

PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
June 20, 2012
4:00 P.M.

I. ROLL CALL

II. REVIEW OF SUMMARY – April 18, 2012; May 16, 2012 pp. 4-7

III. OLD BUSINESS

(1) 12-TV-36 **219 E. Burks Drive/3382 S. Burks Court**, Dara May. Request for an extension of time to complete repairs. Previously heard March 21, 2012.
pp. 8-11

IV. NEW BUSINESS

(2) 12-TV-67 **615 W. 15th Street**, Acacia Investments, LLC. Request for an extension of time to complete repairs. pp. 12-17

(3) 12-V-68 **210 E. 12th Street**, Richard Pollert. Request for an exception or modification to the Housing Property Maintenance Code. pp. 18-24

(4) 12-RV-69 **1004-1004 ½ W. 6th Street**, H.A.N.D. Request for rescission of variance. pp. 25-30

(5) 12-TV-70 **111 E. 16th Street**, Karen Haley. Request for an extension of time to complete repairs. pp. 31-36

(6) 12-TV-71 **623 N. Kerry Drive**, Thomas & Renee Dreher. Request for an extension of time to complete repairs. pp. 37-46

(7) 12-V-72 **432 S. College Avenue**, Monroe County Convention Building Corp. Request for an exception or modification to the Housing Property Maintenance Code. pp. 47-59

(8) 12-TV-73 **1207 S. Lincoln Street**, Jonathan Cargill. Request for an extension of time to complete repairs. pp. 60-65

(9) 12-V-74 **318 E. Smith Avenue**, Norman Ladd. Request for an exception or modification to the Housing Property Maintenance Code. pp. 66-74

(10) 12-TV-75 **1739 N. Lincoln Street**, Tempo Properties, Inc. Request for an extension of time to complete repairs. pp. 75-80

(11) 12-TV-76 **2360 S. Henderson Street**, Beverley Chen. Request for an extension of time to complete repairs. pp. 81-87

(12) 12-TV-77 **407 E. Smith Avenue**, Dolores Rockwood. Request for an extension of time to complete repairs. pp. 88-94

(13) 12-TV-78 **2307 E. Winding Brook Court**, Kristianne Kuntz. Request for an extension of time to complete repairs. pp. 95-101

- (14) 12-TV-79 **1000 S. Ballantine Road**, Fuchs Investments, LLC. Request for an extension of time to complete repairs. pp. 102-107
- (15) 12-RV-80 **1413 S. Walnut Street**, H.A.N.D. Request for rescission of variance. pp. 108-113
- (16) 12-TV-81 **2517 S. Milton Drive**, Wallace Wampler. Request for an extension of time to complete repairs. pp. 114-119
- (17) 12-RV-82 **414 E. Hillside Drive**, H.A.N.D. Request for rescission of variance. pp. 120-126

V. **GENERAL DISCUSSION**

VII. **PUBLIC COMMENT**

VIII. **ADJOURNMENT**

**BHQA CONSENT AGENDA
CITY HALL McCLOSKEY CONFERENCE ROOM
June 20, 2012, 4:00 P.M.**

Extension of time – Complete Repairs

- (2) 12-TV-67 **615 W. 15th Street**, Acacia Investments, LLC. Request for an extension of time to complete repairs.
- (5) 12-TV-70 **111 E. 16th Street**, Karen Haley. Request for an extension of time to complete repairs.
- (6) 12-TV-71 **623 N. Kerry Drive**, Thomas & Renee Dreher. Request for an extension of time to complete repairs.
- (12) 12-TV-77 **407 E. Smith Avenue**, Dolores Rockwood. Request for an extension of time to complete repairs.
- (14) 12-TV-79 **1000 S. Ballantine Road**, Fuchs Investments, LLC. Request for an extension of time to complete repairs.
- (16) 12-TV-81 **2517 S. Milton Drive**, Wallace Wampler. Request for an extension of time to complete repairs.

Extension of time – State Variance

- (3) 12-V-68 **210 E. 12th Street**, Richard Pollert. Request for an exception or modification to the Housing Property Maintenance Code.
- (10) 12-TV-75 **1739 N. Lincoln Street**, Tempo Properties, Inc. Request for an extension of time to complete repairs.
- (11) 12-TV-76 **2360 S. Henderson Street**, Beverley Chen. Request for an extension of time to complete repairs.
- (13) 12-TV-78 **2307 E. Winding Brook Court**, Kristianne Kuntz. Request for an extension of time to complete repairs.

Rescission of Variance

- (4) 12-RV-69 **1004-1004 ½ W. 6th Street**, H.A.N.D. Request for rescission of variance.
- (15) 12-RV-80 **1413 S. Walnut Street**, H.A.N.D. Request for rescission of variance.
- (17) 12-RV-82 **414 E. Hillside Drive**, H.A.N.D. Request for rescission of variance.

Grant variance

- (9) 12-V-74 **318 E. Smith Avenue**, Norman Ladd. Request for an exception or modification to the Housing Property Maintenance Code.

B.H.Q.A. MEETING OF APRIL 18, 2012

SUMMARY

MEMBERS PRESENT: Sandi Cole, Kris Floyd, Susie Hamilton, Katherine Lessing, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Daniel Bixler, John Hewett, Robert Hoole, Maria McCormick, Norman Mosier (HAND), Patty Mulvihill (Legal)

OTHERS PRESENT: Randy Hornstein (Meadowood Retirement Community), Shaun Kastner (Cheryl Underwood), Doug Wissing (Prospect Hill, LLC)

I. REVIEW OF SUMMARY

Hamilton made a motion to approve the minutes for March 2, 2012 and March 21, 2012. Strauser seconded. Motion passed, 5-0.

II. CONSENT AGENDA

(1) Extensions of Time- State Variance:

2909 S. Sare Road, Howard Young, 12-TV-39. Request for an extension of time to complete repairs. Recommendation was to grant with a June 18, 2012 deadline.

515, 521 & 545 E. Smith Avenue, DB Crossing, LLC, 12-TV-42. Request for an extension of time to complete repairs. Recommendation was to grant with a June 18, 2012 deadline.

1105 S. Fairview Street, William & Ruth Morton, 12-TV-43. Request for an extension of time to complete repairs. Recommendation was to grant with an April 25, 2012 deadline for all life-safety violations to be brought into compliance and reinspected, and a July 18, 2012 deadline for the State Variance.

586 E. Graham Place, Richard Lin, 12-TV-46. Request for an extension of time to complete repairs. Recommendation was to grant with a May 31, 2012 deadline.

2358 S. Henderson Street, Restica Delumpa, 12-TV-47. Request for an extension of time to complete repairs. Recommendation was to grant with a May 31, 2012 deadline.

Approved.

(2) Extensions of Time- complete repairs:

1890 S. Walnut Street, A-1 Town Homes & Apartments, LLC, 12-TV-02. Request for an extension of time to complete repairs. Previously heard March 02, 2012. Recommendation was to grant with a September 18, 2012 deadline.

3322 N. Stoneycrest Drive, Deborah & Hobert Minton III, 12-TV-41. Request for an extension of time to complete repairs. Recommendation was to grant with a May 21, 2012 deadline.

1320 N. Washington Street, Jeffrey & Angela Brown, 12-TV-51. Request for an extension of time to complete repairs. Recommendation was to grant with a May 01, 2012 deadline.

310-316 W. Kenwood Drive, Sadika Ramahi, 12-TV-53. Request for an extension of time to complete repairs. Recommendation was to grant with an August 05, 2012 deadline.

Approved.

(3) Rescission of variance:

505 W. 16th Street, H.A.N.D., 12-RV-44. Request for rescission of a variance. Recommendation was to grant the rescission.

Approved.

III. PETITIONS

2455 E. Tamarack Trail, Five Star Quality Care-IN, LLC, 12-TV-50. The petitioner, Randy Hornstein, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a June 18, 2012 deadline. Cole made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

208 S. Rogers Street, Prospect Hill, LLC, 12-AA-48. The petitioner, Doug Wissing, was present to request relief from an administrative decision requiring an exhaust fan be repaired and dryer exhaust be vented to the building's exterior. Staff recommendation was to deny the request. Hamilton made a motion to deny the request per staff recommendation. Strauser seconded. Motion failed, 2-3 (Cole,

Floyd, Hamilton voted no). Cole made a motion to require the exhaust fan and an approved lint trap for the dryer be installed and reinspected no later than May 31, 2012. Strauser seconded. Motion passed, 5-0.

508 N. Washington Street, Cheryl Underwood, 12-V-45. The petitioner's representative, Shaun Kastner, was present to request an exception to the Property Maintenance code for ceiling height and window requirements. The variance requested can only be granted by the state. Staff recommendation was to grant an extension of time for the petitioner to request variances from the State of Indiana for these violations with a July 18, 2012 deadline. Cole made a motion to grant the extension of time per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

2453-2457 W. Marlene Drive, Kelly Harding, 12-TV-52. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a deadline of April 30, 2012 or prior to occupancy. Floyd made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 5-0. Request granted.

IV. GENERAL DISCUSSION

None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Floyd made a motion to adjourn. Strauser seconded. Motion passed, unanimously. Meeting adjourned at 4:45 PM.

B.H.Q.A. MEETING OF MAY 16, 2012

SUMMARY

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

STAFF PRESENT: Daniel Bixler, John Hewett, Robert Hoole, Maria McCormick, Norman Mosier (HAND), Patty Mulvihill (Legal)

OTHERS PRESENT: Doug Horn (Stasny & Horn, IGP), John Jay McKinney (Jeanne Walters Real Estate), Gerald Rhoads (1404 W. Arlington Road), Wendy Westphal (3209 E. 10th Street Unit X7)

I. REVIEW OF SUMMARY

No minutes to approve.

II. CONSENT AGENDA

(1) Extensions of Time- Complete Repairs:

805 N. Washington Street, Chris Clark, 12-TV-54. Request for an extension of time to complete repairs. Recommendation was to grant with a July 16, 2012 deadline.

502 E. Dixie Street, Dara May, 12-TV-63. Request for an extension of time to complete repairs. Recommendation was to grant with a June 16, 2012 deadline.

1117 S. Madison Street, Martha Voyles, 12-TV-64. Request for an extension of time to complete repairs. Recommendation was to grant with a June 01, 2012 deadline.

230 S. Hillsdale Drive, Sum Cheng, 12-TV-65. Request for an extension of time to complete repairs. Recommendation was to grant with a May 23, 2012 deadline for all life-safety violations and a June 30, 2012 deadline for all other violations.

Approved.

(2) Extensions of Time- State Variance:

585 E. Graham Place, Johann Dieken, 12-TV-56. Request for an extension of time to complete repairs. Recommendation was to grant with a June 16, 2012 deadline.

2680 S. McCartney Lane, Howard Young, 12-TV-57. Request for an extension of time to complete repairs. Recommendation was to grant with a June 16, 2012 deadline.

533 E. Smith Avenue, Cassis Enterprises, LLC, 12-TV-59. Request for an extension of time to complete repairs. Recommendation was to grant with a July 16, 2012 deadline.

Approved.

III. PETITIONS

1404 W. Arlington Road, Gerald Rhoads, 12-AA-61. The petitioner, Gerald Rhoads, was present to request relief from an administrative decision to require property to be registered as a rental property. Staff recommendation was to deny the request. Floyd made a motion to grant the request with the condition that (1) the property must be continuously occupied by John & Hillary Repollet (purchaser) and (2) the property sales contract must be recorded on or before October 04, 2013 or the property needs to be inspected for Title 16 compliance. Hamilton seconded. Motion passed, 4-2 (Cole, Johnson voted no). Request granted.

3209 E. 10th Street Unit X7, Wendy & Matthias Westphal (tenant), 12-AA-62. Pulled from Consent Agenda. The petitioner, Wendy Westphal (tenant), was present to request relief from an administrative decision requiring bedroom size to be at least 150 square feet of floor space if three people occupy it. The three in question are small children (5 and under). Staff recommendation was to grant the request for the next lease cycle so long as Mr. & Mrs. Westphal and their children reside in the property with a residency check to be made in October 2013. Cole made a motion to grant the request per staff recommendation with an expiration date of September 01, 2013. Johnson seconded. Motion passed, 6-0. Request granted.

320 E. Cottage Grove Avenue, Stasny & Horn, IGP, 12-V-55. The petitioner, Doug Horn, was

present to request an exception to the bedroom pass-through requirement. Staff recommendation was to grant the request. Cole made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 6-0. Request granted.

817 N. Park Avenue, Gary & Virginia Mechling, 12-TV-58. Pulled from the Consent Agenda. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a deadline of July 31, 2012. Hamilton made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 6-0. Request granted.

3230 E. John Hinkle Place Unit A, Tempo Properties, 11-TV-151. This was previously heard on March 02, 2012. The petitioner was not present to request that they not be penalized by losing the five year permit for the property. Staff recommendation was to grant the request. Cole made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 6-0. Request granted.

3230 E. John Hinkle Place Unit K, Tempo Properties, 11-TV-152. This was previously heard on March 02, 2012. The petitioner was not present to request that they not be penalized by losing the five year permit for the property. Staff recommendation was to grant the request. Floyd made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 6-0. Request granted.

IV. GENERAL DISCUSSION

Discussion of an Amendment to Rules concerning time limits on discussions. Provisions all agreed were needed include (1) the BHQA application must stipulate that more time can be added, and (2) the BHQA application must note that there is a five minute limit. Cole made a motion to amend the By-Laws of the BHQA to limit all petitioners to no more than five minutes to present their case and arguments when presenting a matter to the Board. Lessing seconded. Motion passed, 5-1 (Johnson voted no). Amendment added.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Cole made a motion to adjourn. Hamilton seconded. Motion passed, unanimously. Meeting adjourned at 4:50 PM.



City of Bloomington
H.A.N.D.

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

Meeting Date: June 20, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-36

Address: 219 – 3382 S. Burks Ct.

Petitioner: Jeanne Walters Real Estate

Inspector: Robert Hoole

Staff Report: December 15, 2011 Cycle inspection report mailed
 February 15, 2012 Appeal filed
 February 18, 2012 Amended inspection report mailed
 May 23, 2012 Second appeal filed

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

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

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

The petitioner applied for a variance from the State but the request was tabled due to errors on the application. The application has been corrected and resubmitted to the State for a hearing during the month of June, 2012.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: July 20, 2012

Attachments: Appeal form

RECEIVED
MAY 23 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: 219 E Burks Dr & 3382 S Burks Ct

Petitioner's Name: Jeanne Walters Real Estate

Address: 107 E 6th St

City: Bloomington State: IN Zip Code: 47408

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

Owner's Name: Dara May

Address: 9044 Lorton Station Blvd # 103

City: Lorton State: VA Zip Code: 22079

Phone Number: _____ E-mail Address: dara.m.may@gmail.com

Occupants: Dyksen & Schoch

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

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

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

Variance Type: Extension of time for response to variance application

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

(Will be assigned by BHQA)
12-TV-36 (OLD)
Petition Number: [REDACTED]

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

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

Extension of time to get
response on variance
application for windows

Signature (Required): Kelly Martel

Name (Print): Kelly Martel Date: 5/17/12

Important information regarding this application format:

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





City of Bloomington
H.A.N.D.

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

Meeting Date: 20 June 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-067

Address: 615 W. 15th St.

Petitioner: Olympus Properties

Inspector: Michael Arnold

Staff Report: 20 March 2012 Cycle Inspection
 23 March 2012 Report sent
 30 April 2012 Received Appeal

During the cycle inspection it was noted that there were cracks in the main level walking area in front of the entries to the units. Management is requesting additional time to complete these repairs.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: 20 March 2013

Attachments: Application, Inspection Report



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

RECEIVED
APR 5 0 2012

Property Address: 615 W 15th Street, Bloomington, IN (Fairview Apartment building)

BY: _____

Petitioner's Name: Olympus Properties

Address: 2620 N Walnut St, Suite 1000

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 334-8200

E-mail Address: manager@olympusproperties.com

Owner's Name: Acacia Investments, LLC

Address: 403 East 6th St

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: 812-334-8200

E-mail Address: manager@olympusproperties.com

Occupants: _____

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

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

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

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

Reminder:

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

(Will be assigned by BHQA)

12-TV-67

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.

Olympus Properties is requesting an extension of time for the last (third) exterior item listed on the recent housing and neighborhood inspection for the Fairview Apartments located at 615 W 15th St. Bloomington.

We are requesting the extension of time so that we can adequately assess, bid out, and repair the following recommendation on the report:

"Repair the cracks and eliminate the trip hazards in the main floor walk/porch in front of units 5, 6, 8, and 9. PM-302.3"

Olympus Properties is requesting a one year extension on this item. We want to properly assess if the entire sidewalk area should be replaced at the Fairview apartments instead of just repairing the items listed in the report. If we find it possible to replace the entire sidewalk area, we will need to make those repairs in sections over an extended period of time. This assessment/bidding/planning/repair process will take a much longer time to accomplish than the May 23, 2012 deadline listed for the repairs.

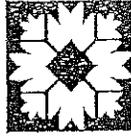
For reference.....The HAND inspection report for the property at 615 W 15th St is enclosed with this request for extension of time. Thank you.

Signature (Required): 

Name (Print): Rick Krouse, Property Manager, Olympus Properties Date: 4/20/12

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

Print Form



City of Bloomington Housing and Neighborhood Development

Cycle Report

2160

OWNERS

=====

Acicia Investments, Llc
403 E. 6th St.
Bloomington, IN 47408

AGENT

=====

Olympus Properties
2620 N. Walnut Street #1000
Bloomington, IN 47404

Prop. Location: 615 W 15th ST
Number of Units/Structures: 24/1
Units/Bedrooms/Max # of Occupants: 24/1/2

Date Inspected: 03/20/2012
Primary Heat Source: Electric
Property Zoning: RC
Number of Stories: 2

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

Monroe County records show this structure was built in 1973. There were no minimum emergency egress requirements at the time of construction.

Typical Unit:

Living Room	Bedroom
Kitchen	Bathroom

Typical sleeping room window:

Sliding window

Height:	45 inches
Width:	20 inches
Sill Height:	36 inches
Openable Area:	6.25 sq. ft.

Note: Only rooms with violations are listed on this report

Interior:

Crawl Space:

Check at reinspection.

15

Planning Shay 349-3423

First Level:

Unit 1:

Kitchen:

Repair garbage disposal to function as intended. PM-603.1

Unit 2, Unit 3, Unit 6, Unit 7, Unit 8, Unit 9, Unit 11, Unit 12:

No violations noted

Unit 4:

It is strongly recommended that clear openable area of the window not be blocked by the placement of furniture.

Unit 5:

Kitchen:

Repair/replace the gfcı outlet left of the sink so it functions as intended. PM-605.1 ✓ with Guys

Unit 10:

Kitchen:

Re-attach the trim under the kitchen sink cabinet. Pm-304.2

Upper Level:

Unit 13, Unit 15, Unit 17, Unit 18, Unit 20, Unit 22, Unit 24:

No violations noted

Unit 14:

It is strongly recommended that clear openable area of the window not be blocked by the placement of furniture.

Unit 16:

Kitchen:

Repair garbage disposal to function as intended. PM-603.1

Unit 19:

Living Room:

Repair windows to latch securely. PM-303.13.2

Unit 21:

Hallway:

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

Unit 23:

Kitchen:

Repair/replace the leaky sink faucet. PM 504.1 (Leak is at the hot water side of faucet). Replaced w New DH

Attic:

Not accessible.

Exterior:

Re-attach siding that is loose or missing. PM-303.6

Secure the ceiling panel above the entry to Unit 18. PM-303.9

Repair the cracks and eliminate the trip hazards in the main floor walk/porch in front of units 5, 6, 8 and 9. PM-302.3

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: June 20, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-V-68

Address: 210 E. 12th Street

Petitioner: GT Rental Group

Inspector: Maria McCormick

Staff Report: During the cycle inspection it was noted that one dimension of the room measurements in the North bedroom do not meet code for the time of construction. The petitioner was asking for a variance, however they need an extension of time to go to the State of Indiana to receive a variance to the state building code.

Staff recommendation: Grant the extension of time

Conditions: The state variance must be received no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: September 30, 2012

Attachments: Application for Appeal, Cycle Report



RECEIVED
APR 30 2016

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

Property Address: 210 E 12th St

Petitioner's Name: Tara M White, GT Rental Group

Address: PO Box 1841, 118 S Rogers St, Suite 1

City: Bloomington

State: Indiana

Zip Code: 47402

Phone Number: (812) 330-1501

E-mail Address: office@gtrentalgroup.com

Owner's Name: Richard Pollert

Address: 10960 S Jonesville Rd

City: Columbus

State: Indiana

Zip Code: 47201

Phone Number: 812-525-2911

E-mail Address: AO23695@allstate.com

Occupants: Peter Hinnefeld, Kevin Boas, Benjamin Fichter, William Lee

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

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

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

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

Reminder:

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

(Will be assigned by BHQA)
12-V-68
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.

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

1. Appealing code number: PM 404.2.

2. We are asking for the variance because the house currently has an occupancy of 5 with 5 bedrooms, and will continue to have an occupancy of 5.

3. North bedroom is currently approximately 100 square feet, with measurements of 6'7"x15'1". We are asking for a variance for the 7' rule, allowing the 6'7" wall to be acceptable. Further, the code states that a sleeping room must have a minimum of 70 square feet, which is approximately 20 square feet less than the room currently has. PM 404.4.1

Signature (Required): Tara M White

Name (Print): Tara M White (GT Rental Group) Date: 4/26/12

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

3843

OWNERS

Pollert, Richard & Joetta
10960 S. Jonesville Road
Columbus, IN 47201

AGENT

GT Rental Group
PO Box 1841
Bloomington, IN 47402

Prop. Location: 210 E 12th ST
Units/Bedrooms/Max # of Occupants: 1/5/5
Date Inspected: 04/09/2012
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

Monroe County Assessor's records indicate that this structure was built in 1970. at that time there were no minimum requirements for emergency egress.

INTERIOR:

0/5/12
Living Room 18-0 x 13-0:
No violation noted.

North Bedroom 6-7 x 15-1:

BHQA App. pend
This room does not meet the minimum room width requirements for habitable spaces. The PMC states that a habitable room, other than a kitchen, shall not be less than 7 feet in any plan direction. Use of this room for sleeping purposes without complying with the above minimum requirements shall be contingent upon securing a variance to the Property Maintenance Code from the Board of Housing Quality Appeals (BHQA).

Existing Egress Window Measurements:

Height: 48 inches
Width: 18 inches
Sill Height: 16 inches
Openable Area: 5.75 sq. ft.

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

2/5/12
NE Bedroom 10-0 x 11-0:

Ⓒ Repair the door to latch securely. PM-304.6

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

Height: 28 inches

Width: 33 ¼ inches

Sill Height: 51 inches

Openable Area: 6.45 sq. ft.

Note: At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the window(s) be modified or replaced with a window having a lower sill height to aid in emergency escape.

North Bathroom:

Ⓒ Repair or replace the GFCI to correct the open ground. PM-605.1

Ⓒ Repair or replace the rotten window frame. PM-303.13, PM-303.13.2

Ⓒ Replace the missing protective cover for the light/exhaust fan fixture. PM-605.1

SE Bedroom 10-0 x 11-0:

Ⓒ 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

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

Height: 28 inches

Width: 33 ¼ inches

Sill Height: 51 inches

Openable Area: 6.45 sq. ft.

Note: At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the window(s) be modified or replaced with a window having a lower sill height to aid in emergency escape.

South Bathroom:

No violation noted.

6/5/12

Kitchen 16-0 x 9-0 + 6-0 x 13-0:

C 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.

C 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

C Repair the faucet to function as intended and eliminate the constant dripping. PM-504.1

C 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 –

Main Room:

C 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

C Properly cap the unused open pipe in the ceiling, PM-603.1

Bathroom:

No violation noted.

West Bedroom 12-0 x 10-0:

No violation noted.

Existing Egress Window Measurements:

- Height: 30 ½ inches
- Width: 22 ½ inches
- Sill Height: 37 ½ inches
- Openable Area: 4.78 sq. ft.

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

15/12
East Bedroom 15-0 x 10-0:

No violation noted.

Existing Egress Window Measurements:

Height: 30 ½ inches

Width: 22 ½ inches

Sill Height: 37 ½ inches

Openable Area: 4.78 sq. ft.

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

EXTERIOR:

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

OTHER REQUIREMENTS:

Required documentation:

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

Required documentation:

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

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



City of Bloomington
H.A.N.D.

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

Meeting Date: 20 June 2012
Petition Type: Rescind a Variance
Petition Number: 12-RV-69
Address: 1004 W. 6th St.
Petitioner: HAND
Inspector: Michael Arnold
Staff Report: 24 April 2012 Cycle Inspection

During the cycle inspection it was noted that unit 1004 had been remodeled. There is no longer a lower level to the living room area. Since the lower level of the living room is now part of the basement and the basement is required to have a smoke detector, the variance from 10/04/1978 requiring a smoke detector in the lower portion of the living room is no longer required.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application

Handwritten mark

RECEIVED
APR 30 2012



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

Property Address: 1004-1004 1/2 W 6th St

Petitioner's Name: HAND

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ E-mail Address: _____

Owner's Name: STEVE SHATZ

Address: 214 MONROE ST

City: HARTFORD State: CT Zip Code: 06114

Phone Number: 860-956-8974 E-mail Address: shatz@hartford.edu

Occupants: _____

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

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

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

Variance Type: Rescind a variance

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

(Will be assigned by BHQA)
12-RV-69
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.

Rescind portion of variance from 1978 regarding sd in lower level of living room. There is no longer a lower level of the living room.

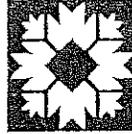
Signature (Required): _____

Name (Print): _____ Date: _____

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

2883

OWNERS

=====

Schatz, Steven L.
214 Monroe St.
Hartford, CT 06114

AGENT

=====

Bonham Chris
1106 N. Woodburn
Bloomington, IN 47404

Prop. Location: 1004 W 6th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/2/3

Date Inspected: 04/24/2012
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

VARIANCE

- 10/04/1978** Granted a variance for the light and ventilation requirement. With the following stipulations: Living room area is not to be used as a sleeping room. Smoke detectors are to be placed on the lower level of the living unit.
- 04/30/1987** Granted a variance to the ceiling height requirement in the living room and east bedroom in North unit (1004-1/2 W. 6th) and granted a variance to the egress requirement in the east bedroom in North unit (1004-1/2 W. 6th).

Monroe County records show this structure was built in 1899. There were no minimum emergency egress requirements at the time of construction.

Interior:

Basement:

Properly secure the windows so the latch and are weather tight. PM-303.13

Properly fill gaps in the foundation walls and along the window frames. PM-303.5

Properly install the 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

Unit 1004:

Living Room (14-6 x 11-6), Kitchen, North Bathroom, South Bathroom:

No violations noted

North Bedroom (13-10 x 11-0):

Existing Egress Window Measurements:

Height: 30 inches
 Width: 27 inches
 Sill Height: 18 inches
 Openable Area: 5.62 sq. ft.

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

No violations noted

SW Bedroom (13-10 x 9-0):

Existing Egress Window Measurements:

Height: 27 inches
 Width: 39 inches
 Sill Height: 19 inches
 Openable Area: 7.31 sq. ft.

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

No violations noted

Unit 1004½:

Living Room (14-0 x 11-6), Kitchen, Bathroom:

No violations noted

North Bedroom (11-0 x 7-8):

Existing Egress Window Measurements:

Height: 52.5 inches (both sashes removed)
 Width: 35 inches
 Sill Height: 12 inches
 Openable Area: 12.7 sq. ft.

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

No violations noted

SW Bedroom (11-4 x 9-0):

Existing Egress Window Measurements:

Height: 54 inches (both sashes removed)

Width: 30.5 inches

Sill Height: 25 inches

Openable Area: 11.4 sq. ft.

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

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
H.A.N.D.

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

Meeting Date: June 20, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-70
Address: 111 E. 16th Street
Petitioner: Karen Haley
Inspector: Maria McCormick

Staff Report: March 5, 2012 Cycle Inspection Completed
May 9, 2012 Received Application for Appeal

During the cycle inspection it was noted that the windows needed the glazing compound replaced. The petitioner is seeking an extension of time to complete this work so that it may be completed at the same time as the exterior painting is done.

Staff recommendation: Grant the extension.

Conditions: Replacement of the glazing compound on the windows (all other items have the original deadlines) must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: March 5, 2013

Attachments: Cycle Report, Application for Appeal

RECEIVED
MAY 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**

Property Address: 111 East 16th Street Bloomington, IN 47408

Petitioner's Name: Kären Haley

Address: 2326 N. Pennsylvania St.

City: Indianapolis

State: Indiana

Zip Code: 46205

Phone Number: (404) 664-8010

E-mail Address: marykaren@gmail.com

Owner's Name: Kären Haley

Address: 2326 N. Pennsylvania St.

City: Indianapolis

State: Indiana

Zip Code: 46205

Phone Number: 404-664-8010

E-mail Address: marykaren@gmail.com

Occupants: Kristen Mitcsh and Kim Tracey

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)

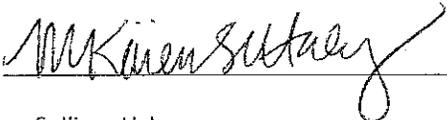
12-TV-70

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.

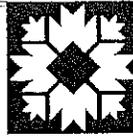
I respectfully request an extension for replacing the "missing and deteriorated (cracked and peeling) glazing compound on the windows" at my house located at 111 E. 16th Street. I would like more time so that the glazing can be replaced at the same time that I scrape and paint exterior surfaces where paint is peeling or wood is exposed, which was also noted in my rental property inspection. Per my inspection report, I have one year to complete the painting repair. I request a one year extension of to replace the missing and deteriorating glazing compound on the windows so that the deadline is the same for both items. The deadline for replacing the paint is March 5, 2013. Thank you for your consideration.

Signature (Required): 

Name (Print): Mary Kären Sullivan Haley Date: 5/4/12

- 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

3769

OWNERS

Sullivan, Mary Karen
2326 N. Pennsylvania Ave.
Indianapolis, IN 46205

Prop. Location: 111 E 16th ST
Units/Bedrooms/Max # of Occupants: 1/2/3
Date Inspected: 03/05/2012
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

VARIANCE

04/18/2007 BHQA granted a variance to the pass through requirement for the southwest and northwest bedrooms.

Monroe County Assessor's records indicate that this structure was built in 1949. At that time there were no minimum requirements for emergency egress.

INTERIOR:

Living Room 15-2 x 12-3; Dining Room 12-4 x 12-2; Bathroom:
No violation noted.

South Bedroom 11-5 x 12-3:

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

Existing Egress Window Measurements:

Height: 28 inches
Width: 31 inches
Sill Height: 18 ½ inches
Openable Area: 6.01 sq. ft.

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

North Bedroom 11-5 x 14-11:

All basement and ground floor windows and all upper windows adjacent to porch roofs, decks or other accessible exterior elements shall be capable of latching securely. Install a locking mechanism to the west window. PM-303.13.2

Existing Egress Window Measurements:

- Height: 26 ½ inches
- Width: 25 inches
- Sill Height: 19 ½ inches
- Openable Area: 4.60 sq. ft.

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

Kitchen 9-0 x 10-3:

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

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

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

Enclosed Back Porch:

Repair or replace door knob/lock assembly in a manner so that it functions as intended. PM-102.8 & PM-304.6

Basement –

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

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

PM-603.1

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:

Replace the missing protective cover for the light fixture adjacent to the back door. PM-605.1

Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows. PM-303.13

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This item only has a compliance deadline of March 5, 2013.)

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

OTHER REQUIREMENTS:

Required documentation:

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

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: June 20, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-71
Address: 623 N. Kerry Dr.
Petitioner: Thomas C. Dreher
Inspector: Norman Mosier
Staff Report: February 27, 2012 – Conducted Cycle Inspection
May 7, 2012 - Sent Remaining Violations Report
May 10, 2012 - Received BHQA Appeal

It was noted during the cycle inspection that the ceiling in the SE bedroom needs to be repaired. Petitioner is requesting an extension of time to complete repairs until August 15, 2012.

Staff recommendation: Grant the request.

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

Compliance Deadline: August 15, 2012

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

PS



RECEIVED
MAY 10 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: 623 N. Kerry Drive

Petitioner's Name: Thomas C. Dreher

Address: 1736 Ginseng Trail

City: Avon

State: Indiana

Zip Code: 46123

Phone Number: (317) 718-0289

E-mail Address: tcdreher@sprintmail.com

Owner's Name: Thomas & Renee Dreher

Address: Same as above

City:

State:

Zip Code:

Phone Number:

E-mail Address:

Occupants: Ross Dreher, Thomas Dreher Jr., Ian Spear

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-71

Petition Number: _____

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

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

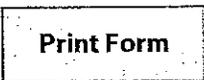
1. Repair to plaster ceiling in bedroom. All other repairs completed.
2. Extension is needed because of difficulty locating contractors and scheduling repair quotes.
3. Request extension until August 15th.

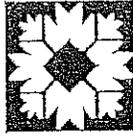
Signature (Required): 

Name (Print): Thomas C. Dreher Date: 5/8/12

Important information regarding this application format:

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





City of Bloomington
Housing and Neighborhood Development

MAY 09 2012

REMAINING VIOLATIONS REPORT

4104

OWNERS

Dreher, Thomas
1736 Ginseng Trail
Avon, IN 46123

Prop. Location: 623 N Kerry DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 02/27/2012
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1958.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Living Room 24-8 x 12-8:

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:

Mount the 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.

Install approved closing device for storm door. PM-102.8 & PM-303.15

Back Porch:

No violations noted.

Hallway:

No violations noted.

½ Bath:

No violations noted.

Hall Bath:

Repair the door to latch properly, missing striker plate. PM-304.6

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

NW Bedroom 10 x 10:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1958

Height: 24.5 inches

Width: 26 inches

Sill Height: 28.5 inches

Openable Area: 4.42 sq. ft.

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

NE Bedroom 10 x 10:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1958

Height: 24.5 inches

Width: 26 inches

Sill Height: 28.5 inches

Openable Area: 4.42 sq. ft.

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

SE Bedroom 10 x 10:

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

Replace the missing door stop trim, right side. PM-304.6

SE Bedroom 10 x 10: (continued)

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1958

Height: 24.5 inches

Width: 26 inches

Sill Height: 28.5 inches

Openable Area: 4.42 sq. ft.

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

Garage:

No violations noted.

BASEMENT

Stairway:

Every flight of interior stairs with 3 or more risers and every flight of exterior stairs with 2 or more risers shall be provided with handrails. Porches, balconies, decks or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards not less than 36 inches in height. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guards not less than 34 inches in height measured vertically from the nosing of the treads. Guards and handrails on opens sides of stairs shall be provided with intermediate railings that do not allow passage of a 4" diameter sphere. Guards shall not be constructed with horizontal rails or other ornamental patterns that result in a ladder effect. (see attached addendum) PM-304.5.1 (interior)

Family 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

Bathroom:

No violations noted.

Utility 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

EXTERIOR:

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

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

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



City of Bloomington
Housing and Neighborhood Development

Cycle Report

4104

OWNERS

Dreher, Thomas
1736 Ginseng Trail
Avon, IN 46123

Prop. Location: 623 N Kerry DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 02/27/2012
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1958.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Living Room 24-8 x 12-8:

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:

Mount the 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.

Install approved closing device for storm door. PM-102.8 & PM-303.15

Back Porch:

No violations noted.

Hallway:

No violations noted.

½ Bath:

No violations noted.

Hall Bath:

Repair the door to latch properly, missing striker plate. PM-304.6

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

NW Bedroom 10 x 10:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1958

Height: 24.5 inches

Width: 26 inches

Sill Height: 28.5 inches

Openable Area: 4.42 sq. ft.

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

NE Bedroom 10 x 10:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1958

Height: 24.5 inches

Width: 26 inches

Sill Height: 28.5 inches

Openable Area: 4.42 sq. ft.

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

SE Bedroom 10 x 10:

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

Replace the missing door stop trim, right side. PM-304.6

Garage:

No violations noted.

BASEMENT

Stairway:

Every flight of interior stairs with 3 or more risers and every flight of exterior stairs with 2 or more risers shall be provided with handrails. Porches, balconies, decks or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards not less than 36 inches in height. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guards not less than 34 inches in height measured vertically from the nosing of the treads. Guards and handrails on open sides of stairs shall be provided with intermediate railings that do not allow passage of a 4" diameter sphere. Guards shall not be constructed with horizontal rails or other ornamental patterns that result in a ladder effect. (see attached addendum) PM-304.5.1 (interior)

Family 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

Bathroom:

No violations noted.

Utility 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

EXTERIOR:

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

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

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



City of Bloomington
H.A.N.D.



City of Bloomington Housing and Neighborhood Development

Board of Housing Quality Appeals Staff Report: Petition for Variance

Meeting Date: June 20, 2012

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

Variance Request: To allow a bedroom not meeting minimum size requirements

Petition Number: 12-V-72

Address: 432 S. College

Petitioner: Hallmark Rentals

Inspector: Robert Hoole

Staff Report: March 7, 2012 Cycle inspection report mailed
 May 10, 2012 Appeal filed

During the cycle inspection it was noted that due to the installation of a divider installed in apartment 6 the bedroom size is 63 square feet. PMC requires that bedrooms contain a minimum of 70 square feet of floor space. The petitioner is requesting a variance to allow the divider to remain in place as it also functions as a shelving unit and the tenant does not want it removed.

Staff recommendation: Grant the variance

Conditions: None

Compliance Deadline:

Attachments: Cycle inspection report, appeal form



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

RECEIVED
MAY 10 2012
BY: _____

Property Address: 432 S College Ave

Petitioner's Name: Monroe County Convention Center Bldg Corp. c/o Hallmark Rentals

Address: 1205 N Walnut Street

City: Bloomington State: Indiana Zip Code: 47404

Phone Number: (812) 334-8819 E-mail Address: charlotte@hallmarkrentals.com

Owner's Name: Monroe County Convention Center Bldg Corp.

Address: 302 S College Ave

City: Bloomington State: Indiana Zip Code: 47403

Phone Number: 812-336-3681 E-mail Address: tcoppock@bloomingtonconvention.com

Occupants: Sherri Norris

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

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

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

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

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

(Will be assigned by BHQA)
12-V-72
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 to code number PM-404.4.1 for apartment #6. The inspector informed us that a divider wall in the bedroom needed to be removed to be in compliance. The divider wall is also a shelving system used by the tenant for storage and as an entertainment center. She has expressed her unhappiness with the required removal of the wall. The wall has been present by all indications for a long time. Our maintenance company, General Repair Service, has warned that the price to remove the wall will be costly. The Monroe County Convention Center Building Corporation is requesting a variance for removal of wall. We respectfully ask that the wall be allowed to remain as is.

Signature (Required): Charlotte White

Name (Print): Charlotte White Date: 5/3/12

Important information regarding this application format:

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





**City of Bloomington
Housing and Neighborhood Development**

Amended Cycle Report

204

OWNERS

=====

Monroe County Convention Center Building Corp.
302 S. College Avenue
Bloomington, IN 47403

AGENT

=====

Hallmark Rentals
1205 N. Walnut St.
Bloomington, IN 47404

Prop. Location: 432 S College AVE

Number of Units/Structures: 8/1

Units/Bedrooms/Max # of Occupants: 1/2/3 1/2/2 1/1/1 3/1/2 1/3/3 1/2/4

Date Inspected: 02/24/2012

Primary Heat Source: Gas

Property Zoning: CD

Number of Stories: 2

Inspectors: Robert Hoole

Foundation Type: Basement

Attic Access: No

Accessory Structure:

VARIANCE

=====

08/10/1995 Special exception to passing through a bedroom to gain access to other habitable space, with the condition that unit #5 remain a two-bedroom unit.

INTERIOR

5

Southwest bedroom (12 x 8, 6 x 5)

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

50

Repair the north window on the west wall to open and close as intended. PM-303.13.2

Remove the unused soft copper gas line sticking out of the north wall below the window. PM-102.8

Kitchen (13 x 10)

Locks on egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort (**door from kitchen to bedroom where exterior door is located**). PM-702.3

Living room (15 x 17)

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

Bath

Repair the toilet to eliminate unnecessary water use. PM-504.1

Southeast bedroom (11 x 9)

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

Replace the deteriorated exterior door. PM-303.15

Provide operating power to smoke detector. PM-704.1

2

Kitchen (7 x 9)

No violations noted.

Living room (14 x 17)

Balcony off of living room

Repair the guardrails to be sturdy and capable of supporting anticipated loads. PM-303.12

Eliminate the trip hazard where the plywood floor has warped and buckled. PM-303.10

Bath

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

Properly repair the deteriorated subfloor between the toilet and the shower. PM-304.2

Central bedroom (8 x 10)

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 sleeping room egress windows be installed to aid in emergency escape. BMC-16.04.400 (b)

West bedroom (8 x 10)

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 sleeping room egress windows be installed to aid in emergency escape. BMC-16.04.400 (b)

Entry hallway

Eliminate the holes in the walls. PM-304.3

Repair the entry door to be weather tight. PM-303.15

6

Living room (9 x 10)

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

Repair the west window on the south wall to open and close as intended and to remain fully open using hardware that is part of the window. PM-303.13.2

Kitchen (5 x 5)

Repair the stove so that all burners ignite and function as intended. PM-603.1

Bath

There is no receptacle in this room. Install a GFCI-protected receptacle. PM-605.2

Repair the entry door to open, close, and latch as intended, and secure the loose knob. PM-304.6

Repair the light over the sink to function as intended. PM-605.1

Bedroom (7 x 9)

Every bedroom occupied by one person shall contain at least 70 square feet of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof. Use of this room for sleeping purposes without complying with the minimum square footage requirements shall be contingent upon securing a variance to the Property Maintenance Code from the Board of Housing Quality Appeals (BHQA). PM-404.4.1

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 sleeping room egress windows be installed to aid in emergency escape. BMC-16.04.400 (b)

Basement

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

Replace the deteriorated southeast water heater. PM-603.1

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

1

Living room (14 x 13)

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

Secure the loose receptacle adjacent to the exterior door. PM-605.1

Bath

Repair the window crank to function as intended. PM-303.13.2

Replace the deteriorated tub. PM-304.3

Properly ground the electrical receptacle above the sink and provide GFCI protection. If the receptacle is on an ungrounded system, it is acceptable to install a GFCI receptacle. PM-605.2

Kitchen (6 x 4)

No violations noted.

Bedroom (14 x 10)

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 sleeping room egress windows be installed to aid in emergency escape. BMC-16.04.400 (b)

Properly ground the electrical receptacle on the west wall. 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

8

Living room (15 x 8)

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 (11 x 6)

No violations noted.

Bedroom (14 x 11)

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 sleeping room egress windows be installed to aid in emergency escape. BMC-16.04.400 (b)

Bath

No violations noted.

7

Living room (15 x 7)

Repair the exterior door to be weather tight. PM-303.15

Repair the window to be weather tight. PM-303.15

Kitchen (8 x 5)

No violations noted.

Bedroom (10 x 16)

Existing Egress Window Measurements:

Height: 43 inches

Width: 21 inches

Sill Height: 33 inches

Openable Area: 6.27 sq. ft.

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

Bath

No violations noted.

3

East living room (15 x 7, 7 x 6)

Repair the north window to be weather tight. PM-303.15

Properly ground the electrical receptacle below the air conditioner. 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

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

West living room (16 x 12)

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 (11 x 4)

Secure the loose receptacle adjacent to the sink. PM-605.;1

West bedroom (7 ½ x 12)

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 sleeping room egress windows be installed to aid in emergency escape. BMC-16.04.400 (b)

Bath

Repair the window to close completely and to be weather tight. PM-303.15

Northeast bedroom (8 x 14)

Provide operating power to smoke detector. PM-704.1

Existing Egress Window Measurements:

Height: 46 inches
Width: 34 inches
Sill Height: 32 inches
Openable Area: 10.86 sq. ft.

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

Southeast bedroom (8 x 9)

Existing Egress Window Measurements:

Height: 46 inches
Width: 34 inches
Sill Height: 32 inches
Openable Area: 10.86 sq. ft.

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

4

West bedroom (12 x 17)

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

Repair the exterior door to be weather tight. PM-303.15

Living room (11 x 14)

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 (6 x 12)

No violations noted.

Room south of kitchen (8 ½ x 10)

No violations noted.

Bath

No violations noted.

Hallway adjacent to bath

Provide operating power to smoke detector. PM-704.1

East bedroom (14 x 12)

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

Attached garage

This unit/room was not inspected at the time of this inspection, as it was not accessible. This unit/room must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. This applies even if the tenants do not have access to this area of the property. PM-104.4

NOTE: On 3/27/2012 the garage was inspected.

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

EXTERIOR

Provide a unit identification number at the entrance to unit 1. PM-102.8

Label the electrical disconnects to indicate which units they serve. PM-605.1

OTHER REQUIREMENTS

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

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: June 20, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-73
Address: 1207 S. Lincoln Street
Petitioner: Jonathan Cargill
Inspector: Jo Stong
Staff Report: March 8, 2012: Cycle conducted with owner
March 14, 2012: Sent cycle report
May 2, 2012: Owner scheduled reinspection
May 10, 2012: Conducted reinspection
May 10, 2012: Received appeal

During a cycle inspection violations of the Property Maintenance Code were noted, including low water pressure in the second floor bath; a lack of mechanical ventilation or window in the same bath; and damaged porch boards. The furnace also required servicing. The petitioner is seeking an extension of time of at least one month to complete repairs, and an exception to the requirement that every bathroom have either an openable window or mechanical ventilation.

Staff recommendation: Grant the extension of time, and the variance for the bathroom
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: August 20, 2012
Attachments: Remaining violations report, appeal

B



RECEIVED
MAY 10 2012

APPLICATION FOR APPEAL
TO THE
BOARD OF HOUSING QUALITY APPEALS

BY: _____

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

Petitioner's Name: _____

Petitioner's Address & Phone Number: _____

Owner's Name: Jonathan Cargill

Owner's Address & Phone Number: 1030 South Ballantine 320-8846

Address of Property: 1207 South Lincoln

Occupant(s) Name(s): Nick Blandford

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

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

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

A. An extension of time to complete repairs. [Petition type: TV]
Specify items that need the extension of time to complete, explain why the extension is needed and specify the time requested.

B. A modification or exception to the Housing Property Maintenance Code. [Petition type: V]
Specify the Code reference number you are appealing. Detail why you are requesting the variance.
Specify the modifications and or alternatives you are suggesting.

C. Relief from an administrative decision. [Petition type: AA]
Specify the decision being appealed and the relief you are seeking.

D. Rescind a variance. [Petition type: RV]
Detail the existing variance. Specify the reason the variance is no longer required.

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

Signature: [Signature]

Name (print): Jonathan Cargill

Petition Number: 12-TV-73

A. Extension of time to complete repairs

BY:.....

- Loose post / rail on front porch

An extension is needed because I'm presently waiting on more bids from contractors.

This has potential of becoming a large and expensive project if it is determined that I have to replace the porch entirely. I would prefer to replace the post and appropriate floor boards to maintain the aesthetic integrity of the porch, I just haven't found the right contractor who will do that yet. I would like to request at least a month to figure this out.

- Low water pressure in upstairs bathroom sink

I would like an extension because the two plumbers I've had look at it can't explain nor fix the problem. I would like more time to continue to explore a solution

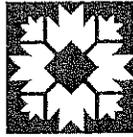
B. Modification or exception to Housing Property Maintenance Code

- Window or exhaust in upstairs bathroom

The bathroom is a tiny half bath. There are no external walls so putting in a window won't work.

Installing a venting system through the roof is prohibitively expensive. This is a superfluous bathroom upstairs in a house in a room that is not permitted to have occupants. Basically the person I bought the house from was trying to make the upstairs a second bedroom, but there is not enough headspace (ceiling space) so it cannot be a bedroom.

I rent the house as a one bedroom so the upstairs is primarily used as storage thus that bathroom is obsolete.



City of Bloomington
Housing and Neighborhood Development

1207 S. Lincoln Street
Remaining Violations
May 14, 2012
Page 1 of 3

Remaining Violation Report

3867

OWNERS

Cargill, Jonathan
1030 S. Ballantine Road
Bloomington, IN 47401

Prop. Location: 1207 S Lincoln ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/1/3

Date Inspected: 03/08/2012
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

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

VARIANCE

10/08/1998 Request for a special exception to the minimum ceiling height requirement in the attic. The Board of Housing Quality Appeals denied the request for a ceiling height variance, and stipulated that the attic shall not be used as habitable space, but used for storage only.

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:

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

Kitchen:

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

Bathroom:

Service the exhaust fan so that it functions as intended. PM-603.1

SECOND FLOOR

Note: Per the variance granted 10/08/1998, the attic is for storage only. No sleeping is allowed in this area. Remove the bedding from the attic.

Half Bath:

Repair the water pressure to the sink faucet (very low). The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks. PM-505.3

Every bathroom and toilet room shall have one openable window, or a mechanical ventilation system exhausted directly to the outdoors. Either install an openable window or a mechanical vent. PM-403.1, PM-403.2

EXTERIOR:

Properly repair the damaged and/or deteriorated porch boards. PM-302.3, PM-303.10

Properly repair the base of the south post on the porch. PM-303.10

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.



**City of Bloomington
Housing and Neighborhood Development**

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

Meeting Date: June 20, 2012

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

Petition Number: 12-V-74

Address: 318 E. Smith Avenue

Petitioner: Norman Ladd

Inspector: Jo Stong

Staff Report: February 16, 2012: Cycle inspection conducted
February 11, 2012: Cycle report sent
May 14, 2012: Reinspection conducted
May 10, 2012: Received appeal

During a cycle inspection it was noted that the front (north) brick retaining wall at this property had graffiti spray-painted on it, which is in violation of the Property Maintenance Code. The petitioner states that the graffiti cannot be removed without damaging the bricks, and is seeking a variance for the graffiti.

Staff recommendation: Deny the variance

Conditions: Remove the graffiti from the property

Compliance Deadline: July 20, 2012

Attachments: Remaining Violations report, Photos, Appeal



RECEIVED
MAY 10 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: 318 East Smith Avenue, Bloomington, IN 47401

Petitioner's Name: Norman Ladd

Address: 306 1/2 S Fairview Street

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: (812) 323-1851

E-mail Address: laddrentals@att.net

Owner's Name: Norman Ladd

Address: 306 1/2 S Fairview St

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: 812-323-1851

E-mail Address: laddrentals@att.net

Occupants: four

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

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

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

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

Reminder:

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

(Will be assigned by BHQA)

12-V-74

Petition Number: _____

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

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

I am requesting an exception in regards to PM-302.9 for 318 E Smith Ave. This is in regard to some writing on the front brick wall. My maintenance person informed me he could not powerwash the writing without damaging the brick mortar. This writing is fading already. We do not want to paint the bricks out front. It will require more maintenance and we like the natural brick look for the house.

Norman A. Ladd

Signature (Required): _____

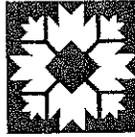
Name (Print): Norman Ladd

Date: 5/9/12

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

318 E. Smith Avenue
Remaining Violations
May 16, 2012
Page 1 of 2

Remaining Violations Report

1741

OWNERS

Ladd, Norman A.
306 1/2 S Fairview
Bloomington, IN 47403

AGENT

Milner, Jennifer L.
306 1/2 S. Fairview St.
Bloomington, IN 47403

Prop. Location: 318 E Smith AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/4/5

Date Inspected: 02/16/2012
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

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

VARIANCE

10/04/1984 Granted variance to the ceiling height requirement for the attic bedroom.

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.

69

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:

Living Room (15-10 x 14-10):

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

SECOND FLOOR (attic)

Replace the missing knob for the window air conditioner (otherwise, make the function operate fully by another means; or replace or remove the air conditioner). PM-603.1

BASEMENT

Seal all cracks in the east wall. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests. PM-303.5

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

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

EXTERIOR:

Remove the graffiti from the front (north) wall. No exterior surface of a structure or building on private or public property shall be damaged, mutilated or defaced by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair. PM-302.9 **(This item is being appealed at the Board of Housing Quality Appeals meeting on June 20, 2012)**



8.18.2006

4/6/2001

Ms Co GIS 4.6.2001





5-14-2011



11000 W. FRENCH CO.

No 82-7



City of Bloomington
H.A.N.D.

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

Meeting Date: June 20, 2012

Petition Type: An extension of time to secure a State egress window variance from the Department of Homeland Security.

Petition Number: 12-TV-75

Address: 1739 N. Lincoln St.

Petitioner: Tempo Properties Inc.

Inspector: Norman Mosier

Staff Report: May 1, 2012 – Conducted Cycle Inspection
May 7, 2012 – Sent Cycle Report
May 14, 2012 – Received BHQA Appeal

It was noted after the cycle inspection that the egress bedroom windows do not meet egress requirements at the time of construction. Petitioner is requesting an extension of time to secure a state egress variance from the Indiana Department of Homeland Security.

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.72 sq. ft.</u>
Clear width required: 20 inches	Existing width: 34 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

Staff recommendation: Grant the request

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

Compliance Deadline: August 20, 2012

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



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

Property Address: 1739 North Lincoln Street

Petitioner's Name: TEMPO Properties, Inc.

Address: 2676 East 2nd Street

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: (812) 336-2026

E-mail Address: jsabbagh@homefinder.org

Owner's Name: Kevin Nguyen

Address: 4019 South Crane Court

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: 812-339-6069

E-mail Address:

Occupants: Whitney Meeks & Danielle Harding

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-75

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.

A. An extension of time to complete repairs. (Petition type: TV). The relevant code is the 1989 Indiana Building Code, Section 1204. We need time to get letters to the appropriate parties granting us a variance for the current window sizes. The amount of time needed will depend on when we can get on the agenda to get approval and receive approval in writing to submit to HAND for the new rental permit.

Signature (Required):



Name (Print):

William Thornburg

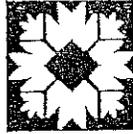
Date:

5/9/12

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

CYCLE REPORT

3132

OWNERS

Clinch, Edward R. & Janice
3514 E. Rogers Rd.
Bloomington, IN 47401

AGENT

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

Prop. Location: 1739 N Lincoln ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 05/01/2012
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2

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

The Monroe County Assessor's records indicate that this structure was built in 1990.
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

INTERIOR:

MAIN LEVEL

Living Room 15-10 x 12, Front Porch, Kitchen:
No violations noted.

Bathroom:

Secure toilet to its mountings. PM-504.1

Repair the toilet to eliminate unnecessary water use. PM-504.1

UPSTAIRS

Stairway:

No violations noted.

Hallway:

Replace the defective light switch at east end of hallway. PM-605.1

E Bedroom 13 x 11-10:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990. The relevant code is the 1989 Indiana Building Code, section: 1204.

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.72 sq. ft.</u>
Clear width required: 20 inches	Existing width: 34 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.

E Bathroom:

Repair the sink drain to function as intended, slow. PM-504.1

Toilet Room, W Bathroom:

No violations noted.

W Bedroom 13 x 10-8:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990. The relevant code is the 1989 Indiana Building Code, section: 1204.

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 4.72 sq. ft.</u>
Clear width required: 20 inches	Existing width: 34 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.

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: June 20, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-76
Address: 2360 S. Henderson
Petitioner: Beverly Chen
Inspector: John Hewett
Staff Report: March 12, 2012 Conducted Cycle Inspection
March 23, 2012 Sent report
May 15, 2012 Owner filed appeal

During the cycle inspection it was note that the windows in the 2nd floor bedrooms do not meet the size required by code for the time of construction. The petitioner is requesting an extension of time to obtain a variance from the State of Indiana for the windows.

Openable area required: 4.75 sq. ft.	Existing area: 4.88 sq. ft.
Clear width required: 18"	Existing width: 30.25"
Clear height required: 24"	Existing height: 23.25"
Maximum sill height: 48" above finished floor	Existing sill: 30" above finished floor

Staff recommendation: Grant the request.
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: August 20, 2012
Attachments: Cycle Inspection Report, Appeal letter

JD

RECEIVED
MAY 16 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: 2360 S. Henderson

Petitioner's Name: Beverley L. Chew

Address: P.O. Box 5754

City: Bloomington State: IN Zip Code: 47407

Phone Number: 812 3619568 E-mail Address: linju005@yahoo.com

Owner's Name: Kuei Mu Lin

Address: P.O. Box 5754

City: Bloomington State: IN Zip Code: 47407

Phone Number: 3619568 E-mail Address: _____

Occupants: Ms. Tanya Hooker

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!

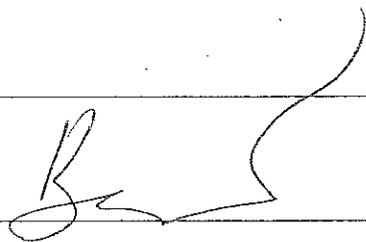
(Will be assigned by BHQA)
12-TV-76
Petition Number: _____

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 applying the variance. It normally takes 2-3 months so I am asking a 3-month extension.

Signature (Required):



Name (Print):

Beverly L. Chu

Date:

5-15-12

Important information regarding this application format:

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

Print Form



City of Bloomington
Housing and Neighborhood Development

Cycle Report

740

OWNERS

Lin, Kuei Mu
P.O. Box 5754
Bloomington, IN 47402

AGENT

Chen, Beverley
P.O. Box 5754
Bloomington, IN 47402

Prop. Location: 2360 S Henderson ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/5

Date Inspected: 03/12/2012
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

Inspectors: John Hewett
Foundation Type: Basement
Attic Access: Yes
Accessory Structure:

VARIANCE

Interior basement room does not meet minimum requirements for habitable or sleeping space.

Monroe County Assessor's records indicate this structure was built in 1983.
Minimum emergency egress requirements for the time of construction:

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

Interior

½ Bath

No violations noted.

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

Living room

Repair the floor at the north end of the sliding glass door. 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

Basement

Stairway

Repair/replace the damaged door. PM-304.6

Install door stop trim to the door jamb. PM-304.6

Provide operating power to smoke detector. PM-704.1

Center room

11-4 x 14-0

NOTE: This room does NOT meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

The tenant will receive a notice requiring the bed in this room to be removed.

West Bedroom

10-4 x 14-0

No violations noted.

Bathroom/ mechanical room

Install a cover plate on the junction box on the ceiling above the toilet area. PM-605.1

2nd Floor

Hall

Replace the smoke detector. The smoke detector was hard wired when the structure was built and it must be replaced with a hard wired model that receives its power from the building. PM-704.1

W bedroom

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

The tenant will receive a notice to repair the following violation.

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.1

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

Openable area required: 4.75sq. ft. Existing area: 4.88 sq. ft.

Clear width required: 18" Existing width: 30.25"
Clear height required: 24" Existing height: 23.25"
Maximum sill height: 48" above finished floor Existing sill: 30"

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.

E bedroom

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

Openable area required: 4.75sq. ft. Existing area: 4.88 sq. ft.
Clear width required: 18" Existing width: 30.25"
Clear height required: 24" Existing height: 23.25"
Maximum sill height: 48" above finished floor Existing sill: 30"

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*

Exterior

No violations noted.

Other requirements

Required documentation:

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

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be

provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

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



City of Bloomington
H.A.N.D.

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

Meeting Date: June 20, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-77
Address: 407 E. Smith Avenue
Petitioner: Rudy Fields for Dolores Rockwood
Inspector: Jo Stong
Staff Report: February 13, 2012: Conducted cycle with tenants
February 17, 2012: Report sent
April 25, 2012: Sent Remaining Violations report
May 14, 2012: Conducted reinspection
May 16, 2012: Received appeal

During a cycle inspection violations of the Property Maintenance Code were noted, including a lack of a fire extinguisher in the kitchen and a badly deteriorated roof over the back (north) porch. The petitioner is seeking an extension of time to remove or repair the roof and/or porch.

Staff recommendation: Grant the extension of time
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: June 29, 2012 for life-safety violations
July 30, 2012 for all other violations
Attachments: Cycle report, appeal, photos

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

Property Address: 407 E. Smith Ave.

Petitioner's Name: ~~Dolores~~ Rudy Fields as Agent for Dolores Rockwood

Address: 1309 W Nevada Pike

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-333-5333 E-mail Address: rudy@fieldsenvironmentalinc.com

Owner's Name: Dolores Rockwood

Address: 1018 Sassafras Circle

City: Bloomington State: IN Zip Code: 47408

Phone Number: 336-2977 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: _____

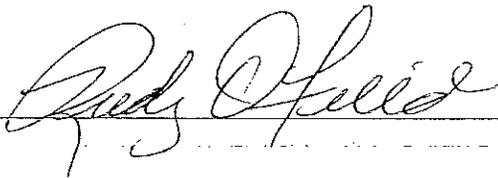
Reminder:
A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)
12-TV-77
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:

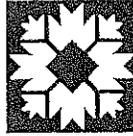
- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: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

More time to determine if we can remove porch and rebuild as deck on rear (N) side of house.

Signature (Required): 
Name (Print): _____ Date: _____

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

1744

OWNERS
=====

Rockwood, Dolores
1018 Sassafras Circle
Bloomington, IN 47408

AGENT
=====

Fields, Rudy D.
1309 W. Vernal Pike
Bloomington, IN 47404

Prop. Location: 407 E Smith AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/5

Date Inspected: 02/13/2012
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1899 (default year for Monroe County records). There were no requirements for emergency egress at the time of construction.

INTERIOR:

Living Room (19-0 x 14-7):
No violations noted.

Kitchen (13-7 x 12-4):

Service or replace the metal-headed fire extinguisher, and provide a record of monthly checks of the extinguisher. **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. **All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept.** PM-704.3

Hallway:

No violations noted.

Southeast Bedroom (13-10 x 11-10):

Replace the deteriorated glazing compound on the windows. PM-303.13.1

Existing Egress Window Measurements (double-hung):

Height: 23 ½ inches

Width: 47 inches

Sill Height: 24 inches

Openable Area: 7.67 sq. ft.

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

Bathroom:

No violations noted.

East Bedroom (11-9 x 8-7):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 24 inches

Width: 28 ½ inches

Sill Height: 23 inches

Openable Area: 4.75 sq. ft.

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

Northwest Bedroom (12-1 x 10-5):

No violations noted.

Existing Egress Window Measurements (sliding):

Height: 27 inches

Width: 35 ½ inches

Sill Height: 44 inches
Openable Area: 6.65 sq. ft.

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

Back (north) Door Entry:

No violations noted.

BASEMENT

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

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

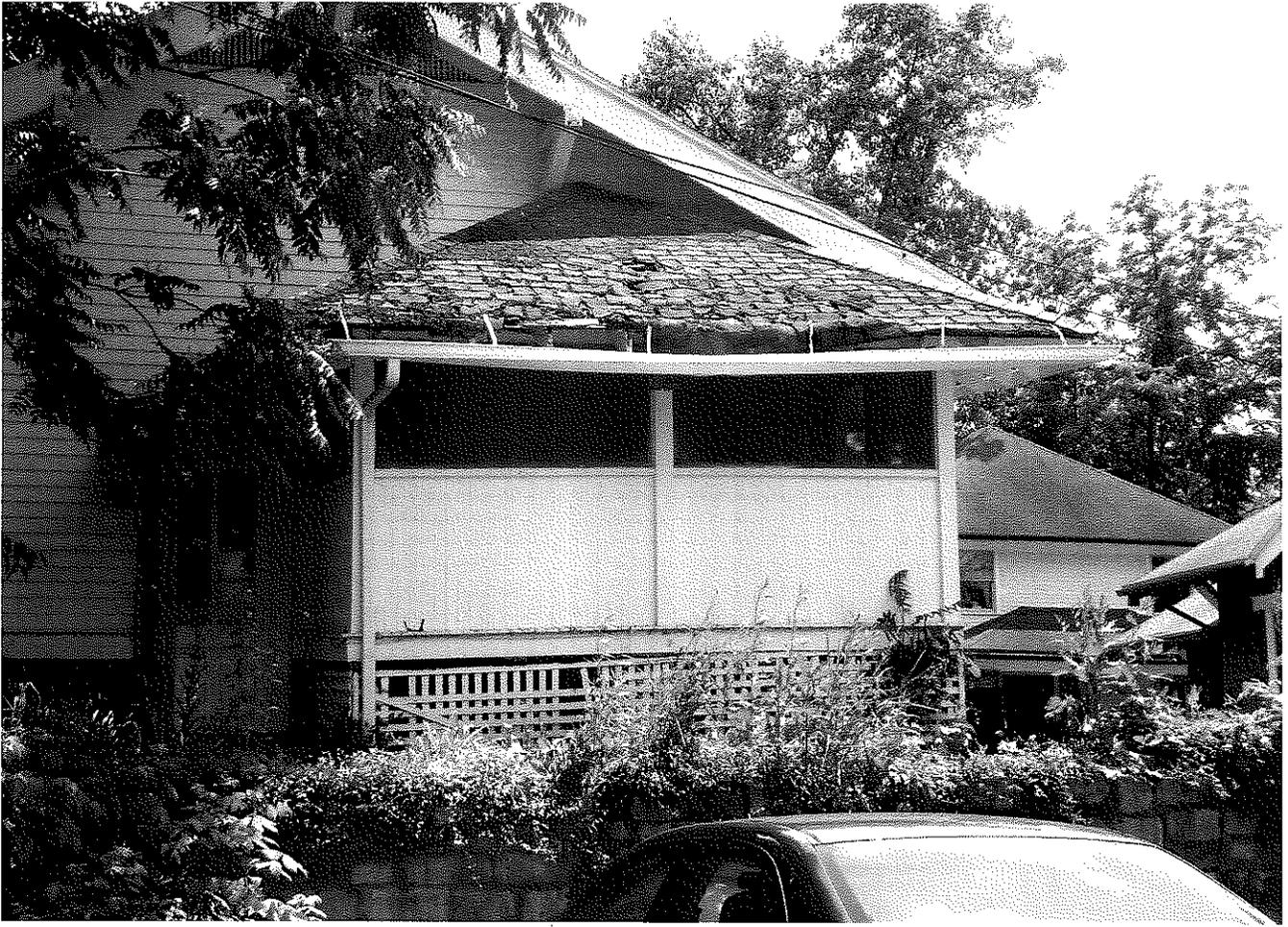
EXTERIOR:

Properly repair the deteriorated roofing and guttering over the north porch. PM-303.10, 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)

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



MON 5.21.12 JS



City of Bloomington
H.A.N.D.

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

Meeting Date: June 20, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-78
Address: 2307 Winding Brook Court
Petitioner: Kristianne Kuntz
Inspector: Maria McCormick
Staff Report: March 7, 2012 Completed Cycle Inspection
May 17, 2012 Received application for Appeal

During the cycle inspection it was noted that the bedroom windows do not meet code for the time of construction along with several other violations. The petitioner is requesting an extension of time to obtain a variance from the State of Indiana as well as to complete the other repairs when the tenants are gone in June. The petitioner is requesting an extension until July 2012.

Openable area required: 4.75 sq. ft.	Existing area: 5.60 sq. ft.
Clear width required: 18"	Existing width: 34"
Clear height required: 24"	Existing height: 23 ¾"
Maximum sill height: 44" above finished floor	Existing sill: 28 ½"

Staff recommendation: Grant the extension of time.

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

Compliance Deadline: July 2, 2012

Attachments: Application of Appeal, Cycle Report

AS

RECEIVED
MAY 17 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: 2307 Winding Brook Court, Bloomington, IN

Petitioner's Name: Kristianne Kuntz

Address: Po Box 5206

City: Bloomington

State: Nebraska

Zip Code: 47407

Phone Number: (812) 330-0124

E-mail Address: kkuntz@digarts.com

Owner's Name: Kristianne Kuntz

Address: 1727 Pine Lake Rd.

City: Spencer

State: Indiana

Zip Code: 47460

Phone Number: 812-320-4579

E-mail Address: kkuntz@digarts.com

Occupants: Maggie Jean-Baptiste

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-78

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.

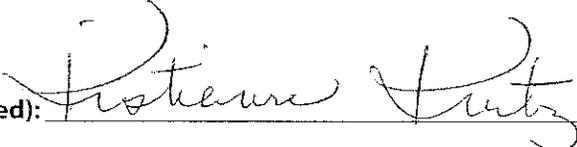
Upper Level - Front Bedroom: A Variance Request has been sent to Homeland Security per your paperwork. They have not met yet so I do not have their reply which is required for the second inspection. Homeland Security tells me that this same variance has already been given to at least 3 other units in this same complex and they have no reason to believe that I won't receive it as well. I hope to have the paperwork from them by the middle of June.

Basement Mechanical Room: I have not been able to get an HVAC company scheduled yet to come and test the furnace. I hope to have that done in the next couple of weeks.

Basement Bathroom: Upon checking the caulk it was discovered that the shower must be replaced (either with tile or an insert). This has not yet been completed.

Our renter is to be gone during June and July which will make the repairs easier to accomplish. I also wanted to provide everything at once (including the Variance) so as not to pay \$50 to you for the unit recheck and then again to have the paperwork accepted (since that is what the fee structure form I got seemed to suggest).

I appreciate your taking the time to consider this application.

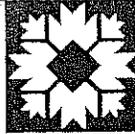
Signature (Required): 

Name (Print): Kristianne Kuntz Date: 5/17/12

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

2435

OWNERS

Kuntz, Kristianne
Po Box 5206
Bloomington, IN 47407

Prop. Location: 2307 E Winding Brook CT
Units/Bedrooms/Max # of Occupants: 1/2/3
Date Inspected: 03/07/2012
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 2

Number of Units/Structures: 1/1

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

Monroe County Assessor's records indicate that this structure was built in 1984. These are the minimum requirements for emergency egress in a multi-family structure built between 1978 and 1985:

Clear Height: 24"
Clear Width: 18"
Openable Area: 4.75 sq. ft.
Sill Height: 44" above finished floor

INTERIOR:

Main Level –

Entry; Half Bath:

No violation noted.

Kitchen 12-3 x 7-6:

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

Properly re-caulk around the countertop to eliminate water infiltration. PM-304.3

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

Replace the protective cover on the exhaust fan. PM-603.1

98

Kitchen continued:

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

Living Room/Dining Room 18-4 x 14-9:

No violation noted.

Upper Level –

Hallway; Bathroom:

No violation noted.

Front Bedroom 12-6 x 8-8:

Repair or replace the damaged window screen. PM-303.14

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1985. The relevant code is the 1980 Indiana Building Code, section: 1204.

Openable area required: 4.75 sq. ft.

Existing area: 5.60 sq. ft.

Clear width required: 18"

Existing width: 34"

Clear height required: 24"

Existing height: 23 ¾"

Maximum sill height: 44" above finished floor

Existing sill: 28 ½"

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.

Rear Bedroom 14-9 x 11-4:

Repair the hole(s) in the door or replace the door. PM-304.6

This room has a door to the exterior for egress.

Basement –

Family Room 16-9 x 14-9:

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

Laundry/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

Every bathroom and toilet room shall have one openable window, or a mechanical ventilation system exhausted directly to the outdoors. Reconnect the venting for the bathroom exhaust. PM-403.1, PM-403.2

Install an TPR tube on the water heater. 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

Office 10-0 x 8-7:

No violation noted.

Bathroom:

Remove the deteriorated and re-caulk the base of shower where it meet the surround. PM-304.1

EXTERIOR:

No violation noted.

OTHER REQUIREMENTS:

Required documentation:

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

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: June 20, 2012

Petition Type: An extension of time to complete repairs.

Petition Number: 12-TV-79

Address: 1000 S. Ballantine Road

Petitioner: Fuchs Investments, LLC

Inspector: Maria McCormick

Staff Report: 11/28/2011 Inspector no-showed for cycle inspection
12/17/2011 Rental Occupancy permit expired
01/11/2012 Agent called in to re-schedule missed cycle inspection
01/17/2012 Completed cycle inspection
04/02/2012 Completed re-inspection; not all complied
04/23/2012 Sent legal letter
05/18/2012 Received Application of Appeal

During the cycle inspection there were several violations noted. At the re-inspection all but the weather striping of the utility room door, and fixing the window and the light globe in 2nd level SE bedroom were completed. The petitioner is seeking an extension of time to complete the repairs after the current tenant moves out.

Staff recommendation: Grant the extension.

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

Compliance Deadline: July 10, 2012

Attachments: Application of Appeal, Cycle Report

RECEIVED
MAY 16 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: 1000 Ballantine Road Bloomington Indiana

Petitioner's Name: Fuchs Investments LLC

Address: 105 Catron Drive

City: Reno

State: Nevada

Zip Code: 89512

Phone Number: (775) 355-0180

E-mail Address: ammillwork@sbcglobal.net

Owner's Name: Fuchs Investments LLC

Address: 105 Catron Drive

City: Reno

State: Nevada

Zip Code: 89512

Phone Number: 775-355-0180

E-mail Address: ammillwork@sbcglobal.net

Occupants: _____

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

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

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

Variance Type: 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-79

Petition Number: _____

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

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

The tenant is moving out on June 30. It will be easier to do renovations at that time.

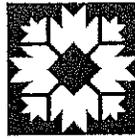
Signature (Required): 

Name (Print): ULRICA FUCHS Date: 5/14/12

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).
- 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

8027

OWNERS

Fuchs Investments, Llc
105 Catron Drive
Reno, NV 89512

AGENT

Pugh, Sheila F.
1213 Chestnut Court
Bloomington, IN 47401

Prop. Location: 1000 S Ballantine RD
Date Inspected: 01/17/2012
Inspectors: Maria McCormick
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

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

Monroe County Assessor's records indicate that this structure was built in 1950. At that time there were no minimum requirements for emergency egress.

INTERIOR:

Main Level--

Living Room/Dining Room 36-0 x 12-10:

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 17-8 x 12-10:

Repair or replace exhaust fan so that it functions as intended. PM-603.1

Laundry/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

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

NC

Bathroom:

C Repair the bathtub faucet to eliminate the constant dripping. PM-504.1

NE Bedroom 12-6 x 9-8; SE Bedroom 13-0 x 9-8; Master Bedroom (w/half bath) 13-8 x 9-6:

No violation noted.

Existing Egress Window Measurements:

Height: 31 inches

Width: 30 inches

Sill Height: 47 inches

Openable Area: 6.45 sq. ft.

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

2nd Level –

Storage 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

SE Bedroom 12-7 x 11-5:

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

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

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

Height: 40 inches

Width: 35 ½ inches

Sill Height: 36 inches

Openable Area: 10.70 sq. ft.

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

Bathroom:

No violation noted.

1/2/12
NE Bedroom 16-4 x 10-7:

No violation noted.

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

Height: 40 inches

Width: 35 ½ inches

Sill Height: 36 inches

Openable Area: 10.70 sq. ft.

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

EXTERIOR:

- NC Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2
(This item only has a compliance deadline of January 17, 2013.)
- O Properly reattach the vent cover for the dryer vent. PM-403.5

OTHER REQUIREMENTS:

Required documentation:

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

Required documentation:

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

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



City of Bloomington
H.A.N.D.

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

Meeting Date: June 20, 2012
Petition Type: To rescind a variance
Petition Number: 12-RV-80
Address: 1413 S. Walnut
Petitioner: HAND
Inspector: Robert Hoole
Staff Report: May 15, 2012 Cycle inspection conducted
 May 21, 2012 Appeal filed

During the cycle inspection it was noted that the property has been reconfigured from a duplex into a single family residence. The bedrooms now exceed minimum size requirements.

Staff Recommendation: Rescind the variance
Conditions: None
Attachments: Application, cycle inspection report

RECEIVED
MAY 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: 1413 S. Walnut

Petitioner's Name: HAND

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ E-mail Address: _____

Owner's Name: Robert Bland

Address: 700 Ransom Ln

City: Bloomington State: IN Zip Code: 47403

Phone Number: _____ E-mail Address: _____

Occupants: _____

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

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

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

Variance Type: Resurd Variance

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

(Will be assigned by BHQA)

12-RV-80

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.

Property remodeled, variance no longer needed

Signature (Required): Robert Hoote
Name (Print): Robert Hoote Date: 5/21/12

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

3509

OWNERS

=====

Bland, Robert J.
700 Ransom Lane
Bloomington, IN 47403

Prop. Location: 1413 S Walnut ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/5

Date Inspected: 05/15/2012
Primary Heat Source: Gas
Property Zoning: CG
Number of Stories: 1

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

VARIANCE

=====

02/09/1995 Special exception to the minimum room size requirement in the bedroom with the condition that the occupancy of this unit is limited to one (1) person.

This structure was remodeled in 2012.

These are the minimum requirements for emergency egress windows at the time of remodeling:

Openable area required: 5.0 sq. ft. ground floor openings
5.7 sq. ft. all others

Clear width required: 20"

Clear height required: 22"

Maximum Allowable Sill Height: 44" above finished floor

INTERIOR

Front bedroom / bath (12 x 9)

Existing Egress Window Measurements:

Height: 22 ½ inches

Width: 35 ½ inches

Sill Height: 26 inches

Openable Area: 5.54 sq. ft.

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

Living room (12 x 9)

No violations noted.

Kitchen (9 x 8)

No violations noted.

Middle bedroom / bath (11 x 11)

Existing Egress Window Measurements:

Height: 52 inches
Width: 28 inches
Sill Height: 24 inches
Openable Area: 10.11 sq. ft.

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

Bath

No violations noted.

Rear bedroom (11 ½ x 12)

Existing Egress Window Measurements:

Height: 23 inches
Width: 41 inches
Sill Height: 18 inches
Openable Area: 6.54 sq. ft.

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

Laundry area

No violations noted.

Basement

No violations noted.

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

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



City of Bloomington
H.A.N.D.

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

Meeting Date: June 20, 2012
Petition Type: An extension of time to complete repairs.
Petition Number: 12-TV-81
Address: 2517 S. Milton Dr.
Petitioner: Wallace E. Wampler
Inspector: Norman Mosier

Staff Report: March 6, 2012 – Conducted Cycle Inspection
May 22, 2012 – Received BHQA Appeal

It was noted during the cycle inspection that many repairs are needed to bring the property into compliance, including repairing and or replacing the deteriorated roofing. Petitioner is requesting an extension of time to make the necessary repairs.

Staff recommendation: Grant the request.

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

Compliance Deadline: June 27, 2012 - For all smoke detectors
August 20, 2012 – For all other repairs

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

ff

RECEIVED
MAY 22 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: 2517 Milton Drive Bloomington In 47403

Petitioner's Name: Wallace E Wampler

Address: 4241 N. Ridgewood Drive

City: Bloomington State: in Zip Code: 47404

Phone Number: 816-7906 E-mail Address: WEWampler@aol.com

Owner's Name: Same

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ E-mail Address: _____

Occupants: Anthony & Victoria Dismang

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-81

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.

NORM KNOWS SOME ABOUT THIS

WE HAVE ONE HOUSE ACROSS THE STREET 2514 SMILTON OCCUPANTS ARE BUSTING OUT WINDOWS TEARING UP PLACE AND WONT GET OUT HAVE FILED EMERGENCY EVICTION OCCUPANTS AT 2519 SMILTON HE'S SUFFERED 3 HEART ATTACKS MAKES IT HARD TO WORK WE ARE BORROWING MONEY FROM CREDIT UNION FOR NEW ROOF FRONT PORCH BACK DECK WINDOWS AND ~~REMODEL~~ INTERIORS PLEASE GRANT US 30 DAYS WE ARE GOOD CHRISTIANS MY HUSBAND IS ABOUT TO HAVE A HEART ATTACK FROM ALL THIS WE ARE FIXING UP IN CASE TO SELL BUT WOULD LIKE TO KEEP OCCUPANCY PERMIT ~~FOR~~ ^{NEW BUYER WANTS TO REALT.}

Signature (Required): Wallace E Wampler

Name (Print): Wallace E Wampler Date: 5.22.12

- 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

7090

OWNERS

Wampler, Wallace E. & Nancy J.
4241 N. Ridgewood Dr.
Bloomington, IN 47404

Prop. Location: 2517 S Milton DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 03/26/2012
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1910.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Living Room 13-8 x 13-6:

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

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

Replace the missing trim around the front door. PM-303.15

S Bedroom 13-8 x 13-3:

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

Existing Egress Window Measurements: Dbl hung; Const. Yr. - 1910

Height: 24 inches

Width: 26 inches

Sill Height: 22 inches

Openable Area: 4.33 sq. ft.

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

Hallway:

Provide operating power to smoke detector. PM-704.1

N Bedroom 10-2 x 8-10:

No violations noted.

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1910

Height: 24 inches

Width: 26 inches

Sill Height: 22 inches

Openable Area: 4.33 sq. ft.

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

Bathroom:

Repair the door to latch properly, and install the missing trim. PM-304.6

Secure toilet to its mountings. PM-504.1

Kitchen:

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

Pantry:

No violations noted.

Laundry Room:

No violations noted.

BASEMENT

Repair both entry doors to fit the door jamb, and repair the door to latch properly.
PM-303.15

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

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

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

PM-603.1

BASEMENT (continued)

Provide operating power to smoke detector. PM-704.1

Support the hanging duct work adjacent to the north wall. PM-607.1

Reconnect the separated duct work from the furnace to the living room at the collar.
PM-607.1

EXTERIOR:

Repair or replace damaged or deteriorating roofing. This is to be done in a workmanlike manner and includes but is not limited to damaged or deteriorating roofing material, sheathing, and all structural members. PM-303.4 & PM-303.7

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

Replace the missing soffit on the south and east sides of structure. PM-303.7

Replace broken or missing spindles in handrail/guardrail on the front porch and the rear deck. Guardrail intermediates must be installed such that a 4" sphere cannot pass through any opening.
PM-303.12.1 (exterior)

Repair/replace the deteriorated deck boards on the deck. PM-303.10

Stabilize the rear deck to eliminate side to side movement. PM-303.10

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



City of Bloomington
H.A.N.D.

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

Meeting Date: June 20, 2012
Petition Type: To rescind a variance
Petition Number: 12-RV-82
Address: 414 E. Hillside
Petitioner: HAND
Inspector: Robert Hoole
Staff Report: May 18, 2012 Cycle inspection conducted
 May 24, 2012 Appeal filed

During the cycle inspection it was noted that the property has been reconfigured and the pass-through variance is no longer needed.

Staff Recommendation: Rescind the variance
Conditions: None
Attachments: Application, cycle inspection report

Handwritten mark

RECEIVED
MAY 24 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: 414 E. Hillside

Petitioner's Name: HAND

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ E-mail Address: _____

Owner's Name: Leslie + Herman Cadavid

Address: PO BOX 9

City: Bloomington State: IN Zip Code: 47402

Phone Number: _____ E-mail Address: _____

Occupants: _____

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

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

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

Variance Type: Residual variance

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

(Will be assigned by BHQA)
12-RV-82
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.

Property has been reconfigured.
Variance no longer needed.

Signature (Required): *Robert Hoke*
Name (Print): Robert Hoke Date: 5/24/12

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

3934

OWNERS

=====

Cadavid, Leslie F. & Hernan D.,
P.O. Box 9
Bloomington, IN 47402

AGENT

=====

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

Prop. Location: 414 E Hillside DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/4/5

Date Inspected: 05/18/2012
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 1

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

VARIANCE

=====

06/12/1997 Special exception to passing through a bedroom to get to other habitable space.

Monroe County Assessor's records indicate this structure was built in 1996. There were no requirements for emergency egress at the time of construction.

INTERIOR

Living room (14 x 15)

Repair the entry door to be weather tight. PM-303.15

1st floor northeast bedroom (9 x 12)

Existing Egress Window Measurements:

Height: 20 inches
Width: 27 inches
Sill Height: 27 inches
Openable Area: 3.75 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)

Kitchen (5 x 12)

No violations noted.

1st floor bath

No violations noted.

1st floor east central bedroom (11 x 9)

Existing Egress Window Measurements:

Height: 20 inches
Width: 27 inches
Sill Height: 27 inches
Openable Area: 3.75 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)

1st floor southeast bedroom (5' 2" x 13')

Existing Egress Window Measurements:

Height: 15 inches
Width: 23 inches
Sill Height: 38 inches
Openable Area: 2.39 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)

This room contains 67 square feet of floor space. Every bedroom occupied by one person shall contain at least 70 square feet of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof. Use of this room for sleeping purposes without complying with the minimum square footage requirements shall be contingent upon securing a variance to the Property Maintenance Code from the Board of Housing Quality Appeals (BHQA). PM-404.4.1

This room does not meet the minimum room width requirements for habitable spaces. The PMC states that a habitable room, other than a kitchen, shall not be less than 7 feet in any plan direction. Use of this room for sleeping purposes without complying with the above minimum requirements shall be contingent upon securing a variance to the Property Maintenance Code from the Board of Housing Quality Appeals (BHQA). PM-404.2

Basement laundry

Properly secure the loose dryer electrical receptacle. PM-605.1

Cover the exposed paper insulation facing with drywall or other approved fire-resistant material. PM-102.8

Basement hallway

Replace the missing receptacle cover plate behind the refrigerator on the east wall. PM-605.1

Properly ground the electrical receptacle on the west wall. 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

Basement bath

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

Basement southwest bedroom (7 x 12)

Existing Egress Window Measurements:

Height: 53 inches
Width: 26 ½ inches
Sill Height: 33 inches
Openable Area: 9.75 sq. ft.

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

Basement furnace area

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

Enclose the electrical splices adjacent to the beam situated next to the hallway in approved mounted enclosures with covers installed. PM-605.1

Basement north bedroom (21 x 12, 7 x 11)

Provide operating power to smoke detector. PM-704.1

Existing Egress Window Measurements:

Height: 53 inches
Width: 26 ½ inches
Sill Height: 33 inches
Openable Area: 9.75 sq. ft.

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

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

Required documentation:

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