

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
November 19, 2014, 4:00 P.M.**

ALL PETITIONS ARE ON THE CONSENT AGENDA

I. **ROLL CALL**

II. **REVIEW OF SUMMARY** – August 20, 2014; September 17, 2014; October 15, 2014 not included

III. **OLD BUSINESS**

- (1) 14-TV-111 **209-211-211 ½ N. Madison Street**, Linnell Schur. Request for an extension of time to complete repairs. Previously heard August 20, 2014. pp. 3-24
- (2) 14-TV-121 **621 W. 4th Street**, Charles Cole. Request for an extension of time to complete repairs. Previously heard September 17, 2014. pp. 25-27

IV. **NEW BUSINESS**

- (3) 14-RV-151 **510-510 ½ N. Prow Avenue**, H.A.N.D. Request for rescission of a variance. pp.28-30
- (4) 14-TV-152 **420 E. Hillside Drive**, William Sexton. Request for an extension of time to complete repairs. pp. 31-36
- (5) 14-RV-153 **802 E. Grimes Lane**, H.A.N.D. Request for rescission of a variance. p. 37
- (6) 14-RV-154 **301 E. 12th Street**, H.A.N.D. Request for rescission of a variance. p. 38
- (7) 14-RV-156 **708 N. Washington Street**, H.A.N.D. Request for rescission of a variance. pp. 39-41
- (8) 14-RV-157 **1726 W. Arlington Road**, H.A.N.D. Request for rescission of a variance. p. 42
- (9) 14-AA-158 **322 E. 12th Street**, Strawberry Fields, LLC. Request for relief from an administrative decision. pp. 43-53
- (10) 14-TV-159 **305 E. 11th Street**, Abbey Road, LLC. Request for an extension of time to complete repairs. pp. 54-61
- (11) 14-RV-160 **705 W. Graham Drive**, H.A.N.D. Request for rescission of a variance. p. 62
- (12) 14-RV-161 **3405 E. Longview Avenue**, H.A.N.D. Request for rescission of a variance. p. 63
- (13) 14-TV-162 **927 W. 6th Street**, Amanda Nick. Request for an extension of time to complete repairs. pp. 64-67

- (14) 14-AA-163 **513 W. Graham Drive**, Kathy & Danny Chitwood. Request for relief from an administrative decision. pp. 68-70
- (15) 14-RV-164 **939 N. Jackson Street**, H.A.N.D. Request for rescission of a variance. pp. 71-73
- (16) 14-TV-165 **2602 S. Rockport Road**, American Homes For Rent. Request for an extension of time to complete repairs. pp. 74-84
- (17) 14-RV-166 **1013 W. 6th Street**, H.A.N.D. Request for rescission of a variance. pp. 85-87
- (18) 14-RV-167 **416 S. Lincoln Street**, H.A.N.D. Request for rescission of a variance. p. 88
- (19) 14-RV-168 **607 S. Washington Street**, H.A.N.D. Request for rescission of a variance. p. 89
- (20) 14-RV-169 **522 E. 3rd Street – 312 S. Henderson Street**, H.A.N.D. Request for rescission of a variance. p. 90
- (21) 14-AA-170 **412 W. Dodds Street**, James Harvey. Request for relief from an administrative decision. pp. 91-93
- (22) 14-RV-171 **215 E. 9th Street**, H.A.N.D. Request for rescission of a variance. p. 94
- (23) 14-RV-172 **408 S. Walnut Street**, H.A.N.D. Request for rescission of a variance. pp. 95-97
- (24) 14-TV-173 **2262 S. Sweet Briar Court**, American Homes For Rent. Request for an extension of time to complete repairs. pp. 98-108
- (25) 14-RV-174 **433 E. Southern Drive**, H.A.N.D. Request for rescission of a variance. p. 109

V. GENERAL DISCUSSION

VI. PUBLIC COMMENT

VII. ADJOURNMENT



City of Bloomington
H.A.N.D.

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

Meeting Date: November 19, 2014

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-111 (old business)

Address: 211 & 211 ½ N. Madison

Petitioner: Linnell Schur

Inspector: Dee Wills

Staff Report: September 11, 2013 Completed Cycle Inspection
March 03, 2014 Completed Reinspection
April 07, 2014 Completed 2nd Reinspection
July 17, 2014 Received Application for Appeal
September 30, 2014 Received 2nd Application for Appeal

The petitioner is still in the process of installing a handicap ramp. She is currently waiting for the permit so that she can proceed with the project. The petitioner is requesting more time for the work to be completed and to allow time enough to receive the permit.

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 30, 2014

Attachments: Applications for Appeal, Cycle Report, Reinspection reports



RECEIVED
SEP 30 2014

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

Property Address: 211 h. madison Blg 47404
Petitioner's Name: hinnell Schur
Address: 465 W. Hillside Ave
City: Spencer State: IN Zip Code: 47460
Phone Number: 8128293706 Email Address: hinnellschur@aol.com
Property Owner's Name: hinnell Schur heufeld Inc
Address: same
City: _____ State: _____ Zip Code: _____
Phone Number: _____ 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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-TV-111 (OLD BUSINESS)

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.

Area in question is getting totally redone. The request for permit has been submitted. Waiting on that to be approved.

Signature (required):

Winnell Schur

Name (please print):

Winnell Schur

Date:

9-30-14

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: August 20, 2014

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-111

Address: 211, 211 ½ N. Madison St.

Petitioner: Linnell Schur

Inspector: Dee Wills

Staff Report: September 11, 2013 Completed Cycle Inspection
March 03, 2014 Completed Reinspection
April 07, 2014 Completed Reinspection

Petitioner is requesting an extension of time to complete the exterior repairs. The petitioner states that she misunderstood the deadline of one year. Petitioner thought this applied to all exterior violations. She has started the process of installing a handicap ramp and needs more time to finish all of the repairs.

Staff recommendation: Grant the extension of time.

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

Compliance Deadline: September 30, 2014

Attachments: Application for Appeal, Remaining Violations Report

JS



RECEIVED
JUL 17 2014

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: 211 N. Madison
Petitioner's Name: Hinnell Schur
Address: 405 W. Hillside Ave
City: Spencer State: IN Zip Code: 47460
Phone Number: 812 829 3706 Email Address: hinnellschur@aol
Property Owner's Name: same
Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Email Address: _____
Occupants: Tim Phyllis

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 Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
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- D) Rescind a variance (Petition type RV)

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OFFICE USE ONLY

Petition Number 14-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.

Handicap ramp to be premitted
an built

Please extend to
9-30-14

Signature (required):

Linnell Schur

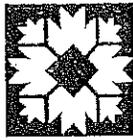
Name (please print):

Linnell Schur

Date:

7-17-14

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

APR 08 2014

Remaining Violation Report

2782

OWNERS

Schur, Linnell K.
405 W. Hillside Ave.
Spencer, IN 47460

Prop. Location: 211 1/2 N Madison ST, 211 N Madison ST, 209 N Madison ST

Number of Units/Structures: 3/2

Units/Bedrooms/Max # of Occupants: 1/4/5 1/2/5 1/Eff/5

Date Inspected: 09/11/2013

Primary Heat Source: Gas

Property Zoning: CD

Number of Stories: 1

Inspectors: Dee Wills

Foundation Type: Other

Attic Access: No

Accessory Structure: None

REINSPECTION REQUIRED

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

209, 211 1/2 N. Madison

EXTERIOR



Secure both handrails in the back of deck so they are capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

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

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)
(the painting violation has a one-year deadline from the date of the cycle inspection)

OTHER REQUIREMENTS:

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

- A completed copy of the Tenants & Owners Rights and Responsibilities Summary BMC16.03.060(c)
- Inventory & Damage List: The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement BMC16.03.050(c)

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

APR 08 2014

Remaining Violation Report

2782

OWNERS

Schur, Linnell K.
405 W. Hillside Ave.
Spencer, IN 47460

Prop. Location: 211 1/2 N Madison ST, 211 N Madison ST, 209 N Madison ST

Number of Units/Structures: 3/2

Units/Bedrooms/Max # of Occupants: 1/4/5 1/2/5 1/5/5

Date Inspected: 09/11/2013

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Property Zoning: CD

Number of Stories: 1

Inspectors: Dee Wills

Foundation Type: Other

Attic Access: No

Accessory Structure: None

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209, 211 1/2 N. Madison

EXTERIOR

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

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This is the end of this report.



**City of Bloomington
Housing and Neighborhood Development**

Remaining Violation Report

MAR 13 2014

2782

OWNERS

Schur, Linnell K.
405 W. Hillside Ave.
Spencer, IN 47460

Prop. Location: 211 1/2 N Madison ST, 211 N Madison ST, 209 N Madison ST

Number of Units/Structures: 3/2

Units/Bedrooms/Max # of Occupants: 1/4/5 1/2/5 1/Eff/5

Date Inspected: 09/11/2013

Primary Heat Source: Electric

Property Zoning: CD

Number of Stories: 1

Inspectors: Dee Wills

Foundation Type: Other

Attic Access: No

Accessory Structure: None

REINSPECTION REQUIRED

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

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

INTERIOR

13

211 1/2 N. Madison St.

Bedroom

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

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

Desired level: 0 parts per million (ppm)
Acceptable level in a living space: 9 ppm
Maximum concentration for flue products: 50 ppm
BMC 16.01.060(f) and 16.04.060 (c)

209 N. Madison St.

Entry Door

C Repair the entry door to be weather tight. No gaps shall be visible around the edges. 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)

EXTERIOR

NC Secure both handrails in the back of deck so they are capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

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

NC Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC
16.04.050(e)
(the painting violation has a one-year deadline from the date of the cycle inspection)

OTHER REQUIREMENTS:

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

- **A completed copy of the Tenants & Owners Rights and Responsibilities Summary BMC16.03.060(c)**
- **Inventory & Damage List:** The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement **BMC16.03.050(c)**

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
RENTAL PERMIT INFORMATION

October 10, 2013

Linnell Schur
405 W. Hillside Avenue
Spencer, IN 47460

Property Location: 209-211-211 ½ N. Madison 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 **December 10, 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. 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. 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:

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

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



City of Bloomington
Housing and Neighborhood Development

OCT 10 2013

Cycle Report

2782

OWNERS

Schur, Linnell K.
405 Hillside Avenue
Spencer, IN. 47460

Prop. Location: 211 1/2 N Madison ST, 211 N Madison ST, 209 N Madison ST
Number of Units/Structures: 3/2
Units/Bedrooms/Max # of Occupants: 1/4/5 1/2/5 1/eff/5

Date Inspected: 09/11/2013
Primary Heat Source: Electric
Property Zoning: CD
Number of Stories: 1

Inspectors: Dee Wills
Foundation Type: Other
Attic Access: No
Accessory Structure: None

Monroe County Assessor's records indicate these structures were built in 1920 and 1970.
There are no minimum requirements for emergency egress at the time of construction.

INTERIOR

211 1/2 N. Madison St.

Kitchen (12-0 x7-0)

C Clean the range burners to function as intended. BMC 16.04.060(c)

Bathroom

C Clean and remove all mold in the shower surround. BMC 16.04.060(d) , BMC 16.04.060(c)

Bedroom (13-0 x9-0)

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

NC

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

17

22-11-18-3.5

Note: This unit has a gas furnace.

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:

NC
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)

209 N. Madison St.

Entry Door

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

SW Bedroom (12-0 x10-0)

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

Existing Egress Window Measurements:

Height: 25 inches
Width: 33.75 inches
Sill Height: 25.75inches
Openable Area: 5.85 sq. ft.

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

Bathroom

No violations noted.

Living Room (13-0 x11-0)

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

Kitchen (15-0 x12-0)

NC 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)

Bathroom

No violations noted.

SE Bedroom (12-0 x10-0)

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

① Repair the window to open and close completely as intended and to be weather tight. BMC 16.04.060(a)

Unit 211:

This unit is being used as a commercial space.

EXTERIOR

NC Secure both sides of handrail in the back of deck so it is capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

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

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (the painting violation has a one-year deadline from the date of the cycle inspection)

Other requirements

Required documentation:

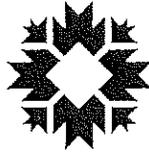
NC A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d) and 16.10.030(b)

Required documentation:

NC The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC16.12.040 and 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 16.12.080 (b)

This is the end of this report.



City of Bloomington

Housing and Neighborhood Development

SEP 26 2013

RENTAL PERMIT INFORMATION

Neufeld Investments LLP
6650 Sunset Way #102
St. Pete Beach, FL 33706,

Property Location: 209-211 1/2 N. Madison 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 **NOV 26 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. 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. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

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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: Linnell Schur

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

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



City of Bloomington
Housing and Neighborhood Development

Cycle Report

2782

OWNERS

Neufeld Investments Lllp
6650 Sunset Way #102
St. Pete Beach, FL 33706

AGENT

Schur, Linnell K.
405 W. Hillside Ave.
Spencer, IN 47460

Prop. Location: 211 1/2 N Madison ST, 211 N Madison ST, 209 N Madison ST
Number of Units/Structures: 3/2
Units/Bedrooms/Max # of Occupants: 1/4/5 1/2/5 1/Eff/5

Date Inspected: 09/11/2013
Primary Heat Source: Electric
Property Zoning: CD
Number of Stories: 1

Inspectors: Dee Wills
Foundation Type: Other
Attic Access: No
Accessory Structure: None

Monroe County Assessor's records indicate these structures were built in 1920 and 1970.
There are no minimum requirements for emergency egress at the time of construction.

INTERIOR

211 1/2 N. Madison St.

Kitchen (12-0 x7-0)

Clean the range burners to function as intended. BMC 16.04.060(c)

Bathroom

Clean and remove all mold in the shower surround. BMC 16.04.060(d) , BMC 16.04.060(c)

21

Bedroom (13-0 x9-0)

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

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

Note: This unit has a gas furnace.

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)	

209 N. Madison St.

Entry Door

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

SW Bedroom (12-0 x10-0)

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

Existing Egress Window Measurements:

Height: 25 inches
Width: 33.75 inches
Sill Height: 25.75inches
Openable Area: 5.85 sq. ft.

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

Bathroom

No violations noted.

Living Room (13-0 x11-0)

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

Kitchen (15-0 x12-0)

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)

Bathroom

No violations noted.

SE Bedroom (12-0 x10-0)

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

Repair the window to open and close completely as intended and to be weather tight. BMC 16.04.060(a)

Unit 211:

This unit is being used as a commercial space.

EXTERIOR

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

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

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)
(the painting violation has a one-year deadline from the date of the cycle inspection)

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a **\$25.00 fine will be levied.** BMC 16.12.050 (d) and 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.** BMC16.12.040 and 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 16.12.080 (b)

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 19, 2014

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-121 (old business)

Address: 621 W 4th St.

Petitioner: Charles Cole & Linda Baden

Inspector: John Hewett

Staff Report: July 7, 2014 Cycle Inspection
 August 4, 2014 Received Appeal
 September 17, 2014 BHQA granted extension
 October 22, 2014 Received 2nd Appeal
 October 24, 2014 Re-inspection of smoke detector- complied

Due to the nature of the work to be completed, the contractor is asking a structural engineer to look at the house before work begins, and he will need a building permit which has not yet been issued. The petitioner is asking for additional time.

Staff recommendation: Grant the extension

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

Compliance Deadline: January 19, 2015

Attachments: Cycle Inspection Report



City of Bloomington
Housing and Neighborhood Development

Cycle Report

1665

OWNERS

Cole, Charles A.
1504 N. Yellowwood Lake Road
Nashville, IN 47448

Prop. Location: 621 W 4th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/1/3

Date Inspected: 07/17/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

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

Interior

Unit B

Living room

15-8 x 14-9

No violations noted.

Bedroom

15-3 x 12-4

Existing Egress Window Measurements:

Height: 35.25 inches

Width: 31 inches

Sill Height: 16 inches

Openable Area: 7.5 sq. ft.

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

Bathroom

Replace the water damaged trim across the front of the bathtub. BMC 16.04.060(a)

Kitchen

26

12-0 x 15-4

No violations noted.

Shared back porch

No violations noted.

Unit A

Kitchen

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

Bathroom

No violations noted.

Center Living room

15-2 x 15-4

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

6-4 x 22-0

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

NE bedroom

15-3 x 15-3

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

Basement

Repair the leak that appears to be in the drain plumbing of the bathtub in Unit B. BMC 16.04.060(c)

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 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)

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
H.A.N.D.

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

Meeting Date: November 19, 2014
Petition Type: Rescind a variance
Petition Number: 14-RV-151
Address: 510 & 510 ½ N. Prow Ave
Petitioner: HAND
Inspector: Dee Wills
Staff Report:

This property built in 1899, was previously granted a variance to the bathroom ventilation and ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a bathroom ventilation and ceiling height requirement and the Building Code in place at the time of construction did not address bathroom ventilation and ceiling height; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



RECEIVED
SEP 26 2014

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: 510-510 1/2 N. Pross

Petitioner's Name: HAND

Address: 401 N. MORTON

City: BLOOMINGTON State: IN Zip Code: 4740

Phone Number: _____ Email Address: _____

Property Owner's Name: ROGER L. FIERST

Address: 2202 S. BELHAVEN COURT

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: 336-6390 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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-RV-151

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:

RESIND THE VARIANCE FOR BATHROOM
VENTILATION AND CEILING HEIGHT
REQUIREMENTS

Signature (required):

Dee Wills

Name (please print):

DEE WILLS

Date:

9-24-14

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: November 19, 2014
Petition Type: An extension of time to complete repairs.
Petition Number: 14-TV- 152
Address: 420 E. Hillside Dr.
Petitioner: William Sexton
Inspector: Norman Mosier
Staff Report: July 14, 2014 – Conducted Cycle Inspection
September 24, 2014 – Received BHQA Appeal

It was noted during the cycle inspection that there are several repairs to be made. Petitioner is requesting an extension of time to complete the repairs due to work obligations.

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: December 3, 2014 – For windows and furnace documentation.
January 19, 2015 – For all other violations.

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

SS



RECEIVED
SEP 2 2014

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 Hillside Dr.
Petitioner's Name: William Sexton
Address: 1702 S Huntington Drive
City: Blmngtn State: 47401 Zip Code: IN
Phone Number: 812-327-1405 Email Address: Jsexton9140@gmail.com
Property Owner's Name: William Sexton
Address: Same as above
City: _____ State: _____ Zip Code: _____
Phone Number: _____ 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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-TV-152

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.

due to work obligations, I have limited time to do the repairs. Needing an extension to complete repairs. Please allow an additional 30 days.

Signature (required): John W Sexton
Name (please print): John W Sexton Date: 9-24-14

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

3522

OWNERS

Sexton, William
1702 Huntington
Bloomington, IN 47401

Prop. Location: 420 E Hillside DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/5

Date Inspected: 07/14/2014	Inspectors: Norman Mosier
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RM	Attic Access: Yes
Number of Stories: 1	Accessory Structure: Garage - Landlord Use

Monroe County Assessor's records indicate this structure was built in 1928.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Living Room 14-8 x 12-10, Dining Room 13-10 x 12-8, Kitchen 14-1 x 8-9:
No violations noted.

N Bedroom 9-10 x 9-10:
No violations noted.

Existing Egress Window Measurements: Dbl hung; Const. Yr. - 1928
Height: 25 inches
Width: 30 inches
Sill Height: 22.5 inches
Openable Area: 5.21 sq. ft.

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

Bathroom:

Replace the deteriorated shower surround. BMC 16.04.060(a)

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)

Attic:

No access.

S Bedroom 9-10 x 9-10: Same window as above.

Every window shall be capable of being easily opened and held in position by its own hardware. Window weight will not hold window open all of the way. BMC 16.04.060(b)

BASEMENT

Stairway:

Repair the door at the landing to latch without the use of the deadbolt. BMC 16.04.060(a)

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible. BMC 16.04.060(a)

Main Room:

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

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

BMC 16.01.060(f) and 16.04.060 (c)

EXTERIOR:

Re-attach the guttering on the SW corner of structure. BMC 16.04.050(a)

Scrape and paint exterior surfaces where paint is peeling or wood is exposed, all basement windows and the window on the SW corner of structure. BMC 16.04.050(e)

Replace the deteriorated glazing compound on all of the windows. BMC 16.04.050(a)

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 to Rescind Variance**

Meeting Date: November 19, 2014
Petition Type: Rescind a variance
Petition Number: 14-RV-153
Address: 802 E Grimes
Petitioner: HAND
Inspector: John Hewett
Staff Report: June 13, 2014 Cycle Inspection
 September 23, 2014 Re-inspection
 October 1, 2014 Appeal

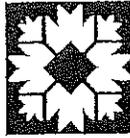
This property was previously granted a variance to the pass-through requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a pass-through requirement and the Building Code in place at the time of construction did not address pass-through; therefore we are asking the Board to rescind this variance. The structure was built in 1925.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

PH



City of Bloomington
Housing and Neighborhood Development



City of Bloomington
H.A.N.D.

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

Meeting Date: 19 November 2014
Petition Type: Rescind a variance
Petition Number: 14-RV-154
Address: 301 E. 12th St.
Petitioner: HAND
Inspector: Michael Arnold
Staff Report: 23 September 2014 Permit Upgrade Inspection
01 October 2014 Received Rescind Variance Request

While processing the report for the Permit Upgrade, it was noted that this property had a variance from bathroom access requirements from the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program and the Building Code in place at the time of construction do not include requirements for bathroom access. HAND is requesting that the variance be rescinded.

Staff Recommendation: Rescind the variance.
Conditions: None
Attachments: None



City of Bloomington
H.A.N.D.

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

Meeting Date: November 19, 2014

Petition Type: Rescind a variance

Petition Number: 14-RV-156

Address: 708 N. Washington St.

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This property built in 1945 was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. 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 height; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

A



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OCT 01 2014

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: 708 N. Washington 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: John C. Simpson

Address: 214 N. Rogers Street

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-360-1975 Email Address: info@chickeringrentals.com

Occupants: unknown.

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 14-RV-156

SEE REVERSE



City of Bloomington
H.A.N.D.

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

Meeting Date: 19 November 2014

Petition Type: Rescind a variance

Petition Number: 14-RV-157

Address: 1726 W. Arlington Rd.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 10 June 2014 Received Move-in inspection and Summary
27 June 2014 Cycle Inspection with agent
07 July 2014 Sent inspection report
10 September 2014 Sent remaining violations report
11 September 2014 Sent RV report
03 October 2014 Start Legal for compliance

This property was granted a variance from the minimum ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include minimum ceiling height requirements and the building code in place at the time of construction did not address minimum ceiling height requirements. Therefore the variance must be rescinded. Monroe County records show 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 Relief from an Administrative Decision

Meeting Date: November 19, 2014
Petition Type: Relief from an administrative decision
Variance Request: Relief from requirements of Title 16
Petition Number: 14-AA-158
Address: 322 E. 12th Street
Petitioner: Scott Gilbert -- Strawberry Fields LLC

February 14, 2014 -- Cycle inspection complete
February 24, 2014 -- Cycle report mailed
April 17, 2014 -- Agent scheduled reinspection
April 24, 2014 -- Compliance deadline
May 16, 2014 -- Agent rescheduled reinspection
May 27, 2014 -- Conducted reinspection
May 29, 2014 -- Sent remaining violations report
June 9, 2014 -- Received furnace documentation
June 9, 2014 -- Issued Temp Permit
July 1, 2014 -- DB for exterior painting
July 25, 2014 -- Issued billing
August 4, 2014 -- Billing paid & permit issued

Per BMC 16.03.030(e) "Occupancy permits shall be issued for three, four or five year periods as determined by this Subsection:

(1) Three-year permit. A residential rental unit shall receive a three-year permit if the criteria below apply:

(B) If a residential rental unit has had a Cycle Inspection by the HAND Department and said Department has issued a Cycle Inspection Report noting violations of this Title, and the owner fails to have the residential rental unit reinspected and found in compliance with this Title within sixty days after the report citing the violations was mailed to the owner or within the time that may be granted by the Board of Housing Quality Appeals;"

The owner, Mr. Gilbert, is appealing his permit length citing HVAC issues as outlined in the attached letter. This unit received a three year permit for two reasons: 1) the reinspection was rescheduled after the sixty day compliance deadline; and 2) a remaining violations report was sent out after the reinspection noting that the required furnace documentation was still outstanding. The required documentation was supplied to the HAND office on June 9, 2014. The Ordinance is very clear about when a property will receive a three-year permit and staff does not have the authority to grant exceptions. We are very clear that not meeting the deadline outlined in your letter can limit your permit. Please see attached.

Staff recommendation: Deny the relief from requirements of Title 16

Conditions: None.

Compliance Deadline: None

Attachments: Appeal form, Cycle report with letter

RECEIVED
OCT 07 2014



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: 322 E. 12th Street Bloomington, IN 47408

Petitioner's Name: Scott Gilbert - Strawberry Fields LLC

Address: 1212 Cavell Ave.

City: Highland Park State: Illinois Zip Code: 60035

Phone Number: 847-274-7911 Email Address: scott@hoosierrentals.com

Property Owner's Name: Same as petitioner's name and address above

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ 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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-AA-158

SEE REVERSE

45

9/19/2014

Dear Board of Housing Quality Appeals,

I am submitting this appeal to the Board of Housing Quality Appeals in regard to the occupancy inspection process recently completed at **322 E. 12th Street**. The cycle inspection was completed HAND direction and compliance.

A new occupancy permit was issued for the rental property and the permit length was adjusted from a 5 year to a 3 year permit. The reason for this appeal is to request that this permit be reinstated as a 5 year permit.

Following discussion with HAND representatives and the inspector, it was determined that the permit was adjusted as a result of a HVAC inspection report coming in shortly after a deadline.

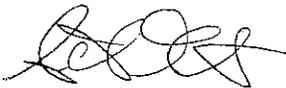
There are two reasons this HVAC document came in shortly after the deadline.

1. There was work required at the house the resulted in a temporary permit and extension being issued. I was under the impression there was not a significant time constraint to submit the paperwork and that the request fell under the umbrella of all of the work being completed at the house. It was confusing to me at the time and I did feel like I was in compliance with dates and inspection items. I had previously submitted the inspection checklist and tenant/owner rights document.
2. The company that performs the annual inspection and maintenance for the houses I own is Terrell HVAC, owned and run by Rob Fulk. I did not have the paperwork on file and needed to reacquire it from the vendor. I had reached out to Terrell HVAC several times during the time in which we were completing all the requested inspection list items for HAND. I did not receive response at any point. I finally called a former co-worker in order to request a copy of the inspection paperwork and invoicing. I reached JC Crider who told me that Rob Fulk has suffered a stroke and was in the hospital for a period of time and then home recovering. JC indicated that Terrell HVAC was behind on communication, service, invoicing, and paperwork entirely as a result because it was of course an unexpected health issue. They were in the process of transitioning their workload to other HVAC techs along with JC. Upon reaching JC, he arranged for the paperwork to be sent to me. Upon receipt, I did send it to HAND. If the board needs documentation from Terrell HVAC confirming this, please let me know and I can arrange whatever is requested.

I feel strongly that adjusting the permit from a 5 year to a 3 year permit based on a HVAC inspection form coming in within 30 days after a deadline is not commensurate with the violation. The furnaces are serviced every fall and spring by the same vendor for the last 4 years. All other items on the inspection were tended to quickly as always. My objective is to comply with HAND at all times and the usual efforts were made to do so here. Based on the circumstances and my good track record as a landlord in Bloomington I feel strongly that this punishment does not fit the crime because it will last about 7 years. A fine or some other alternate solution would be suitable. However, saddling the property with a 7 year penalty is not appropriate in this situation. It is very costly to me personally, the value of the property, and is discouraging as well in terms of working together with HAND. **I sincerely and respectfully am requesting that this permit be adjusted back to a 5 year occupancy permit without my presence at a board hearing. I reside out of state and am scheduled for surgery on October 6th in Chicago. If absolutely necessary, I can arrange to have a property manager or maintenance staff member present on my behalf.** I own four (4) houses in Bloomington and do not have a large management company running the properties. I have a leasing manager and maintenance man, which has been adequate for 9-10 years. I am a Certified Property Manager (CPM) and do this for my career in the Chicago-area as well.

Please let me know if I can provide any additional data or feedback in an effort to resolve this matter. Thank you for your time, consideration, and flexibility.

Sincerely,



Scott Gilbert



City of Bloomington Housing and Neighborhood Development

A COPY OF THIS PERMIT AND THE RENTAL FILE ARE AVAILABLE FOR THE PUBLIC TO VIEW DURING
REGULAR BUSINESS HOURS AT THE HOUSING AND NEIGHBORHOOD DEVELOPMENT OFFICE

RESIDENTIAL RENTAL OCCUPANCY PERMIT HOUSING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT City of Bloomington, Indiana

07/18/2014

Location: 322 E 12th ST

Zone: RC

Owner: Gilbert, Scott 1212 Cavell Avenue Highland Park, IL 60035

Agent: Clark, Tim 1280 Short St Bloomington, IN 47401

Structures/Units: 1/1

Inspector: Mike Arnold

Structure	Units	Bedrooms per Unit	Max Occupant Load per Unit
1	1	5	5

The permit certifies compliance with the provision of Title 16 of the Bloomington Municipal Code, "Property Maintenance Code," and does not represent compliance with any other Title of the Bloomington Municipal Code or other relevant statutes or ordinances, particularly in regards to laws which regulate the zoning of this property. No change of use shall be made in this location without the prior approval of the applicable departments.

Date Inspected: 02/14/2014

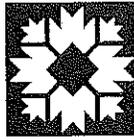
Date Complied: 06/09/2014

PERMIT EXPIRES: 06/09/2017

Housing Official

A copy of the permit must be displayed on the inside of the main entrance of the rental units

48



City of Bloomington
Housing and Neighborhood Development

FEB 24 2014

RENTAL PERMIT INFORMATION

Strawberry Fields Llc
1212 Cavell Avenue
Highland Park, IL 60035

Property Location: 322 E. 12th St.

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 **APR 26 2014** 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. 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. 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.

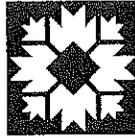
If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Cc: Tim Clark



City of Bloomington Housing and Neighborhood Development

Cycle Report

3488

OWNERS

=====

Strawberry Fields Llc
1212 Cavell Avenue
Highland Park, IL 60035

AGENT

=====

Clark, Tim
1280 Short St
Bloomington, IN 47401

Prop. Location: 322 E 12th ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/5/5

Date Inspected: 02/14/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

Monroe County records show this structure was built in 1918. There were no minimum emergency egress requirements at the time of construction.

Interior:

Basement:

- C Provide operating power to smoke detector. IC 22-11-18-3.5
- C Remove the broke light socket extension from the socket at the bottom of the stairs. BMC 16.04.060(b).
- C Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible. BMC 16.04.060(a)

Living Room (13-0 x 13-0):

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

50

Dining Room:

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

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

Kitchen:

It is strongly recommended that A minimum 1A 10BC classification fire extinguisher be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.

North Bathroom:

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

South Bathroom:

No violations noted

NE Bedroom (13-0 x 11-8):

Existing Egress:

Height: 27.5 inches
Width: 31 inches
Sill Height: 16 inches
Openable Area: 5.92 sq. ft.

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

No violations noted

SE Bedroom (11-5 x 9-6):

Existing Egress:

Height: 22 inches
Width: 27 inches
Sill Height: 21 inches
Openable Area: 4.12 sq. ft.

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

Repair the outlet to function as intended. BMC 16.04.060(b) (Adjacent to entry door, tests as no power).

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

South Bedroom 12-5 x 9-10):

Existing Egress:

Height: 27 inches
Width: 27 inches
Sill Height: 13 inches
Openable Area: 5.06 sq. ft.

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

No violations noted

SW Bedroom (13-0 x 11-6):

Existing Egress:

Height: 22 inches
Width: 26 inches
Sill Height: 19 inches
Openable Area: 3.97 sq. ft.

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

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

NW Bedroom (13-3 x 12-8):

Existing Egress:

Height: 31 inches
Width: 38.5 inches
Sill Height: 19 inches
Openable Area: 8.28 sq. ft.

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

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

Exterior:

N/C Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a deadline of 02/14/2015).

C Repair/replace the damage gutters and downspouts on the west side of the structure. BMC 16.04.050(a).

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

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 inspections or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)

A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.03.050 and BMC 16.10.030(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)

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 16.03.050(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 19, 2014
Petition Type: An extension of time to complete repairs.
Petition Number: 14-TV-159
Address: 305 E. 11th Street
Petitioner: Scott Gilbert – Abby Road, LLC
Inspector: Maria McCormick
Staff Report: 07/17/2014 Completed Cycle Inspection
10/02/2014 Received BHQA Application

During the cycle inspection there were several violations noted, as well as modifications and repairs that had been completed on the property without building permits. The petitioner is requesting an extension of time to complete the repairs as well as to obtain permits and inspections required by the Monroe County Building Dept.

Staff recommendation: Grant the extension.

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

Compliance Deadline: December 1, 2014

Attachments: Application for Appeal; Cycle Report

A



RECEIVED
OCT 27 2014

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: 305 E. 11th Street Bloomington, IN 47408

Petitioner's Name: Scott Gilbert - Abbey Road LLC

Address: 1212 Cavell Ave.

City: Highland Park State: Illinois Zip Code: 60035

Phone Number: 847-274-7911 Email Address: sbgilber@yahoo.com

Property Owner's Name: Same as information at petitioner's above

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ 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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-TV-159

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.

This request for extension until 12/31/2014 is in regard to the property noted above and the HAND Occpuancy permit cycle Inspection report date August 8, 2014 by inspector Maria McCormick. The majority of minor repairs were completed almost immediately during the turnover process. In addition, I have submitted tenant rights, move in checklist, and HVAC service documents requested to Maria.

There are a few more significant items noted on the inspection that I am addressing at this time. However, I am requesting an extension for time for completion for several reasons.

On August 28, 2014, I submitted applications to the Monroe County Building Department to acquire necessary documentation indicating that bathroom and flooring work completed in the house are compliant with all requirements. They are in receipt of the applications per my conversation with Sara Kindred on 9/9/14, however, as of 9/18/2014, they have not reached out to me to arrange inspection appointments. They are busy but did indicate they will be able to work with me shortly. I will work with them as quickly as possible to resolve all open matters.

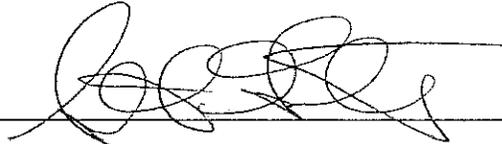
Additionally, I am scheduled for significant and somewhat unexpected neck surgery on October 6th (inspection deadline is October 8th) at Northwestern Memorial Hospital in Chicago, IL. I will be away from work for 4-8 weeks recovering and have FMLA forms approved. I do intend to push this along during my time off of work, but I am under the impression I will not be able to do much for 3-4 weeks following the surgery. My property manager and maintenance man will be assisting in finalizing repairs and working with the Building Dept while I am unable to assist. However, I do want to be involved in the final steps to acquire approval, I think it's important and in both parties best interests.

Please let me know if I can provide any additional documentation to verify surgery or input regarding this extension request (until 12/31/2014) or the cycle inspection process. I do appreciate your flexibility in this matter. Thank you.

Sincerely,

Scott Gilbert

Signature (required):



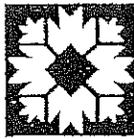
Name (please print):

Scott Gilbert

Date:

9-18-2014

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

797

OWNERS

=====

Abbey Road Llc
1212 Cavell Ave
Highland Park, IL 60035

AGENT

=====

Clark, Tim
1280 Short St.
Bloomington, IN 47401

Prop. Location: 305 E 11th ST
Units/Bedrooms/Max # of Occupants: 1/2/3
Date Inspected: 07/17/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 1/1

Inspectors: Maria McCormick
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: Garage

Monroe County Assessor's records indicate this structure was built in 1940. There were no minimum requirements for emergency egress at that time.

This unit has 2 approved sleeping rooms. During the cycle inspection, conditions were noted that indicate that this property may be in violation of Bloomington Municipal Code Title 20 with regard to sleeping rooms and density. This unit needs to be brought into compliance with Title 20 within sixty (60) days from the date of this inspection to avoid possible legal action by the City of Bloomington Legal Department. *The City's Planning Department will be the Department which decides whether or not a violation of Title 20 has occurred and whether or not any violation of Title 20 has been remedied.* For more information, please contact the Planning Department at 349-3423. *Please note that the City of Bloomington Housing and Neighborhood Development Department will not issue a residential rental occupancy permit for any property that is not compliance with Title 20 of the Bloomington Municipal Code.*

INTERIOR:

Living Room 19-0 x 16-0:

See basement violation.

SE Bedroom 14-0 x 14-0:

No violation noted.

This room has a door to the exterior for egress.

Jack & Jill Bathroom:

This bathroom was added with out a building permit being obtained. Provide documentation from the Monroe County Building Dept that all requirements have been met. BMC 16.01.060(f)

NE Bedroom 14-0 x 10-0:

No violation noted.

Existing Egress Window Measurements:

Height: 25 ¼ inches

Width: 27 ½ inches

Sill Height: 18 inches

Openable Area: 4.82 sq. ft.

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

Hallway:

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

Bathroom:

Properly repair floor adjacent to the bathtub. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

Dining Room 14-0 x 12-0:

See Basement violation.

NW Bedroom 11-0 x 13-0:

No violation noted.

Existing Egress Window Measurements:

Height: 31 inches

Width: 27 inches

Sill Height: 18 inches

Openable Area: 5.81 sq. ft.

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

Kitchen 10-0x 13-0:

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

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

Properly secure the loose flooring at the doorway to the dining room. BMC 16.04.060(a)

Enclosed Back Porch:

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

2nd Level Bedroom:

No violation noted.

Existing Egress Window Measurements:

Height: 17 inches

Width: 30 inches

Sill Height: 42 inches

Openable Area: 3.54 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

Basement –

The floor joists under the dining room and living room sections of the house have been replaced. There was not a building permit obtained prior to this work being completed. Provided documentation from the Monroe County Building Department all requirements have been met. BMC 16.01.060(f)

Repair or replace steps to the basement in a manner that meets the following:

- The maximum riser height shall be 7 ¾ inches and the minimum tread depth shall be 10 inches.
- The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch.
- The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch.
- The walking surface of treads and landings of a stairway shall be sloped no steeper than 2%. BMC 16.04.020

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

8/19/14
C

Maximum concentration for flue products: 50 ppm
BMC 16.01.060(f) and 16.04.060 (c)

Replace the missing smoke detector. IC22-11-18-3.5

Replace the damaged flue pipe on the water heater. It has been bent and created a hole. BMC 16.040.060(b)

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

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

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

BMC 16.04.060(c)

EXTERIOR:

steps
C
The deck on the back of the house was built without obtaining a building permit. Provide documentation from the Monroe County Building Department that all requirements have been met in this construction. BMC 16.01.020(f) *Per Lynn in planning all is good.*

Repair or replace the gutters and downspouts to be correctly attached to the structure. BMC 16.04.050(a)

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 July 17, 2015.)

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

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

Replace all the deteriorated and rotten sill plates on the Northwest side of the house facing the garage. BMC 16.04.050(a)

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. Repair the trip hazard on the front stairs. BMC 16.04.040(c)

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)

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: 19 November 2014

Petition Type: Rescind a variance

Petition Number: 14-RV-160

Address: 705 W Graham Dr

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 01 October 2014 Cycle Inspection
 08 October 2014 Sent Inspection Report
 08 October 2014 Rescind Variance Report Written

This property was previously granted a variance to the minimum ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height requirement and is not addressed in the Building Code in place at the time of construction.. This structure was built in 1930. Therefore, the variance must be rescinded by the Board of Housing Quality Appeals.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

RD



City of Bloomington
H.A.N.D.

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

Meeting Date: 19 November 2014

Petition Type: Rescind a variance

Petition Number: 14-RV-161

Address: 3405 E. Longview Ave

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 02 September 2014 Cycle Inspection with agent
18 September 2014 Sent Inspection Report
08 October 2014 Reinspection scheduled
08 October 2014 Appeal processed

This property was granted a variance from the minimum light and ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include minimum light and ventilation requirements and the building code in place at the time of construction did not address minimum light and ventilation requirements. Therefore the variance must be rescinded. Monroe County records show this structure was built in 1963.

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 19, 2014

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-162

Address: 927 W. 6th Street

Petitioner: Amanda Nickey

Inspector: Maria McCormick

Staff Report: October 31, 2013 Completed Cycle Inspection
September 26, 2014 Sent Exterior Extension Reminder
October 13, 2014 Received BHQA Application for Appeal

The petitioner is requesting an extension of time to complete the exterior painting due to financial issues arising from a medical condition.

Staff recommendation: Grant the extension

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

Compliance Deadline: May 31, 2015

Attachments: Application for Appeal; Exterior Extension

[Handwritten mark]



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

RECEIVED
OCT 13 2014

BY: _____

Property Address: 927 West 6th street

Petitioner's Name: Amanda Nickey

Address: 708 west 7th Street

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 322-3554

E-mail Address: amandanickey@gmail.com

Owner's Name: Amanda Nickey

Address: 927 West 6th street

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 812-322-3554

E-mail Address: amandanickey@gmail.com

Occupants: Jennifer and Keith Leonard

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

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

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

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

Reminder:

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

(Will be assigned by BHQA)

Petition Number: 14-TV-162

3

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

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

I respectfully request an extension of time to complete the following repairs: Scraping and painting exterior surfaces where paint is peeling or wood is exposed on the house and the enclosed porch (BMC 16.04.050e). I was unable to accomplish these repairs in the time frame provided with the temporary permit due to a combination of personal medical issues resulting in financial hardship and the availability of the person completing the work. I request an extension until May 31st, 2015.

Signature (Required): 

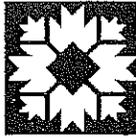
Name (Print): Amanda S. Nickey

Date: 10/3/14

Important information regarding this application format:

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

Print Form



City of Bloomington
Housing and Neighborhood Development

Exterior Extension Reminder Report

SEP 26 2014

10267

OWNERS

=====

Nickey, Amanda
927 W 6th St
Bloomington, IN 47404

Prop. Location: 927 W 6th ST
Units/Bedrooms/Max # of Occupants: 1/2/3
Date Inspected: 10/31/2013
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 1/1
Inspectors: Maria McCormick
Foundation Type: Basement
Attic Access: No
Accessory Structure: Shed

This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on 10/31/2014.

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

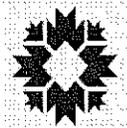
EXTERIOR:

House –

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a compliance deadline of October 31, 2013.)

Enclosed Front Porch –

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a compliance deadline of October 31, 2013.)



City of Bloomington
H.A.N.D.

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

Meeting Date: November 19, 2014
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 14-AA-163
Address: 513 W. Graham
Petitioner: Kathy and Danny Chitwood

This property is owned by Kathy and Danny Chitwood. It was purchased from a family member in 1974 and served as their home until 2004. In 2004, their son, Bradley Chitwood, started occupying the home.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner, Kathy and Danny Chitwood, and occupied by her son, Bradley Chitwood. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form



Page 1 of 2
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OCT 14 2014

**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: 513 w. Graham Drive

Petitioner's Name: Kathy and Danny Chitwood

Address: 3050 w. That Road

City: Bloomington **State:** Indiana **Zip Code:** 47403

Phone Number: (812) 825-5354 **E-mail Address:** kchitwoo@mccsc.edu

Owner's Name: Kathy and Danny Chitwood

Address: 3050 That Road

City: Bloomington **State:** Indiana **Zip Code:** 47403

Phone Number: 812-825-5354 **E-mail Address:** kchitwoo@mccsc.edu

Occupants: Bradley R. Chitwood

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

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

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

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

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

(Will be assigned by BHQA)
Petition Number: 14-AA-163

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

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

I am writing this with regard to the letter I received to schedule a inspection of rental property. The house at 513 Graham Drive is not a rental property. My husband and I bought the property in 1974 from my Grandmother and lived in the house until 2004. At that time we moved but our son Bradley Chitwood has continued to live in the house. We do not receive any rent monies from the house and pay all utilities, taxes, insurance and repairs for the property. My son has been diagnosed with bi-polar disorder and we maintain the home for him . This is not a rental property and we don't feel we need to have the house inspected. If you have any questions please contact us.

Signature (Required): Kathy J. Chitwood Danny R. Chitwood

Name (Print): KATHY J. CHITWOOD DANNY R. CHITWOOD Date: 10/11/14

Important information regarding this application format:

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





City of Bloomington
H.A.N.D.

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

Meeting Date: November 19, 2014
Petition Type: Rescind a variance
Petition Number: 14-RV-164
Address: 939 N. Jackson
Petitioner: HAND
Inspector: Dee Wills
Staff Report: July 08, 2014 Completed Cycle Inspection
October 15, 2014 Completed Re-inspection

This property built in 1930, was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. 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 height; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.
Conditions: None
Attachments: None

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OCT 15 2014



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: 939 N. JACKSON

Petitioner's Name: HAND

Address: 401 N. MORTON

City: BLOOMINGTON State: IN Zip Code: _____

Phone Number: _____ Email Address: _____

Property Owner's Name: SUZETTE WEAKLEY

Address: 3820 E. SUGAR LANE

City: BLOOMINGTON State: IN Zip Code: 47404

Phone Number: 812-876-7890 Email Address: _____

Occupants: jweakley@bluemarble.net

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 Residential Rental Unit and Lodging Establishment Inspection Program (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 19-RV-164

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.

RESCIND VARIANCE FOR
THE CEILING HEIGHT REQUIREMENT

Signature (required):

Dee Wills

Name (please print):

DEE WILLS

Date:

10-15-14

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: November 19, 2014

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-165

Address: 2602 S. Rockport Rd.

Petitioner: American Homes for Rent

Inspector: Norman Mosier

Staff Report: April 15, 2014 – Conducted Cycle Inspection
June 26, 2014 – Sent Remaining Violations Report
September 7, 2014 – Start Legal
October 16, 2014 – Received BHQA Appeal

It was noted during the cycle inspection that there are some violations at this property and that the egress windows do not meet egress requirements at the time of construction. Owner/agent must apply to the Indiana Fire and Building Safety Commission/ Department of Homeland Security for an egress window variance or change out the windows to meet current code requirements. Petitioner is requesting an extension of time to complete the repairs and apply for an egress window variance.

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: December 3, 2014 – For smoke detectors and furnace documentation
January 19, 2015 – For all other violations

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

D



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OCT 1 8 2014

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: 2602 S. ROCKPORT RD.

Petitioner's Name: AMERICAN HOMES FOR RENT

Address: 30601 AUGOURA RD Ste 200

City: AGOURA HILLS State: CA Zip Code: 91301

Phone Number: _____ Email Address: _____

Property Owner's Name: AMERICAN HOMES 4 RENT

Address: 30601 AGOURA RD STE 200

City: AGOURA HILLS State: CA Zip Code: 91301

Phone Number: _____ Email Address: _____

Occupants: NATHAN GOULD

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 Residential Rental Unit and Lodging Establishment Inspection Program (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.

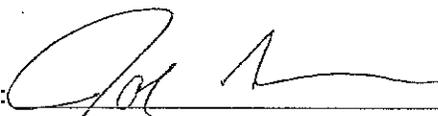
OFFICE USE ONLY
Petition Number 14-TV-165

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.

AS AN AGENT FOR AMERICAN HOMES 4 RENT,
I WAS JUST MADE AWARE OF THE SITUATION
AT 2602 S ROCILPORT RD INTEND TO FOLLOW
UP ASAP. THE MINOR INTERACTIONS HAVE
ALREADY BEEN ADDRESSED. I JUST NEED
MORE TIME TO FOLLOW UP ON THE WINDOWS
AND SMOKE ALARM ISSUES. THANK YOU
FOR YOUR PATIENCE AND UNDERSTANDING

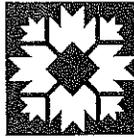
JOE MUELLER
FIELD SUPERINTENDENT
@ AH4R
317-518-7834

Signature (required): 

Name (please print): JOE MUELLER Date: 10/16/2014

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.

JUN 26 2014



City of Bloomington
Housing and Neighborhood Development

REMAINING VIOLATIONS REPORT

7078

OWNERS

American Homes 4 Rent
30601 Agoura Road Ste 200
Agoura Hills, CA 91301

AGENT

Stacey Haberman
5921 E. 86th St.
Indianapolis, IN 46250

Prop. Location: 2602 S Rockport RD
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 04/15/2014
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

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

The Monroe county Assessor's records indicate that this structure was built in 2005.
Minimum egress requirements for a single family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 22 inches
Clear width: 20 inches
Sill height: Not more than 44 inches above finished floor

GENERAL VIOLATION:

Repair all smoke detectors in this structure to be interconnected. BMC 16.04.060(b)

77

INTERIOR:

MAIN LEVEL

Living Room 12-10 x 14-5:

No violations noted.

Kitchen/Dining Room 15-10 x 10-9:

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

1/2 Bath, Garage:

No violations noted.

2nd LEVEL

Stairway/Hallway, Laundry Closet, Attic, Hall Bath:

No violations noted.

NW Bedroom 10-9 x 9-8:

Install/replace batteries in smoke detectors so that they function as intended.
IC 22-11-18-3.5

SINGLE HUNG POP OUT

The emergency egress window does not meet the minimum requirements for a one and two family dwelling code built in 2005. The relevant code is the 2001 Indiana Residential Code, section: R310.1

Openable area required: 5.7 sq. ft.	Existing area: 5.59sq. ft.
Clear width required: 20 inches	Existing width: 31 inches
Clear height required: 22 inches	Existing height: 26 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 25 inches above finished floor

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

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

NE Bedroom 11-5 x 9-8, SE Bedroom 13 x 12-2: SINGLE HUNG POP OUT

The emergency egress window does not meet the minimum requirements for a one and two family dwelling code built in 2005. The relevant code is the 2001 Indiana Residential Code, section: R310.1

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 5.59sq. ft.</u>
Clear width required: 20 inches	Existing width: 31 inches
Clear height required: 22 inches	Existing height: 26 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 25 inches above finished floor

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

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

Master Bedroom 13-9 x 13-3: SINGLE HUNG POP OUT

Install/replace batteries in smoke detectors so that they function as intended.
IC 22-11-18-3.5

The emergency egress window does not meet the minimum requirements for a one and two family dwelling code built in 2005. The relevant code is the 2001 Indiana Residential Code, section: R310.1

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 5.59sq. ft.</u>
Clear width required: 20 inches	Existing width: 31 inches
Clear height required: 22 inches	Existing height: 26 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 25 inches above finished floor

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

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

Master Bath:

No violations noted.

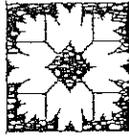
EXTERIOR:

Secure the sagging front porch ceiling. BMC 16.04.050(a)

Remove all of the dead limbs in the yard. BMC 16.04.050(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

CYCLE REPORT

7078

OWNERS

American Homes 4 Rent
30601 Agoura Road Ste 200
Agoura Hills, CA 91301

AGENT

Stacey Haberman
5921 E. 86th St.
Indianapolis, IN 46250

Prop. Location: 2602 S Rockport RD
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 04/15/2014
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

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

The Monroe county Assessor's records indicate that this structure was built in 2005.
Minimum egress requirements for a single family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 22 inches
Clear width: 20 inches
Sill height: Not more than 44 inches above finished floor

GENERAL VIOLATION:

Repair all smoke detectors in this structure to be interconnected. BMC 16.04.060(b)

INTERIOR:

MAIN LEVEL

Living Room 12-10 x 14-5:
No violations noted.

Kitchen/Dining Room 15-10 x 10-9:

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

1/2 Bath, Garage:

No violations noted.

2nd LEVEL

Stairway/Hallway, Laundry Closet, Attic, Hall Bath:

No violations noted.

NW Bedroom 10-9 x 9-8:

Install/replace batteries in smoke detectors so that they function as intended.
IC 22-11-18-3.5

SINGLE HUNG POP OUT

The emergency egress window does not meet the minimum requirements for a one and two family dwelling code built in 2005. The relevant code is the 2001 Indiana Residential Code, section: R310.1

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 5.59sq. ft.</u>
Clear width required: 20 inches	Existing width: 31 inches
Clear height required: 22 inches	Existing height: 26 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 25 inches above finished floor

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

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

NE Bedroom 11-5 x 9-8, SE Bedroom 13 x 12-2: SINGLE HUNG POP OUT

The emergency egress window does not meet the minimum requirements for a one and two family dwelling code built in 2005. The relevant code is the 2001 Indiana Residential Code, section: R310.1

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 5.59sq. ft.</u>
Clear width required: 20 inches	Existing width: 31 inches
Clear height required: 22 inches	Existing height: 26 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 25 inches above finished floor

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

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

Master Bedroom 13-9 x 13-3: SINGLE HUNG POP OUT

Install/replace batteries in smoke detectors so that they function as intended.
IC 22-11-18-3.5

The emergency egress window does not meet the minimum requirements for a one and two family dwelling code built in 2005. The relevant code is the 2001 Indiana Residential Code, section: R310.1

<u>Openable area required: 5.7 sq. ft.</u>	<u>Existing area: 5.59sq. ft.</u>
Clear width required: 20 inches	Existing width: 31 inches
Clear height required: 22 inches	Existing height: 26 inches
Maximum sill height: 44 inches above finished floor	Existing sill: 25 inches above finished floor

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

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

Master Bath:

No violations noted.

EXTERIOR:

Secure the sagging front porch ceiling. BMC 16.04.050(a)

Remove all of the dead limbs in the yard. BMC 16.04.050(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
H.A.N.D.

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

Meeting Date: November 19, 2014
Petition Type: Rescind a variance
Petition Number: 14-RV-166
Address: 1013 W. 6th Street
Petitioner: HAND
Inspector: Dee Wills
Staff Report: April 08, 2014 Completed Cycle Inspection
October 17, 2014 Completed Re-inspection

This property built in 1920, was previously granted a variance to the ceiling height and square footage requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height and square footage requirement and the Building Code in place at the time of construction did not address ceiling height and square footage; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.
Conditions: None
Attachments: None

Handwritten initials



RECEIVED
OCT 17 2014

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: 1013 W. 6th St

Petitioner's Name: HAND

Address: 401 N Morton

City: Bloomington State: IN Zip Code: _____

Phone Number: _____ Email Address: _____

Property Owner's Name: Karen Cherrington

Address: 1211 W. 6th St

City: Bloomington State: IN Zip Code: 47404

Phone Number: 333-0408
334-3473 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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-RV-166

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. ~

*Rescind Variance for
Ceiling Height & Square Footage*

Signature (required):

Dee Wills

Name (please print):

DEE WILLS

Date:

10-17-14

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 to Rescind Variance**

Meeting Date: November 19, 2014
Petition Type: Rescind a variance
Petition Number: 14-RV-167
Address: 416 S. Lincoln St.
Petitioner: HAND
Inspector: John Hewett
Staff Report: November 11, 2013 Cycle Inspection
October 22, 2014 Appeal

This property was previously granted a variance to the light, vent and ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a light, vent and ceiling height requirement and the Building Code in place at the time of construction did not address light, vent and ceiling height dimension requirements; therefore we are asking the Board to rescind this variance. The structure was built in 1918.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington
H.A.N.D.

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

Meeting Date: November 19, 2014
Petition Type: Rescind a variance
Petition Number: 14-RV-168
Address: 607 S. Washington St.
Petitioner: HAND
Inspector: John Hewett
Staff Report: August 7, 2014 Cycle Inspection- no violations
October 22, 2014 Appeal

This property was previously granted a variance to the ceiling height and room dimension requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height and room dimension requirement and the Building Code in place at the time of construction did not address ceiling height and room dimension requirements; therefore we are asking the Board to rescind this variance. The structure was built in 1925.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington
H.A.N.D.

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

Meeting Date: 11/19/2014

Petition Type: Rescind a variance

Petition Number: 14-RV-169

Address: 522 E. 3rd ST., 312 S. Henderson ST.

Petitioner: HAND

Inspector: Matt Swinney

Staff Report: This property was granted a variance for the ceiling height requirements. There were no ceiling heights requirements in the building code in 1899 when the building was constructed. Therefore this variance should be rescinded.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

ps



City of Bloomington
H.A.N.D.

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

Meeting Date: November 19, 2014
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 14-AA-170
Address: 412 W. Dodds
Petitioner: James and Sally Harvey

This property is owned by James and Sally Harvey. It was purchased as a home for their son, Theodore Harvey. Mr. Theodore Harvey's daughter, Elizabeth, also lives with him.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner, James and Sally Harvey, and occupied by their son, Theodore Harvey, and his family members. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form

DAB



RECEIVED
MAY 2 2014

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: 412 W. Dodds St.

Petitioner's Name: James and Sally Harvey

Address: 1175 S. Smith Road

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-336-2529 Email Address: jamesharvey1175@att.net

Property Owner's Name: James and Sally Harvey

Address: 1175 S. Smith Road

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-336-2529 Email Address: jamesharvey1175@att.net

Occupants: Theodore Harvey, Elizabeth Harvey

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 Residential Rental Unit and Lodging Establishment Inspection Program (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 14-AA-170

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.

My wife and I brought this house for our son, Ted. He works at Bloomington Hospital which is two blocks away. He has worked there for more than 15 years and this has allowed him to walk to work. He intends to continue working there considering this his career and also to continue to live in Bloomington which he considers his home. The purchase of the home provided him financial and housing security for a long time.

He has had a difficult time financially which is the reason we acted on his behalf. He could not buy the house on his own. In terms of our agreement, while his monthly payment may be considered rent, it is applied to amount owed us for the purchase of the house and he will own the house outright in 2026. This understanding is included in our trusts and will become part of his trust that we are currently establishing.

It will be his home for a long time. His oldest daughter is currently living with him while she attends Ivy Tech. After graduation next year, she intends to attend Indiana University. We have no intention of "flipping" the house. In the event that Ted no longer resides there, the house will be sold.

The house has been improved since its purchase including such things as a new roof, minor repairs, general cleaning inside and out, and painting the entire inside. As you know, the house is located in McDoel Gardens and the house now fits well into the surrounding neighborhood. Ted is very proud of his home and his neighborhood. He volunteers at the Shalom Community Center making sure that the grass is regularly mowed.

It would appear that our circumstance meets the criteria of a rental property and, thus, subject to applicable regulations, we would ask, based on the information provided, that we be given relief from that administrative decision.

Signature (required): James Harvey

Name (please print): James Harvey Date: 10/22/14

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 to Rescind Variance**

Meeting Date: November 19, 2014

Petition Type: Rescind a variance

Petition Number: 14-RV-171

Address: 215 E. 9th Street

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This property was granted a variance to the operation of windows in 1991. All of the windows in this property have since been replaced therefore this variance is no longer needed.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

Handwritten signature



City of Bloomington
H.A.N.D.

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

Meeting Date: November 19, 2014

Petition Type: Rescind a variance

Petition Number: 14-RV-172

Address: 408 S. Walnut Street

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This property (built in 1927) was previously granted a variance to the light and ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a light and ventilation requirement and the Building Code in place at the time of construction did not address light and ventilation; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

Handwritten initials



City of Bloomington
Housing and Neighborhood Development

Cycle Report

986

OWNERS

Platinum Development Llc
407 S. College Ave.
Bloomington, IN 47403

Prop. Location: 408 S Walnut ST
Units/Bedrooms/Max # of Occupants: 2/Eff/5 4/1/5
Date Inspected: 10/17/2014
Primary Heat Source: Gas
Property Zoning: CD
Number of Stories: 2

Number of Units/Structures: 6/1

Inspectors: Maria McCormick
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

VARIANCE

05/28/1980 Granted a variance for the light and ventilation requirements in the kitchen.

This property was previously granted a variance to the light and ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a light and ventilation requirement and the Building Code in place at the time of construction did not address light and ventilation; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

Monroe County Assessor's records indicate that this structure was built in 1927. At that time there were no minimum requirements for emergency egress.

Note: Floor plans and room dimensions are in the file only rooms with violations will be listed in this report.

Existing Egress Window Measurements:

Height: 22 inches
Width: 31 inches
Sill Height: 24 inches
Openable Area: 4.73 sq. ft.

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

INTERIOR:

Apt. 1 –
No violations noted.

Apt. 2 –
No violations noted.

Apt. 3 –
No violations noted.

Apt. 4 –
No violations noted.

Apt. 5 –
No violations noted.

Apt. 6 –
No violations noted.

EXTERIOR:

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(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 19, 2014

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-173

Address: 2262 S. Sweetbriar Ct.

Petitioner: American Homes for Rent

Inspector: Norman Mosier

Staff Report: April 15, 2014 - Conducted Cycle Inspection
June 27, 2014 - Sent Remaining Violations Report
September 7, 2014 – Start Legal
October 1, 2014 – Update Legal
October 23, 2014 – Received BHQA Appeal

It was noted during the cycle inspection that there are some violations at this property and that the egress windows do not meet egress requirements at the time of construction. Owner/agent must apply to the Indiana Fire and Building Safety Commission/ Department of Homeland Security for an egress window variance or change out the windows to meet current code requirements. Petitioner is requesting an extension of time to complete the repairs and apply for an egress window variance from the Department of Homeland Security.

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: December 3, 2014 - For Smoke detectors, and Furnace Documentation.
January 19, 2015 – For all other violations

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

[Handwritten mark]



RECEIVED
3 2011

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

Property Address: 2262 S SWEETBRIAR CT

Petitioner's Name: AMERICAN HOMES 4 RENT

Address: 30601 AGOURA RD STE 200

City: AGOURA HILL State: CA Zip Code: 91301

Phone Number: _____ Email Address: _____

Property Owner's Name: AMERICAN HOMES 4 RENT

Address: 30601 AGOURA RD STE 200

City: AGOURA HILLS State: CA Zip Code: 91301

Phone Number: _____ Email Address: _____

Occupants: DILCIA JONES

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 Residential Rental Unit and Lodging Establishment Inspection Program (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.

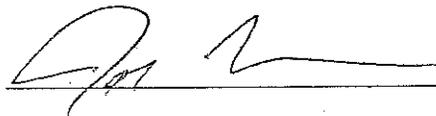
OFFICE USE ONLY
Petition Number 14-TV-173

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.

AS AN AGENT ACTING FOR THE RESPONSIBLE
PARTY, I PLAN TO REPAIR ALL ITEMS LISTED
IN A TIMELY MANNER AND TO FILE ALL
NECESSARY PAPERWORK TO RESOLVE ALL ISSUES
AT 2262 S. SWEETBRIAR CT.

Signature (required):



Name (please print):

JOE MUELLEN

Date:

10/22/2014

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.

JUN 27 2014



City of Bloomington
Housing and Neighborhood Development

REMAINING VIOLATIONS REPORT

10346

OWNERS

American Homes 4 Rent
30601 Agoura Road Ste 200
Agoura Hills, CA 91301

AGENT

Stacey Haberman
5921 E. 86th St.
Indianapolis, IN 46250

Prop. Location: 2262 S Sweetbriar CT
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 04/15/2014
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

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

The Monroe County Assessor's records indicate that this structure was built in 1997.
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 44 inches above finished floor.

INTERIOR:

MAIN LEVEL

Living Room 17-5 x 16, 1/2 Bath:
No violations noted.

101

Kitchen/Dining Area: 16 x 9:

Repair/replace the damaged window screen door for the sliding glass door.
BMC 16.04.060(a)

Garage:

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

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

BMC 16.01.060(f) and 16.04.060 (c)

Maintain minimum clearances from combustibles:

- 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)

2nd LEVEL

Stairway/Hallway:

No violations noted.

Hall Bath:

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

NE Bedroom 13-10 x 10-3:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1997. The relevant code is the 1990 Indiana Building Code, section: 210.2.

<u>Openable area required: 4.75 sq. ft.</u>	<u>Existing area: 4.41sq. ft.</u>
<u>Clear width required: 18 inches</u>	<u>Existing width: 27 inches</u>
<u>Clear height required: 24 inches</u>	<u>Existing height: 23.5 inches</u>
<u>Maximum sill height: 44 inches above finished floor</u>	<u>Existing sill: 24 inches above finished floor</u>

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

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

NW Bedroom 12-4 x 9-6:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1997. The relevant code is the 1990 Indiana Building Code, section: 210.2.

<u>Openable area required: 4.75 sq. ft.</u>	<u>Existing area: 4.41sq. ft.</u>
<u>Clear width required: 18 inches</u>	<u>Existing width: 27 inches</u>
<u>Clear height required: 24 inches</u>	<u>Existing height: 23.5 inches</u>
<u>Maximum sill height: 44 inches above finished floor</u>	<u>Existing sill: 24 inches above finished floor</u>

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

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Laundry Room:

No violations noted.

Master Bedroom 17-9 x 17-3:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1997. The relevant code is the 1990 Indiana Building Code, section: 210.2.

<u>Openable area required: 4.75 sq. ft.</u>	<u>Existing area: 4.41sq. ft.</u>
<u>Clear width required: 18 inches</u>	<u>Existing width: 27 inches</u>
<u>Clear height required: 24 inches</u>	<u>Existing height: 23.5 inches</u>
<u>Maximum sill height: 44 inches above finished floor</u>	<u>Existing sill: 24 inches above finished floor</u>

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

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. 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 right side sink drain to function as intended, slow. BMC 16.04.060(b)

Closet, Attic:

No violations noted.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

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

CYCLE REPORT

10346

OWNERS

American Homes 4 Rent
30601 Agoura Road Ste 200
Agoura Hills, CA 91301

AGENT

Stacey Haberman
5921 E. 86th St.
Indianapolis, IN 46250

Prop. Location: 2262 S Sweetbriar CT
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 04/15/2014
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

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

The Monroe County Assessor's records indicate that this structure was built in 1997.
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 44 inches above finished floor.

INTERIOR:

MAIN LEVEL

Living Room 17-5 x 16, ½ Bath:
No violations noted.

Kitchen/Dining Area: 16 x 9:

Repair/replace the damaged window screen door for the sliding glass door.
BMC 16.04.060(a)

Garage:

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

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

BMC 16.01.060(f) and 16.04.060 (c)

Maintain minimum clearances from combustibles:

- 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)

2nd LEVEL

Stairway/Hallway:

No violations noted.

Hall Bath:

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

NE Bedroom 13-10 x 10-3:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1997. The relevant code is the 1990 Indiana Building Code, section: 210.2.

<u>Openable area required: 4.75 sq. ft.</u>	<u>Existing area: 4.41sq. ft.</u>
<u>Clear width required: 18 inches</u>	<u>Existing width: 27 inches</u>
<u>Clear height required: 24 inches</u>	<u>Existing height: 23.5 inches</u>
<u>Maximum sill height: 44 inches above finished floor</u>	<u>Existing sill: 24 inches above finished floor</u>

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

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

NW Bedroom 12-4 x 9-6:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1997. The relevant code is the 1990 Indiana Building Code, section: 210.2.

<u>Openable area required: 4.75 sq. ft.</u>	<u>Existing area: 4.41sq. ft.</u>
<u>Clear width required: 18 inches</u>	<u>Existing width: 27 inches</u>
<u>Clear height required: 24 inches</u>	<u>Existing height: 23.5 inches</u>
<u>Maximum sill height: 44 inches above finished floor</u>	<u>Existing sill: 24 inches above finished floor</u>

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

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

Laundry Room:

No violations noted.

Master Bedroom 17-9 x 17-3:

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1997. The relevant code is the 1990 Indiana Building Code, section: 210.2.

<u>Openable area required: 4.75 sq. ft.</u>	<u>Existing area: 4.41sq. ft.</u>
<u>Clear width required: 18 inches</u>	<u>Existing width: 27 inches</u>
<u>Clear height required: 24 inches</u>	<u>Existing height: 23.5 inches</u>
<u>Maximum sill height: 44 inches above finished floor</u>	<u>Existing sill: 24 inches above finished floor</u>

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

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. 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 right side sink drain to function as intended, slow. BMC 16.04.060(b)

Closet, Attic:

No violations noted.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector **within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.060(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: 11/19/2014
Petition Type: Rescind a variance
Petition Number: 14-RV-174
Address: 433 E. Southern Dr.
Petitioner: HAND
Inspector: Matt Swinney

Staff Report:

This property was previously granted a variance to the ceiling height requirements for the Kitchen and North bedroom of the Property Maintenance Code. 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 (1929) did not address ceiling height; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None