

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL McCLOSKEY CONFERENCE ROOM  
November 20, 2013, 4:00 P.M.**

I. **ROLL CALL**

II. **REVIEW OF SUMMARY** – October 16, 2013

p. 2

III. **CONSENT AGENDA**

- (1) 13-TV-111 **1613 S. Highland Avenue**, Brian Mears. Request for an extension of time to complete repairs. pp. 3-9
- (2) 13-RV-112 **1507 E. Hunter Avenue**, H.A.N.D. Request for rescission of a variance. pp. 10-17
- (3) 13-TV-113 **1700 N. Lincoln Street**, Lisa Allen. Request for an extension of time to complete repairs. pp. 18-25
- (4) 13-RV-114 **116 N. Walnut Street**, H.A.N.D. Request for rescission of a variance. p. 26
- (5) 13-RV-115 **510 E. Smith Avenue**, H.A.N.D. Request for rescission of a variance. p. 27
- (6) 13-TV-116 **2370 S. Henderson Street**, Jeanne Walters Real Estate. Request for an extension of time to complete repairs. pp. 28-34
- (7) 13-TV-117 **1275 N. Maple Street**, Matthew Ferguson. Request for an extension of time to complete repairs. pp. 35-56
- (8) 13-RV-119 **607 E. 2<sup>nd</sup> Street**, H.A.N.D. Request for rescission of a variance. p. 57
- (9) 13-TV-120 **807 N. Lincoln Street**, Rebecca Swanson. Request for an extension of time to complete repairs. pp. 58-63
- (10) [OLD] 13-TV-65 **701 E. Summitview Place**, Scott May. Request for an extension of time to complete repairs. Previously heard July 17, 2013. pp. 64-93
- (11) 13-TV-122 **1323 N. Washington Street**, John Seeber. Request for an extension of time to complete repairs. pp. 94-108
- (12) 13-RV-123 **420 N. Lincoln Street**, H.A.N.D. Request for rescission of a variance. pp. 109-111
- (13) 13-TV-124 **560 S. Basswood Drive, Apt. G**, Michael Newman. Request for an extension of time to complete repairs. pp. 112-116
- (14) 13-RV-125 **861-863 S. Park Square Drive**, H.A.N.D. Request for rescission of a variance. p. 117

IV. **PETITIONS**

- (15) 13-TV-118 **2444-2448 W. Marlene Drive**, Kelly Harding. Request for an extension of time to complete repairs. pp. 118-126

V. **GENERAL DISCUSSION**

VI. **PUBLIC COMMENT**

VII. **ADJOURNMENT**

# B.H.Q.A. MEETING OF OCTOBER 16, 2013

## SUMMARY

MEMBERS PRESENT: Megan Binder, Kris Floyd, Elizabeth Gallman, Nikki Johnson, Ryan Strauser

STAFF PRESENT: Michael Arnold, Daniel Bixler, John Hewett, Maria McCormick, Norman Mosier, Dee Wills (HAND), Greg Small (Legal)

### I. REVIEW OF SUMMARY

Gallman made a motion to approve the minutes for September 18, 2013. Strauser seconded. Motion passed, 4-1 (Binder abstained).

### II. CONSENT AGENDA

**303 E. Smith Avenue, Michel King, 13-TV-67.** Request for an extension of time to complete repairs. Previously heard July 17, 2013. Staff recommendation to grant the request with a December 16, 2013 deadline.

**2500 S. Rockport Road, Country View Associates, L.P., 13-TV-70.** Request for an extension of time to complete repairs. Previously heard July 17, 2013. Staff recommendation to grant the request with a November 15, 2013 (the currently scheduled reinspection) deadline.

**508 N. Washington Street, Cheryl Underwood, 13-TV-81.** Request for an extension of time to complete repairs. Previously heard August 21, 2013. Staff recommendation to grant the request with a December 01, 2013 deadline.

**520 E. Graham Place, Larry Laczowski, 13-TV-102.** Request for an extension of time to complete repairs. Staff recommendation to grant the request with a December 16, 2013 deadline.

**813-813 ½ S. Lincoln Street, H.A.N.D., 13-RV-103.** Request for rescission of variance. Recommendation was to grant the rescission.

**775-777 N. Smith Road, Robert Anthony Barnstone, 13-TV-104.** Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 30, 2013 deadline for life safety violations and December 16, 2013 for all other repairs.

**515 S. Washington Street, H.A.N.D., 13-RV-105.** Request for rescission of variance. Recommendation was to grant the rescission.

**321 W. 15<sup>th</sup> Street, Richard Rampley, 13-AA-106.** Request for relief from an administrative decision. Recommendation was to grant relief from the rental registration process as long as the unit continues to be owned by current owner and is occupied by Katherine Rampley. The property will be pull dated in one year to check its status.

**1322 S. Washington Street, H.A.N.D., 13-RV-107.** Request for rescission of variance. Recommendation was to grant the rescission.

**1007 N. Summit Street, Bloomington Housing Authority, 13-TV-108.** Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 30, 2013 deadline for life safety violations and November 16, 2013 for all other repairs.

**515 N. Grant Street, Roger Fierst, 13-TV-109.** Request for an extension of time to complete repairs. Staff recommendation to grant the request with a December 16, 2013 deadline.

**718 S. Lincoln Street, H.A.N.D., 13-RV-110.** Request for rescission of variance. Recommendation was to grant the rescission.

**Approved.**

### III. GENERAL DISCUSSION

None.

### IV. PUBLIC COMMENT

None.

### V. ADJOURNMENT

Floyd made a motion to adjourn. Strauser seconded. Motion unanimously passed. Meeting adjourned at 4:03 PM.



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013

Petition Type: An extension of time to replace the egress window in the master bedroom.

Petition Number: 13-TV-111

Address: 1613 S. Highland Ave.

Petitioner: Brian Mears

Inspector: Norman Mosier

Staff Report: August 6, 2013 – Conducted Cycle Inspection.  
September 23, 2013 – Received BHQA Appeal

It was noted during the cycle inspection that the egress window in the master bedroom does not meet egress requirements at the time of construction. Petitioner is requesting an extension of time to replace the window with a code compliant window.

**CASEMENT**

Openable area required: 4.75 sq. ft.	Existing area: 5.42 sq. ft.
<b>Clear width required: 18 inches</b>	<b>Existing width: 14 inches</b>
Clear height required: 24 inches	Existing height: 55.75 inches
Maximum sill height: 48 inches above finished floor	Existing sill: 24 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: January 20, 2014

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

RECEIVED  
SEP 23 2013

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

BLOOMINGTON

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

Property Address: 1613 S. Highland Ave. 47401

Petitioner's Name: Brian Mears

Address: 750 E. Rhorer Rd.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 502-593-4650 Email Address: mearsglassworks@yahoo.com

Property Owner's Name: Same as above

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

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

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

Occupants: Adam Kornya

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

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 13-TV-111

SEE REVERSE

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

I can not find a replacement window that fits the existing opening for the master bedroom. I will need to have a replacement window that meets egress custom made and it will take 4-6 weeks. I would like a 60 day extension for replacing the window. Everything else will be done on time.

Thanks

Brian Mears

Signature (required):



Name (please print):

Brian Mears

Date:

9/22/13

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



City of Bloomington  
Housing and Neighborhood Development

CYCLE REPORT

10187

OWNER

Brian C. Mears  
750 E. Rhorer Rd.  
Bloomington, In. 47401

Prop. Location: 1613 S Highland AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 08/06/2013  
Primary Heat Source: Gas  
Property Zoning: PUD  
Number of Stories: 1

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 1989.  
Minimum egress requirements for a single family dwelling built at the time of construction.  
Openable area: 4.75 Sq. Ft.  
Clear height: 24 inches  
Clear width: 18 inches  
Sill height: Not more than 48 inches above finished floor.

INTERIOR:

Living Room 14-7 x 13:

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. BMC 16.01.060(f)

Every window shall be capable of being easily opened and held in position by its own hardware, west wall, 2<sup>nd</sup> window from the south. BMC 16.04.060(b)

Kitchen/Dining Room 15 x 15:

Repair or replace existing smoke detector in a manner so that it functions as intended.  
IC 22-11-18-3.5

Water Heater Closet:

No violations noted.

Garage:

Replace the missing trim for the attic access panel. BMC 16.04.060(a)

Replace the attic access panel with 2 layers of 5/8" fire rated drywall. BMC 16.04.060(a)

Attic:

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
BMC 16.01.060(f) and 16.04.060 (c)	

Master Bedroom 12-11 x 11-7:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1989. The relevant code is the Indiana Building Code, section: R-211.2.

**CASEMENT**

Openable area required: 4.75 sq. ft.	Existing area: 5.42 sq. ft.
<b>Clear width required: 18 inches</b>	<b>Existing width: 14 inches</b>
Clear height required: 24 inches	Existing height: 55.75 inches
Maximum sill height: 48 inches above finished floor	Existing sill: 24 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](http://www.in.gov/dhs/2375.htm). Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Master Bath:

Repair the door to latch properly. BMC 16.04.060(a)

Repair the sink drain to function as intended, slow. BMC 16.04.060(b)

Hall Bath:

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

NW Bedroom 11-3 x 9-11:

No violations noted.

Existing Egress Window Measurements: Casement Const. Yr. - 1989

Height: 44 inches

Width: 20 inches

Sill Height: 33.5 inches

Openable Area: 6.11 sq. ft.

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

NE Bedroom 11-2 x 10-2: Same window as above.

No violations noted.

**EXTERIOR:**

Clean debris from the roof, gutters and downspouts. BMC 16.04.050(a)

Trim all tree branches away from the siding and roofline to maintain a 3' clearance on the north side and east side of structure. BMC 16.04.040(e)

Repair/replace the deteriorated brick molding on the right side of the rear entry door.  
BMC 16.04.050(a)

Repair the loose handle on the gate for the fence. BMC 16.04.040(g)

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. Paint the trim around the front and rear entry doors and the trim around the garage door. BMC 16.04.050(e)

**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 16.03.060(c) and BMC 16.10.030(b)

**Required documentation:**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner 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. BMC 16.03.050(e) and BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

**This is the end of this report.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013  
Petition Type: Rescind a Variance  
Petition Number: 13-RV-112  
Address: 1507 E. Hunter Avenue  
Petitioner: HAND  
Inspector: Jo Stong  
Staff Report: July 16, 2013: Conducted cycle inspection  
August 6, 2013: Inspection report mailed

This property was granted a variance to the light, ventilation and ceiling height requirements for the basement unit on October 24, 1985; and a variance to the mechanical exhaust requirements for the half-bath on the main floor on April 14, 2004. The ceiling height in the basement unit is 83 inches (6'11"). These requirements were not part of the code at the time of construction (1948), and they are not required by the Residential Rental Unit and Lodging Establishment Inspection Program. The variances are no longer necessary.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application, cycle report

Jo



RECEIVED  
SEP 27 2013

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

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

Property Address: 1507 E. Hunter Avenue

Petitioner's Name: HAND

Address: 401 N. Morton St.

City: Bloomington State: IN Zip Code: 47404

Phone Number: 349-3420 Email Address: \_\_\_\_\_

Property Owner's Name: James Bart Culver

Address: P.O. Box 294

City: North Webster State: IN Zip Code: 46555

Phone Number: 574-834-7749 Email Address: \_\_\_\_\_

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

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

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

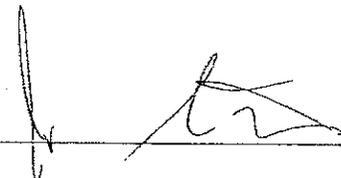
**REMINDER:** A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 13-RV-112

SEE REVERSE

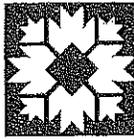
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

Property has variances for mechanical ventilation in a half bath; and for light, ventilation and ceiling height requirements for the living room in the basement unit. These requirements are no longer part of the code, and are not necessary.

Signature (required): 

Name (please print): Jo Stong Date: 7.27.13

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



## City of Bloomington Housing and Neighborhood Development

### Cycle Inspection Report

4236

#### OWNERS

Culver, James Bart  
R #1, P.O. Box 294  
North Webster, IN 46555

#### AGENT

Culver, Audim  
501 S. Woodlawn Ave Apt 4  
Bloomington, IN 47401

Prop. Location: 1507 E Hunter AVE  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: 1/2/3 1/2/3

Date Inspected: 07/16/2013  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Inspector: Jo Stong  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: Garage

#### VARIANCE

A RENTAL PROPERTY WITH A LIFE/SAFETY VARIANCE IS ELIGIBLE FOR A THREE-YEAR PERMIT ONLY.

04/14/2004 Special exception to the mechanical exhaust requirements for the half-bath on the main floor.

10/24/1985 Granted variance to the light, ventilation and ceiling height requirements in the basement unit. Granted variance to the light and ventilation requirements for the living room in the basement unit.

**NOTE: These variances will be rescinded at the August 22, 2013 meeting of the Board of Housing Quality Appeals. The requirements were not part of the code at the time of construction and the variances are no longer required.**

Monroe County Assessor's records indicate this structure was built in 1948. There were no requirements for emergency egress at the time of construction.

**INTERIOR:**

**General Violation:**

Properly ground the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install 2-pole, ungrounded receptacles, or GFCI receptacles. BMC 16.04.060(b)

Living Room (18-1 x 14-11):

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. BMC 16.01.060(f)

Dining Room (10-6 x 9-0):

No violations noted.

Kitchen (10-9 x 9-1):

Install a cable clamp where the power supply enters the garbage disposal. BMC 16.04.060(c)

**It is strongly recommended that 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 existing extinguisher has been discharged).**

Half Bath:

No violations noted.

Southeast Bedroom (12-0 x 10-3):

Repair the broken storm window on the southeast window. BMC 16.04.060(b)

Existing Egress Window Measurements (double-hung):

Height: 22 ¾ inches

Width: 26 ¾ inches

Sill Height: 28 inches

Openable Area: 4.23 sq. ft.

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

Southwest Bedroom (12-0 x 10-11):

Scrape and paint windows where paint is peeling or wood is exposed. BMC 16.04.060(f)

Existing Egress Window Measurements (double-hung):

Height: 23 ½ inches

Width: 27 ¼ inches  
Sill Height: 27 ½ inches  
Openable Area: 4.45 sq. ft.

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

Bath:

No violations noted.

Northwest Bedroom (10-11 x 9-6):

Scrape and paint windows where paint is peeling or wood is exposed. BMC 16.04.060(f)

Existing Egress Window Measurements (double-hung):

Height: 23 ¼ inches  
Width: 27 ¼ inches  
Sill Height: 27 ¼ inches  
Openable Area: 4.40 sq. ft.

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

**BASEMENT UNIT**

Living Room (23-5 x 10-8):

No violations noted.

Kitchen (12-2 x 7-1):

Replace the missing control knobs on the stove. BMC 16.04.060(b), (c)

**It is strongly recommended that 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 existing extinguisher has been discharged).**

Bathroom:

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

Mechanical Rooms:

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 BMC 16.01.060(f) and 16.04.060 (c)

Maintain minimum clearances from the gas furnace and water heater:

- Fuel-fired appliances: 36" clearance from combustible storage
- Single-wall vent connectors: 1" clearance from Flow Guard Gold CPVC  
6" clearance for other combustibles
- Double-wall vent connectors: 1" clearance for all combustibles
- Draft hood: 6" clearance for all combustibles

BMC 16.04.060(c)

Laundry Room:

No violations noted.

North Bedroom (15-1 x 13-1):

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

**It is strongly recommended that this door not be blocked by furniture or other items.**

South Bedroom (13-4 x 15-2):

No violations noted.

Existing Egress Window Measurements (casement):

Height: 26 inches

Width: 23 ½ inches

Sill Height: 47 ½ inches (with egress aid, 40 inches)

Openable Area: 4.24 sq. ft.

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

**EXTERIOR:**

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

Remove dead limbs from trees. All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. BMC 16.04.040(e)

Garage:

Remove the couches from the garage. Furniture not generally intended to be used for outdoor purposes (typically upholstered furniture) shall not be permitted to be stored on the exterior premises of residential rental units. BMC 16.04.040(f)

**OTHER REQUIREMENTS:**

**Required documentation:**

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.03.060(c), BMC16.10.030(b)

**Required documentation:**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner shall at that time jointly complete an inventory and damage list, and this shall be signed by the owner and at least one tenant. Duplicate copies of the inventory and damage list shall be retained by all parties. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.050(e), BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

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

This is the end of this report.



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013  
Petition Type: An extension of time to complete repairs.  
Petition Number: 13-TV-113  
Address: 1700 N. Lincoln Street  
Petitioner: Lisa Allen and Allison Scherschel  
Inspector: Jo Stong  
Staff Report: August 20, 2013: Conducted cycle inspection  
August 29, 2013: Mailed report  
October 2, 2013: Received appeal

During an inspection of the above property it was noted that the windows in the sleeping rooms did not meet the emergency egress requirements for the time the unit was constructed. They are as follows:

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.

Openable area required: 5.7 sq. ft.	<b>Existing area: 4.72 sq. ft.</b>
Clear width required: 20 inches	Existing width: 34 inches
Clear height required: 24 inches	<b>Existing height: 20 inches</b>
Maximum sill height: Not more than 44 inches above finished floor	Existing sill: 36 inches

The petitioners are requesting an extension of time while awaiting a decision from the State on a request for a variance for the windows.

Staff recommendation: Grant the variance.  
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.  
Compliance Deadline: January 20, 2014  
Attachments: Cycle report, appeal

RECEIVED  
OCT 02 2013



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

Property Address: 1700 N Lincoln St. Bloomington, IN 47408  
Petitioner's Name: Lisa Allen + Allison Scherschel  
Address: 3375 S. Walnut St.  
City: Bloomington State: IN Zip Code: 47401  
Phone Number: 812-325-7565 Email Address: [lisa.allen.cr4v@statefarm.com](mailto:lisa.allen.cr4v@statefarm.com)  
Property Owner's Name: Lisa Allen + Allison Scherschel  
Address: 3375 S. Walnut St  
City: Bloomington State: IN Zip Code: 47401  
Phone Number: 812-325-7565 Email Address: [lisa.allen.cr4v@statefarm.com](mailto:lisa.allen.cr4v@statefarm.com)  
Occupants: Allison Scherschel

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

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V) *if approved by Homeland Security. See attached!*
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 13-TV-113

SEE REVERSE

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

We are requesting <sup>from the Indiana Dept of Homeland Security is</sup> to leave the windows at the current size they are, area 4.72 sq. ft., width 34 inches, height 20 inches. What you are requiring is area 5.7 sq. ft. width 20 inches and height 24 inches. A new smoke alarm has been installed in the second floor hallway as required. We have opted to disconnect the bathroom exhaust fan until a new roof can be put on the building. At that time it will be vented to the exterior. The request for the windows are for the North front bedroom and South rear bedroom. Sorry for the delay in this request but my father had been very ill and passed away last week. From prior inspections in the building called College Park these variances have been approved. Attached is the Inventory of tenants/owners rights & responsibilities.

Signature (required):

Lisa Allen

Name (please print): Lisa Allen

Date:

9-30-12

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



**City of Bloomington  
Housing and Neighborhood Development**

**Cycle Inspection Report**

3178

**OWNERS**

Allen, Lisa M.  
3375 S. Walnut St  
Bloomington, IN 47401

Prop. Location: 1700 N Lincoln ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/4

Date Inspected: 08/20/2013  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

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

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

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

Openable height: 24 inches

Openable width: 20

Sill height: Not more than 44 inches above finished floor

Openable area: 5.7 square feet

**INTERIOR:**

Living/Dining Room (20-2 x 12-3), Kitchen (11-1 x 10-1), Bathroom/Laundry, Mechanical Room:

No violations noted.

**SECOND FLOOR:**

Hallway:

Provide operating power to smoke detector. IC 22-11-18-3.5

Attic:

Bathroom exhaust shall be exhausted to the exterior of the structure and not recirculated to any space. Install ductwork on bath fans so that they exhaust to the exterior. BMC 16.04.020

North (front) Bedroom (13-0 x 11-1):

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.

Openable area required: 5.7 sq. ft.	<b>Existing area: 4.72 sq. ft.</b>
Clear width required: 20 inches	Existing width: 34 inches
Clear height required: 24 inches	<b>Existing height: 20 inches</b>
Maximum sill height: Not more than 44 inches above finished floor	Existing sill: 36 inches

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

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

North Bath, Toilet Room, South Bath:

No violations noted.

South (rear) Bedroom (13-0 x 10-5):

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.

Openable area required: 5.7 sq. ft.	<b>Existing area: 4.63 sq. ft.</b>
Clear width required: 20 inches	Existing width: 33 ¾ inches
Clear height required: 24 inches	<b>Existing height: 19 ¾ inches</b>
Maximum sill height: Not more than 44 inches above finished floor	Existing sill: 36 inches

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

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

**Instructions.** If you need any further clarification, the Commission can be reached at 317.233.5341.

**EXTERIOR:**

No violations noted.

**OTHER REQUIREMENTS:**

**Required documentation:**

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.03.060(c), BMC16.10.030(b)

**Required documentation:**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner shall at that time jointly complete an inventory and damage list, and this shall be signed by the owner and at least one tenant. Duplicate copies of the inventory and damage list shall be retained by all parties. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.050(e), BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

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

This is the end of this report.



# APPLICATION FOR VARIANCE

State Form 44400 (R6 / 6-12)  
Approved by State Board of Accounts, 2012

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



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

*see attached paperwork*

Variance number (Assigned by department)

*BMC - 16.04.0206b*

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

Name of the applicant <i>Lisa Allen</i>	Title <i>owner</i>
Name of organization	Telephone number <i>(812) 325-7565</i>
Address (number and street, city, state, and ZIP code) <i>3375 S. Walnut St. Bloomington, IN 47401</i>	

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

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

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

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

### 4. PROJECT IDENTIFICATION

Name of project <i>College Park Condos</i>	State project number	County <i>Monroe</i>
Site address (number and street, city, state, and ZIP code) <i>1700 N. Lincoln St. Bloomington, IN 47401</i>		
Type of project: <input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input checked="" type="checkbox"/> Existing		

### 5. REQUIRED ADDITIONAL INFORMATION

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

- A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)
- One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives. *no change*
- Written documentation showing that the local fire official has received a copy of the variance application. *to be done if approved*
- Written documentation showing that the local building official has received a copy of the variance application. *to be done if approved*

### 6. VIOLATION INFORMATION

Has the Plan Review Section of the Division of Fire & Building Safety issued a Correction Order?  
 Yes (if yes, attach a copy of the Correction Order)  No

Has a violation been issued?  Yes (if yes, attach a copy of the Violation and answer the following)  No

Violation issued by:  Local Building Department  State Fire and Building Code Enforcement Section  
 Local Fire Department

**7. DESCRIPTION OF REQUESTED VARIANCE**

Name of code or standard and edition involved <b>1989 Indiana Building Code</b>	Specific code section <b>1204</b>
--	--------------------------------------

Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary)  
 North Front Bedroom + South rear Bedroom do not meet current code. North Bedroom window area 4.72 sq. ft., width 34 inches, height 20 inches. South bedroom window area 4.63 sq. ft., width 33 3/4 in., height 19 3/4 in. Code says must be, area 5.7 sq. ft., width 26 in., height 24 in. Prior request to leave windows as they are have been approved.

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

Select one of the following statements:

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

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

Facts demonstrating that the above selected statement is true:

No alternative action. The tenant is my daughter. She has a ladder in her bedroom to use for access to outside that folds up under her bed if needed.

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

Select at least one of the following statements:

Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services. All windows in complex match & prior approvals given.

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

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

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

Facts demonstrating that the above selected statement is true:

See attached photos

**10. STATEMENT OF ACCURACY**

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

Signature of applicant or person submitting application <i>[Signature]</i>	Please print name <b>Lisa Allen</b>	Date of signature (month, day, year) <b>9-3-13</b>
Signature of design professional (if applicable)	Please print name	Date of signature (month, day, year)

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

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 November 2013

Petition Type: Rescind a Variance (minimum room size)

Petition Number: 13-RV-114

Address: 116 N. Walnut St.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 09 July 2013      Cycle Inspection  
23 July 2013      Cycle Report sent  
28 August 2013      Reinspection scheduled  
19 September 2013      Reinspection completed

This property was issued a variance for minimum room size requirements on 08 April 2008 for the study in apartment #5. This variance is not longer valid and shall be rescinded. This room is part of the original structure that was built about 1920 and not part of the remodel that occurred in 1999. There were no minimum room size requirements at the time of construction.

Staff Recommendation: Rescind the BHQA variance from 08 April 2008

Conditions: None  
Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 November 2013  
Petition Type: Rescind a Variance  
Petition Number: 13-RV-115  
Address: 510 E. Smith Ave.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 24 September 2013 Cycle Inspection  
03 October 2013 Cycle Report sent

This property was granted a variance to the ceiling height requirements of the Property Maintenance Code on 13 January 2000. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling heights; therefore we are asking the Board to rescind this variance. The Monroe County Recorders Office shows this structure was built in 1899.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013  
Petition Type: An extension of time to secure a State Egress Window Variance.  
Petition Number: 13-TV-116  
Address: 2370 S. Henderson St.  
Petitioner: Jeanne Walters Real Estate  
Inspector: Norman Mosier  
Staff Report: September 19, 2013 – Conducted Cycle Inspection  
October 4, 2013 – Received BHQA Appeal

It was noted during the cycle inspection that the egress windows do not meet egress requirements at the time of construction. Petitioner is requesting an extension of time to secure a State egress window variance.

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

Openable area required: 4.75 sq. ft.	Existing area: 4.83 sq. ft.
Clear width required: 18 inches	Existing width: 30.25 inches
<b>Clear height required: 24 inches</b>	<b>Existing height: 23 inches</b>
Maximum sill height: Not more than 48 inches above finished floor	Existing sill: 31 inches

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: January 20, 2014

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



RECEIVED  
OCT 04 2013

BY: *[Signature]*

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

Property Address: 2370 S. Henderson  
Petitioner's Name: Jeanne Walters Real Estate  
Address: 107 E 60th Street  
City: Bloomington State: In. Zip Code: 47408  
Phone Number: (812) 331-8951 Email Address: rentals@jeannewalters.com  
Property Owner's Name: Carolyn Baber  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email Address: cbaber1@gmail.com  
Occupants: Benjamin Barham, Travis Giannechini, Samantha O'Conner

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

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 13-TV-116

SEE REVERSE

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

Applied for a Variance on windows

Signature (required):

Kelly Martel

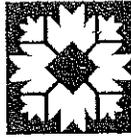
Name (please print):

Kelly Martel

Date:

10/1/13

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



City of Bloomington  
Housing and Neighborhood Development

CYCLE REPORT

784

OWNERS

Baber, Katie  
1245 Cornell Avenue #1  
Redlands, CA 92374

AGENT

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

Prop. Location: 2370 S Henderson ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/4/5

Date Inspected: 08/19/2013  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 2

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

The Monroe County assessor's records indicate that this structure was built in 1983.  
Minimum egress requirements for a multi-family dwelling built at the time of construction.  
Openable area: 4.75 Sq. Ft.  
Clear height: 24 inches  
Clear width: 18 inches  
Sill height: Not more than 48 inches above finished floor.

INTERIOR:

MAIN LEVEL

½ Bath:

Replace the missing striker plate so that the door latches properly. BMC 16.04.060(a)

Kitchen:

No violations noted.

Living Room 17 x 14-6:

Paint the stained ceiling area, on bulkhead. BMC 16.04.060(a)

**BASEMENT**

Stairway:

Repair/replace the damaged door and repair the door to latch properly, top of stairway. BMC 16.04.060(a)

Bath/Utility Room:

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

Replace the leaking TPR valve on the water heater. BMC 16.04.060(c)

Bedroom 21-6 x 15: See general violation. Exit door for egress requirements.

Repair the sliding glass door to open easily. BMC 16.04.060(a)

**2<sup>nd</sup> LEVEL**

Stairway/Hallway:

The smoke detector in this room appears to be more than ten years old and may not provide adequate protection. Install new a smoke detector in an improved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

W Bedroom 14 x 10:

Repair the damaged door jamb and repair the door to latch properly. BMC 16.04.060(a)

Repair the broken window, left window, bottom sash. BMC 16.04.060(b)

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

Openable area required: 4.75 sq. ft.	Existing area: 4.83sq. ft.
Clear width required: 18 inches	Existing width: 30.25 inches
<b><u>Clear height required: 24 inches</u></b>	<b><u>Existing height: 23 inches</u></b>
Maximum sill height: Not more than 48 inches above finished floor	Existing sill: 31 inches

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

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

**Instructions.** If you need any further clarification, the Commission can be reached at 317.233.5341.

Hall Bath:

Properly repair, then clean and surface coat damaged or stained ceiling area, nail pops.  
BMC 16.04.060(a)

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

Middle Bedroom 10 x 8-6:

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

Openable area required: 4.75 sq. ft.	Existing area: 4.83sq. ft.
Clear width required: 18 inches	Existing width: 30.25 inches
<b>Clear height required: 24 inches</b>	<b>Existing height: 23 inches</b>
Maximum sill height: Not more than 48 inches above finished floor	Existing sill: 31 inches

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

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

E Bedroom 12 x 9:

Repair the damaged door jamb and repair the door to latch properly. BMC 16.04.060(a)

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

Openable area required: 4.75 sq. ft.	Existing area: 4.83sq. ft.
Clear width required: 18 inches	Existing width: 30.25 inches
<b>Clear height required: 24 inches</b>	<b>Existing height: 23 inches</b>
Maximum sill height: Not more than 48 inches above finished floor	Existing sill: 31 inches

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

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

Attic:

No access.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner. This form must be submitted to the HAND office within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.010(b) and BMC 16.01.030(b)**

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector **within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)**

Required documentation:

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. BMC 16.03.050(e) and BMC 16.10.030(b)**

---

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

**This is the end of this report.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013  
Petition Type: An extension of time to complete repairs.  
Petition Number: 13-TV-117  
Address: 1275 N. Maple St.  
Petitioner: Woodington Management  
Inspector: McCormick/Stong/Wills  
Staff Report: 06/07/2013 Cycle Inspection Completed  
10/4/2013 Received application for appeal

This 56 unit complex had multiple violations at the cycle inspection. The petitioner is requesting an additional 60 days to complete the listed violations. Including replacement of windows.

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: December 1, 2013  
Attachments: Application of Appeal, Cycle Report

A



RECEIVED  
OCT 04 2013

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

BY: [Signature]

Property Address: 1275 North Maple Street  
 Petitioner's Name: Woodington Management  
 Address: 205 East 17th Street  
 City: Bloomington State: IN Zip Code: 47408  
 Phone Number: 812-333-9201 Email Address: woodington1@comcast.net  
 Property Owner's Name: Matthew Ferguson  
 Address: 205 East 17th Street  
 City: Bloomington State: IN Zip Code: 47408  
 Phone Number: 812-333-9201 Email Address: woodington1@comcast.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.

Please circle the petition type that you are requesting:

- (A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
 Petition Number 13-TV-117

SEE REVERSE

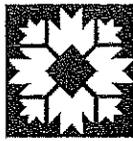
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

Woodington Management is requesting extra time to complete work @ 1275 North Maple. We are requesting a 60 day extension. All of the interior items are complete with exception of a few windows that will need to be replaced.

Thank you for your consideration in this matter.

Signature (required): Woodington Mgt / M.A. Waggoner  
Name (please print): Woodington Mgt / M.A. Waggoner Date: 10-02-13

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



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

6319

OWNERS

Ferguson, Matthew W.  
701 Summitview Pl.  
Bloomington, IN 47401

AGENT

Woodington Management, LLC  
205 E. 17<sup>th</sup> Street  
Bloomington, IN 47408

Prop. Location: 1275 N Maple ST  
Units/Bedrooms/Max # of Occupants: Bld 1231-1245: 8/2/5, Bld 1257-1271: 8/2/5, Bld 1277-1291: 8/2/5, Bld 1297-1311: 8/2/5, Bld 1201: 1/4/5, Bld 1203-1205: 2/4/5, Bld 1207: 1/4/5, Bld 1209: 1/4/5, Bld 1227-1229: 2/4/5, Bld 1255-1273: 2/4/5, Bld 1275: 1/3/5, Bld 1247-1249: 2/2/5, Bld 1293-1295: 2/2/5, Bld 1211-1225: 8/2/5

Number of Units/Structures: 56/15

Date Inspected: 06/17/2013  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 2

Inspectors: McCormick/Stong/Wills  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: None

VARIANCE

06/04/2009 This property has been granted a variance from the Indiana State Fire Safety and Building Safety Commission on June 4, 2009 for the egress requirements. Project Name: WILLOWBROOK APARTMENTS WINDOWS, Variance Number: 09-06-4

Monroe County Assessor's records indicate that this structure was built in 1984. These are the minimum requirements for emergency egress for multi-family structures built between 1980 - 1986:

Clear Height: 24"  
Clear Width: 18"  
Openable Area: 4.75 sq. ft  
Sill Height: 48" above the finished floor.

NOTE: Floor Plans and room dimensions are in the file. Only rooms with violations will be included in this report.

Existing Egress Window Measurements:

Height: 21 inches

Width: 35 inches

Sill Height: 36 ½ inches

Openable Area: 5.10 sq. ft.

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

Existing Egress Window Measurements:

Height: 15 ½ inches

Width: 30 ¾ inches

Sill Height: 37 ¾ inches

Openable Area: 3.31 sq. ft.

**Note: These measurements are for reference only. There is a variance in place for these window.**

INTERIOR:

1201 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

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

Bathroom:

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

1203 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

Bathroom:

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

Rear Bedroom:

Replace the missing window glass. BMC 16.04.060(b)

**2<sup>nd</sup> Level –**

Left Bedroom:

Repair the holes in the walls and ceilings. BMC 16.04.060(a)

Repair or replace closet doors so they function as intended. BMC 16.04.060(a)

Hallway:

Repair the hole in the wall. BMC 16.04.060(a)

Right Bedroom:

Repair the hole(s) in the door or replace the door. BMC 16.04.060(a)

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

Bathroom:

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

Repair or replace door knob/lock assembly in a manner so that it functions as intended.  
BMC 16.04.060(b)

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

Repair or replace the leaking toilet. BMC 16.04.060(b)

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

Properly repair or replace damaged door jamb. BMC 16.04.050(a) and BMC 16.04.060(a)

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

**1205 –**

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

Kitchen:

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

Front Bedroom:

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(b)

**2<sup>nd</sup> Level –**

East Bedroom:

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(b)

West Bedroom:

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

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(b)

Bathroom:

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

**1207 –**

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

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

Kitchen:

Properly repair or replace broken or missing cabinet door. BMC 16.04.060(a)

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

**2<sup>nd</sup> Level –**

South Bedroom:

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

**1209 –**

Kitchen:

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

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

**2<sup>nd</sup> Level –**

Hallway/Landing:

Repair or replace existing smoke detector in a manner so that it functions as intended. IC  
22-11-18-3.5

South Bedroom:

Repair both windows to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(b)

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(a)

North Bedroom:

Repair or replace door knob/lock assembly in a manner so that it functions as intended.  
BMC 16.04.060(b)

**1211 –**

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. IC  
22-11-18-3.5

Left Bedroom:

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

**1213 –**

Kitchen:

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

Right Bedroom:

Repair or replace door knob/lock assembly in a manner so that it functions as intended.  
BMC 16.04.060(b)

**1215 –**

No violation noted.

**1217 –**

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

1219 –

Kitchen:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. Properly repair the wall adjacent to the stove where there is heat damage. BMC 16.04.060(a)

Hallway:

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

Bathroom:

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

Right Bedroom:

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

1221 –

No violation noted.

1225 –

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

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

1227 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

1229 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

East Bedroom:

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

West Bedroom:

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

**2<sup>nd</sup> Level –**

North Bedroom:

Remove all mold and mildew from the window. BMC 16.04.060(b)

Bathroom:

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

**1231 –**

Kitchen:

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

**1233 –**

Deck:

Secure the guardrail and the handrail and the deck so they are capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

**1235 –**

Right Bedroom:

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

**1237 –**

No violation noted.

**1239 –**

Kitchen:

It is strongly recommended that 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.

Right Bedroom:

Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows. BMC 16.04.050(a)

Replace the missing/broken electrical receptacle cover plate. BMC 16.04.060(a)

**1241 –**

Hallway:

Clean the heating/air conditioning supply/return grille. BMC 16.04.060(c)

Bathroom:

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

Right Bedroom:

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(b)

Deck:

Secure the guardrail and the handrail so they are capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

1243 –

No violation noted.

1245 –

Kitchen:

Properly repair or replace broken or missing cabinet door. BMC 16.04.060(a)

Bathroom:

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

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

Left Bedroom:

Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows. BMC 16.04.050(a)

1247 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

1249 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

Kitchen:

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

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

South Bedroom:

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

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

Bathroom:

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

Remove the mold and mildew from the walls and ceiling. BMC 16.04.060(b)

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

1251 --

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(a)

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

Remove all mold and mildew from the walls and ceilings. BMC 16.04.060(b)

North Bedroom:

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(b)

South Bedroom:

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

1253 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

1255 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

Kitchen:

Properly repair or replace broken or missing cabinet door. BMC 16.04.060(a)

Stairway:

Secure the handrail so it is capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

2<sup>nd</sup> Level –

Bathroom:

Determine the source and eliminate the water leak. BMC 16.04.060(b)

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

North Bedroom:

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(b)

1257 –

Bathroom:

Remove all mold and mildew from the walls and ceilings. BMC 16.04.060(a)

Repair and replace all damaged and deteriorated wall materials including all damaged structural materials. BMC 16.04.060(a)

Scrape and paint interior surfaces where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

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

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

1259 –

Deck:

Secure the guardrail and the handrail so they are capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

1261 –

Hallway:

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

Bathroom:

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

Left Bedroom:

Scrape and paint interior surfaces where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

Remove the mold from the door frame. BMC 16.04.060(b)

1265 –

Bathroom:

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

1267 –

Kitchen:

It is strongly recommended that 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.

Living Room:

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

Replace the broken/missing outlet cover plate. BMC 16.04.060(a)

Mechanical Room:

Thoroughly clean and service the furnace. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. BMC 16.04.060(c)

Clean the heating/air conditioning supply/return grille. BMC 16.04.060(c)

Bathroom:

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

Deck:

Secure the guardrail and the handrail so they are capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

Replace broken or missing spindles in handrail/guardrail. BMC 16.04.020, BMC 16.04.050(b) and BMC 16.04.050(b)

**1269 –**

Kitchen:

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

Mechanical Closet:

Properly secure the TPR tube. BMC 16.04.060(c)

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(a)

Left Bedroom:

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

**1271 –**

Living Room:

Repair or replace the outlet on the south wall to function as intended. BMC 16.04.060(a)

Mechanical Closet:

Clean the heating/air conditioning supply/return grille. BMC 16.04.060(c)

Kitchen:

Repair or replace the refrigerator to eliminate the leak BMC 16.04.060(a)

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

Install a cable clamp where the power supply enters the garbage disposal. BMC 16.04.060(c)

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

Bathroom:

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

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

Right Bedroom:

Repair/replace the damaged door to the exterior so that it may function as intended. BMC 16.04.060(a)

Left Bedroom:

Scrape and paint interior surfaces of the window where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

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

1273 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

Hallway:

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

2<sup>nd</sup> Level –

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(a)

Left Bedroom:

Repair the hole in the wall adjacent to the door. BMC 16.04.060(a)

1275 –

**\*\* Check all electrical in this unit at the time of inspection. There was no electricity at the time of inspection. All violations found have the same 60 day deadline.**

Entry:

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

Living Room:

Repair the hole in the wall adjacent to the kitchen. BMC 16.04.060(a)

Determine the source and eliminate the water leak adjacent to the fireplace. BMC 16.04.060(b)

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. BMC 16.01.060(f)

North Bedroom:

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

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

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

Bathroom:

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

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

1277 –

Left Bedroom:

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

1279 –

Mechanical Closet:

Temperature/pressure relief (TPR) valve discharge tubes:

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

Deck:

Secure the guardrail and the handrail so they are capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

Bathroom:

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

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

1281 –

Mechanical Closet:

Temperature/pressure relief (TPR) valve discharge tubes:

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

Hallway:

Clean the heating/air conditioning supply/return grille. BMC 16.04.060(c)

Deck:

Properly secure the deck so that it can hold normally imposed loads 16.04.020 and BMC 16.04.050(b)

1283 –

Mechanical Closet:

Thoroughly clean and service the furnace. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. BMC 16.04.060(c)

Right Bedroom:

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

Deck:

Properly secure the deck so that it can hold normally imposed loads 16.04.020 and BMC 16.04.050(b)

1285 –

Bathroom:

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

Properly remove the mold and mildew from the surfaces of the walls and ceilings. BMC 16.04.060(b)

Scrape and paint interior surfaces where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. If the smoke detector was hard wired -- interconnected it must be replaced with that type. IC 22-11-18-3.5

1289 –

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. If the smoke detector was hard wired – interconnected it must be replaced with that type. IC 22-11-18-3.5

Bathroom:

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

Left Bedroom:

Remove the mold and mildew from the door frame. BMC 16.04.060(f)

1293 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

1295 –

Living Room:

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. BMC 16.01.060(f)

1297 –

Kitchen:

It is strongly recommended that 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.

Right Bedroom:

Properly repair or replace damaged door jamb. BMC 16.04.050(a) and BMC 16.04.060(a)

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

1299 –

Deck:

Properly secure the deck so that it can hold normally imposed loads 16.04.020 and BMC 16.04.050(b)

Bathroom:

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

1301 –

No violation noted.

1303 –

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(a)

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

Left Bedroom:

Remove the mold and mildew from the window frame. BMC 16.04.060(f)

1305 –

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. If the smoke detector was hard wired – interconnected it must be replaced with that type. IC 22-11-18-3.5

Bathroom:

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

1307 –

Kitchen:

It is strongly recommended that 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.

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(a)

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

Replace non-functioning or incorrectly wired GFCI electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. BMC 16.04.020 and BMC 16.04.060(b)

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

Deck:

Properly secure the deck so that it can hold normally imposed loads 16.04.020 and BMC 16.04.050(b)

Right Bedroom:

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

Mechanical Closet:

Thoroughly clean and service the furnace. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. BMC 16.04.060(c)

1309 –

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

Bathroom:

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

Right Bedroom:

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

1311 –

Deck:

Secure the guardrail and the handrail so they are capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

**EXTERIOR:**

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item only has a compliance deadline of June 17, 2014)

Secure the cover panel for the crawl access to ensure rodents can't gain access to area. BMC 16.04.050(a) and (b) (Units 1285; 1295)

Remove all furniture not intended for outdoor use from all porches, decks and other areas of the property. BMC 16.04.040(f)

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

Clean debris from the roof, gutters and downspouts. BMC 16.04.050(a)

Repair or replace the damaged flashing on the north window of 1273. BMC 16.04.050(a)

Remove and properly dispose of all accumulated or scattered trash on property BMC 16.04.040(d)

Remove the broken window frame and glass from behind 1251. BMC 16.04.040(d)

Properly repair or replace damaged or deteriorated siding in a manner that leaves the structure weather tight and excludes the entrance of rodents. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating siding and structural members. BMC 16.04.050(a) (Units 1255; 1295; 1211)

#### **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. This form must be submitted to the HAND office within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.010(b) and BMC 16.01.030(b)**

---

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

**This is the end of this report.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 November 2013  
Petition Type: Rescind a Variance  
Petition Number: 13-RV-119  
Address: 607 E. 2<sup>nd</sup> St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 26 September 2013 Cycle Inspection  
09 October 2013 Cycle Report sent

This property was granted a variance to the ceiling height requirements of the Property Maintenance Code on 26 September 1979. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling heights; therefore we are asking the Board to rescind this variance. This Monroe County Recorder's Office shows this structure was built in 1920.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-120

Address: 807 N. Lincoln Street

Petitioner: Rebecca Swanson

Inspector: Maria McCormick

Staff Report: 06/20/2013 Completed Cycle Inspection  
10/09/2013 Received Application for Extension of Time

During the cycle inspection it was noted that the public sidewalks around this property needed to be repaired or replaced. The petitioner is seeking an extension of time to complete this work with a compliance date that coincides with the exterior painting deadline. These are the only two outstanding violations from the cycle all others have been re-inspected and complied.

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 20, 2014

Attachments: Application for Appeal; Cycle Report



RECEIVED  
10-9-13

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

Property Address: 807 NORTH LINCOLN  
Petitioner's Name: Rebecca SWANSON  
Address: 2913 Ramble Rd East  
City: Bloomington State: IN Zip Code: 47408  
Phone Number: 812 327 6496 Email Address: swannybel@gmail.com  
Property Owner's Name: Rebecca SWANSON  
Address: SAME  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_  
Occupants: 2

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 13-TV-120

SEE REVERSE

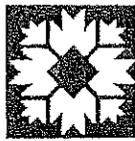
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

Requesting an extension on time  
for sidewalk maintenance.

Signature (required): Rebecca Swanson

Name (please print): Rebecca Swanson Date: 10-8-13

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



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

3688

OWNERS

Rebecca J. Swanson  
2973 N. Ramble Road East  
Bloomington, IN 47401

Prop. Location: 807 N Lincoln ST  
Units/Bedrooms/Max # of Occupants: 1/2/3  
Date Inspected: 06/20/2013  
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: Garage

Monroe County Assessor's records indicate that this structure was built in 1899. At that time there were no minimum requirements for emergency egress.

INTERIOR:

Living Room 11-11 x 25-1:

N: 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. BMC 16.01.060(f)

East (Front) Bedroom 11-0 x 9-0:

Existing Egress Window Measurements:

Height: 17 inches  
Width: 29 ¼ inches  
Sill Height: 28 inches  
Openable Area: 3.45 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 sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.020**

Bathroom: Hallway:

No violation noted.

West (Rear) Bedroom 10-1 x 9-0:

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

Existing Egress Window Measurements:

Height: 24 inches

Width: 29 ¼ inches

Sill Height: 28 inches

Openable Area: 4.88 sq. ft.

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

Kitchen 13-1 x 7-10:

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

Dining Room 11-7 x 14-1:

No violation noted.

**Basement –**

Properly secure all support posts at the top and bottom to eliminate the possibility of movement. BMC 16.04.060(b)

Repair or replace the flue on the water heat to eliminate the gaps in the piping. BMC 16.04.060(c)

Install a smoke detector. If the structure has hardwired interconnected smoke detectors currently this one must also be hardwired interconnected as well. IC 22-11-18-3.5

Properly secure the electrical wiring connection above the washer and dryer in an approved junction box. BMC 16.04.060(b)

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

BMC 16.01.060(f) and 16.04.060 (c)

EXTERIOR:

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. For sidewalks in the public right of way, contact the City of Bloomington Engineering Department at 349-3417 to apply for the **required permit**. The fee will be waived but the permit must be obtained prior to work in the public right of way. BMC 16.04.040(c)

*ext of  
time applied to*

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item only has a compliance deadline of June 20, 2014.)

---

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

**This is the end of this report.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-65 (Old Business)

Address: 701 E. Summitview Place

Petitioner: Summitview Apartments

Inspector: Mosier/Hewett/Stong

Staff Report: January 25, 2013 – Conducted Cycle Inspection  
April 1, 2013 – Conducted Inspection of Attics  
June 5, 2013 – Received BHQA Appeal  
July 25, 2013 Conducted Re-inspection  
October 10, 2013 – Received BHQA Appeal (Old Business)

It was noted during the cycle inspection that the attics are in need of repair. Some draft stops are compromised. Petitioner is requesting an extension of time to complete the repairs.

Staff recommendation: Grant the request

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

Compliance Deadline: January 20, 2014

Attachments: Cycle Report, Remaining Violations Report, BHQA Appeal



RECEIVED  
OCT 10 2013

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: 701 East Summitview Place

Petitioner's Name: Summit Pointe

Address: 701 East Summitview Place

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-331-2666 Email Address: summitpointeapts@sbccglobal.net

Property Owner's Name: Scott May

Address: 701 Summitview Place

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-331-2666 Email Address: sameasabove

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

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

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

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

- (A) An extension of time to complete repairs (Petition type TV)
- (B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- (C) Relief from an administrative decision (Petition type AA)
- (D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 13-TV-65 (OLD BUSINESS)

SEE REVERSE

65  
NM

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

Requesting additional time for completing the firewalls in the attics. It has been too hot to work in the attics and we are just starting the work next week.

We were given until November 1st for completion but are requesting more time. We believe we can have everything completed by the end of the year.

Thank you for your consideration in this matter.

Signature (required): Summit Pointe / M.A. Waggoner

Name (please print): Summit Pointe / M.A. Waggoner Date: 10-09-13

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



RECEIVED  
JUN 0 4 2013

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: 701 E. Summitview Place

Petitioner's Name: Summit Pointe

Address: 701 E. Summitview Place

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-331-2666 Email Address: Summitpointeapts@sbcglobal.net

Property Owner's Name: Scott May

Address: 701 E. Summitview Place

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-331-2666 Email Address: Summitpointeapts@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.

Please circle the petition type that you are requesting:

- (A) An extension of time to complete repairs (Petition type TV)
- (B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- (C) Relief from an administrative decision (Petition type AA)
- (D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 13-TV-65

SEE REVERSE

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

Requesting more time to complete the attic repairs. All other repairs are complete. Chimneys are checked and cleaned, furnace readings are complete as well as all interior items listed and exterior.

Signature (required): Summit Pointe / M.A. Waggoner

Name (please print): Summit Pointe / M.A. Waggoner Date: 5-29-13

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: July 17, 2013  
Petition Type: An extension of time to complete repairs.  
Petition Number: 13-TV-65  
Address: 701 E. Summitview Place  
Petitioner: Summit Pointe  
Inspector: Mosier/Hewett/Stong  
Staff Report: January 25, 2013 – Conducted Cycle Inspection  
April 1, 2013 – Conducted Inspection of Attics  
June 5, 2013 – Received BHQA Appeal

It was noted during the cycle inspection that the attics are in need of repair. Some draft stops are compromised. Petitioner is requesting an extension of time to complete the repairs.

Staff recommendation: Grant the request,

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

Compliance Deadline: September 17, 2013

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

*Approved to  
11/1/13*

*DR*



City of Bloomington  
Housing and Neighborhood Development

JUL 31 2013

REMAINING  
VIOLATIONS REPORT

736

OWNERS

May, Scott G.  
701 Summitview Place  
Bloomington, IN 47401

AGENT

Waggoner, Mary Ann  
701 E Summitview Place  
Bloomington, IN 47408

Prop. Location: 701 E Summit View PL

Number of Units/Structures: 288/22

Units/Bedrooms/Max # of Occupants: Bld 8: 4/1/2 8/2/4, Bld 3: 8/1/2 4/2/4, Bld 19: 16/2/4,  
Bld 20: 16/2/4, Bld 21: 8/1/2 4/2/4, Bld 1: 16/1/2, Bld 2: 8/1/2 4/2/4, Bld 4: 16/2/4, Bld 5:  
16/1/2, Bld 6: 8/1/2 4/2/4, Bld 7: 8/1/2 4/2/4, Bld 9: 8/1/2 4/2/4, Bld 10: 16/2/4, Bld 11: 4/1/2  
8/2/4, Bld 12: 8/1/2 4/2/4, Bld 13: 8/1/2 4/2/4, Bld 14: 4/1/2 8/2/2, Bld 15: 4/1/2 8/2/4, Bld 16:  
16/1/2, Bld 17: 16/2/4, Bld 18: 16/2/4

Date Inspected: 01/25/2013  
Primary Heat Source: Gas  
Property Zoning: PUD  
Number of Stories: 2

Inspectors: Mosier/Hewett/Stong  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: Carports

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 Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington.

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

70

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 BMC 16.03.040

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.

**GENERAL VIOLATIONS:**

- The attics will be checked at the reinspection. They must be brought into compliance within the same 60 day period as other violations. Check for open splices, covered junction boxes and failings in the underside of the roof. BMC 16.03.020

**Note:** Some of the draft stops had holes which must be repaired. The integrity of the Fire-separation/Draft stop shall be maintained. Repairs shall be made using like materials or equivalent fire-rated materials. BMC 16.04.020

**INTERIOR:**

**BUILDING 4**

767

Rear Bath:

Check the electrical on the lighting, light flickers. BMC 16.04.060(b)

**BUILDING 11**

1019

R Bedroom:

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

**BUILDING 13**

1069

L Bathroom:

Repair the tub drain to function as intended, clogged. BMC 16.04.060(b)

**BUILDING 14**

1028

Hall Bath:

Secure toilet to its mountings. BMC 16.04.060(a)

1042

Living Room:

Repair the sliding glass door to function as intended, handle. BMC 16.04.060(a)

Hall Bath:

Seal the top of the shower surround. BMC 16.04.060(a)

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

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

**BUILDING 16**

756

Bathroom:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

**BUILDING 18**

786

2<sup>nd</sup> Bedroom:

Also properly repair area of termite infestation, this includes but is not limited to replacing or repairing damaged or deteriorated floor covering, **trim**, decking and structural members.  
BMC 16.04.060(a)

778

Bathroom:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

774

Hall Bath:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

Seal the top of the shower surround. BMC 16.04.060(a)

**BUILDING 19**

672

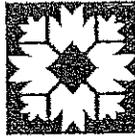
Rear Bedroom:

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

**EXTERIOR:**

**BLDG 17**

Reconnect the downspout on the south side of structure about midway point. BMC 16.04.050(a)



City of Bloomington  
Housing and Neighborhood Development

CYCLE REPORT

736

OWNERS

Summit Pointe Llc  
701 Summitview Place  
Bloomington, IN 47401

Prop. Location: 701 E Summit View PL  
Number of Units/Structures: 288/22

Units/Bedrooms/Max # of Occupants: Bld 8: 4/1/2 8/2/4, Bld 3: 8/1/2 4/2/4, Bld 19: 16/2/4,  
Bld 20: 16/2/4, Bld 21: 8/1/2 4/2/4, Bld 1: 16/1/2, Bld 2: 8/1/2 4/2/4, Bld 4: 16/2/4, Bld 5:  
16/1/2, Bld 6: 8/1/2 4/2/4, Bld 7: 8/1/2 4/2/4, Bld 9: 8/1/2 4/2/4, Bld 10: 16/2/4, Bld 11: 4/1/2  
8/2/4, Bld 12: 8/1/2 4/2/4, Bld 13: 8/1/2 4/2/4, Bld 14: 4/1/2 8/2/2, Bld 15: 4/1/2 8/2/4, Bld 16:  
16/1/2, Bld 17: 16/2/4, Bld 18: 16/2/4

Date Inspected: 01/25/2013  
Primary Heat Source: Gas  
Property Zoning: PUD  
Number of Stories: 2

Inspectors: Mosier/Hewett/Stong  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: Carports

The Monroe County Assessor's records indicate that this structure was built in 1987.  
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.

GENERAL STATEMENT:

Egress window measurements for complex are as follows:

Existing Egress Window Measurements: Single hung: Const. Yr. -1987  
Height: 25 inches  
Width: 35 inches  
Sill Height: 23 inches  
Openable Area: 6.08 sq. ft.

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

73

**GENERAL VIOLATIONS:**

- 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  
 BMC 16.01.060(f) and 16.04.060 (c)

- Show documentation that the fireplaces have 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. BMC 16.01.060(f)

- The attics will be checked at the reinspection. They must be brought into compliance within the same 60 day period as other violations. Check for open splices, covered junction boxes and failings in the underside of the roof. BMC 16.03.020

**Note:** Some of the draft stops had holes which must be repaired. The integrity of the Fire-separation/Draft stop shall be maintained. Repairs shall be made using like materials or equivalent fire-rated materials. BMC 16.04.020

**NOTE:**

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

**INTERIOR:**

**BUILDING 1**

603

Living Room:

Repair the sliding glass door to lock as intended. BMC 16.04.060(a)

607

Bathroom:

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

**BUILDING 2**

637

Furnace Closet:

Repair the bi-fold doors to function as intended, off track. BMC 16.04.060(a)

647

Hallway:

Provide operating power to smoke detector. IC 22-11-18-3.5

*W/C  
11/1/13  
BUSSES  
DEADLINE  
M/A*

649

Hallway:

C

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

Bathroom:

C

Replace the 1<sup>st</sup> light switch, defective. BMC 16.04.060(c)

**BUILDING 3**

703

Living Room:

C

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

723

Living Room:

C

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

707

Bedroom Closet:

C

Repair the clothes rod to function as intended, fallen down. BMC 16.04.060(a)

705

Bedroom:

C

Replace the missing bottom storm window. BMC 16.04.060(b)

713

Hallway:

C

Install/replace batteries in smoke detectors so that they function as intended. BMC 16.07.030(b)

**BUILDING 4**

759

Kitchen:

C

Secure the loose end cap on the counter top. BMC 16.04.060(a)

767

Rear Bath:

N/C

Check the electrical on the lighting, light flickers. BMC 16.04.060(b)

Dining Room:

C

Repair the ceiling fan to function as intended, not working. BMC 16.04.060(c)

Utility Closet:

C

Repair the water heater not to make gurgling sounds. BMC 16.04.060(c)

771

1<sup>st</sup> Bedroom:

Replace the bent window screen. BMC 16.04.060(a)

769

Rear Bathroom:

Inspect the toilet for leakage, tenant turned off water to fixture. BMC 16.04.060(c)

773

Kitchen:

Replace the broken sink faucet handle. BMC 16.04.060(c)

777

Front Bedroom:

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

785

Front Bedroom:

Replace the missing storm window. BMC 16.04.060(b)

**BUILDING 5**

749

Bedroom:

Replace the cracked top storm window. BMC 16.04.060(b)

755

Bedroom:

Replace the damaged screen on the window. BMC 16.04.060(b)

727

Bedroom:

Replace the cracked top storm window. BMC 16.04.060(b)

731

Bedroom:

Repair the bottom hinge on the door to function as intended. BMC 16.04.060(a)

Kitchen:

Repair the garbage disposal to function as intended. BMC 16.04.060(c)

**BUILDING 6**

811

Dining Room:

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

Bedroom:

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

823

Hallway:

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

**BUILDING 7**

833

Kitchen:

Repair the garbage disposal to function as intended. BMC 16.04.060(c)

Bedroom:

Repair/replace the defective ballast on the left side of the window. BMC 16.04.060(b)

**843 NOTE: Rodent infestation.**

All rental units, their accessory structures and exterior premises shall be kept free from pests. All rental units or accessory structures thereof in which pests are found shall be promptly exterminated by approved process that will not be injurious to human health. After extermination proper precautions shall be taken to prevent re-infestation.  
BMC 16.04.090 (a)

Living Room:

Repair the lock on the entry door to function as intended, sticks in place. BMC 16.04.060(a)

Bedroom:

Repair/replace the broken latch on the window. BMC 16.04.060(b)

837

Hallway:

Provide operating power to smoke detector. IC 22-11-18-3.5

Bedroom:

Replace the cracked storm window. BMC 16.04.060(b)

825

R Bathroom:

Repair the toilet to flush properly. BMC 16.04.060(a)

Hallway:

Provide operating power to smoke detector. IC 22-11-18-3.5

**BUILDING 8**

901

L bedroom:

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

903

Kitchen:

C Replace the broken garbage disposal. BMC 16.04.060(c)

905

Living Room:

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

913

Kitchen:

C Determine the source and eliminate the water leak under the sink. BMC 16.04.060(b)

917

R Bedroom:

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

**BUILDING 9**

959

Hallway:

C Provide operating power to smoke detector. IC 22-11-18-3.5

957

Living Room:

C Repair the left window to close fully. BMC 16.04.060(b)

961

Bedroom:

C Repair the left side window to latch properly. BMC 16.04.060(b)

971

**NOTE:**

Bedrooms:

C It is recommended that the furniture be removed from in front of the egress windows to allow emergency escape or to allow emergency personnel access.

973

1<sup>st</sup> Bedroom:

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

**BUILDING 10**

947

Bathroom:

Repair the leak at the base of the toilet. BMC 16.04.060(a)

941

1st Bedroom:

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

2<sup>nd</sup> Bedroom:

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

955

Living Room:

Replace the broken door handle on the sliding glass door. BMC 16.04.060(a)

931

Kitchen:

Replace the defective sink faucet. BMC 16.04.060(c)

Front Bedroom:

Repair/replace the defective ballast on the right side of the window. BMC 16.04.060(b)

925

Bathroom:

Repair the door to latch properly. BMC 16.04.060(a)

935

Hallway:

Provide operating power to smoke detector. IC 22-11-18-3.5

**BUILDING 11**

1007:

Living Room:

Repair the sliding glass door to latch properly. BMC 16.04.060(a)

Rear Bedroom:

Every window shall be capable of being easily opened and held in position by its own hardware, storm window won't open. BMC 16.04.060(b)

1009

Bedroom:

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

1015

Bath:

C Secure toilet to its mountings. BMC 16.04.060(a)

C Clean and service the exhaust fan to function as intended. BMC 16.04.060(c)

1019

Hall Bath:

C Repair or replace exhaust fan so that it functions as intended, noisy. BMC 16.04.060(c)

L Bedroom:

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

R Bedroom:

M/C Every window shall be capable of being easily opened and held in position by its own hardware. BMC 16.04.060(b) *R. SIDE LATCH STUCK*

½ Bath:

C Repair the sink drain to function as intended, slow. BMC 16.04.060(b)

1023

Hall Bath:

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

½ Bath:

C Repair or replace exhaust fan so that it functions as intended, loud. BMC 16.04.060(c)

1021

Living Room:

C Properly repair the cracks in the ceiling and wall, and paint adjacent to the mechanical closet. BMC 16.04.060(a)

Rear Bedroom:

C 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.** BMC 16.03.040

1017

Living Room:

Replace the damaged handle on the sliding glass door. BMC 16.04.060(a)

**BUILDING 12**

1045:

Kitchen:

Repair the garbage disposal to function as intended, jammed. BMC 16.04.060(c)

1047:

Living Room:

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

**BUILDING 13**

1051

Porch:

Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction. BMC 16.04.020(3), Indiana Fire Code Sec. 308.3.1 & Sec. 308.3.1.1

Exceptions:

1. One & Two family dwellings
2. Where the buildings & decks are protected by an automatic sprinkler system

Charcoal grills may be stored in these locations. Gas grills may be stored in these locations without the propane tank (Propane tanks shall not be stored in the living space, garage or storage shed).

1049

L Bedroom:

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.** BMC 16.03.040

1053

Kitchen:

Repair the garbage disposal to function as intended, jammed. BMC 16.04.060(c)

1063

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

Bedroom:

C 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.** BMC 16.03.040

Bathroom:

C Secure toilet to its mountings. BMC 16.04.060(a)

1069

L Bedroom, L Bath: TUB DRAIN CLOGGED

N/C 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.** BMC 16.03.040

1071:

Living Room:

C Provide operating power to smoke detector. IC 22-11-18-3.5

**BUILDING 14**

1028

Hall Bath:

N/C Secure toilet to its mountings. BMC 16.04.060(a)

1030

R Bedroom:

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

1042

Living Room:

M/C HANDLE Repair the sliding glass door to function as intended. BMC 16.04.060(a)

Hall Bath:

M/C Seal the top of the shower surround. BMC 16.04.060(a)

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

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

1046

Bathroom:

Ensure that the toilet is functioning as intended, (at inspection, the toilet and bathroom were extremely soiled and it appeared that the toilet was nit functioning properly. Bathroom must be cleaned and sanitized). BMC 16.04.060(c), (d).

**BUILDING 15**

1006

Hallway:

Repair the crack above the mechanical closet and paint. BMC 16.04.060(a)

Hall Bath:

Repair the GFCI receptacle to function as intended, won't trip. BMC 16.04.060(b)

½ Bath:

Repair the GFCI receptacle to function as intended, won't trip. BMC 16.04.060(b)

1004

Hall Bath:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

½ Bath:

Repair the sink stopper assembly to function as intended. BMC 16.04.060(c)

1000

Hall Bath:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

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

**COMMON HALLWAY:** (Adjacent to unit 1002)

Replace the missing receptacle cover plate. BMC 16.04.060(a)

1022

Hallway:

Provide operating power to smoke detector. IC 22-11-18-3.5

Hall Bath:

Clean and service the exhaust fan to function as intended. BMC 16.04.060(c)

Remove all of the mold from the walls and paint. BMC 16.04.060(a), (f)

Properly seal/caulk around the sink to eliminate water infiltration behind the vanity. BMC 16.04.060(a)

Kitchen:

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. BMC 16.04.060(c)

1020

Kitchen:

C Repair the garbage disposal to function as intended. BMC 16.04.060(c)

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

1018

Hall Bath:

C Secure toilet to its mountings. BMC 16.04.060(a)

**BUILDING 16**

734

Kitchen:

C Repair the faucet sprayer on the sink to function as intended by the manufacturer, (won't shut off), or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

746

Hallway:

C Replace the inaudible smoke detector. IC 22-11-18-3.5

742

Balcony:

C Secure the loose handrail at the bottom on the north end, so it is capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

740

Dining Room:

C Replace the missing receptacle cover plate on the north wall. BMC 16.04.060(b)

Bathroom:

C Repair the door to latch properly. BMC 16.04.060(a)

C Repair the sink drain to function as intended, slow. BMC 16.04.060(b)

748

Bathroom:

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

754

Living Room:

Replace the broken door handle on the sliding glass door. BMC 16.04.060(a)

760

Bathroom:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

762

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended.  
IC 22-11-18-3.5

756

Bathroom:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

Secure toilet to its mountings. BMC 16.04.060(a)

**BUILDING 17**

716

Kitchen:

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

718

Living Room:

Replace the burnt receptacle adjacent to the entry door. BMC 16.04.060(b)

Kitchen:

Tighten the loose sink faucet. BMC 16.04.060(c)

1<sup>st</sup> Bedroom:

Replace the missing receptacle cover plate on the north wall. BMC 16.04.060(b)

2<sup>nd</sup> Bedroom:

Repair the door to latch properly. BMC 16.04.060(a)

720

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

Hallway:

Repair/replace the worn carpet adjacent to the furnace closet so that the bi-fold doors function as intended. BMC 16.04.060(a)

C Clean the heating/air conditioning grille. BMC 16.04.060(c)

Bathroom:

C Seal the top of the shower surround. BMC 16.04.060(a)

C Repair the sink drain to function as intended, slow. BMC 16.04.060(b)

Bedroom:

C It is recommended that the furniture be rearranged in a manner that does not block or hinder access to emergency egress window.

730

1<sup>st</sup> Bedroom:

C Repair the door to latch properly. BMC 16.04.060(a)

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

2<sup>nd</sup> Bedroom:

C Repair the door to latch properly. BMC 16.04.060(a)

724

Bathroom:

C Repair the sink drain to function as intended, slow. BMC 16.04.060(b)

**BUILDING 18**

782

Dining Room:

C Tighten the loose receptacle on the north wall. BMC 16.04.060(b)

Bathroom:

C Tighten the loose GFCI receptacle. BMC 16.04.060(b)

784

Kitchen:

C Install a cable clamp where the power supply enters the garbage disposal.  
BMC 16.04.060(c)

2<sup>nd</sup> Bedroom:

C Secure the loose door casing and repair the door to latch properly. BMC 16.04.060(a)

786

Living Room:

C Repair the sliding glass door to open easily. BMC 16.04.060(b)

2<sup>nd</sup> Bedroom: **TERMITE INFESTATION**

C All residential units, their accessory structures and exterior premises shall be kept free from pests. All residential units or accessory structures thereof in which pests are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination proper precautions shall be taken to prevent re-infestation.  
BMC 16.04.090 (a)

M/C  
OLD TRIM  
Also properly repair area of termite infestation, this includes but is not limited to replacing or repairing damaged or deteriorated floor covering, trim, decking and structural members.  
BMC 16.04.060(a)

C 794

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(a)

C 792

Living Room:

Tighten the loose receptacle at entry door. BMC 16.04.060(b)

C Hallway:

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

C 790

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended.  
IC 22-11-18-3.5

C 788

Dining Room:

Replace broken electrical receptacle cover plate, north wall. BMC 16.04.060(b)

C 768

Master Bedroom:

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

C Master Bath:

Secure the hanging can light cover and the hanging exhaust fan cover. BMC 16.04.060(c)

C 778

1<sup>st</sup> Bedroom:

Repair the hole in the door. . BMC 16.04.060(a)

C  
C Every window shall be capable of being easily opened and held in position by its own hardware, storm window to function as intended. BMC 16.04.060(b)

Bathroom:

MC Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

C 2<sup>nd</sup> Bedroom Bath:

Replace the defective GFCI receptacle, won't trip. BMC 16.04.060(b)

774

MC Hall Bath:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

MC Seal the top of the shower surround. BMC 16.04.060(a)

C Master Bath:

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

772

C Master Bath:

Replace the defective light switch for the exhaust fan. BMC 16.04.060(a)

**BUILDING 19**

666

C Kitchen:

Repair the garbage disposal to function as intended. BMC 16.04.060(a)

660

C Kitchen:

Provide operating power to smoke detector. IC 22-11-18-3.5

C Master Bath:

Repair or replace exhaust fan so that it functions as intended, loud. BMC 16.04.060(c)

662

C Living Room:

Repair the sliding glass door to open easily. BMC 16.04.060(a)

656

C Living Room:

Repair the sliding glass door to be weather tight. BMC 16.04.060(a)

658

C Living Room:

Repair the sliding glass door to open easily. BMC 16.04.060(a)

C Hall Bath:

Secure toilet to its mountings. BMC 16.04.060(a)

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

Master Bath:

C Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

680

Kitchen:

C Repair the faucet to function as intended and to eliminate the constant dripping.  
BMC 16.04.060(c)

676

Kitchen:

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. BMC 16.04.060(c)

672

Bathroom:

C Repair the toilet to eliminate unnecessary water use. BMC 16.04.060(c)

Rear Bedroom:

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

**BUILDING 20**

602

Bathroom:

C Replace the defective GFCI receptacle, won't trip. BMC 16.04.060(b)

Hallway:

C Eliminate all unused openings in service panel/junction box, by installing approved rigid knockout blanks. BMC 16.04.060(c)

612

Kitchen:

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

618

Bedroom:

C Repair the door to latch properly. BMC 16.040060(a)

608

Bathroom:

C Repair the sink drain to function as intended, slow. BMC 16.04.060(b)

610

Kitchen:

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

606

Kitchen:

Repair the garbage disposal to function as intended. BMC 16.04.060(c)

Bathroom:

Seal the top of the shower surround. BMC 16.04.060(a)

622

Bathroom:

Replace the defective light switch. BMC 16.04.060(b)

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

620

Living Room:

Replace existing smoke detector in a manner so that it functions as intended, inaudible.  
IC 22-11-18-3.5

**BUILDING 21**

634

Hallway:

Replace existing smoke detector with a new smoke detector, inaudible. IC 22-11-18-3.5

632

Master Bathroom:

Seal the top of the shower surround. BMC 16.04.060(a)

636

Bedroom:

Secure the loose receptacle on the west wall. BMC 16.04.060(b)

Master Bedroom:

Repair the door to latch properly. BMC 16.04.060(a)

Master Bath:

Repair the door to latch properly. BMC 16.04.060(a)

Repair or replace exhaust fan so that it functions as intended. BMC 16.04.060(c)

Secure toilet to its mountings. BMC 16.04.060(a)

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

628

Hall Bath:

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

Master Bedroom:

C Repair the door to latch properly. BMC 16.04.060(a)

Master Bath:

C Repair the sink drain to function as intended, slow. BMC 16.04.060(b)

C Seal the top of the shower surround. BMC 16.04.060(a)

630

Living Room:

C Replace the broken receptacle cover plate on the north wall. BMC 16.04.060(b)

Hallway:

C Replace existing smoke detector in a manner so that it functions as intended.  
IC 22-11-18-3.5

Bedroom:

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

Master Bath:

C Replace the defective GFCI receptacle, won't trip. BMC 16.04.020 and BMC 16.04.060(b)

624

Living Room:

C Replace the broken handle on the sliding glass door. BMC 16.04.060(a)

Hallway:

C Repair or replace existing smoke detector in a manner so that it functions as intended.  
IC 22-11-18-3.5

Hall Bath:

C Repair the door to latch properly. BMC 16.04.060(a)

C Secure toilet to its mountings. BMC 16.04.060(a)

Master Bath:

C Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

C Seal the top of the shower surround. BMC 16.04.060(a)

626

C Living Room:

Repair the sliding glass door to open easily. BMC 16.04.060(a)

650

C Hall Bath:

Replace the defective GFCI receptacle, won't trip. BMC 16.04.020 and BMC 16.04.060(b)

652

C Living Room:

Replace the damaged screen door for the sliding glass door. BMC 16.04.060(a)

C Hallway:

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

Bathroom:

C Repair the door jamb and repair the door to latch properly. BMC 16.04.060(a)

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

### EXTERIOR:

BLDG 5

C Reconnect the downspout at the gutter, adjacent to unit 745. BMC 16.04.050(a)

BLDGS 8, 9, 10, 11, 12, 13, 14, 15

C Properly label electrical A/C disconnects with corresponding unit numbers. BMC 16.04.020 and BMC 16.04.050(b)

BLDG 11

C Repair the broken rail adjacent to unit 1017. BMC 16.04.050(a)

BLDG 14

C Replace the flattened downspout adjacent to unit 1034. BMC 16.04.050(a)

C Replace the missing diverter spout on the SE and NW corners of structure. BMC 16.04.050(a)

C Trim all tree branches away from the siding and roofline to maintain a 3' clearance, west side of structure. BMC 16.04.040(e)

C Repair/replace the missing cap for the plumbing clean out adjacent to unit 1024. BMC 16.04.050(a)

**BLDG 15**

C Repair/replace the missing cap for the plumbing clean out adjacent to unit 1000. BMC 16.04.050(a)

C Replace the missing diverter spout on the NE corner of structure. BMC 16.04.050(a)

**BLDG 16**

C Replace the deteriorated window sills above the common hallway entrances. BMC 16.04.050(a)

**BLDG 17**

C Paint the north wall above common hallway adjacent to unit 716. BMC 16.04.050(e)

C Secure the loose electrical quick disconnect box for the A/C unit to the structure, adjacent to unit 726. BMC 16.04.050(b)

C Replace the missing diverter spout on the SW corner of structure. BMC 16.04.050(a)

N/C Reconnect the downspout on the south side of structure about midway point. BMC 16.04.050(a)

**BLDG 18**

C Trim all tree branches away from the siding and roofline to maintain a 3' clearance, north side of structure. BMC 16.04.040(e)

**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 and provided to the office within 60 days of the date of the inspection or a \$25.00 fee will be levied.** BMC 16.03.010(b), BMC 16.10.030(b)

C  
REC'D  
4-1-13  
MM

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

**This is the end of this report.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-122

Address: 1323-1325 N. Washington St.

Petitioner: John Seeber

Inspector: Maria McCormick/Dee Wills

Staff Report: 05/13/2013 Completed Cycle Inspection  
07/29/2013 Re-inspected, not all complied  
09/09/2013 Re-inspected, not all complied  
10/21/2013 Received Application for Extension of Time

During the cycle inspection several violations were found. There is still a broken window in the 2<sup>nd</sup> level NE bedroom. The petitioner is requesting an extension of time to get a new replacement window as the first one was broken when it arrived.

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: November 25, 2013

Attachments: Application for Appeal; Cycle Report; Remaining Violations Reports

RECEIVED  
OCT 10 2013



Application for Appeal \_\_\_\_\_  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
[hand@bloomington.in.gov](mailto:hand@bloomington.in.gov)

Property Address: 1323 N. Washington St.

Petitioner's Name: John Seeber

Address: PO BOX 366

City: Bloomington State: IN Zip Code: 47402

Phone Number: 317 716 7702 Email Address: JohnSeeber@sbeglobal.net

Property Owner's Name: John Seeber

Address: PO Box 366

City: Bloomington State: IN Zip Code: 47402

Phone Number: 317 716 7702 Email Address: JohnSeeber@sbeglobal.net

Occupants: 5

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

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 13-TV-122

SEE REVERSE

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

We were installing window for last inspection and broke it the day before inspection. It takes 3 weeks for this piece of glass to get in. We expect it any day.

Signature (required):



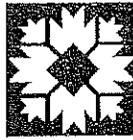
Name (please print):

John Seeber

Date:

10/8/13

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



City of Bloomington  
Housing and Neighborhood Development

SEP 19 2013

Remaining Violation Report  
Re-inspected on 09/17/2013

6573

OWNERS

Seeber, John E.  
1250 N. College Ave Suite C  
Bloomington, IN 47404

Prop. Location: 1323 N Washington ST, 1325 N Washington ST  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: 2/6/5

Date Inspected: 09/17/2013  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Inspectors: Dee Wills  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

Monroe County Assessor's records indicate that this structure was built in 2002. These are the minimum requirements for emergency egress for a structure built between 1998-2003:

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

INTERIOR

2<sup>nd</sup> Level

NE Bedroom (10-0 x9-0)

Replace the cracked/broken window pane. BMC 16.04.060(b).

97

Other requirements

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

This is the end of this report.



City of Bloomington  
Housing and Neighborhood Development

Remaining Violation Report  
Re-inspected on 07/29/2013

6573

OWNERS

Seeber, John E.  
1250 N. College, Suite C  
Bloomington, IN 47404

Prop. Location: 1323 N Washington ST, 1325 N Washington ST  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: 2/6/5

Date Inspected: 05/13/2013  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

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

Monroe County Assessor's records indicate that this structure was built in 2002. These are the minimum requirements for emergency egress for a structure built between 1998 – 2003:

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

INTERIOR:

1323 N. Washington -  
2<sup>nd</sup> Level -

North Bathroom:

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

NC  
NE Bedroom 10-0 x 9-0:

Replace the cracked/broken window pane. BMC 16.04.060(b)

**1325 N. Washington St --**

**Main Level**

C  
South Bedroom 9-0 x 9-0:

Replace the missing entry door. BMC 16.04.060(a)

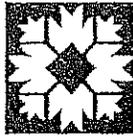
**2<sup>nd</sup> Level --**

C  
South Bathroom:

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

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

**This is the end of this report.**



City of Bloomington  
Housing and Neighborhood Development

JUN 13 2013

**RENTAL PERMIT INFORMATION**

John Seeber Bloomington Investment Property, Inc.  
P.O. Box 366  
Bloomington, IN 47402

Property Location: 1323-1325 N. Washington Street

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **AUG 13 2013** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

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

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

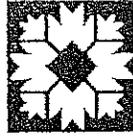
If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc:



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

6573

OWNERS

Seeber, John E.  
P.O. Box 366  
Bloomington, IN 47402

Prop. Location: 1323-1325 N Washington ST  
Units/Bedrooms/Max # of Occupants: 2/6/5  
Date Inspected: 05/13/2013  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

AGENT

Bloomington Investment Property, Inc.  
PO Box 366  
Bloomington, IN 47402

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

Monroe County Assessor's records indicate that this structure was built in 2002. These are the minimum requirements for emergency egress for a structure built between 1998 – 2003:

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

INTERIOR:

1323 N. Washington –

Main Level:

Living Room/Dining Room 22-6 x 10-3:

Repair or replace existing smoke detector in a manner so that it functions as intended including the proper inter-connection with other smoke detectors in the structure. IC 22-11-18-3.5

Kitchen 13-6 x 10-10:

Replace non-functioning or incorrectly wired electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. Receptacle to the right of the sink. BMC 16.04.020 and BMC 16.04.060(b)

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

Bathroom:

No violation noted.

7/29/13

C

C

C

A

102

South Bedroom 9-0 x 9-0:

C Replace the missing entry door. BMC 16.04.060(a)

Replace broken electrical receptacle cover plate on the north wall. BMC 16.04.060(b)

C The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002. The relevant code is the 1998 Indiana Building Code, section: 310.4.

C **Openable area required: 5.7 sq. ft.**

**Existing area: 5.22 sq. ft.**

Clear width required: 20"

Existing width: 32"

**Clear height required: 24"**

**Existing height: 23 ¾ "**

Maximum sill height: 44" above finished floor

Existing sill: 23"

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

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

North Bedroom 10-8 x 7-0:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002. The relevant code is the 1998 Indiana Building Code, section: 310.4.

C **Openable area required: 5.7 sq. ft.**

**Existing area: 5.22 sq. ft.**

Clear width required: 20"

Existing width: 32"

**Clear height required: 24"**

**Existing height: 23 ¾ "**

Maximum sill height: 44" above finished floor

Existing sill: 23"

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

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

7/29/13

**2<sup>nd</sup> Level –**

South Bathroom:

No violation noted.

North Bathroom:

☞ Secure toilet to its mountings. BMC 16.04.060(a)

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

NW Bedroom 10-0 x 9-0; North Center Bedroom 10-0 x 9-0; SE Bedroom 10-0 x 9-0:

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

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002. The relevant code is the 1998 Indiana Building Code, section: 310.4.

**Openable area required: 5.7 sq. ft.**

**Existing area: 5.22 sq. ft.**

Clear width required: 20"

Existing width: 32"

☞ Clear height required: 24"

Existing height: 23 3/4 "

Maximum sill height: 44" above finished floor

Existing sill: 23"

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

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

Hallway/Stairs:

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

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

☞ Replace the missing handrail on the stairs. BMC 16.04.050(b) and BMC 16.04.060(b)

1/29/13  
21

NE Bedroom 10-0 x 9-0:

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

NC Replace the cracked/broken window pane. BMC 16.04.060(b)

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002. The relevant code is the 1998 Indiana Building Code, section: 310.4.

**Openable area required: 5.7 sq. ft.**

**Existing area: 5.22 sq. ft.**

Clear width required: 20"

Existing width: 32"

**Clear height required: 24"**

**Existing height: 23 3/4"**

Maximum sill height: 44" above finished floor

Existing sill: 23"

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

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

**Basement -**

Garage; Mechanical Room:

No violation noted.

**1325 N. Washington St -**

Main Level:

Living Room/Dining Room 22-6 x 10-3:

No violation noted.

Kitchen 13-6 x 10-10:

C Replace non-functioning or incorrectly wired electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. Receptacle under the north window. BMC 16.04.020 and BMC 16.04.060(b)

Bathroom:

C Secure toilet to its mountings. BMC 16.04.060(a)

1/29/13

South Bedroom 9-0 x 9-0:

NC

Replace the missing entry door. BMC 16.04.060(a)

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

C

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002. The relevant code is the 1998 Indiana Building Code, section: 310.4.

**Openable area required: 5.7 sq. ft.**

**Existing area: 5.61 sq. ft.**

Clear width required: 20"

Existing width: 32"

Clear height required: 24"

Existing height: 25 1/4"

Maximum sill height: 44" above finished floor

Existing sill: 23"

C

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

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

North Bedroom 10-8 x 7-0:

No violation noted.

Existing Egress Window Measurements:

Height: 25 1/2 inches

Width: 32 inches

Sill Height: 23 inches

Openable Area: 5.70 sq. ft.

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

2<sup>nd</sup> Level --

South Bathroom:

NC

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

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster.

C

Properly repair the hole in the wall behind the door. BMC 16.04.060(a)

1/29/13  
3/1

North Bathroom:

No violation noted.

NW Bedroom 10-0 x 9-0:

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

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002. The relevant code is the 1998 Indiana Building Code, section: 310.4.

**Openable area required: 5.7 sq. ft.**

**Existing area: 5.22 sq. ft.**

Clear width required: 20"

Existing width: 32"

**Clear height required: 24"**

**Existing height: 23 3/4 "**

Maximum sill height: 44" above finished floor

Existing sill: 23"

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

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

Hallway/Stairs:

Clean the heating/air conditioning supply/return grille. BMC 16.04.060(c)

NE Bedroom 10-0 x 9-0; North Center Bedroom 10-0 x 9-0; SW Bedroom 10-0 x 9-0:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002. The relevant code is the 1998 Indiana Building Code, section: 310.4.

**Openable area required: 5.7 sq. ft.**

**Existing area: 5.22 sq. ft.**

Clear width required: 20"

Existing width: 32"

**Clear height required: 24"**

**Existing height: 23 3/4 "**

Maximum sill height: 44" above finished floor

Existing sill: 23"

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).

7/29/13  
Ⓟ

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

**Basement –**

Garage; Mechanical Room:

No violation noted.

**EXTERIOR:**

C Properly repair or replace damaged/deteriorated soffit/fascia in a manner that seals all openings. BMC 16.04.050(a)

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

C Replace broken or missing spindles in handrail/guardrail. BMC 16.04.020, BMC 16.04.050(b) and BMC 16.04.050(b)

**OTHER REQUIREMENTS:**

**Required documentation:**

C A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector **within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC 16.03.060(e) and BMC 16.10.030(b)

**Required documentation:**

C The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC 16.03.050(e) and BMC 16.10.030(b)

---

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

**This is the end of this report.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013

Petition Type: Rescind a Variance

Petition Number: 13-RV-123

Address: 420 N. Lincoln Street

Petitioner: HAND

Inspector: McCormick/Wills

Staff Report: On 3/09/2005 this property received a special exception the minimum room width requirements in the east bedroom. This structure was built in 1930, the east bedroom was a converted back porch but has been a bedroom since this property became a rental. The room is 12' x 6'5". This variance is no longer part of the Residential Rental Unit and Lodging Establishment Inspection Program but falls under building code at the time of construction. Therefore we are asking that the variance be rescinded.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application

*Handwritten initials*

RECEIVED  
OCT 15 2013



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: 420 N. Lincoln Street

Petitioner's Name: HAND

Address: 401 N. Morton Street Suite 130

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-349-3420 Email Address: hand@bloomington.in.gov

Property Owner's Name: 10-29 LLC

Address: 7788 N. Stinesville Road

City: Gosport State: IN Zip Code: 47433

Phone Number: 812-360-6810 Email Address: jeff@big10rentals.com

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

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

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

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

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY

Petition Number 13-RV-123

SEE REVERSE





City of Bloomington  
H.A.N.D.

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

Meeting Date: November 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-124

Address: 560 S. Basswood Drive, Apt. G, Bloomington IN. 47403

Petitioner: Michael Newman

Inspector: Dee Wills

Staff Report: September 30, 2013 Completed Remaining Tenant Violation Inspection  
October 01, 2013 Completed Remaining Violation Report  
October 16, 2013 Received Application for Appeal

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: December 20, 2013

Attachments: Application for Appeal, Remaining Tenant Violation Report

RECEIVED  
OCT 16 2013



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: 560 South Basswood Drive, Apt. G, Bloomington, IN 47402  
Petitioner's Name: Michael Newman  
Address: 560 South Basswood Drive, Apt. G  
City: Bloomington State: IN Zip Code: 47403  
Phone Number: (812) 369-4182 Email Address: drmnewman@aol.com  
Property Owner's Name: Herman E Kettle Properties  
Address: 500 E. 96th St. Suite 300  
City: Indianapolis State: IN Zip Code: 46240  
Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_  
Occupants: Michael Newman

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

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 13-TV-124

SEE REVERSE

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

I am in the process of complying with your request to remove the recyclables from my apartment, but I do need more time. Please give me until February 1, 2014 to fully comply with your request (only 14 weeks). I am single (unmarried) and I have no one to help me with this process. I also am a Distance Learning (DL) student at University of Central Florida and Naval Postgraduate School. I need more time to comply with your request and maintain my academic standing. This graduate work is required for my job at NSWC Crane Division. Please allow me more time to comply with your request. Please.

Signature (required):

Michael Newman

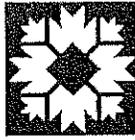
Name (please print):

Michael Newman

Date:

10/15/2013

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



City of Bloomington  
Housing and Neighborhood Development

OCT 02 2013

Remaining  
Tenant Violation Report

7739

OWNERS

Herman & Kittle Properties  
500 E. 96th St. Suite 300  
Indianapolis, IN 46240

TENANT

MICHAEL NEWMAN  
560 S. BASSWOOD DR.  
APT. G

AGENT

Jennifer Houchins  
540 S. Basswood Dr.  
Bloomington, IN 47403

Prop. Location: 540 S Basswood DR

Number of Units/Structures: 208/17

Units/Bedrooms/Max # of Occupants: Bld 1: 12/2/5, Bld 2: 8/3/5, Bld 3: 16/3/5, Bld 4: 8/1/5,  
Bld 5: 12/2/5, Bld 6: 12/2/5, Bld 7: 16/2/5, Bld 8: 16/2/5, Bld 9: 16/2/5, Bld 10: 8/1/5  
8/2/5, Bld 11: 12/1/5, Bld 12: 8/3/5, Bld 13: 16/3/5, Bld 14: 8/3/5, Bld 15: 8/3/5, Bld 16:  
12/2/5, Bld 17: 12/1/5

Date Inspected: 08/08/2013  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 1

Inspectors: Dee Wills  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

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

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

**560 S. BASSWOOD DR. APT. G**

Remove the empty bottles and food containers from the property.

Tenants of a residential rental unit shall keep that part of the unit which they occupy or control in a clean and sanitary condition. BMC 16.04.060(d)

All portions of the interior of a residential rental unit and its accessory structures shall be free from any accumulation of rubbish or garbage. BMC 16.04.080(a)



City of Bloomington  
H.A.N.D.

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

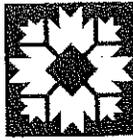
Meeting Date: November 20, 2013  
Petition Type: Rescind a Variance  
Petition Number: 13-RV-125  
Address: 861-863 S. Park Square Dr.  
Petitioner: HAND  
Inspector: Norman Mosier  
Staff Report: August 26, 2013 – Conducted Cycle Inspection  
October 17, 2013 –Received BHQA Appeal

This property was previously granted a variance to the ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ventilation requirement and the Building Code in place at the time of construction did not address the ventilation requirements; therefore we are asking the Board to rescind this variance. Year of construction – 1976.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application



**City of Bloomington  
Housing and Neighborhood Development**

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

Meeting Date: November 20, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-118

Address: 2444 W. Marlene Drive

Petitioner: Kelly Harding

Inspector: Dee Wills

Staff Report: September 10, 2013 Completed Complaint Inspection  
October 01, 2013 Completed Remaining Violations Report  
October 8, 2013 Received Application for Appeal

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: Life Safety Violations: November 21, 2013 (Bolded)  
All other violations: December 20, 2013

Attachments: Application for Appeal, Complaint Report, Remaining Tenant Violation Report, Photos

RECEIVED  
OCT 08 2013



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

Property Address: 2444 W. Markum Dr.

Petitioner's Name: Kelly Harding

Address: 608 W. Kirtwood Ave

City: Bloom State: IN Zip Code: 47404

Phone Number: 812-345-6813 Email Address: kellyaharding@yahoo.com

Property Owner's Name: Kelly Harding

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

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

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

Occupants: Phyllis Martindale, 2 adult sons + one wife

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

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 13-TV-118

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

This property is being foreclosed on + a Receiver was being appointed so I was told by legal counsel to not do anything else to the property unless I could get an extension on the Receivership -

Property to be sold at auction before Nov 23<sup>rd</sup>

Soft spot in floor is not interfering with livability of home, but I will have furnace serviced.

Signature (required): Kelly A. Harding

Name (please print): Kelly A. Harding Date: 10/6/13

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



City of Bloomington  
Housing and Neighborhood Development

Remaining Complaint Violation Report

677

OWNERS

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

Prop. Location: 2448 W Marlene DR, 2444 W Marlene DR  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: 2/2/3

Date Inspected: 09/10/2013  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 1

TENANT

Phyllis Martindale

Inspectors: Dee Wills  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

The following items are the result of a complaint inspection conducted on 09/10/2013. This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Residential Rental Unit and Lodging Establishment Inspection Program 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 16.10.030 of the Bloomington Municipal Code.

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

**Mechanical Room**

**Repair or replace the furnace so that it may function as intended. BMC 16.04.060(b),  
BMC 16.04.060(c)**

**Kitchen**

Properly repair the sagging floor adjacent to the sink. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

**EXTERIOR**

Return power to the air conditioning unit so that it may function as intended. BMC 16.04.050(a)

**Install cover panel for the crawl space access at the back of structure to ensure rodents cannot gain access to area. BMC 16.04.050(a) and (b)**



City of Bloomington  
Housing and Neighborhood Development

Complaint Report

677

OWNERS

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

Prop. Location: 2448 W Marlene DR, 2444 W Marlene DR  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: 2/2/3

Date Inspected: 09/10/2013  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 1

TENANT

Phyllis Martindale  
2444 W. Marlene Dr.  
Bloomington, IN. 47404

Inspectors: Dee Wills  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: None

The following items are the result of a complaint inspection conducted on 09/10/2013. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines of up to \$100.00/day. If you have questions regarding this report, please contact this office at 349-3420.

INTERIOR

Mechanical Room

Repair or replace the furnace so that it may function as intended. BMC 16.04.060(b),  
BMC 16.04.060(c)

Kitchen

Properly repair the sagging floor adjacent to the sink. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

123

**EXTERIOR**

Return power to the air conditioning unit so that it may function as intended. BMC 16.04.050(a)

Install cover panel for the crawl access at the back of structure to ensure rodents can't gain access to area. BMC 16.04.050(a) and (b)

