

PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
April 18, 2012
4:00 P.M.

I. **ROLL CALL**

II. **REVIEW OF SUMMARY** – March 2, 2012, March 21, 2012

III. **OLD BUSINESS**

- (1) 12-TV-02 **1890 S. Walnut Street**, A-1 Town Homes & Apartments, LLC. Request for an extension of time to complete repairs. Previously heard March 2, 2012.
pp. 4-8

IV. **NEW BUSINESS**

- (2) 12-TV-39 **2909 S. Sare Road**, Howard Young. Request for an extension of time to complete repairs.
pp. 9-18
- (3) 12-TV-41 **3322 N. Stoneycrest Drive**, Deborah & Hobert Minton III. Request for an extension of time to complete repairs.
pp. 19-24
- (4) 12-TV-42 **515, 521 & 545 E. Smith Avenue**, DB Crossing, LLC. Request for an extension of time to complete repairs.
pp. 25-34
- (5) 12-TV-43 **1105 S. Fairview Street**, William & Ruth Morton. Request for an extension of time to complete repairs.
pp. 35-47
- (6) 12-RV-44 **505 W. 16th Street**, H.A.N.D. Request for recision of a variance.
pp. 48-52
- (7) 12-V-45 **508 N. Washington Street**, Cheryl Underwood. Request for a modification or exception to the Property Maintenance Code. pp. 53-64
- (8) 12-TV-46 **586 E. Graham Place**, Richard Lin. Request for an extension of time to complete repairs.
pp. 65-71
- (9) 12-TV-47 **2358 S. Henderson Street**, Restica Delumpa. Request for an extension of time to complete repairs.
pp. 72-78
- (10) 12-AA-48 **208 S. Rogers Street**, Prospect Hill, LLC. Request for relief from an administrative decision.
pp. 79-91
- (11) 12-TV-50 **2455 E. Tamarack Trail**, Five Star Quality Care-IN, LLC. Request for an extension of time to complete repairs.
pp. 92-96
- (12) 12-TV-51 **1320 N. Washington Street**, Jeffrey & Angela Brown. Request for an extension of time to complete repairs.
pp. 97-104
- (13) 12-TV-52 **2453-2457 W. Marlene Drive**, Kelly Harding. Request for an extension of time to complete repairs.
pp. 105-115
- (14) 12-TV-53 **310-316 W. Kenwood Drive**, Sadika Ramahi. Request for an extension

of time to complete repairs.

pp. 116-122

V. **GENERAL DISCUSSION**

VII. **PUBLIC COMMENT**

VIII. **ADJOURNMENT**

**BOARD OF HOUSING QUALITY APPEALS
CONSENT AGENDA
CITY HALL McCLOSKEY CONFERENCE ROOM
April 18, 2012, 4:00 P.M.**

I. Extension of time- State Variance

- (2) 12-TV-39 **2909 S. Sare Road**, Howard Young. Request for an extension of time to complete repairs. pp. 9-18
- (4) 12-TV-42 **515, 521 & 545 E. Smith Avenue**, DB Crossing, LLC. Request for an extension of time to complete repairs. pp. 25-34
- (5) 12-TV-43 **1105 S. Fairview Street**, William & Ruth Morton. Request for an extension of time to complete repairs. pp. 35-47
- (8) 12-TV-46 **586 E. Graham Place**, Richard Lin. Request for an extension of time to complete repairs. pp. 65-71
- (9) 12-TV-47 **2358 S. Henderson Street**, Restica Delumpa. Request for an extension of time to complete repairs. pp. 72-78

II. Extension of time- Complete repairs

- (1) 12-TV-02 **1890 S. Walnut Street**, A-1 Town Homes & Apartments, LLC. Request for an extension of time to complete repairs. Previously heard March 2, 2012. pp. 4-8
- (3) 12-TV-41 **3322 N. Stoneycrest Drive**, Deborah & Hobert Minton III. Request for an extension of time to complete repairs. pp. 19-24
- (12) 12-TV-51 **1320 N. Washington Street**, Jeffrey & Angela Brown. Request for an extension of time to complete repairs. pp. 97-104
- (14) 12-TV-53 **310-316 W. Kenwood Drive**, Sadika Ramahi. Request for an extension of time to complete repairs. pp. 116-122

III. Recision of variance

- (6) 12-RV-44 **505 W. 16th Street**, H.A.N.D. Request for recision of a variance. pp. 48-52



City of Bloomington
H.A.N.D.

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

Meeting Date: April 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-02

Address: 1890 S. Walnut St.

Petitioner: Robert Tamborrino

Inspector: Robert Hoole

Staff Report: 9/27/2011 Cycle inspection report mailed
November 18, 2011 Appeal filed
March 2, 2012 BHQA granted extension of time
March 5, 2012 Reinspection conducted
March 5, 2012 2nd appeal filed
March 16, 2012 2nd reinspection conducted

The petitioner is seeking a second extension of time to complete inspection items in conjunction with renovation work. All repairs in occupied units have been completed and reinspected.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: September 18, 2012

Attachments: Appeal form, 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
MAR 05 2012

BY:

Property Address: 1890 S. WALNUT STREET

Petitioner's Name: ROBERT TAMBORLINO

Address: P.O. BOX 145

City: BLMGTN State: IN Zip Code: 47402

Phone Number: 345-5009 E-mail Address: rtamborr@comcast.net

Owner's Name: ROBERT TAMBORLINO

Address: SAME AS ABOVE

City: _____ State: _____ Zip Code: _____

Phone Number: 345-5009 E-mail Address: SAME

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-02 (old)
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.

ALL VACANT UNITS ARE BEING REMODELED AND DUE TO FINANCIAL CONSTRAINTS, WE CAN ONLY DO SO MANY PER MONTH. WE ARE REQUESTING ADDITIONAL TIME, POSSIBLE UP TO 6 MONTHS,

Signature (Required): Roberto A. Tamborreno

Name (Print): ROBERT A. TAMBORRENO 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

Remaining Violation Report
Reinspected 3/5/2012 and 3/16/2012

1048

OWNERS

=====

Tamborrino, Robert A.
3011 Tapps Turn
Bloomington, IN 47401

Prop. Location: 1890 S Walnut ST
Number of Units/Structures: 23/1
Units/Bedrooms/Max # of Occupants: 20/1/2 2/1/3 1/2/2

Date Inspected: 09/16/2011
Primary Heat Source: Electric
Property Zoning: CA
Number of Stories: 2

Inspectors: Robert Hoole
Foundation Type: Slab
Attic Access: No
Accessory Structure:

VARIANCE

=====

03/02/1983 Granted a variance to the light and ventilation requirements in the upstairs east apartment and granted a variance to the light and ventilation requirements in the kitchen of the upstairs west apartment.

REINSPECTION REQUIRED

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

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

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

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

INTERIOR

14

Living room

Replace the deteriorated floor covering. PM-304.3

13

Living room

Replace the deteriorated floor covering. PM-304.3

Properly repair the deteriorated ceiling. PM-304.3

9

Bedroom

Eliminate the leak at the union above the water heater. PM-504.

5

Bedroom

Replace the deteriorated floor covering. PM-304.3

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)



City of Bloomington
H.A.N.D.

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

Meeting Date: April 18, 2012
Petition Type: An extension of time to secure a State egress variance.
Petition Number: 12-TV-39
Address: 2909 S. Sare Rd.
Petitioner: Sherri Crabtree
Inspector: Norman Mosier
Staff Report: January 23, 2012 – Conducted Cycle Inspection
February 28, 2012 – Received BHQA Appeal

It was noted during the cycle inspection that the egress windows do not meet egress requirements at the time the structure was built. Petitioner is requesting an extension of time to secure a state egress variance. There are two different sizes of egress windows, measurements are as follows:

Type 1- Dbl hung pop out

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1989. The relevant code is the 1986 Indiana Building Code, section: 1204.

| | |
|---|---|
| <u>Openable area required: 5.7 sq. ft.</u> | <u>Existing area: 3.61 sq. ft.</u> |
| Clear width required: 20 inches | Existing width: 26 inches |
| <u>Clear height required: 24 inches</u> | <u>Existing height: 20 inches</u> |
| Maximum sill height: 44 inches above finished floor | Existing sill: 36 inches above finished floor |

TYPE 2 - Dbl hung pop out

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1989. The relevant code is the 1986 Indiana Building Code, section: 1204.

| | |
|---|---|
| <u>Openable area required: 5.7 sq. ft.</u> | <u>Existing area: 5.41 sq. ft.</u> |
| Clear width required: 20 inches | Existing width: 38 inches |
| <u>Clear height required: 24 inches</u> | <u>Existing height: 20.5 inches</u> |
| Maximum sill height: 44 inches above finished floor | Existing sill: 36 inches above finished floor |

Staff recommendation: Grant the request.

Conditions: A copy of the State egress variance must be provided to the Housing and Neighborhood Development Office no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 18, 2012

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

mailed
2/23/12
Page 1 of 2



Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov
349-3582



BY: _____

Property Address: 2909 S. Sare Road

Petitioner's Name: Sherri Crabtree

Address: 2909 S. Sare Road units 1-20

City: Bloomington State: Indiana Zip Code: 47401

Phone Number: (812) 339-2700 E-mail Address: mksherri@yahoo.com

Owner's Name: Howard E. Young

Address: 2909 S. Sare Road

City: Bloomington State: Indiana Zip Code: 47401

Phone Number: 812-339-2700 E-mail Address: n/a

Occupants:

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

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

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

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

Reminder:

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

(Will be assigned by BHQA)

12-TV-39

Petition Number: _____

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

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

We are requesting a variance from the Fire Prevention and Building Safety Commission for the following General Violations: 1986 Building Code, Section 1204.

Commission meeting will be April 3, 2012.

Signature (Required): Howard E Young

Name (Print): Howard E Young

Date: 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

Cycle Report

5262

OWNERS

Young, Howard E.
2909 S. Sare Road
Bloomington, IN 47401

AGENT

Crabtree, Sherri M.
3544 Glasgow Circle
Bloomington, IN 47403

Prop. Location: 2909 S Sare Rd.
Date Inspected: 01/23/2012
Inspectors: Norman Mosier
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

Number of Units/Structures: 20 / 4
Number of Bedrooms: 48
Max # of Occupants: 3 each
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: Det. Garages

The Monroe County Assessor's records indicate that this structure was built in 1989.
Minimum egress requirements for a multi-family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 24 inches
Clear width: 20 inches
Sill height: Not more than 44 inches above finished floor

EGRESS WINDOW MEASUREMENTS FOR COMPLEX ARE AS FOLLOWS:

GENERAL VIOLATIONS # 1:

Type 1- Dbl hung pop out

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1989. The relevant code is the 1986 Indiana Building Code, section: 1204.

| | |
|---|---|
| <u>Openable area required: 5.7 sq. ft.</u> | <u>Existing area: 3.61 sq. ft.</u> |
| Clear width required: 20 inches | Existing width: 26 inches |
| <u>Clear height required: 24 inches</u> | <u>Existing height: 20 inches</u> |
| Maximum sill height: 44 inches above finished floor | Existing sill: 36 inches above finished floor |

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

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

TYPE 2 - Dbl hung pop out

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1989. The relevant code is the 1986 Indiana Building Code, section: 1204.

| | |
|---|---|
| <u>Openable area required: 5.7 sq. ft.</u> | <u>Existing area: 5.41 sq. ft.</u> |
| Clear width required: 20 inches | Existing width: 38 inches |
| <u>Clear height required: 24 inches</u> | <u>Existing height: 20.5 inches</u> |
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The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission*'s web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

GENERAL VIOLATIONS # 2

Thoroughly clean and service all of the furnaces, 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 | |

GENERAL VIOLATIONS # 3

Restore the integrity of the draft stop/fire separation wall in the attic. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. PM-703.1

NOTE:

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

INTERIOR:

BLDG 4

UNIT 16

Living Room:

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

Unit 17

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

UNIT 18

Kitchen:

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

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

½ Bath:

Replace the defective light switch. PM-605.1

UNIT 20

Living Room:

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

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

BLDG 1

UNIT 1

Living Room:

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

UNIT 2

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

UNIT 3

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

UNIT 4

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

UNIT 5

Living Room:

Install a closing device on the entry storm door. PM-303.15

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

BLDG 2

UNIT 6

Living Room:

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

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

UNIT 7

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

UNIT 8

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

UNIT 10

Living Room:

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

UPSTAIRS

Hall Bath:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

BLDG 3

UNIT 11

Living Room:

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

Kitchen:

Determine the source and eliminate the water leak under the sink. PM-504.1

UNIT 13

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

UNIT 14

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

UNIT 15

Living Room:

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

Furnace Closet:

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. Remove all combustible materials. PM-603.3

EXTERIOR:

Secure the loose and hanging cable wires to the structure on BLDG 4, Unit 18, west side of structure @ bedroom window. PM-303.6

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: April 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-41

Address: 3322 N. Stoneycrest

Petitioner: Candi Mullis

Inspector: Robert Hoole

Staff Report: January 6, 2012 Cycle inspection report mailed
February 27, 2012 Reinspection conducted
March 6, 2012 Appeal filed

The petitioner is requesting an extension of time to repair the windows to lock securely. Windows are currently secured using temporary means while replacement parts are on order.

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: Appeal form, remaining violations report

A



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
MAR 06 2012

BY: _____

Property Address: 3322 N Stoneycrest Rd

Petitioner's Name: Candi Mullis

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

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Deborah and Hobert Minton III

Address: 1738 Lion's Dr

City: Christiansburg

State: Virginia

Zip Code: 24073

Phone Number: 540-381-9009

E-mail Address: _____

Occupants: George and Jessica BIRTHSEL

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-41

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:

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 - 1. Specify the items that need the extension of time to complete.
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 - 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.

Signature (Required): Candi Mullis

Name (Print): Candi Mullis Date: 3/2/12

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.





**Parker
Real Estate
Management**
621 N. Walnut St.
P.O. Box 1112
Bloomington, IN 47402

February 28, 2012

City of Bloomington
Housing and Neighborhood Development
P.O. Box 100
Bloomington, IN 47402

I am writing to request an extension of time to complete the repairs on the windows at 3322 N Stoneycrest Rd. All repairs have been completed, except the windows in the bedrooms. SW bedroom- repair windows to lock securely, NW bedroom- repair windows to lock securely, NW bedroom- repair windows to lock securely. With the age of the windows, the parts for the locks are no longer available and the company that we have replacing the locking mechanism has special ordered the locks to be made. The manufacturer has given a 3 week window for the new locks to be delivered. I am requesting that we be given an extension till March 30, 2012 to have the window locks repaired.

Thanks for your cooperation in this matter,
Candi Mullis
Maintenance Coordinator
Parker Real Estate Mgt.
812.339.2115



City of Bloomington
Housing and Neighborhood Development

MAR 07 2012

Remaining Violation Report
Reinspected 2/27/2012

1808

OWNERS

=====

Minton, Hobert Iii & Deborah
1738 Lion'S Drive
Christiansburg, VA 24073

AGENT

=====

Parker Real Estate Management
Po Box 1112
Bloomington, IN 47402

Prop. Location: 3322 N Stoneycrest DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 12/30/2011
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspectors: Robert Hoole
Foundation Type: Slab
Attic Access: No
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.

INTERIOR

Southwest bedroom (11 x 8)

Repair the window to lock securely. PM-302.13.2

Northeast bedroom (11 x 12)

Repair the north window to lock securely. PM-302.13.2

Northwest bedroom (11 x 10)

Repair the windows to lock securely. PM-302.13.2

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: April 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-42

Address: 515, 521, & 545 E Smith St.

Petitioner: Tempo Properties Inc.

Inspector: John Hewett

Staff Report: November 1, 2011 Cycle Inspection
 January 25, 2012 Re-inspection, all but windows complied
 February 10, 2012 Sent remaining violations report
 March 4, 2012 Start legal

During the Cycle inspection it was noted that the egress window in the front bedroom does not meet the minimum size required by the Building Code in place at the time of construction. The petitioner is requesting a variance from the State of Indiana. Window size is as follows:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985:

| | | | |
|-------------------------|--------------------------|------------------|-------------|
| Openable area required: | 4.75sq. ft. | Existing area: | 5.4 sq. ft. |
| Clear width required: | 18" | Existing width: | 34.25" |
| Clear height required: | 24" | Existing height: | 22.75" |
| 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

JH

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

Compliance Deadline: June 18, 2012

Attachments: Petitioner's letter Cycle Inspection Report



RECEIVED
MAR 06 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

MAR 06 2012

Property Address: 515, 521, 545 E. Smith Av, Bloomington IN 47401

Petitioner's Name: TEMPO Properties Inc

Address: P.O. Box 5727

City: Bloomington State: IN Zip Code: 47407

Phone Number: 812 336 2024 E-mail Address: tempo-properties@yahoo.com

Owner's Name: David Byrne (D.B. Crossing)

Address: 1673 Bellmeade Dr

City: _____ State: _____ Zip Code: 47401

Phone Number: 339 1258 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 month's agenda!

(Will be assigned by BHQA)

12-TV-42

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.

Awaiting the state to hold a hearing to pass variance which was applied for several months ago.

Signature (Required): William Thornburg

Name (Print): William Thornburg 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

Cycle Report

1756

OWNERS

DB Crossing, LLC
1673 Bellemeade Dr.
Bloomington, IN 47401

AGENT

Tempo Management
P.O. Box 5727
Bloomington, IN 47407

Prop. Location: 515 E Smith AVE
Date Inspected: 11/01/2011
Inspectors: John Hewett
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1985.

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

Kitchen

12-0 x 12-4

No violations noted.

Nook

6-6 x 5-8

No violations noted.

SE bedroom

11-3 x 9-7

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420

Housing Division: (812) 349-3401

Fax: (812) 349-3582

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

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985:

| | | | |
|-------------------------|--------------------------|------------------|-------------|
| Openable area required: | 4.75sq. ft. | Existing area: | 5.4 sq. ft. |
| Clear width required: | 18" | Existing width: | 34.25" |
| Clear height required: | 24" | Existing height: | 22.75" |
| Maximum sill height: | 48" above finished floor | Existing sill: | 31" |

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

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

Bathroom

No violations noted.

SW bedroom

9-8 x 13-4

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

Living room

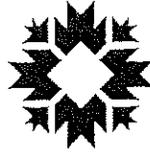
12-5 x 16-0

No violations noted.

Exterior

No violations noted.

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



City of Bloomington
Housing and Neighborhood Development

Cycle Report

1759

OWNERS

=====

Db Crossing, Llc
1673 Bellemeade Dr.
Bloomington, IN 47401

AGENT

=====

Tempo Management
P.O. Box 5727
Bloomington, IN 47407

Prop. Location: 521 E Smith AVE
Date Inspected: 11/01/2011
Inspectors: John Hewett
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1985.

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

Kitchen

12-0 x 12-4

Replace the malfunctioning doorknob. PM-303.15

Nook

6-6 x 5-8

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

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420
Housing Division: (812) 349-3401
Fax: (812) 349-3582

SE bedroom

11-3 x 9-7

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985:

| | | | |
|-------------------------|--------------------------|------------------|-------------|
| Openable area required: | 4.75sq. ft. | Existing area: | 5.4 sq. ft. |
| Clear width required: | 18" | Existing width: | 34.25" |
| Clear height required: | 24" | Existing height: | 22.75" |
| 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. 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.

SW bedroom

9-8 x 13-4

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

Living room

12-5 x 16-0

No violations noted.

Exterior

No violations noted.

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



City of Bloomington
Housing and Neighborhood Development

Cycle Report

1770

OWNERS

=====

DB Crossing, LLC
1673 Bellemeade Dr.
Bloomington, IN 47401

AGENT

=====

Tempo Properties, Inc
P.O. Box 5727
Bloomington, IN 47402

Prop. Location: 545 E Smith AVE
Date Inspected: 11/01/2011
Inspectors: John Hewett
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1985.

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

Kitchen

12-0 x 12-4

Repair or replace the right front burner on the stove to function. PM-603.1

Nook

6-6 x 5-8

No violations noted.

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

Rental Inspections: (812) 349-3420
Housing Division: (812) 349-3401
Fax: (812) 349-3582

SW bedroom

11-3 x 9-7

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1985:

| | | | |
|-------------------------|--------------------------|------------------|-------------|
| Openable area required: | 4.75sq. ft. | Existing area: | 5.4 sq. ft. |
| Clear width required: | 18" | Existing width: | 34.25" |
| Clear height required: | 24" | Existing height: | 22.75" |
| 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. 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

The tenant states the toilet runs on after flushing. Repair the toilet to function as intended. PM-504.1

SE bedroom

9-8 x 13-4

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

Living room

12-5 x 16-0

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

Exterior

No violations noted.

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



City of Bloomington
H.A.N.D.

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

Meeting Date: April 18, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-43
Address: 1105 S. Fairview Street
Petitioner: William & Ruth Morton
Inspector: Jo Stong
Staff Report: February 2, 2012: Conducted cycle inspection
February 13, 2012: Sent cycle report
March 6, 2012: Received appeal

During a cycle inspection violations of the Property Maintenance Code were noted, including windows that did not meet egress requirements at the time of construction.

Monroe County Assessor's records indicate this structure was built in 1992.

The egress requirements at the time of construction are as follows:

Openable height: 24 inches

Openable width: 20

Sill height: Not more than 44 inches above finished floor

Openable area: 5.7 square feet

Basement egress windows (sliding):

Height: 32 inches

Width: 26 inches

Sill Height: 49 inches

Openable Area: 5.78 sq. ft.

All other egress windows (double-hung):

Height: 19 ¾ inches

Width: 34 inches

Sill Height: 37 inches

Openable Area: 4.66 sq. ft.

The petitioner is seeking an extension of time to apply for a variance from the State for the windows.

Staff recommendation: Grant the request for an 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: All life-safety violations must be brought into compliance and reinspected by April 25, 2012
Deadline for a variance from the State is July 18, 2012

Attachments: Cycle inspection, 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
MAR 06 2012

BY: _____

Property Address: 1105 S. Fairview Street, Bloomington, IN 47403

Petitioner's Name: William & Ruth Morton

Address: 307 E. Oliver Drive

City: Bloomington

State: Indiana



Zip Code: 47408

Phone Number: 327-5648

E-mail Address: rmorton1961@gmail.com

Owner's Name: Same as Above

Address:

City:

State:



Zip Code:

Phone Number:

E-mail Address:

Occupants: 10 Unit Apartment building with multiple tenants

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

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

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-43

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.

C. Relief from an administration decision (Petition type: AA)

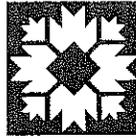
Additional time of 1 to 2 months needed in order to receive approval for a State Variance Request approval prior to updating of Occupancy Permit.

Signature (Required): Ruth E. Morton

Name (Print): Ruth Morton Date: 2/28/07

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

3634

OWNERS

=====
Morton, William & Ruth
307 Oliver Drive
Bloomington, IN 47408

Prop. Location: 1105 S Fairview ST
Number of Units/Structures: 10/1
Units/Bedrooms/Max # of Occupants: 10/3 or 4 (if family room is used)/5

Date Inspected: 02/02/2012
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

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

VARIANCE

=====
June 12, 1997: Special exception to passing through the downstairs family room, so tenants may choose to use this for sleeping if desired.

GENERAL VIOLATION FOR ALL UNITS

Monroe County Assessor's records indicate this structure was built in 1992.
The egress requirements at the time of construction are as follows:

Openable height: 24 inches
Openable width: 20
Sill height: Not more than 44 inches above finished floor
Openable area: 5.7 square feet

Basement egress windows (sliding):

Height: 32 inches
Width: 26 inches
Sill Height: 49 inches
Openable Area: 5.78 sq. ft.

All other egress windows (double-hung):

Height: 19 ¾ inches
Width: 34 inches
Sill Height: 37 inches
Openable Area: 4.66 sq. ft.

The emergency egress windows do not meet the minimum requirements for a multi-unit structure built in 1992. The relevant code is the 1989 Indiana Building Code, Section 1204.

For that reason, the City will not issue a rental permit until either the windows are altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

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

Each unit consists of:

MAIN FLOOR: Kitchen (6-0 x 4-2), Living Room (19-3 x 11-9), Half Bath

BASEMENT: Study (or bedroom, per variance) (14-5 x 9-6), Bath, Bedroom (12-2 x 9-3), Bath/Laundry, Furnace Closet

SECOND FLOOR: Front (west) Bedroom (12-7 x 9-4), Bath, Rear (east) Bedroom (13-3 x 12-6)

Only areas with violations will be listed on this report. General Violation above concerning windows pertains to ALL UNITS.

INTERIOR:

Unit A

Kitchen:

Properly secure the sink sprayer to the sink. PM-504.1

Remove old caulk and properly seal the backsplash of the countertop. PM-304.3

SECOND FLOOR

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

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Bathroom:

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

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

East Bedroom:

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Unit B

MAIN LEVEL

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

Kitchen:

Replace the discharged fire extinguisher. 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 broken or missing drawer front on the cabinet drawer. PM-304.3

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

BASEMENT

Laundry/Bathroom:

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

Water Heater Closet:

Replace the knob on the door (will not open door). PM-304.6

Bedroom:

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

SECOND FLOOR

West Bedroom:

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

Repair or replace closet doors so that they function as intended. PM-304.6

Hallway:

Provide operating power to smoke detector. PM-704.1

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Bathroom:

Remove old caulk and properly seal the sink where it meets the wall. PM-304.3

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Bathroom (continued):

Properly seal the entire perimeter of the tub where it meets the floor. PM-304.3

East Bedroom:

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

Unit C

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

Entry:

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Half Bath:

Replace broken light switch cover plate. PM-605.1

BASEMENT

East Family Room:

Replace the broken latch on the window. PM-303.13.2

Bathroom:

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

SECOND FLOOR

Bathroom:

Remove old caulk and properly seal the sink where it meets the wall. PM-304.3

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Unit D

MAIN FLOOR

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

BASEMENT

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

SECOND FLOOR:

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

West Bedroom:

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Bathroom:

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

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

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

East Bedroom:

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Unit E

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

Entry Hall:

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Half Bath:

Secure toilet to its mountings. PM-504.1

Repair the light switch to function as intended. PM-605.1

SECOND FLOOR

Bathroom:

Properly seal the tub where it meets the floor. PM-304.3

Unit F

BASEMENT

Laundry/ Bathroom:

Properly secure the tops of the washer and the dryer. PM-603.1

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

Bedroom:

Replace the torn screen in the window. PM-303.14

SECOND FLOOR

Stairway:

Secure the handrail so it is capable of withstanding normally imposed loads (middle support is broken). PM-304.5 (interior)

West Bedroom:

Remove the screws from the window so that it opens fully. PM-702.1

Replace the torn screen in the window. PM-303.14

Bathroom:

Secure toilet to its mountings. PM-504.1

Remove old caulk and properly seal the sink where it meets the wall. PM-304.3

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

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

Hallway:

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

East Bedroom:

Remove the screws from the window so that it opens fully. PM-702.1

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Repair or replace closet doors so they function as intended. PM-304.6

Unit G

Kitchen:

Properly secure the sprayer to the sink. PM-504.1

Remove old caulk and properly seal the backsplash of the countertop. PM-304.3

Half Bath:

Remove old caulk and properly seal the sink where it meets the wall. PM-304.3

BASEMENT

Laundry/Bathroom:

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

Reconnect the dryer exhaust so that it vents to the exterior. PM-403.5

SECOND FLOOR

Bathroom:

Properly seal the tub where it meets the floor. PM-304.3

Scrape and paint the ceiling where paint is peeling. PM-304.3

East Bedroom:

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Repair or replace the latches on the window. Window must latch securely. PM-303.13.2

Unit H

BASEMENT

Laundry/Bathroom:

Replace the broken exhaust fan/light unit. PM-603.1

Reconnect the dryer exhaust so that it vents to the exterior. PM-403.5

SECOND FLOOR

Bathroom:

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Unit I

Living Room:

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

Kitchen:

Remove old caulk and properly seal the backsplash of the countertop. PM-304.3

Repair the faucet to function as intended (aerator sprays water out to the side). PM-504.1

BASEMENT

Hallway:

Provide operating power to smoke detector. PM-704.1

Bedroom:

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

SECOND FLOOR

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

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

Bathroom:

Seal the cracks where the walls meet the ceiling and properly surface-coat. PM-304.3

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

East Bedroom:

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

Unit J

BASEMENT

Laundry/Bathroom:

Properly seal the shower where it meets the floor. PM-304.3

Water Heater Closet:

Install a temperature/pressure relief (TPR) valve discharge tube on the water heater.

TPR valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

SECOND FLOOR

East Bedroom:

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

EXTERIOR:

Repair the deteriorated door frame on the west entry to Unit J. PM-303.13

Repair the deck outside of Unit I (nail protruding). PM-302.7

Replace deteriorated carpets on deck landings to eliminate trip hazards. PM-302.3

Repair the broken stair leading to Unit D. PM-302.3

Repair the broken stairs on the east entry to Units C and D. PM-302.3

Repair the screen on the east entry door of Unit E. PM-303.14

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
H.A.N.D.

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

Meeting Date: April 18, 2012

Petition Type: Rescind a Variance

Petition Number: 12-RV-44

Address: 505 W. 16th Street

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This structure was recently moved from 2549 E. Eastgate Lane where it had a basement foundation and habitable space in the basement that required a ceiling height variance. The structure is now on a crawlspace so the variance is no longer needed.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application for Appeal

Handwritten initials



RECEIVED
MAR 13 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: 505 W. 16th Street

Petitioner's Name: HAND

Address: 401 N. Morton Street Suite 130

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 349-3420

E-mail Address: hand@bloomington.in.gov

Owner's Name: Cedarview Management

Address: 601 N. College Avenue Suite #1A

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 812-339-8777

E-mail Address: info@tenthandcollege.com

Occupants:

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

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

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

Variance Type: Rescind a variance. (Petition Type: RV)

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-44

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 structure was move to 505 W. 16th Street from from 2549 E. Eastgate Lane where it had a basement. It is now on a crawlspace foundation so the variance is no longer needed.

Signature (Required):

Handwritten signature: MARIA NECORMICK for HAND

Name (Print): HAND, MARIA NECORMICK

Date: 3/9/12

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.

Print Form



City of Bloomington
Housing and Neighborhood Development

Permit Upgrade Inspection

4416

OWNERS

=====
Cedarview Management
601 N. College Avenue Suite #1a
Bloomington, IN 47404

Prop. Location: 505 W 16th ST
Units/Bedrooms/Max # of Occupants: 1/3/3
Date Inspected: 03/05/2012
Primary Heat Source: Electric
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1/1

Inspectors: Maria McCormick
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

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 22-5 x 13-4; Kitchen/Dining Room 23-5 x 8-5; Bathroom; Hallway;

Mechanical/Laundry Closet:

No violation noted.

NE Bedroom 13-2 x 10-4; SE Bedroom 13-6 x 10-2; SW Bedroom 13-7 x 9-4:

No violation noted.

Existing Egress Window Measurements (Dbl pop-out both sashes removed):

Height: 41 inches

Width: 26 inches

Sill Height: 39 inches

Openable Area: 7.42 sq. ft.

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

EXTERIOR:

No violation noted.

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



City of Bloomington
H.A.N.D.

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

Meeting Date: April 18, 2012

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

Variance Request: To disregard room width and emergency egress requirements

Petition Number: 12-V-45

Address: 508 N. Washington

Petitioner: Cheryl Underwood

Inspector: Robert Hoole

Staff Report: January 13, 2012 Cycle Inspection conducted.
February 6, 2012 Report released to owner
March 9, 2012 Received Appeal.

During the cycle inspection it was noted that the 3rd floor bedrooms did not meet emergency egress requirements and that one of the bedrooms did not meet total floor area requirements due to the slope of the ceiling. The petitioner is requesting a variance from egress and room width requirements.

Monroe County Assessor's records indicate this structure was built in 1899. There were no requirements for emergency egress at the time of construction. However, HAND records indicate that the attic space was converted to living space sometime between 1980 and 1983. The petitioner must request a variance from egress requirements from the State of Indiana Fire Prevention and Building Safety Commission. This Board is not able to grant or deny a variance to the egress requirements or the room size requirements as these items are covered by the Building Code.

1980 Indiana Construction Rules Section 1204:

Minimum emergency egress requirements:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

1980 Indiana Construction Rules Section 1207(a): If a room has a sloping ceiling, the prescribed ceiling height is required in only one half of the area thereof. No portion of the room measuring 5 feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof.

1980 Indiana Construction Rules Section 1207 (b): Other habitable rooms except kitchens shall have an area of not less than 70 square feet.

1980 Indiana Construction Rules Section 1207 (c): No habitable room other than a kitchen shall be less than 7 feet in any dimension.

Staff recommendation: Grant an extension of time for the petitioner to request variances from the State of Indiana for these violations.

Conditions:

Compliance Deadline: July 18th 2012

Attachments: Cycle Report, Appeal form



RECEIVED
MAR 09 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

2nd
pg
addition

Property Address: 508 N Washington

Petitioner's Name: Cheryl Underwood

Address: 718 E 8th St

City: Bloomington State: IN Zip Code: 47408

Phone Number: 334-0094 E-mail Address: cunderwo@homefinder.org

Owner's Name: Same as above

Address: _____

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: ~~AA~~ V

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

(Will be assigned by BHQA)
12-V-45
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 also would like to appeal the ceiling height requirement and window size requirement. This has been a rental unit for many years (I've owned it & had it as a rental since 1984 & so did prior owner) and this has never been an issue in the past.

Signature (Required): Cheryl L Underwood

Name (Print): Cheryl L Underwood Date: 1/19/12 3/2/12

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

2283

OWNERS

=====

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

Prop. Location: 508 N Washington ST
Date Inspected: 01/13/2012
Inspectors: Robert Hoole
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 3

Number of Units/Structures: 3 / 1
Number of Bedrooms: 2-1, 1-3
Max # of Occupants: 2-2, 1-5
Foundation Type: Basement
Attic Access: N/A
Accessory Structure: Garage

Monroe County Assessor's records indicate this structure was built in 1899. There were no requirements for emergency egress at the time of construction. However, HAND records indicate that the attic space was converted to living space sometime between 1980 and 1983. Egress requirements in effect at that time were:

Minimum clear opening height: 24"
Minimum clear opening width: 18"
Minimum total openable area: 4.75 sq. ft.
Maximum sill height: 48" above finished floor

Use of this property has previously been 3 separate units, 1 3 bedroom unit and 2 1 bedroom units. The current use has changed to a single 8 bedroom unit with 3 kitchens. No rental occupancy permit will be issued for this property without approval of the current use from the City of Bloomington Planning Department.

INTERIOR

1st floor entry hallway

No violations noted.

1st floor southwest bedroom (17 x 15)

Repair the windows to lock securely. PM-303.13.2

Repair the receptacle adjacent to the entry door to function as intended or completely remove the receptacle and install an appropriate cover plate. PM-605.1

Existing Egress Window Measurements:

Height: 36 inches
Width: 29 inches
Sill Height: 13 inches
Openable Area: 7.25 sq. ft.

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

South living room (14 x 18)

Thoroughly clean and service the gas fireplace, 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

Repair the broken window glass, center window of south wall. PM-303.13.1

Repair the windows to lock securely. PM-303.13.2

1st floor southeast bedroom (14 x 12)

Repair the windows to lock securely. PM-303.13.2

Existing Egress Window Measurements:

Height: 30 inches
Width: 35 ½ inches
Sill Height: 26 inches
Openable Area: 7.39 sq. ft.

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

1st floor north living room (13 x 20)

Provide operating power to smoke detector. PM-704.1

Correct the polarity of the electrical receptacle on the east wall adjacent to the kitchen entrance. The hot and neutral conductors are reversed. PM-605.1

Properly secure the receptacle in the floor adjacent to the north wall and install a cover plate. PM-605.1

1st floor kitchen (11 x 10)

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

Replace the broken window glass, east window. PM-303.13.1

Repair the exterior door to latch and lock as intended. PM-303.15

Laundry

No violations noted.

1st floor north bath

No violations noted.

1st floor south bath

Repair the GFCI receptacle to function as intended. PM-605.2

Replace the deteriorated glazing compound on the north window, east wall. PM-303.13.1

Basement

Completely label the service panel at the top of the stairway. PM-605.1

Remove the water on the floor adjacent to the boiler and water heaters and eliminate the source of the leak. PM-603.1

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

NOTE: South water heater.

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

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

PM-603.1

Stairwell to the 2nd floor

Replace the missing receptacle cover at the landing. PM-605.1

2nd floor hallway

No violations noted.

2nd floor east bath

Eliminate the drip from the sink faucet. PM-605.1

2nd floor southeast bedroom (10 x 18)

Replace the broken window glass at the north end of the east wall. PM-303.13.1

Existing Egress Window Measurements:

Height: 42 ½ inches
Width: 22 inches
Sill Height: 45 inches
Openable Area: 6.49 sq. ft.

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

2nd floor kitchen (8 x 12)

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

2nd floor north bath

No violations noted.

2nd floor northwest bedroom (16 x 13)

Repair the east window to remain fully open using hardware that is part of the window. PM-303.13.2

Existing Egress Window Measurements:

Height: 35 ½ inches
Width: 30 inches
Sill Height: 15 inches
Openable Area: 7.39 sq. ft.

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

2nd floor southwest bedroom (14 x 18)

Existing Egress Window Measurements:

Height: 35 ½ inches
Width: 30 inches
Sill Height: 15 inches
Openable Area: 7.39 sq. ft.

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

2nd floor south central bedroom (15 x 18)

Repair the GFCI receptacle adjacent to the sink to function as intended. PM-605.2

Existing Egress Window Measurements:

Height: 35 ½ inches
Width: 30 inches
Sill Height: 15 inches
Openable Area: 7.39 sq. ft.

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

3rd floor bath

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

3rd floor west bedroom (14' x 36")

Habitable spaces, other than kitchens, shall not be less than 7 feet in any plan dimension. The measurements in this case are achieved by measuring the floor area over which the ceiling height is at least 5 feet. Continued use of this area as habitable space is contingent upon securing a variance from the Board of Housing Quality Appeals. PM-404.2

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

| | |
|---|------------------------------|
| Openable area required: 4.75 sq. ft. | Existing area: Negligible |
| Clear width required: 18" | Existing width: Negligible |
| Clear height required: 24" | Existing height: Negligible |
| Maximum sill height: 48" above finished floor | Existing sill: Ceiling level |

NOTE: The window is a skylight that opens only slightly, has hardware that obstructs what little opening is there, and would be useless as an egress window.

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

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

3rd floor kitchen (19' x 55")

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.

3rd floor central room (7 x 11)

Secure the hanging hard-wired smoke detector. PM-704.1

3rd floor east bedroom (8 x 11)

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

| | |
|---|-----------------------------|
| Openable area required: 4.75 sq. ft. | Existing area: 4.52 sq. ft. |
| Clear width required: 18" | Existing width: 15 1/2 " |
| Clear height required: 24" | Existing height: 42" |
| Maximum sill height: 48" above finished floor | Existing sill: 15 |

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

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

3rd floor utility room

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

Garage

Repair the south door to lock and latch as intended. PM-303.15

EXTERIOR

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. This is to include the garage. PM-303.2

NOTE: The compliance deadline for this item is 1/13/2013.

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: 18 April 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-046

Address: 586 E. Graham Pl.

Petitioner: Candi Mullis

Inspector: Michael Arnold

Staff Report: 24 February 2012 Cycle Inspection
 29 February 2012 Sent Inspection report
 13 March 2012 Received request for Extension of Time

During the cycle inspection it was noted that sleeping room windows did not meet the minimum emergency egress size requirements for a structure built in 1983. The petitioner is requesting additional time to obtain a variance from the Department of Homeland Security Fire Prevention and Building Safety Commission. Required and existing measurements are as follows:

| | | | |
|-------------------------------|--------------------------------|-------------------------|--------------------|
| Openable area required: | 4.75 sq. ft. | Existing area: | 5.1 sq. ft. |
| Clear width required: | 18 inches | Existing width: | 31.25 inches |
| Clear height required: | 24 inches | Existing height: | 23.5 inches |
| Maximum sill height: | 44 inches above finished floor | Existing sill: | 31 inches aff |

Staff recommendation: Grant the variance

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

Compliance Deadline: 31 May 2012

Attachments: Application, Cycle Inspection report



RECEIVED
MAR 13 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: 586 E Graham Place

Petitioner's Name: Candi Mullis

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

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Richard Lin

Address: 959 Clinton Rd

City: Los Altos

State: California

Zip Code: 94024

Phone Number: 760-735-5847

E-mail Address:

Occupants: Shell Needler

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-46

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.

Signature (Required): *C Mullis*

Name (Print): Cardi Mullis

Date: 3/6/12

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.





March 8, 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 586 E Graham Place.

A-cycle inspection was conducted on February 24, 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 May 31, 2012. The commission meeting and review is on May 2, 2012. After the review meeting we will request to have copies of the variance, if granted to provide to the HAND Department.

Per the inspection:

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: 23.5 inches
Width: 31.25 inches
Sill Height: 31 inches
Openable Area: 5.1 Sq. Ft.

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: 23.5 inches
Width: 31.25 inches
Sill Height: 31 inches
Openable Area: 5.1 Sq. Ft.

Middle 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: 23.5 inches
Width: 31.25 inches
Sill Height: 31 inches

Openable Area: 5.1 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 middle 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

3203

OWNERS

=====

Lin, Richard
959 Clinton Road
Los Altos, CA 94024

AGENT

=====

Parker Real Estate Management
Po Box 1112
Bloomington, IN 47402

Prop. Location: 586 E Graham PL
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/5

Date Inspected: 02/24/2012
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

Inspectors: Mike Arnold
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: none

Monroe County records show this structure was built in 1983. The minimum emergency egress requirements at the time of construction were as follows:

Height: 24 inches
Width: 18 inches
Sill Height: 48 inches
Openable Area: 4.75 sq. ft.

Interior:

Lower Level:

Main Room (22-8 x 13-9), Utility Room/Bathroom:

No violations noted

Main Level:

Living Room (16-3 x 14-3), Kitchen (12-4 x 5-8), 1/2 Bathroom:

No violations noted

70

Upper Level:**Front Bedroom (14-4 x 10-0), Middle Bedroom (10-0 x 9-0), Rear Bedroom (12-0 x 8-4):**

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

| | | | |
|-------------------------|--------------------------------|------------------|--------------|
| Openable area required: | 4.75 sq. ft. | Existing area: | 5.1 sq. ft. |
| Clear width required: | 18 inches | Existing width: | 31.25 inches |
| Clear height required: | 24 inches | Existing height: | 23.5 inches |
| Maximum sill height: | 44 inches above finished floor | Existing sill: | 31 inches |

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

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

Attic:

No violations noted

Exterior:

No violations noted

Required Documentation

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

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



City of Bloomington
H.A.N.D.

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

Meeting Date: 18 April 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-047

Address: 2358 S. Henderson St,

Petitioner: Candi Mullis

Inspector: Michael Arnold

Staff Report: 24 February 2012 Cycle Inspection
 29 February 2012 Sent Inspection report
 13 March 2012 Received request for Extension of Time

During the cycle inspection it was noted that sleeping room windows did not meet the minimum emergency egress size requirements for a structure built in 1983. The petitioner is requesting additional time to obtain a variance from the Department of Homeland Security Fire Prevention and Building Safety Commission. Required and existing measurements are as follows:

| | | | |
|-------------------------------|--------------------------------|-------------------------|--------------------|
| Openable area required: | 4.75 sq. ft. | Existing area: | 5.1 sq. ft. |
| Clear width required: | 18 inches | Existing width: | 31.25 inches |
| Clear height required: | 24 inches | Existing height: | 23.5 inches |
| Maximum sill height: | 44 inches above finished floor | Existing sill: | 31 inches aff |

Staff recommendation: Grant the variance

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

Compliance Deadline: 31 May 2012

Attachments: Application, Cycle Inspection report



RECEIVED
MAR 13 2012

Application For Appeal

BY _____

To The
Board of Housing Quality Appeals

P.O. Box 100

Bloomington, IN 47402

812-349-3420

hand@bloomington.in.gov

Property Address: 2358 S Henderson St

Petitioner's Name: Candi Mullis

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

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 339-2115

E-mail Address: cmullis@parkermgt.com

Owner's Name: Rustica Delumpa

Address: 1601 Windmill Ave

City: Marco Island

State: Florida

Zip Code: 34145

Phone Number: 219-464-2004

E-mail Address:

Occupants: Teri Barnett, Stefanie Evans

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-47

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:

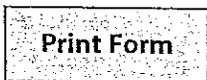
- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: 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.

Signature (Required): C. Mullis

Name (Print): Candi Mullis Date: 3/6/12

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.





March 8, 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 2358 S Henderson St.

A cycle inspection was conducted on February 24, 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 May 31, 2012. The commission meeting and review is on May 2, 2012. After the review meeting we will request to have copies of the variance, if granted to provide to the HAND Department.

Per the inspection:

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: 23.5 inches
Width: 31.25 inches
Sill Height: 31 inches
Openable Area: 5.1 Sq. Ft.

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: 23.5 inches
Width: 31.25 inches
Sill Height: 31 inches
Openable Area: 5.1 Sq. Ft.

Middle 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: 23.5 inches
Width: 31.25 inches
Sill Height: 31 inches

Openable Area: 5.1 Sq. Ft.

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

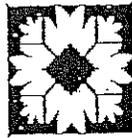
There are 2 windows in the front bedroom, 2 windows in the rear bedroom and 1 window in the middle bedroom. These windows have never been violated in past inspections.

Yours Truly,

Candi Mullis

Maintenance Coordinator

Parker Real Estate Mgt.



City of Bloomington
Housing and Neighborhood Development

Cycle Report

739

OWNERS

=====

Delumpa, Rustica
1601 Windmill Avenue
Marco Island, FL 34145

AGENT

=====

Parker Real Estate Management
PO Box 1112
Bloomington, IN 47402

Prop. Location: 2358 S Henderson ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/4/5

Date Inspected: 02/24/2012
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

Inspectors: Mike Arnold
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: none

Monroe County records show this structure was built in 1983. The minimum emergency egress requirements at the time of construction were as follows:

Height: 24 inches
Width: 18 inches
Sill Height: 48 inches
Openable Area: 4.75 sq. ft.

Interior:**Lower Level:****Center Room (11-2 x 10-1), Utility Room/Bathroom:**

No violations noted

Bedroom (13-9 x 9-10):**This room has a door to the exterior**

No violations noted

Main Level:**Living Room (10-2 x 10-1), ½ Bathroom:**

No violations noted

Kitchen:

Secure the flooring along the east side of the refrigerator. PM-304.1

Upper Level:**Front Bedroom (14-4 x 10-0), Rear Bedroom (12-0 x 8-4):**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1983. The relevant code is the 1980 Indiana Building Code Section 1204

| | | | |
|-------------------------|--------------------------------|------------------|--------------|
| Openable area required: | 4.75 sq. ft. | Existing area: | 5.1 sq. ft. |
| Clear width required: | 18 inches | Existing width: | 31.25 inches |
| Clear height required: | 24 inches | Existing height: | 23.5 inches |
| Maximum sill height: | 44 inches above finished floor | Existing sill: | 31 inches |

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

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

Middle Bedroom (10-0 x 9-0):

The emergency egress window shall not be blocked by the placement of furniture. PM-703.2 (Measure this window at reinspection).

Attic:

Not accessible

Exterior:

No violations noted

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



City of Bloomington
H.A.N.D.

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

Meeting Date: 18 April 2012

Petition Type: Relief from an administrative decision

Petition Number: 12-AA-048

Address: 208 S. Rogers

Petitioner: Doug Wissing

Inspector: Robert Hoole

Staff Report: February 1, 2012 Cycle Inspection
February 7, 2012 Sent Inspection report
March 9, 2012 Reinspection
March 13, 2012 Received request for Relief

During the cycle inspection it was noted that the bathroom exhaust fan was noisy in Apartment 1 and that the dryer in Apartment 2 needed to be vented to the exterior of the building.

16.04.330 (PM 603.1) Mechanical equipment states that “appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.”

Apartment 1 was cited to “Repair the exhaust fan to eliminate excessive noise.” Noisy fans can be an indication that the motor is going or that dirt is interfering with operation. Often a simple cleaning will correct the issue. (Please see attached information regarding bathroom exhaust fans.) The main concern is that if noisy, it may discourage use which can then lead to excessive moisture issues.

16.04.220 (e) (PM 403.5) Ventilation states that “Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer’s instructions.”

Apartment 2 was cited to "Correct the installation of the dryer so that it exhausts to the exterior of the building." Per the appliance department at Lowe's, all dryer manufacturers recommend that the dryer be vented so that it exhausts to the exterior of the building. (Please see attached information regarding dryer vents.)

Regarding Mr. Wissing's complaint that Neighborhood Compliance Officer Robert Hoole was "overly zealous" in his inspection, I would refer to Mr. Hoole's inspection report. As I explained to Mr. Wissing during our conversation in February, none of the items noted in his inspection report cause me any concern. Furthermore, if the other inspectors are missing the items noted in Mr. Hoole's inspection report, my concern is with those inspectors.

- Staff recommendation: Deny the request for relief.
- Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
- Compliance Deadline: 31 May 2012
- Attachments: Application, Cycle Inspection report

RECEIVED
MAR 13 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: 208 S. Rogers St.

Petitioner's Name: Douglas Wissing

Address: PO Box 1683

City: Bloomington

State: Indiana

Zip Code: 47402

Phone Number: 812-360-27

E-mail Address: douglaswissing@gmail.com

Owner's Name: Prospect Hill LLC

Address: same

City: _____

State: _____

Zip Code: _____

Phone Number: _____

E-mail Address: _____

Occupants: Apt. 1 Jennifer Armstrong. Apt. 2 Emily Robbins and Kristin Sayler.

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)

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-AA-48

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.

C.

Apt. 1 "Repair the exhaust fan to eliminate excessive noise. PM-403.2."
Prospect Hill LLC is requesting relief from this notation as PM-403.2 has no reference to noise, nor any deliniation of "excessive" as referenced by decibel level or other method.

Apt. 2 "Correct the installation of the dryer so that it exhausts to the exterior of the building. PM-403.5."
Prospect Hill LLC is requesting relief from this notation because this is the original dryer and vent box that was installed in a laundry room in the first floor interior room of the 2-story apt., far from exterior wall or roofline. It was in place when Prospect Hill LLC purchased the building about 15 years ago. It has never created a problem. This same system has been in place through numerous HAND rental inspections including the previous one in November 2006 by John Hewett. It has never been cited in previous inspections.

Based on numerous previous rental inspections by other HAND inspectors, the petitioner wishes to note his perspective that HAND inspector Robert Hoole was overly zealous in this and other inspections of the petitioner's properties, perhaps for personal reasons.

Signature (Required): 

Name (Print): Douglas W. Wilson Date: 3/10/22

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

how-to's | video | did it myself | forums | shop | find a contractor

Troubleshooting a Noisy Bathroom Fan

by DoItYourself Staff

Troubleshooting a noisy **bathroom fan** can be difficult - especially if the fan is in a hard-to-reach area, or if you're uncomfortable working with electricity. While many fans simply "plug into" an outlet, others are wired in and you'll need basic electrical know-how to replace or work on them. It may feel easier to just call in an electrician. While you may ultimately do that, consider doing a little troubleshooting yourself.

Has the Fan Always Been Noisy?

The most common cause of noisy bathroom fans is the size of the fan motor and the turbine. Less expensive fans typically have very fast fan motors with very small turbines. They move a lot of air, but they're generally very noisy. Fans with a more powerful fan motor and a larger fan blade are the quietest fans. If you've just moved into a house or apartment and noticed the fan is noisy, it may be operating fine, but it's simply a less expensive and more effective fan. You can pull the cover off and see for yourself.

How Noisy is it?

It helps to understand how appliances are rated for sound. Rather than decibels, a "sone system" was created to simplify things for consumers. It's not complicated. Forty phons equal 1 sone. Typical ceiling mount bathroom fans vary from 1.5 to 5 sones. The smaller the number, the quieter the appliance. A refrigerator operates at about 2.0 phons. When you start shopping for bathroom fans, be sure and look at the sone rating. The smaller the number (sone) the quieter the fan. But wait, a quiet fan is no good if it doesn't move the air you need. Make sure you check the CFM (cubic feet per minute) rating too to ensure its moving the air, even if you can't hear it.

Has the Fan Suddenly or Gradually Gotten Noisy?

If your fan has been quiet and suddenly becomes noisy, chances are the motor is going or dust and dirt is interfering with the operation. Since the motor is the part most likely to fail in a ceiling fan, chances are good your recently noisy fan can be blamed on the motor. Turn the power to the fan off at the main switch and grab your flashlight. Is there a build up of dust, dirt and crud in the fan?

Use your canned air and blow it out, then start it up again and see if the noise improves. If not, your fan motor may be dying. The good news is you can just replace the motor without having to replace the entire fan. And, the whole process is pretty simple in most fans. Of course a new motor costs about the same as a new fan, but by replacing the motor, you save yourself having to tear out the old fan.

If you opt for buying an entirely new fan, remember the motor/turbine ratio and make sure you get a fan that's both quiet and moves air. You'll pay more for it, but if you like a quiet fan, it'll be more than worth the cost.

what you'll need

A hand vacuum or canned air to clean out dust

Screwdriver (Phillips and Regular)

Flashlight

Pen and paper to write down the model number and information

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Home > Appliances > Heating, cooling & air > Bathroom fans

Heating, cooling & air

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January 2008

[Overview](#)

[CR Quick Recommendations](#)

[Ratings](#)

[Basic facts about mold](#)

Bathroom fans: Strong, silent types

Although an exhaust fan has been a standard part of most bathrooms for many years, people are often loath to use theirs, thinking it's too noisy. That's unfortunate because, as this report explains, it's important to keep indoor moisture levels down, especially in newer, more airtight homes. And as our tests of 20 fans show, a good one doesn't have to be raucous. The best were affordable, easy to install, and nearly inaudible.

send to a friend

print this article



UP, UP, AND AWAY A bathroom fan is designed to be out of sight, anchored in the ceiling between joists, with an exhaust duct that leads to the outside. All you see is the grille; all you should hear is a faint hum.

Illustration by Trevor Johnston

HOW TO CHOOSE

Estimate the air-moving capacity you need. The Home Ventilation Institute, the industry's trade association, has this sensible rule of thumb for most bathrooms: The fan should have airflow of one cubic foot per minute (cfm) for every square foot of bathroom area up to 100 square feet. For larger bathrooms, the institute recommends a ventilation rate based on the number of fixtures present—50 cfm for each toilet, shower, or bath and 100 cfm for whirlpool tubs. A large bathroom may need two smaller fans, not one large one.

Most fans on the market carry a cfm rating from the Home Ventilation Institute. Our tests show that you can rely on those numbers. Only the bottom-rated fan didn't come close to its cfm rating.

Look for a quiet fan. We measured each fan's noise in decibels. The quietest ones whispered. The noisiest produced a noticeable hum.

Our findings track with the industry's noise ratings, which you can use to compare fans. The industry bases its ratings on a sones scale, which represents how people perceive loudness. As the sones number doubles, so does the loudness. Fans we judged excellent for noise typically have an industry rating of 0.5 to 1.2 sones. Fans we judged very good typically have an industry rating of 1.5 to 2 sones. The noisiest we tested are rated at 4 sones.

Mind the drafts. Most fans will try to prevent outside air from entering the room. A few were worse than the norm. Drafts will be most noticeable if the weather is severe in your area.

Seek useful features and accessories. These are common choices:

An integral ceiling light is the most common add-on. Two of the Broan fans we tested can be activated by an included humidity or motion sensor as well as a wall switch. You might also want to connect the fan to a separate automatic timer that's part of the wall switch. It costs about \$40.

An easily accessible electrical junction box, to allow wiring of the fan without taking anything apart.

Adjustable mounting brackets, which provide the most options for positioning the fan between ceiling joists. Most of these fans have a 4-inch-diameter exhaust outlet, but a few small fans have a 3-inch outlet. If the new fan's outlet does not match the venting you already have, you'll need an adapter; but note that a smaller-diameter duct may restrict airflow significantly.

If you can connect a vent to a clothes dryer, install a ceiling light fixture, and patch wallboard, you have the skills needed to replace a bathroom fan. A new installation, which means routing the exhaust duct through the ceiling, is more involved.

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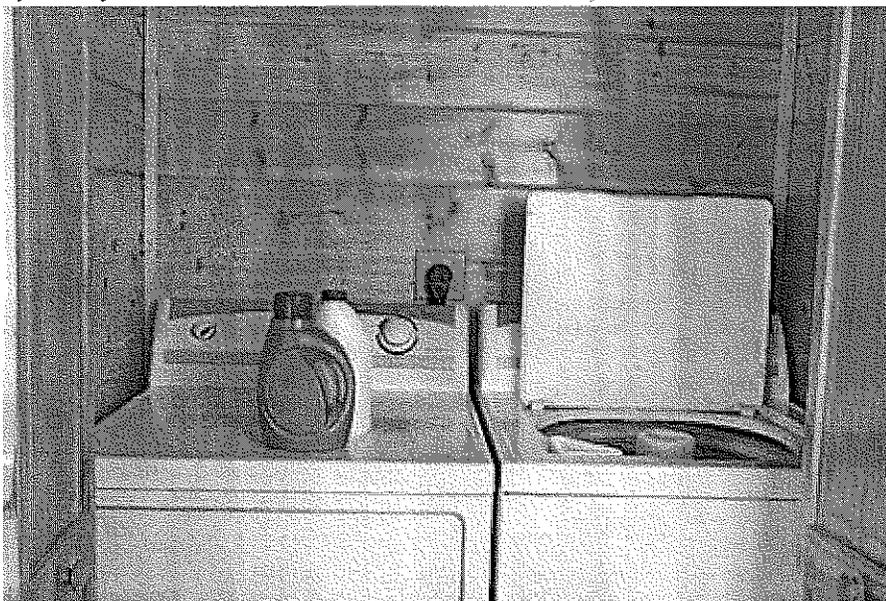
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Install a Dryer Vent

by Murray Anderson



Venting a clothes dryer to the outside isn't an option - it's a requirement. An unvented dryer puts all kinds of fibers and lint into the air in the house that will not only accumulate and make a heck of a mess over time, but can cause respiratory and breathing problems for the occupants. Even more important, the hot air in the dryer (as a result of combustion) may contain gasses such as carbon monoxide that are extremely hazardous. These need to be vented to the outside.

Luckily, installing a dryer vent is a pretty straightforward job. As long as you can measure accurately and use a power drill or jigsaw, you can install your own dryer vent.

Determining where the vent will go

The first thing to do is figure out where you want your dryer vent to be placed. If your dryer is in the basement, you want to drill through the wooden sill plate that sits on your foundation.

If your dryer is on the main or second floor, you will need to determine where you can cut a hole through the wall. When you think you've found the proper location, drill a small pilot hole and insert wire coat hanger bent at 90 degrees and spin it around. If the hanger doesn't hit anything inside the wall, your location is fine; however, if it hits something in the wall you'll need to find another location.

what you'll need

- Power drill
- Hole saw
- Tape measure
- 4 inch rigid sheet metal pipe
- Dryer vent
- Caulking gun and silicon caulking
- Foil tape
- Screwdriver and wood screws
- Ladder (possibly)

Check the vent locations from the outside as well. Do this by measuring (on the inside) from the corner of the foundation or even a window to your chosen spot, and then go outside and use the same measurement to verify that your location is OK. You don't want to be running into any existing shrubbery or even gate posts.

Installing the Vent

Once you've established where your dryer vent is going, drill a small pilot hole from the inside. Go outside, and using a 4-inch hole saw, cut the hole for the dryer vent pipe. You can use a smaller hole saw and a saber saw to cut the hole, just be sure to mark the location of the vent pipe with the pilot hole in its center.

Install the vent hood or shroud to the side of your house using rust resistant wood screws, and caulk all around the pipe and the shroud. The vent hood should have a piece of pipe about 12" long already attached to it.

On the inside, attach a 90-degree elbow to the protruding end of the vent pipe, and then run sections of vent pipe back to your dryer. At the dryer, you'll need to attach an elbow where the exhaust comes out of the dryer and then connect the vent pipe to the elbow.

Your dryer vent is now basically finished. All that's left is to slide the dryer back into position and make sure it's level.

Final Thoughts

Use large hose clamps to attach the solid vent pipes to the elbows, and use foil tape to seal the joints between the pipe sections. Never use sheet metal screws to join the sections together - they will protrude into the pipe, where they will catch and hold lint that eventually could block the vent pipe.

One final word. Flexible plastic hoses were commonly used for venting dryers in the past. However, these hoses aren't strong enough to support their own weight, so they will sag, and lint will collect in the low spots, creating a possible fire hazard. Don't use them.

Murray Anderson is an experienced freelance writer with articles published in both the United States and Canada. He has written on a wide range of topics, but specializes in home maintenance and how to's.

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City of Bloomington
Housing and Neighborhood Development

Cycle Report

1674

OWNERS

=====

Prospect Hill, Llc
P.O. Box 1683
Bloomington, IN 47402

Prop. Location: 208 S Rogers ST
Number of Units/Structures: 4/1
Units/Bedrooms/Max # of Occupants: 3/1/2 1/2/3

Date Inspected: 02/01/2012
Primary Heat Source: Gas
Property Zoning: CD
Number of Stories: 2

Inspectors: Robert Hoole
Foundation Type: Crawl Space
Attic Access: N/A
Accessory Structure:

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

INTERIOR

1

Kitchen (14 x 10)

Eliminate the leak from the sink drain. PM-504.1

Bedroom (13 x 13)

Existing Egress Window Measurements:

Height: 23 ½ inches
Width: 28 ½ inches
Sill Height: 26 inches
Openable Area: 4.65 sq. ft.

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

87

Bath

Properly repair the weak subfloor and the broken tiles adjacent to the shower. PM-304.2, PM-304.3

Repair the exhaust fan to eliminate excessive noise. PM-403.2

2

Front bedroom (14 x 12)

Provide operating power to smoke detector. PM-704.1

Existing Egress Window Measurements:

Height: 23.5 inches
Width: 38.5 inches
Sill Height: 26 inches
Openable Area: 6.28 sq. ft.

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

Laundry

Correct the installation of the dryer so that it exhausts to the exterior of the building. PM-403.5

Living room (11 x 15)

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

Kitchen (9 x 14)

No violations noted.

Bath

No violations noted.

2nd floor bedroom (25 x 8)

Existing Egress Window Measurements:

Height: 23.5 inches
Width: 38.5 inches
Sill Height: 26 inches
Openable Area: 6.28 sq. ft.

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

3

Living room (12 x 10)

No violations noted.

Bath

Secure toilet to its mountings. PM-504.1

Kitchen (10 x 10)

Provide operating power to smoke detector. PM-704.1

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.

Bedroom (12 x 10 ½)

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

Provide operating power to smoke detector. PM-704.1

Properly ground the electrical receptacles on the north and west walls. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Existing Egress Window Measurements:

Height: 20 inches
Width: 34 inches
Sill Height: 21 inches
Openable Area: 4.72 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)

4

Bath

No violations noted.

Living room / kitchen (10 x 13)

Provide operating power to smoke detector. PM-704.1

Bedroom (8 x 17)

The window could not be accessed as it was blocked by a large piece of furniture. A separate tenant violation report will be issued regarding the egress obstruction. The window will be measured and inspected at the reinspection.

Crawlspace

No access.

EXTERIOR

Properly ground the electrical receptacle adjacent to the entrance to unit 3 and provide GFCI protection. If the receptacle is on an ungrounded system it is acceptable to install a GFCI receptacle. PM-605.2

Trim back the trees that are in contact with the building. PM-303.7

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)



City of Bloomington
H.A.N.D.

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

Meeting Date: April 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-50

Address: 1056 Sassafrass Dr./1147 Linden Dr.

Petitioner: Meadowood Retirement Community

Inspector: Norman Mosier/John Hewett/Mike Arnold/Jo Stong

Staff Report: May 31, 2011 – Conducted Cycle Inspection
July 11, 2011 – Received 1st BHQA Appeal – Repair of windows
September 8, 2011 – Received Appeal for old business
January 22, 2012 – Start Legal
February 27, 2012 – Update to Legal
March 14, 2012 – Received BHQA Appeal for Extension of Time to complete repairs

It was noted during the cycle inspection that two units were in the process of being remodeled, (1056 Sassafrass Dr./1147 Linden Dr.) Management was under the impression that these units could be remodeled at a later date and then be inspected by H.A.N.D. These two units were to be brought into compliance within the same 60 day time period as the rest of the units on the property.

Staff recommendation: Grant the Request

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

Compliance Deadline: June 18, 2012

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



Application For Appeal
To The
Board of Housing Quality Appeals

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

hand@bloomington.in.gov

RECEIVED
MAR 14 2012

BY: _____

Property Address: 1056 Sassafrass Drive, 1147 Linden Drive

Petitioner's Name: Meadowood Retirement Community

Address: 2455 Tamarack Trail

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 336-7060

E-mail Address: rhornstein@5sqc.com

Owner's Name: Five Star Quality Care-IN, LLC

Address: 400 Centre Street

City: Newton

State: Massachusetts

Zip Code: 02458

Phone Number: _____

E-mail Address: _____

Occupants: Not occupied.

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-50

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.

Two garden homes on Sassafras and Linden are not occupied and have been scheduled to be renovated for future occupancy. Owner was under impression as soon as work was completed, a request for re-inspection would be made. Equipment and materials have been ordered. Owner respectfully requests a completion date by June 1st, 2012.

Signature (Required): Randy Hornstein for Meadowood

Name (Print): Randy Hornstein Date: 3/14/12

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).
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City of Bloomington
Housing and Neighborhood Development

MAR 19 2012

REMAINING VIOLATIONS REPORT

7197

OWNERS

Five Star Quality Care
400 Centre Street
Newton, MA 02458

AGENT

G. Randy Hornstein
2455 Tamarack Trail
Bloomington, IN 47408

Prop. Location: 2455 E Tamarack Trail

Number of Units/Structures: 185/24

Units/Bedrooms/Max # of Occupants: Bld Bldg 2510: 1/3/5, Bld Bldg 2620: 1/3/5, Bld Bldg 787: 2/3/5, Bld Bldg 940: 2/2/4, Bld Bldg 933: 1/2/4 1/3/5, Bld Bldg 932: 1/3/5, Bld Bldg 931: 7/2/4, Bld Bldg 926: 1/2/4, Bld Bldg 928: 1/3/5, Bld Bldg 901: 2/1/2 6/2/4 1/3/5, Bld Bldg 1001: 1/1/2 3/2/4 2/3/5, Bld Bldg 1012: 3/2/4 1/3/5, Bld Bldg 1013: 1/1/2 4/2/4 2/3/5, Bld Bldg 1026: 4/2/4 2/3/5, Bld Bldg 1041: 1/1/2 1/2/4 1/3/5, Bld Bldg 1047: 1/1/2 5/2/4, Bld Bldg 1046: 1/1/2 4/2/4, Bld Bldg 1162: 6/2/4, Bld Bldg 1151: 6/2/4 2/3/5, Bld Bldg 1130: 3/2/4 1/3/5, Bld Bldg 1113: 1/1/2 6/2/4 1/3/5, Bld Bldg 1128: 3/3/5, Bld Bldg 1101: 1/1/2 5/2/4, Bld Bldg 003: 26/1/2 57/2/4 3/3/5

Date Inspected: 05/31/2011
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 2

Inspectors: Mosier, Hewett, Arnold
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: Garages

REINSPECTION REQUIRED

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

UNIT 1056

Vacant and in the process of being remodeled. This unit needs to be fully inspected, this can be done at the re-inspection.

UNIT 1147

Vacant and in the process of being remodeled. This unit needs to be fully inspected, this can be done at the re-inspection.

UNIT 1145

Paint the exterior of structure at the front door. PM-303.2

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed on the two garages west of main building. PM-303.2

(The above violation has a one-year deadline from the date the Cycle Inspection Report.)



City of Bloomington
H.A.N.D.

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

Meeting Date: April 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-51

Address: 1320 N. Washington Street

Petitioner: Angie Brown

Inspector: Maria McCormick

Staff Report: 02/16/2012 Conducted complaint inspection
03/15/2012 Received application for appeal
During the complaint inspection there were several places where water was leaking in from the dining room ceiling and windows and in the kitchen. There was also mold/mildew found on several windows. The property owners are requesting an extension of time to make sure that the repairs that they have made to the roof have been effective before they complete the interior 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: May 1, 2012

Attachments: Application for Appeal, Complaint Inspection Report, Photos

JD

RECEIVED
MAR 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: 1320 N Washington St, Bloomington, IN 47408

Petitioner's Name: Angie Brown

Address: 1320 N Washington St.

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 361-1021

E-mail Address: angie@brownpropertymgt.com

Owner's Name: Jeffrey & Angela Brown

Address: 2105 S 6th St.

City: Lafayette

State: Indiana

Zip Code: 47905

Phone Number: 812-361-1021

E-mail Address: angie@brownpropertymgt.com

Occupants: Hillary Nuest

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-51

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 looking for an extension of time to complete repairs. I am trying to resolve a roof leak which can be tricky and take a few times to resolve along with waiting for mother nature to provide rain to see if the repair was successful or not. We have been trying to locate the leak but it is taking a little longer and would like to extend our time for the repairs to be completed to May 1 if possible. Thanks for you understanding in advance.

Signature (Required): Angie Brown

Name (Print): Angie Brown Date: 3/12/12

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

Complaint Report

3933

OWNERS

Brown, Jeffrey B. & Angela D.
2105 S 6th St
Lafayette, IN 47905

Prop. Location: 1320 N Washington ST
Units/Bedrooms/Max # of Occupants: 1/3/5 1/4/5
Date Inspected: 02/16/2012
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 1

Number of Units/Structures: 2/1
Inspectors: Maria McCormick
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

VARIANCE

10/13/1994 Special exception to the minimum ceiling height requirements in the basement unit with the condition that no ceiling receptacles be installed any lower than 6'4".

The following items are the result of a complaint inspection conducted on 02/16/2012. 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.

Upper Unit –

Dining Room:

Determine the source and eliminate the water leaks in the ceiling and the windows along the south wall. PM-504.1

Properly repair, then clean and surface coat damaged or stained ceiling area. PM-304.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. Properly repair the walls around the windows on the south wall where there is water damage, including any damage to the structural members of the wall. PM-304.3

100

Kitchen:

Determine the source and eliminate the water leaks in the ceiling and in the ceiling mounted light fixture. PM-504.1

Properly repair, then clean and surface coat damaged or stained ceiling area. PM-304.3

Properly clean and sanitize the window jambs to remove all mold and mildew. PM-303.2 & PM-304.3

Living Room:

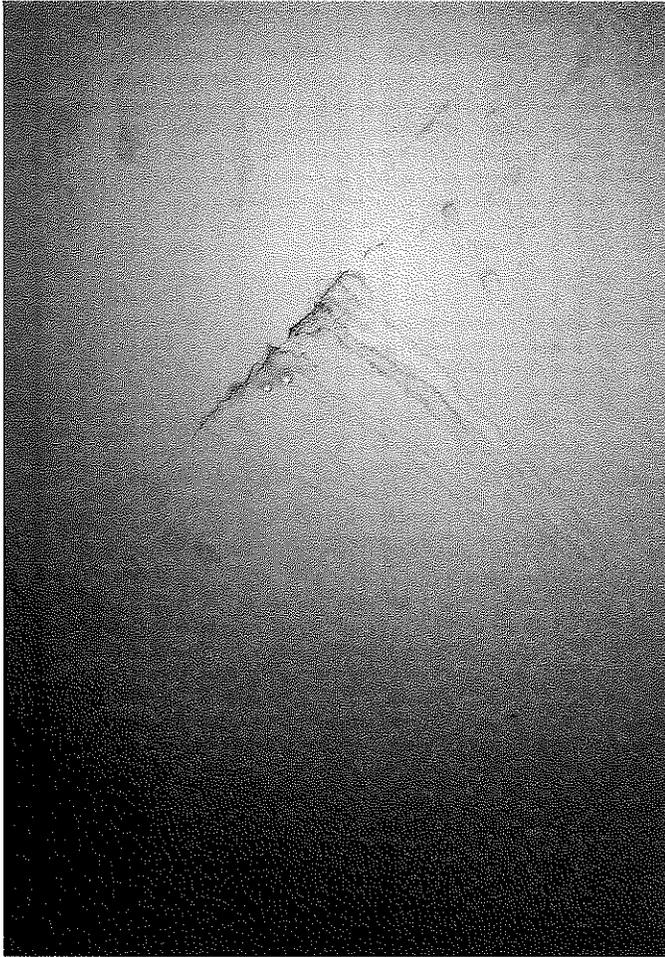
Properly clean and sanitize the window jambs to remove all mold and mildew. PM-303.2 & PM-304.3

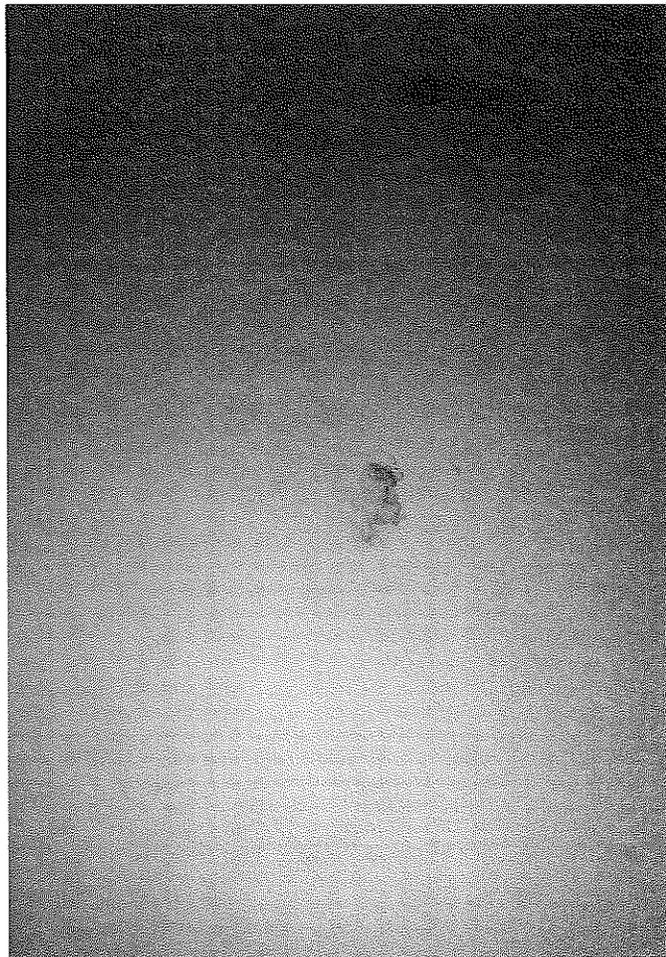
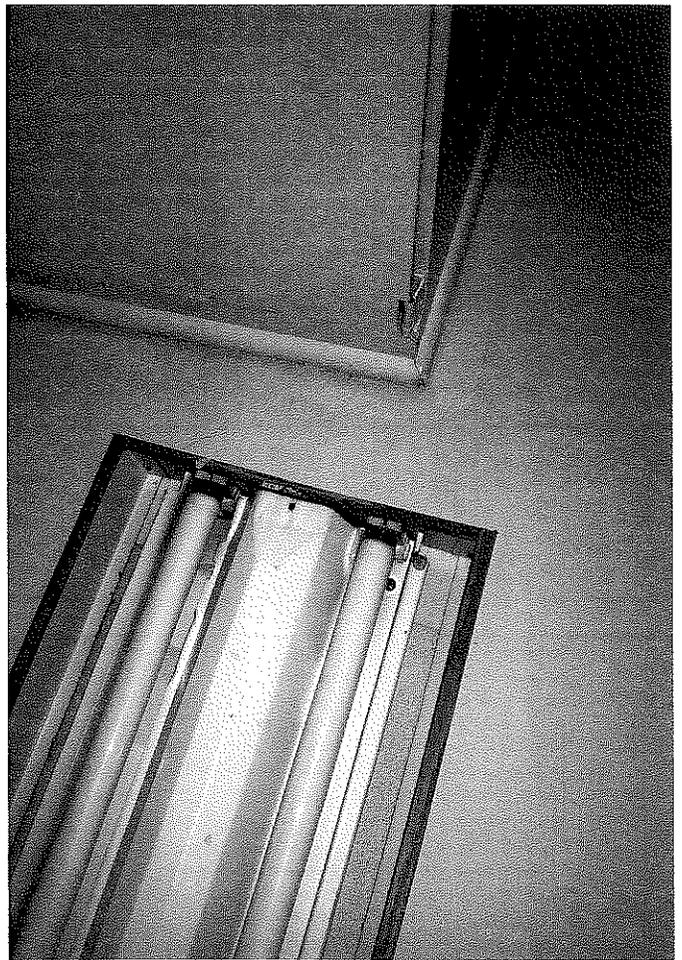
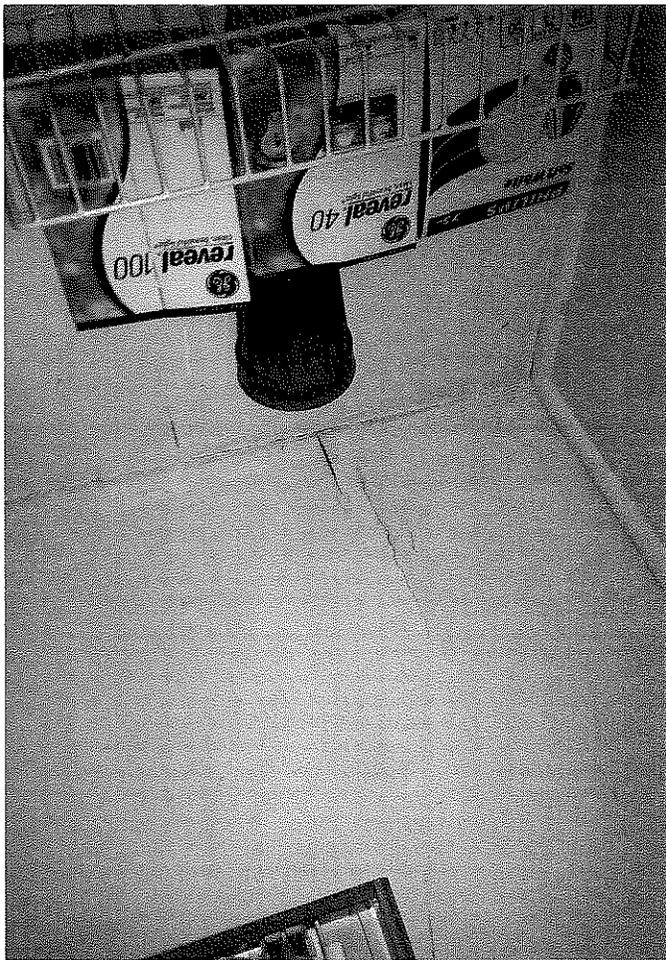
SE Bedroom:

Properly clean and sanitize the window jambs to remove all mold and mildew. PM-303.2 & PM-304.3

EXTERIOR:

Repair or replace damaged or deteriorating roofing including eliminating areas where water is pooling and may be leading to the leaking inside the structure. This is to be done in a workmanlike manner and includes but is not limited to damaged or deteriorating roofing material, sheathing, and all structural members. PM-303.4 & PM-303.7









City of Bloomington
H.A.N.D.

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

Meeting Date: April 18, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-52
Address: 2453-2457 W. Marlene Dr.
Petitioner: Kelly Harding
Inspector: Norman Mosier
Staff Report: March 2, 2012 – Conducted Complaint Inspection
March 21, 2012 – Received BHQA Appeal

It was noted during the complaint inspection at 2457 W. Marlene Dr. that the ceiling in the kitchen has failed due to water damaged caused by a leaking roof. Kitchen and hallway walls are stained by water damaged and need to be painted. The floor in the living room is buckled in two different areas. Tenant also complained that the air conditioner doesn't work, but unable to verify because electricity was turned off. The roof also needs to be repaired. Petitioner is requesting an extension of time to complete the repairs.

Staff recommendation: Grant the request.

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

Compliance Deadline: April 30, 2012

Attachments: Complaint Inspection Report, BHQA Appeal, Petitioner's Letter, Photos

RECEIVED
MAR 21 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: 2457 W. Marlene Drive

Petitioner's Name: Kelly Harding

Address: 608 W. Kirkwood Ave.

City: Bloomington State: IN Zip Code: 47404

Phone Number: _____ E-mail Address: _____

Owner's Name: Same

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: 812-345-6813 E-mail Address: hardingkellya@yahoo.com

Occupants: Melissa Pruitt - Swiders

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-52
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:

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 - 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 Tenant is on Section 8 & I have not spoken to her at all until the last week of Feb. when she told me "a piece of drywall just fell from the ceiling for no reason." I assured her that these things do not happen for no reason, but my key would not work to get in because the locks had been changed. Upon inspection from Section 8, I found that she had not had utilities on since last September & there was a roof leak which she did not inform me of at all! I just got a key last week for the property, but was out of town for Spring Break, as was my builder. The roof has been repaired, but the interior has not been completed due to us not getting a key in time. Section 8 has a hearing with her & I do not want to complete repairs inside until after they have documented these damages that have resulted from her having no utilities on since last fall.

Signature (Required):

Kelley Harding

Name (Print):

Kelley Harding

Date:

3/21/12

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

COMPLAINT REPORT

674

OWNERS

Harding, Kelly A.
608 W Kirkwood Ave
Bloomington, IN 47404

Prop. Location: 2457 W Marlene DR, 2453 W Marlene DR
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/2/4

Date Inspected: 03/02/2012
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 1

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

The following items are the result of a complaint inspection conducted on **03/02/2012**. It is your responsibility to repair these items and to schedule a re-inspection within fourteen (14) days of the receipt of this report. Failure to comply with this inspection report will result in this matter being turned over to the City Legal Department. If you have questions regarding this report, please contact this office at 349-3420.

NOTE:

Tenant complained that the air conditioner doesn't cool, unable to verify, electricity turned off.

2457 W. MARLENE DR.

Kitchen:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. Repair the failing ceiling adjacent to the rear door. PM-304.3

Paint all of the walls that are stained from water damage, due to roof leaking. PM-304.3

Hallway:

Paint all of the walls that are stained from water damage, due to roof leaking. PM-304.3

108

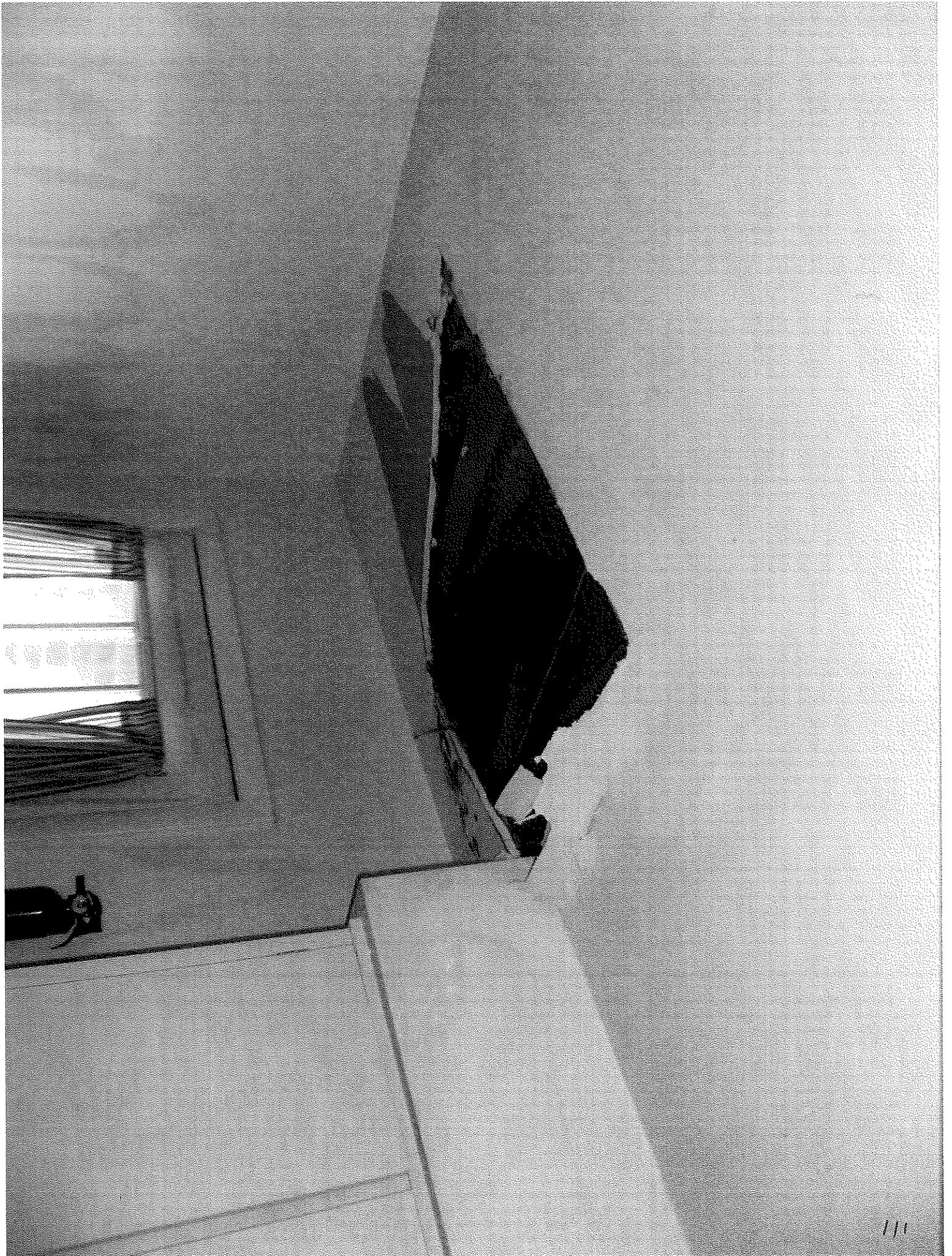
Living Room:

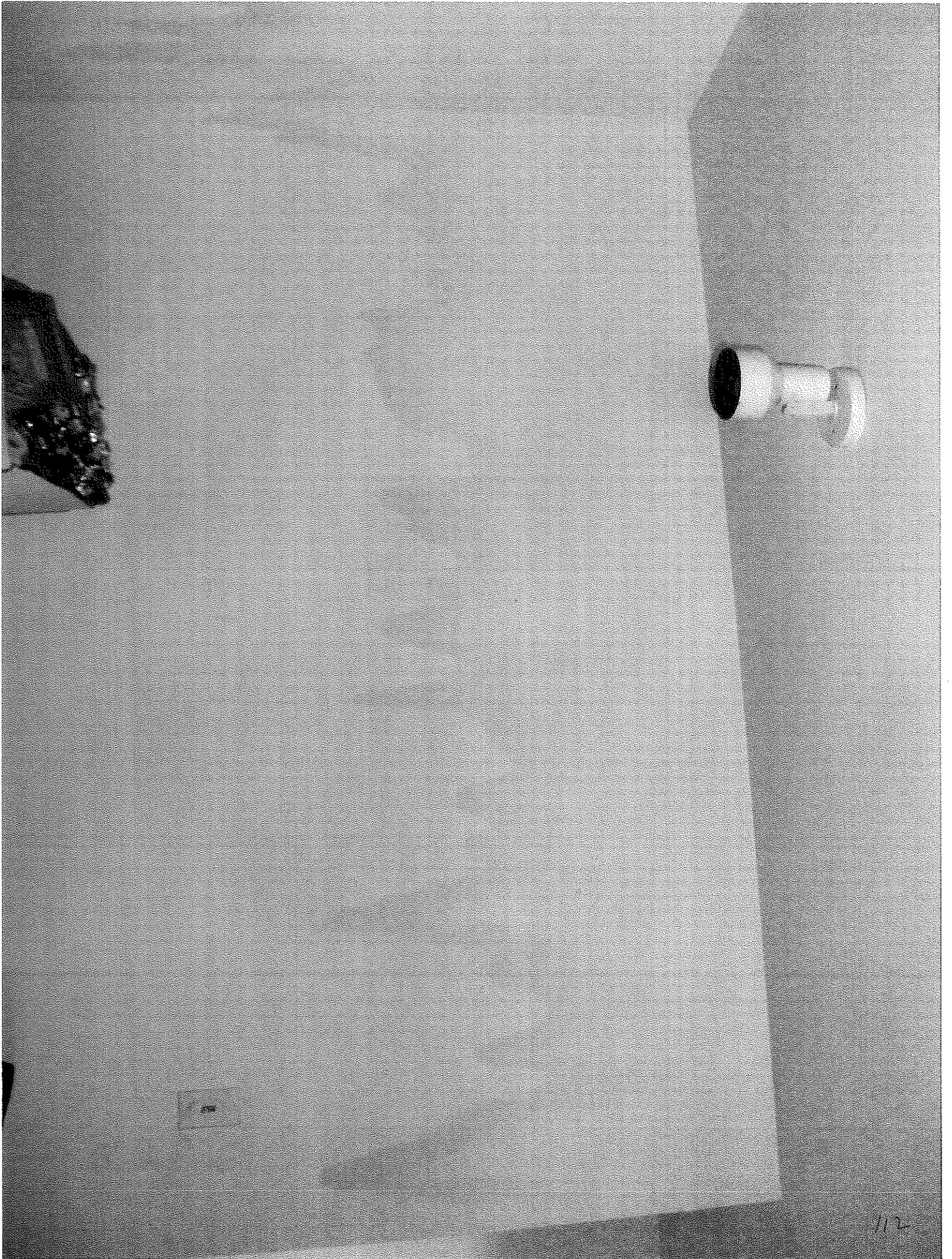
Properly repair floor, buckled. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. PM-304.2 & PM-304.4

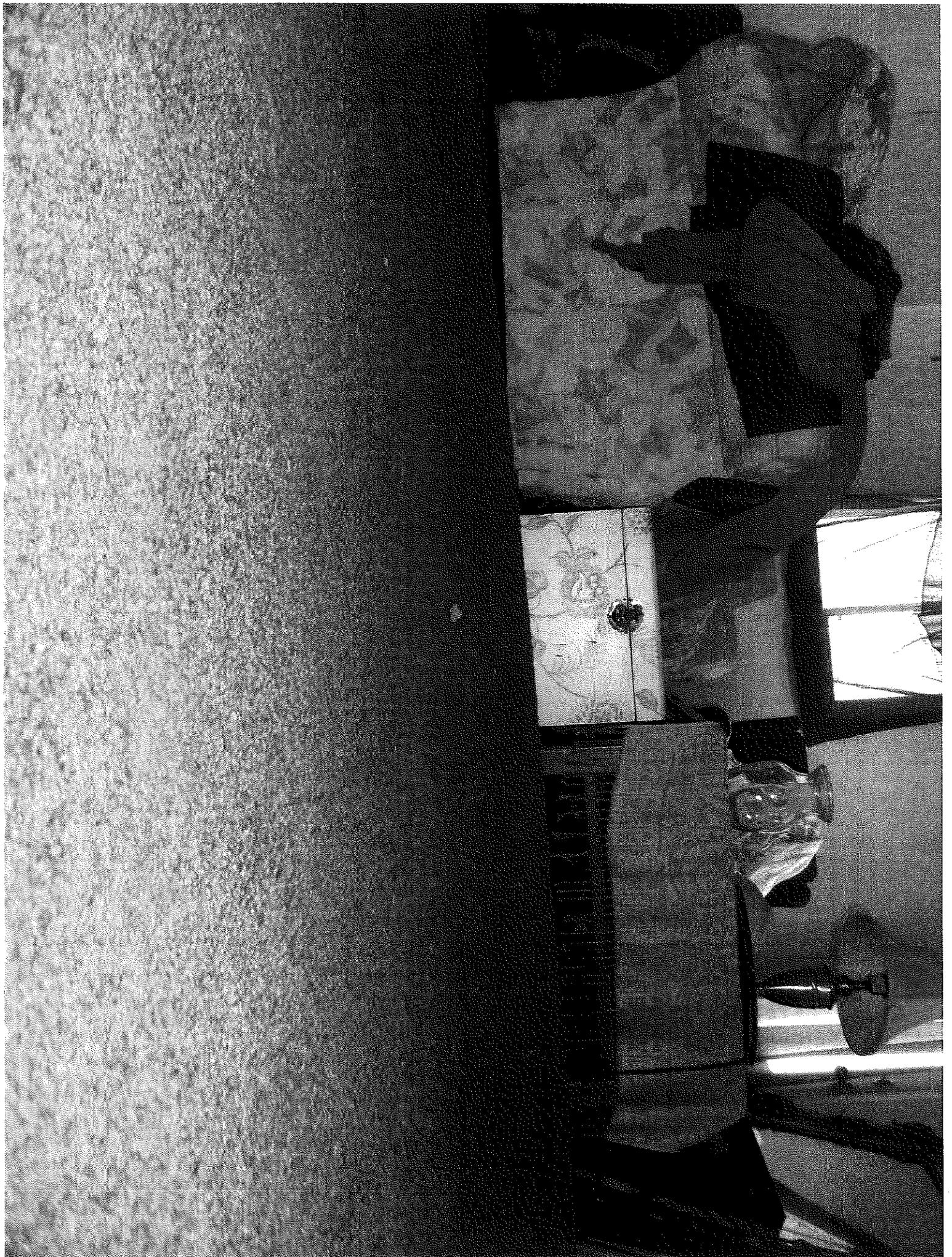
EXTERIOR:

Properly repair the roof not to leak. PM-303.7















City of Bloomington
H.A.N.D.

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

Meeting Date: April 18, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-53

Address: 310-316 W. Kenwood Dr.

Petitioner: Steve Hogan

Inspector: Maria McCormick

Staff Report: January 9, 2012 Cycle Inspection (unable to access all units)
February 2, 2012 Completed Cycle Inspection
March 21, 2012 Received Application for Appeal
March 22, 2012 No Show for scheduled re-inspection

During the cycle inspection it was noted that the condition of the carpeting in unit 312 was bad and it would need to be repaired or replaced. The petitioner is requesting an extension of time until the current tenants lease is up on July 31, 2012 to complete this item.

Staff recommendation: Grant the extension

Conditions: The carpet in unit 312 must be completed and re-inspected no later than the deadline stated below all other items in the report have the original compliance deadline, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: August 5, 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

Property Address: 312 W. KENWOOD

Petitioner's Name: STEVE HOGAN

Address: 2801 N. WALNUT # 7

City: BLGM State: IN Zip Code: 47404

Phone Number: 360-3743 E-mail Address: SRHOGAN1972@gmail.com

Owner's Name: SAPIKA RAMAHI

Address: 316 KENWOOD

City: BLGM State: IN Zip Code: 47404

Phone Number: 336-9116 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:

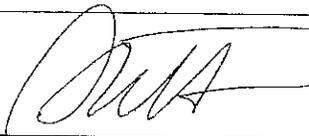
Variance Type: TV

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-53
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.

Signature (Required): 

Name (Print): STEVEN R HUBAN

Date: 3-20-2012

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

Hogan Enterprises LLC

2801 N Walnut Street #7

Bloomington, IN 47404

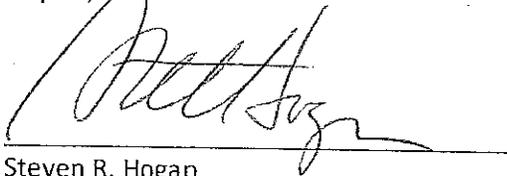
(812) 360-3743

March 19, 2012

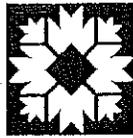
BHQA
City of Bloomington

RE: 312 Kenwood Ave.

The tenant who lives in 312 Kenwood, had a dog that tore up the carpet in the hallway outside the bathroom door. We would not like to replace that carpet until the tenant leaves. His lease expires on July 31, 2012.



Steven R. Hogan
Agent for Sadika Ramahi



City of Bloomington
Housing and Neighborhood Development

FEB 06 2012

Remaining Violation Report
Re-inspected 02/02/2012

4363

OWNERS

Ramahi, Sadika A.W.
316 Kenwood
Bloomington, IN 47404

AGENT

Hogan, Steven R.
2801 N. Walnut Street #7
Bloomington, 47404

Prop. Location: 310-316 W Kenwood DR
Units/Bedrooms/Max # of Occupants: 4/2/4
Date Inspected: 01/09/2012
Primary Heat Source: Gas
Property Zoning: CG
Number of Stories: 2

Number of Units/Structures: 4/1
Inspectors: Maria McCormick
Foundation Type: Slab
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.

Monroe County Assessor's records indicate that this structure was built in 1985. These are the minimum requirements for a Multi-Family structure built or altered between 1992 - 1998:

- Clear Height: 24"
- Clear Width: 20"
- Sill Height: 44" above the floor
- Openable Area: 5.7 sq. ft.

120

INTERIOR:

310 –

Living Room 17-5 x 11-8:

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

Half Bath/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

2/29/12
C

312 –

Living Room 17-5 x 11-8:

Properly repair or replace damaged entry door jamb. PM-303.15

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

Properly repair or replace loose, damaged, or missing floor covering at the entrance to the half bath where the tack strip is exposed. PM-304.4

Kitchen:

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

314 –

Kitchen:

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

2/29/12
C
Mechanical Closet:

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

316--

This unit is owner occupied. This unit must be inspected prior to being rented.

EXTERIOR:

- C Repair the storm door on 310 to latch as intended. PM-102.8 & PM-303.15
- C Repair the light fixture that is hanging by wires and replace the missing protective cover for it at the front door of unit 312. PM-605.1

OTHER REQUIREMENTS:

C 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

C 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 for each unit.** BMC 16.12.050 (d)

C 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 for each unit.** 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)