b>Clear height required: 24"</b>             | <b>Existing height: 20 1/2"</b>    |
| Maximum sill height: 44" above finished floor | Existing sill: 31"                 |

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.

Attached garage

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

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: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-37

Address: 508 N. Washington St.

Petitioner: Cheryl Underwood

Inspector: Robert Hoole

Staff Report: February 15, 2012      Complaint inspection report mailed  
February 20, 2012      Appeal filed

The petitioner is request a 60 day extension of time to repair broken floor joists. She believes that the tenants caused the damage and wants them to pay for the repairs.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: March 28, 2012

Attachments: Complaint inspection report, appeal form, petitioner's assorted submissions

CH

RECEIVED  
FEB 20 2012



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

BY: .....

Property Address: 508 N Washington St

Petitioner's Name: Cheryl L Underwood

Address: 718 E 8th St

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: 334 0094

E-mail Address: cunderwo@homefinder.org

Owner's Name: Cheryl L Underwood

Address: same as above

City:

State:

Zip Code:

Phone Number:

E-mail Address:

Occupants: 8

**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: Relief from an administrative decision. (Petition Type: AA) 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)

12-TV-37

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.

Attached is a timeline of events that showed when the property was damaged. The broken floor joists are the result of overloading in the house due to the huge number of people at a party. This is damage caused by the tenants. They have been given notice to fix it and the other damages caused by them before the next rent will be accepted on March 1, 2012 as stated in the lease. I told them prior to the complaint inspection that they had saying that this was something I was supposed to fix that if they did not cure the damages I would file for eviction. They are seriously damaging this restored historic home.

I would like an extension of time to comply with repairing this because it was caused by the tenants & we need time to have an action that will cause them to do. Please consider an extension of 60 days.  
Thanks.

Signature (Required):

*Cheryl L Underwood*

Name (Print): Cheryl L Underwood

Date:

2 18 12

**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.



City of Bloomington  
Housing and Neighborhood Development

Complaint Report

2283

OWNERS

=====

Underwood, Cheryl  
825 N. Walnut Street Ste A  
Bloomington, IN 47404

Prop. Location: 508 N Washington ST  
Number of Units/Structures: 3/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/5 2/1/2

Date Inspected: 02/13/2012  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 3

Inspectors: Robert Hoole  
Foundation Type: Basement  
Attic Access: N/A  
Accessory Structure: Garage

The following items are the result of a complaint inspection conducted on 2/13/2012. 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.

**Properly repair the broken floor joists under the south living room. PM-304.2**

# COMPLAINT

COMPLAINANT'S NAME Cheryl L Underwood ADDRESS 718 E 8th St PHONE# 334 0094

ADDRESS OR LOCATION OF PROBLEM 508 N Washington St  
47408

NATURE OF PROBLEM As stated by the structural engineer, Kevin Potter, the broken floor joists were caused by "overload." The residents have had large numbers of people at parties and with excess weight and movement have caused this damage. This is their responsibility to repair.

In addition: The residents have thrown objects over the ~~the~~  
HOW LONG HAS THIS PROBLEM EXISTED? Since after January 13, 2012  
when there was a routine cycle inspection which showed no evidence of broken floor joists  
HAS THE OWNER/AGENT BEEN NOTIFIED? email DATE NOTIFIED (see attached timeline)

IN PERSON  IN WRITING  BY PHONE

SIGNATURE: Cheryl L Underwood

COMPLAINT RECEIVED BY \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

\* back wall which need to be removed. This vacated alley is part of my property and has been stake-surveyed showing it is part of 508 N Washington St  
Housing & Neighborhood Development

OWNER'S NAME Cheryl L Underwood ADDRESS same as above

HOUSING CODE FILE EXISTS  YES  NO CITY LIMITS / 2 MILE FRINGE

NEIGHBORHOOD COMPLIANCE OFFICER Mr Robert Hoole inspected the property for the cycle inspection and also the complaint  
COMMENTS inspection.

For HAND

Feb 6, 2012

Timeline of events concerning broken and cracked floor joists at 508 N Washington St.

HAND inspection by Robert Hoole, January 13, 2012 (Friday) attended by Cheryl Underwood, Gary Saylor (who will be doing the repair work) and Ben Kessler. There was no mention of any floor damage at this time with Mr Hoole giving Gary verbal instructions of what was to be fixed for the HAND inspection which Gary wrote down as we went along and later gave to me.

Email from Ben Kessler reporting "floor bounces up and down when they walk" January 16, 2012 (Monday).

Reply email from Cheryl Underwood stating "no floor can take a multitude of people" January 16, 2012 (Monday).

Ben Kessler reported a faucet malfunction January 16, 2012 (Monday) and told Steve Redick in person when he came over that evening to look at the faucet about the floor. Steve went to the basement and saw the cracked floor joists and reported back to me that evening what he saw.

Email sent to Ben Kessler stating that the floor joists have been damaged, January 17, 2012 (Tuesday).

Email sent, January 20, 2012 (Friday), to Ben Kessler stating that a structural engineer, Kevin Potter, will be sent over on Monday, January 23, 2012 to do an assessment.

Ben Kessler calls Mr Potter directly changing the appointment to a half hour later than arranged by me and does this without telling me after I had already arranged for myself and Steve Redick to be there at the original appointment, wasting both of our times and costing me a ½ labor rate paid to Mr Redick.

Mr Potter inspects the floor joists and sees the two that Mr Redick saw and also sees two more that are completely broken through, January 23, 2012 (Monday). Ben asks Mr Potter in the presence of myself and Mr Redick what caused these breaks and cracks and Mr Potter's answer was "Overload."

Mr Potter issues a report by email stating what the damage was and the proper way to fix it, January 24, 2012 (Tuesday).

122  
H6

A whole house inspection was done as well as a furnace and boiler inspection/service by Keller Heating & Cooling on January 25, 2012. Present were Cheryl Underwood, Steve Redick, Melissa Myers (leader of the cleaning crew who prepared the house before the current residents moved in and who was present on the day they moved in, Shaun Kastner, Ben Kessler and the Keller Heating & Cooling Serviceman. Pictures of all damages including the floor were taken.

A letter given directly to Ben Kessler and sent by certified mail stating that no groups of people other than those living in the house should be in the living room as there was a potential for further damage and/or potential harm to people and property existed, January 25, 2012 (Wednesday).

Returned receipt from certified letter received January 30, 2012 (Monday).

Call received from HAND stating there had been a complaint inspection scheduled on Feb 3, 2012 to have the floor damage inspected that "I was supposed to fix" scheduled for Feb 22, 2012.

Call received from HAND today saying that the tenant had called in asking if there was an earlier inspection time and was given the date of Feb 13, 2012.

**KEVIN B. POTTER, P.E.**  
Professional Engineer  
924 West 17<sup>th</sup> Street, #5  
Bloomington, IN 47404  
Phone (812) 331-7981/ Fax (812) 332-3024  
EMAIL- kevinbpotter@gmail.com

January 24, 2012

Cheryl Underwood  
cunderwo@homefinder.org

Re: 508 North Washington Street

At your request, we recently performed a structural inspection at your rental property located at 508 North Washington Street, Bloomington, Indiana. The results of this inspection are summarized as follows:

1. The first floor framing in the fireplace room on the South side of the house was inspected from the basement below. This framing consists of 2 x 8 wood floor joists oriented in the East to West direction. The first two floor joists South of the chimney have large horizontal cracks located near the West end of the joists. North of this location, the floor joists frame into a 2 x 8 ledger board supported by the chimney. The first two joists at the South end of the chimney have broken in half and have separated starting at the chimney and extending West about half of the length of the joist span. The nails connecting the joists to the ledge board have also pulled out.

#### RECOMMENDATIONS

Attach new full length 2 x 8 floor joists to the side of the four broken joists described above. The new joists should be glued and nailed or glued and screwed to the side of the existing joists. The joists that frame into the ledger board along the West side of the chimney should be attached with metal joist hangers.

Please contact us if there are questions.



Kevin B. Potter, P.E.

124  
H8

**Inspection punch list for 508 N. Washington**

**1/13/2012**

**First floor**

**First bedroom to right from front door**

Windows need to lock

Receptacle needs to work or cover with plate.

**Living room**

Verify that fireplace has been tested

Broken window pane

Windows need to lock

**Dining room**

Fix receptacle knocked through floor

Receptacle with reverse polarity (behind bar)

Smoke detector

**Kitchen**

Fire extinguisher needs replaced or new tag

Missing window pane

Door handle not working

**Back bathroom**

GFI won't reset

Need glazing compound on window



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 21, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-38

Address: 1900 S. Oakdale Drive West

Petitioner: McKinley Property Management for Wapehani Hills Apts.

Inspector: Maria McCormick/Robert Hoole/Mike Arnold/Norm Mosier

Staff Report: December 14, 2010 - Completed cycle inspection.  
October 4, 2011 Property went into receivership and is managed  
by McKinley Property Management  
November 7, 2011 Completed Re-inspection – not all items  
complied sent Remaining Violations Report  
December 21, 2011 Completed Re-inspection – not all items  
complied sent Remaining Violations Report  
February 21, 2012 Completed Re-inspection – not all items  
complied sent Remaining Violations Report

This property was brought to the board and granted an extension of time in the Spring of 2011 under the previous ownership. In October of 2011 the courts put this property into receivership. There are still two exterior items outstanding from the cycle inspection done in December 2010. The petitioner is seeking an extension of time to complete these repairs.

Staff recommendation: Deny the extension of time  
Conditions: None  
Compliance Deadline: None  
Attachments: Remaining Violations Report, Application for Appeal, Previous BHQA Staff Report.

*Handwritten mark*



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
FEB 2 2012

BY: \_\_\_\_\_

Property Address: 1900 S. Oakdale Drive West

Petitioner's Name: McKinley Property Mgmt (for Wapahani Hills Apt)

Address: 2201 S Oakdale Drive

City: Bloomington State: IN Zip Code: 47403

Phone Number: 312-0 333-4280 E-mail Address: tami.hunter@mcinley.com

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

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: \_\_\_\_\_

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)
12-TV-38
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.

Need extension for Retaining wall, &  
Bldg 1934 Extior patio Rldict

Signature (Required):

*Tami Hunter Agent for McKinley Property mgmt*

Name (Print):

*Tami Hunter*

Date:

~~1-19-12~~ 2-21-12

**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

FEB 28 2012

REMAINING VIOLATIONS REPORT

5023

OWNERS

Wapehani Hills Apartments, Llc  
2201 S. Oakdale Drive  
Bloomington, IN 47403

Prop. Location: 1900 S Oakdale West DR W  
Number of Units/Structures: 161/31

Units/Bedrooms/Max # of Occupants: Bld A: 2/4/5 2/3/5 4/2/4, Bld B: 2/4/5 2/3/5 4/2/4, Bld C: 6/3/5, Bld D: 4/2/5, Bld E: 4/3/5, Bld F: 4/3/5, Bld G: 4/2/4, Bld H: 4/2/4, Bld I: 4/2/4, Bld J: 6/3/5, Bld K: 6/3/5, Bld L: 4/3/5 4/2/4, Bld M: 4/3/5 1/4/5, Bld N: 3/3/5 2/4/5, Bld O: 4/3/5, Bld P: 6/3/5, Bld Q: 4/3/5 4/2/4, Bld R: 4/2/4, Bld S: 4/2/4, Bld T: 4/2/4, Bld U: 4/2/4, Bld V: 4/2/4, Bld W: 4/2/4, Bld X: 6/3/5, Bld Y: 5/3/5, Bld Z: 4/3/5 4/2/4, Bld AA: 4/3/5, Bld BB: 4/3/5 4/2/4, Bld CC: 4/3/5 4/2/4, Bld DD: 4/2/4

Date Inspected: 12/14/2010  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Inspectors: McCormick, Hoole, Arnold, Mosier  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: None

REINSPECTION REQUIRED

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

**EXTERIOR:**

Fill all depressions under the rear deck of apartment 1934 to eliminate the collection of stagnate water. PM-302.2

Repair or replace the fallen retaining wall in the parking area across from building R. PM-302.7



City of Bloomington  
H.A.N.D.

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

Meeting Date: August 10, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-62 (Old)

Address: 1900 S. Oakdale Drive West

Petitioner: Lorelei Flohr-Cascio-Sperry

Inspector: Maria McCormick & Robert Hoole

Staff Report: December 14, 2010 Completed Cycle Inspection  
March 21, 2011 Received Application for Appeal  
May 25, 2011 F1 Tornado hit property  
June 8, 2011 Extension of Time Granted by BHQA  
June 15, 2011 Deadline for smoke detector, fire extinguisher and electrical violations. June 30, 2011 Deadline for all other violations.  
June 15, 2011 Owner sent in letter requesting additional time for repairs due to the storm damage.  
July 8, 2011 Sent Orders to Repair for the storm damage the property after receiving complaints on the property that the storm damage was not being addressed. Deadline August 31, 2011 for all storm damage repairs.

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During the cycle inspection there were multiple violations noted including several life safety violations and a general violation (all apartments in the complex) of the windows not being weather tight, opening and closing correctly and locking properly. The petitioner originally requested an additional 90 days to complete repairs and is now asking of additional time (30 days) due to because damage done by a storm has put them behind in their repairs.

Staff recommendation: Deny the extension of time.

Conditions: None

*Approved  
per Staff*

131  
123

Compliance Deadline: None

Attachments: Application for Appeal, Cycle Report, Letter from the property owner requesting additional time.