

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
January 21, 2015, 4:00 P.M.**

ALL PETITIONS ARE ON THE CONSENT AGENDA

- I. **ROLL CALL**
- II. **REVIEW OF SUMMARY** – December 18, 2014 pp. 3-4
- III. **ELECTION OF 2015 OFFICERS**
- IV. **OLD BUSINESS**
- (1) 14-TV-70 **125 N. Washington Street**, Henry Berman (Lisa Trimble). Request for an extension of time to complete repairs. Previously heard June 18, 2014. pp 5-12
- (2) 14-TV-150 **1400 N. Lincoln Street**, Abram Schultz. Request for an extension of time to complete repairs. Previously heard October 22, 2014. pp. 13-22
- V. **NEW BUSINESS**
- (3) 15-TV-01 **618 S. Fess Avenue**, Norman Ladd. Request for an extension of time to complete repairs. pp. 23-29
- (4) 15-TV-02 **508 N. Washington Street**, Cheryl Underwood. Request for an extension of time to complete repairs. pp. 30-34
- (5) 15-TV-03 **526 S. Mitchell Street**, Brian Parrott. Request for an extension of time to complete repairs. pp. 35-39
- (6) 15-RV-04 **420 N. Roosevelt Street**, H.A.N.D. Request for rescission of a variance. p. 40
- (7) 15-RV-05 **316 N. Washington Street**, H.A.N.D. Request for rescission of a variance. p. 41
- (8) 15-RV-06 **430 E. Kirkwood Avenue**, H.A.N.D. Request for rescission of a variance. p. 42
- (9) 15-RV-07 **600 E. University Street**, H.A.N.D. Request for rescission of a variance. p. 43
- (10) 15-RV-08 **614 N. Grant Street**, H.A.N.D. Request for rescission of a variance. p. 44
- (11) 15-RV-09 **310 E. Smith Avenue**, H.A.N.D. Request for rescission of a variance. p. 45
- (12) 15-RV-10 **517-517 ½ W. Howe Street**, H.A.N.D. Request for rescission of a variance. p. 46
- (13) 15-RV-11 **718 E. 11th Street**, H.A.N.D. Request for rescission of a variance. p. 47

- (14) 15-RV-12 **111-111 ½ E. 9th Street**, H.A.N.D. Request for rescission of a variance.
pp. 48-50
- (15) 15-TV-13 **812 E. 8th Street**, Cheryl Underwood (Kenneth Kinney). Request for an extension of time to complete repairs.
pp. 51-55
- (16) 15-RV-14 **406 E. Hillside Drive**, H.A.N.D. Request for rescission of a variance.
p. 56
- (17) 15-RV-15 **307 S. Eastside Drive**, H.A.N.D. Request for rescission of a variance.
p. 57
- (18) 15-TV-16 **109 E. Allen Street**, Thomas Robbin (Orion Property Management). Request for an extension of time to complete repairs.
pp. 58-64
- (19) 15-RV-17 **321-325 E. 3rd Street**, H.A.N.D. Request for rescission of a variance.
p. 65
- (20) 15-RV-18 **723 E. 11th Street/805 N. Park Avenue**, H.A.N.D. Request for rescission of a variance.
p. 66
- (21) 15-RV-19 **413 N. Clark Street**, H.A.N.D. Request for rescission of a variance.
p. 67
- (22) 15-TV-20 **2501 S. Madison Street/317 W. Graham Drive**, Cindy Sterling. Request for an extension of time to complete repairs.
pp. 68-74
- (23) 15-TV-21 **814 W. 6th Street**, John Bavender. Request for an extension of time to complete repairs.
pp. 75-80

VI. GENERAL DISCUSSION

VII. PUBLIC COMMENT

VIII. ADJOURNMENT

B.H.Q.A. MEETING OF DECEMBER 17, 2014

SUMMARY

MEMBERS PRESENT: Megan Binder, Kristopher Floyd, Elizabeth Gallman, Susie Hamilton, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, Maria McCormick, Norman Mosier, Jo Stong, Dee Wills (HAND), Christopher Wheeler (Legal)

GUESTS: Jeremy Nation, Rebecca Swanson (807 N. Lincoln Street)

I. REVIEW OF SUMMARY

Strauser made a motion to approve the minutes for October 15, 2014. Gallman seconded. Motion passed, 5-0.

Strauser made a motion to approve the minutes for November 19, 2014. Gallman seconded. Motion passed, 5-0.

II. CONSENT AGENDA

1723 N. Lincoln Street, David Johnson (Olympus Properties), 14-TV-130. Request for an extension of time to complete repairs. Previously heard September 17, 2014. Staff recommendation to grant the request with a December 31, 2014 deadline.

1109 W. 8th Street, Karen Cherrington (Michael Lay), 14-TV-175. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a February 17, 2015 deadline.

1006 S. Washington Street, Janet Hayes (Michael Smith), 14-TV-176. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a February 17, 2015 deadline.

719 E. 7th Street, H.A.N.D., 14-RV-178. Request for rescission of a variance. Staff recommendation to grant the rescission.

302-304 S. Madison Street, H.A.N.D., 14-RV-179. Request for rescission of a variance. Staff recommendation to grant the rescission.

311-313 S. Rogers Street, H.A.N.D., 14-RV-180. Request for rescission of a variance. Staff recommendation to grant the rescission.

1130-1200 W. Kirkwood Avenue, H.A.N.D., 14-RV-181. Request for rescission of a variance. Staff recommendation to grant the rescission.

812 S. Washington Street, H.A.N.D., 14-RV-182. Request for rescission of a variance. Staff recommendation to grant the rescission.

1403 S. Grant Street, H.A.N.D., 14-RV-183. Request for rescission of a variance. Staff recommendation to grant the rescission.

130 N. Jefferson Street, H.A.N.D., 14-RV-184. Request for rescission of a variance. Staff recommendation to grant the rescission.

207 E. Vermilya Avenue, H.A.N.D., 14-RV-185. Request for rescission of a variance. Staff recommendation to grant the rescission.

1407 N. Woodburn Avenue, H.A.N.D., 14-RV-186. Request for rescission of a variance. Staff recommendation to grant the rescission.

713 E. 8th Street, H.A.N.D., 14-RV-187. Request for rescission of a variance. Staff recommendation to grant the rescission.

816 W. Kirkwood Avenue, H.A.N.D., 14-RV-188. Request for rescission of a variance. Staff recommendation to grant the rescission.

711 W. Kirkwood Avenue, Tom Gallagher, 14-TV-189. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 17, 2015 deadline.

500 E. Cottage Grove Avenue, H.A.N.D., 14-RV-190. Request for rescission of a variance. Staff recommendation to grant the rescission.

Approved.

III. PETITIONS

807 N. Lincoln Street, Rebecca Swanson, 13-TV-120. This item was pulled from the Consent Agenda. The petitioners, Rebecca Swanson and Jeremy Nation, were present to request an extension of time to complete repairs. This item was previously heard November 20, 2013. Staff recommendation to grant the extension with a March 15, 2015 deadline. Floyd made a motion to

grant the request per staff recommendation with an April 15, 2015 deadline. Hamilton seconded. Motion passed, 5-0. Request granted.

422 E. 11th Street, Prime Multi-Campus (Choice Realty Management), 14-TV-177. This item was pulled from the Consent Agenda. The petitioners were not present to request an extension of time to complete repairs. Staff recommendation to grant the extension with a January 17, 2015 deadline for repair of the door locks on sliding glass doors, and a May 17, 2015 deadline for all other violations. Floyd made a motion to grant the request per staff recommendation with an additional January 17, 2015 deadline for all smoke detector violations. Gallman seconded. Motion passed, 5-0. Request granted.

IV. GENERAL DISCUSSION

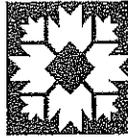
None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Floyd made motion to adjourn. Hamilton seconded. Motion unanimously passed. Meeting adjourned at 4:13 PM.



**City of Bloomington
Housing and Neighborhood Development**

City of Bloomington
H.A.N.D.

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

Meeting Date: 21 January 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-070

Address: 125 N. Washington St.

Petitioner: Lisa Trimble

Inspector: Michael Arnold

Staff Report:

06 March 2014	Cycle Inspection with agent
28 March 2014	Sent Inspection Report
17 April 2014	Site visit to verify window measurements
24 April 2014	Sent amended report with measurements
07 May 2014	Received Appeal
19 June 2014	Board Granted Extension of Time
08 September 2014	Reinsp for Smoke Detectors.
08 September 2014	Spoke to agent Re: deadline
08 September 2014	Request for additional time
22 October 2014	Granted deadline of 08 November 2014 for smoke detectors and window repair.
17 October 2014	Inspection scheduled for 26 November 2014
24 November 2014	Inspection re-scheduled for 02 December 2014
02 December 2014	Windows inspected

The owner is requesting additional time to correct the common space smoke detection. The detectors that were installed were battery operated only and not hard-wired inter-connected smoke detectors were required by the Indiana Building Code at the time of construction – 1993 IBC. Year of construction was 1998. They also need additional time to address the variance for the exhaust fan requirement for the bathroom in unit 13. Owner has not received documentation from the State regarding the exhaust fan in Unit 13 and will need to address the hard-wired smoke detection issue as well.

Staff recommendation: Grant the extension of time

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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: 01 March 2015

Attachments: Cycle Inspection report, Application



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

RECEIVED
 DEC 04 2014

BY: _____

NOTE: A \$20 filing fee must accompany this application. The property will not be placed on the meeting agenda until the filing fee is received.

Property Address: 125 N. Washington Street

Petitioner's Name: Jewel Trimble

Address: 124 E. 4th St.

City: Bloomington State: IN Zip Code: 47408

Phone Number: (812) 346-7019 Email Address: smithhouseinfo@comcast.net

Property Owner's Name: Henry Zerman

Address: 1005 Meadowbrook

City: Bloomington State: IN Zip Code: 47401

Phone Number: (812) 330-9522 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 check the petition type that you are requesting:

- An extension of time to complete repairs (Petition type TV)
- A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
- Relief from an administrative decision (Petition type AA)
- Rescind a variance (Petition type RV)

OFFICE USE ONLY
 Petition Number 14-TV-70 (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.

Signature (required):

Jenee Trimble

Name (please print):

Jenee Trimble

Date:

12/2/14

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.

We added the extra smoke detectors as required, but did not have them hard wired. There was confusion on this subject. I was told conflicting answers as to if this was in effect. HAND's pre-inspection addendum states that the smoke detectors need to be hard-wired in newly constructed structures. Also, I was told that I had until 12/31/18 to have this completed, but was told today that compliance was 8/1/14. I'm confused as to what exactly I need to do and by when?



Application for Appeal
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 812-349-3420
hand@bloomington.in.gov

RECEIVED
 DEC 04 2014

BY:

NOTE: A \$20 filing fee must accompany this application. The property will not be placed on the meeting agenda until the filing fee is received.

Property Address: 125 N. Washington Street

Petitioner's Name: Jenee Trimble

Address: 124 E. 6th Street

City: Bgm State: IN Zip Code: 47408

Phone Number: 812-349-2009 Email Address: smithhouseinfo@comcast.net

Property Owner's Name: Henry Berkman

Address: 1005 S. meadowbrook Ave.

City: Bloomington IN State: IN Zip Code: 47401

Phone Number: (812) 330-9522 Email Address:

Occupants:

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

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2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please check the petition type that you are requesting:

- An extension of time to complete repairs (Petition type TV)
- A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
- Relief from an administrative decision (Petition type AA)
- Rescind a variance (Petition type RV)

OFFICE USE ONLY
 Petition Number 14-TV-70 (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.

Signature (required): Jenee Timber

Name (please print):

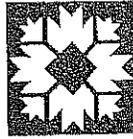
Jenee Timber

Date:

12/2/14

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.

I am requesting an extension of time. I am waiting to receive the variance from the State pertaining to the exhaust fan in the bathroom of Unit # B.



**City of Bloomington
Housing and Neighborhood Development**

DEC 09 2014

Remaining Violation Report

5759

OWNERS

=====

Berman, Henry
1005 Meadowbrook
Bloomington, IN 47401

AGENT

=====

Lisa J. Trimble
124 E. 6th St.
Bloomington, IN 47408

Prop. Location: 125 N Washington ST
Number of Units/Structures: 14/1
Units/Bedrooms/Max # of Occupants: 1/Eff/5 3/1/5 6/2/5 4/3/5

Date Inspected: 03/06/2014
Primary Heat Source: Electric
Property Zoning: CD
Number of Stories: 3

Inspectors: Mike Arnold
Foundation Type: Slab
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 16.10.040

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.

Interior:

General Condition:

Each unit shall have a smoke detector in each sleeping room, in the corridor or area giving access to each separate sleeping area and on each story. All detectors shall receive the primary power from the building wiring. 1993 Indiana Building Code. 1993 – IBC Section 1210. BMC 16.04.020(a)

Unit 13:

Bathroom:

Install an exhaust fan. BMC 16.04.060(a) (1993 Indiana Building Code)

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.



City of Bloomington
H.A.N.D.

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

Meeting Date: 21 January 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-150

Address: 1400 N. Lincoln Street

Petitioner: Abram Schultz

Inspector: Maria McCormick

Staff Report:

09/16/2013	Cycle Inspection
03 October 2013	Cycle Inspection Report sent
26 November 2013	Received All required documentation
02 December 2013	Couch removed
06 December 2013	Sent Temporary Permit
14 August 2014	Sent Exterior Extension reminder
18 September 2014	Received BHQA application
15 October 2014	BHQA granted extension to 01 December 2014
01 December 2014	Received BHQA application

During the cycle inspection it was noted that the exterior of this house needed painting. The petitioner requested an extension of time for an additional year because he was planning to extensively remodel this house after the tenants moved out in August of 2015. At that point the house will be unoccupied until it has under gone the remodel. The petitioner had originally planned on starting the remodel in August of 2014, however the tenants renewed their lease for an additional year.

Petitioner is now requesting additional time to complete the painting of the structure until sometime in the spring.

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.

MPP 13

Compliance Deadline: 01 May 2015

Attachments: Cycle Report, Application for Appeal, Photo



RECEIVED
DEC 01 2014

BY: AW

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: 1400 N. Lincoln St.

Petitioner's Name: Abram J. Schultz

Address: 872 S. Romans Way

City: Bloomington State: IN Zip Code: 47401

Phone Number: (812) 325-5171 Email Address: abeschultz@sbcglobal.net

Property Owner's Name: Abram J. Schultz

Address: 872 S. Romans Way

City: Bloomington State: IN Zip Code: 47401

Phone Number: (812) 325-5171 Email Address: abeschultz@sbcglobal.net

Occupants: Tenants

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

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

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.

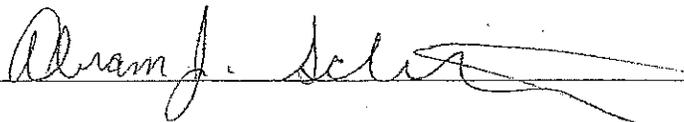
OFFICE USE ONLY
Petition Number 14-TV-150

SEE REVERSE

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

I recently received an extension of time to complete some exterior scraping and painting on Oct. 15th 2014. Since that time I have still been unable to complete the repairs due to weather. There have not been enough days warm enough or dry enough to do exterior painting. If possible I would like to get the deadline extended until sometime in the spring to allow for weather to improve.

Signature (required):



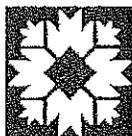
Name (please print):

Abram J. Schultz

Date:

12-1-14

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

4016

OWNERS

Schultz, Abram J.
872 S Romans Way
Bloomington, IN 47401

Prop. Location: 1400 N Lincoln ST
Units/Bedrooms/Max # of Occupants: 1/4/5
Date Inspected: 09/16/2013
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 1/1
Inspectors: Maria McCormick
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: Carport/Shed

Monroe County Assessor's records indicate that this structure was built in 1953. At that time there were no minimum requirements for emergency egress.

INTERIOR:

Main Level –

Living Room 21-0 x 14-0; Bar Room (Previously North Bedroom) 12-0 x 8-0; Kitchen 8-0 x 10-0:
No violation noted.

Upper Level –

West Bedroom 13-0 x 13-0; East Bedroom 12-0 x 12-0:
No violation noted.

Existing Egress Window Measurements:

Height: 40 inches
Width: 29 inches
Sill Height: 35 inches
Openable Area: 8.06 sq. ft.

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

Bathroom:

No violation noted.

Lower Level -

Main Room 13-0 x 15-0:

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

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

BMC 16.01.060(f) and 16.04.060 (c)

11/24/13
C

Bathroom:

No violation noted.

Bedroom 15-0 x 19-0:

No violation noted.

This room has a door to the exterior for egress.

EXTERIOR:

Remove the couches from the porch. BMC 16.04.040(f)

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 September 16, 2014.)

12/2/2013
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)

11/26/13
C

Required documentation:

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

C

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)

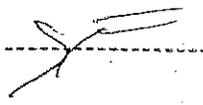
When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration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

This is the end of this report.



RECEIVED
SEP 18 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

BY: 

Property Address: 1400 N. Lincoln St.

Petitioner's Name: Abram J. Schultz

Address: 872 S. Romans Way

City: Bloomington State: IN Zip Code: 47401

Phone Number: (812) 332-7717 Email Address: abeschultz@sbcglobal.net

Property Owner's Name: Abram J. Schultz

Address: 872 S. Romans Way

City: Bloomington State: IN Zip Code: 47401

Phone Number: (812) 332-7717 Email Address: abeschultz@sbcglobal.net

Occupants: Tenants

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

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

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-150

SEE REVERSE

I am requesting more time to complete the scraping and painting of the exterior surfaces where paint is peeling or wood is exposed at the property located at 1400 N. Lincoln Street. The main reason for the request is that I am in the planning stages of a major renovation of the property. During which at a minimum the entire exterior will be completely redone with new vinyl siding and metal wrapping any exposed wood. I was planning to start the renovation in August of 2014, but the tenants that are currently living there wanted to sign a lease for another year. Now my plan is to start the renovation in August of 2015. During this renovation the existing structure will be added on to or possibly completely demolished, and a new structure built. Once I leased the property for another year I did get some estimates from painting contractors to have the work done, but I just could not justify paying someone to paint something that I was possibly going to tear down in a year. I understand there are some minor issues that need to be taken care of, but I plan on taking care of them all in one big renovation. I hope that you will see fit to extend my temporary permit for another year, at which time I will let it expire and I will apply for new permits when the renovation is complete. Of course the property will be vacant during the renovation.

1400 N. Lincoln
14-TV-150





City of Bloomington
H.A.N.D.

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

Meeting Date: January 21, 2015
Petition Type: An extension of time to complete repairs.
Petition Number: 15-TV-01
Address: 618 S. Fess Avenue
Petitioner: Norman Ladd
Inspector: Jo Stong
Staff Report: August 6, 2014: Conducted cycle inspection
August 12, 2014: Mailed report
November 21, 2014: Received appeal

During a cycle inspection of the property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were noted, including repairing the wiring to the electrical service entry cables. The petitioner is requesting an extension of time to complete all repairs, but notably the wiring as the electrician must schedule time with Duke Energy.

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: **January 30, 2015** for all life-safety violations (smoke detectors, furnace inspection, receptacle cover plates, guardrail on the balcony, openings in the electrical service panel)
March 21, 2015 for all other violations

Attachments: Cycle report, appeal



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NOV 21 2014

Application for Appeal
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812-349-3420
hand@bloomington.in.gov

Property Address: 618 S. Fess Ave

Petitioner's Name: Norman Ladd

Address: 306 1/2 S. Fairview St

City: Bloomington State: IN Zip Code: 47403

Phone Number: 812-323-1851 Email Address: laddrentals@att.net

Property Owner's Name: Norman Ladd

Address: 306 1/2 S. Fairview St

City: Bloomington State: IN Zip Code: 47403

Phone Number: 812-323-1851 Email Address: laddrentals@att.net

Occupants: 3; Eleanor Symes, Katherine Fawda, Leah Willard.com

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 15-TV-01

SEE REVERSE

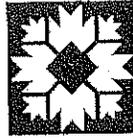
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

The electrical work requires my electrician to schedule time with Duke Energy to drop the lines and he informed me today he needs more time to complete this.

Signature (required): Norman A. Ladd

Name (please print): Norman Ladd Date: 11-21-14

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 Inspection Report

3046

OWNERS

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

AGENT

Ladd, Simon N.
306 1/2 S. Fairview Street
Bloomington, IN 47403

Prop. Location: 618 S Fess AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/4/3

Date Inspected: 08/06/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

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

Monroe County Assessor's records indicate this structure was built in 1935.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Entry Hall:

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

Living Room, Dining Room:

No violations noted.

26

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.

Repair the water pressure to the sink faucet (very low). The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks. BMC 16.04.060(b)

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

Half Bath:

No violations noted.

Mudroom:

Replace the electrical receptacle cover plate on the west wall. BMC 16.040.060(a)

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

SECOND FLOORHallway:

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

Southeast Bedroom:

Replace the broken receptacles and cover plates on the east wall. BMC 16.04.060(b)

Existing Egress Window Measurements (double-hung):

Height: 24 ¼ inches

Width: 26 inches

Sill Height: 24 ¾ inches

Openable Area: 4.38 sq. ft.

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

Northeast Bedroom:

Repair the broken window (northeast window, upper sash, right pane). BMC 16.04.060(b)

Existing Egress Window Measurements (double-hung):

Height: 24 ¼ inches

Width: 29 inches

Sill Height: 25 inches

Openable Area: 4.88 sq. ft.

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

Bath:

No violations noted.

Southwest Bedroom:

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 23 inches

Width: 28 inches

Sill Height: 25 ½ inches

Openable Area: 4.47 sq. ft.

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

Northwest Bedroom:

No violations noted.

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

Balcony:

Secure the guardrail so that it is capable of withstanding normally imposed loads. BMC 16.04.050(b)

BASEMENT

Replace the missing window in the door from the kitchen to the basement stairs. BMC 16.04.060(a)

Repair the broken window in the back door. BMC 16.04.060(b)

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

Properly cover the chimney access. BMC 16.04.060(a)

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Thoroughly clean and service the furnace, and 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: 50ppm BMC 16.01.060(f) and 16.04.060 (c)

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

Reconnect the dryer vent so that it exhausts to the exterior. BMC 16.04.060(c)

EXTERIOR:

Repair the large crack in the front porch. BMC 16.04.050(a), (b)

Repair all soffits so that any openings are sealed to prevent the entry of birds and other pests.. BMC 16.04.050(a)

Repair the wiring to the electrical service entry cables to eliminate wiring nuts and electrical tape. BMC 16.04.050(b)

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

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

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

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:

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: January 21, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-002

Address: 508 N. Washington St.

Petitioner: Cheryl Underwood

Inspector: Maria McCormick

Staff Report:

13 January 2012	Cycle Inspection
18 January 2012	Sent Cycle Report
01 February 2012	Tenant scheduled structural complaint
06 February 2012	Tenant re-scheduled structural complaint
17 February 2012	Sent Complaint Inspection Report
20 February 2012	Received Appeal regarding complaint
09 March 2012	Received Appeal regarding ceiling height and window sizes
21 March 2012	BHQA denied extension of time for structural repair
04 April 2012	Re-inspection scheduled
18 April 2012	BHQA grants extension of time to get State Variance for window sizes
15 June 2012	Sent Remaining Violations Report
10 July 2012	Owner scheduled BHQA re-inspection
07 August 2012	Sent Remaining Violations Report. Property vacant
11 September 2012	Property is occupied
28 September 2012	Received State variance
06 December 2012	Get update from Planning regarding use of property
02 April 2013	Walk-thru with Planning and Legal
29 May 2013	Letter from Planning regarding property use
11 June 2013	Received Complaint regarding dead tree
17 June 2013	Received letter from Owner's Atty Re: Planning Issue
02 July 2013	Received Appeal regarding dead tree
12 July 2013	Exterior Painting from 13 January 2012 Cycle not complete

[Handwritten mark]

21 August 2013	BHQA granted extension to remove tree
09 September 2013	Update to Legal
10 September 2013	Sent report Exterior painting still not complete
16 October 2013	BHQA granted extension for removal of tree
28 October 2013	Update with Legal
11 November 2013	Update with Legal
17 December 2014	Planning issue resolved for use and occupant load
18 December 2013	Sent report Exterior painting still not complete
23 April 2014	Tree has been removed
17 July 2014	Sent report Exterior painting still not complete
07 August 2014	Start Legal for exterior
28 October 2014	Update with Legal
21 November 2014	Received Appeal for exterior painting

The petitioner is requesting an extension of time to complete exterior painting on the property. Exterior painting was noted on the Cycle Inspection Report dated 13 January 2012.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: 31 May 2015

Attachments: Application, Exterior Extension Reminder Report



RECEIVED
NOV 21 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: 508 N Washington St.

Petitioner's Name: Cheryl Underwood

Address: 825 N Walnut St, Ste A

City: Bloomington State: IN Zip Code: 47404

Phone Number: 334 0094 Email Address: cunderwoodhometender.org

Property Owner's Name: Same

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: 9

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 15-TV-02

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.

The City of Bloomington decided to change the classification of this building and had many meetings and writings and attorneys involved. I will provide details at the hearing. I heard nothing from them for several months after the change even though I had inquired several times. Then on Oct 31, '14 I receive a letter giving me 3 weeks to paint this house (Nov 21, '14) or be sued. It is impossible to paint in cold weather and this whole situation is a set-up and I will gladly provide all details at the hearing. My attorney, Rob McCrea, who has participated every step of the way in all this will be present. I would like as many *
Signature (required): Cheryl L. Underwood

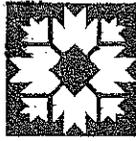
Name (please print): Cheryl L Underwood Date: 11 21 14

* people as possible to hear this story and will have an outline of all the events

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.

to give to all present.

JUL 18 2014



City of Bloomington
Housing and Neighborhood Development

Exterior Extension Reminder Report

2283

OWNERS

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

Prop. Location: 508 N Washington ST

Units/Bedrooms/Max # of Occupants per sleeping room: 1/9/1

Date Inspected: 02/13/2012

Primary Heat Source: Gas

Property Zoning: RM

Number of Stories: 3

Number of Units/Structures: 1/1

Inspectors: Maria McCormick

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: Garage

This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expired on 01/13/2013.

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:

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 01/13/2013)

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: January 21, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-03

Address: 526 S. Mitchell St.

Petitioner: Brian Parrott

Inspector: Maria McCormick

Staff Report: 28 July 2014 Completed Cycle Inspection
12 August 2014 Cycle Inspection Report mailed
03 September 2014 Scheduled Reinspection
13 October 2014 Owner Re-scheduled Reinspection
17 November 2014 Reinspection complete
24 November 2014 Received BHQA application
01 December 2014 Sent Remaining Violations Report

During the cycle inspection there it was cited that the window glazing compound in several of the windows needed to be replaced & the exterior of the property needs re-painted. There is also a large dead tree on the property. The petitioner is requesting an extension of time to complete these repairs as they are costly. All other violations have been repaired.

Staff recommendation: Grant the extension of time to complete repairs

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: 01 April 2015 All remaining violations except exterior painting
28 July 2015 Painting

Attachments: Application, Remaining Violations Report



RECEIVED
NOV 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

BY: _____

Property Address: 526 S. Mitchell St.

Petitioner's Name: Brian Parrott

Address: 2815 E Lilac Ct.

City: Bloomington State: In. Zip Code: 47421

Phone Number: (812) 508-2933 Email Address: _____

Property Owner's Name: Brian Parrott

Address: 2815 E Lilac Ct.

City: Bloomington State: In. Zip Code: 47421

Phone Number: (812) 508-2933 Email Address: _____

Occupants: 2

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

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the 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 15-RV-03

SEE REVERSE

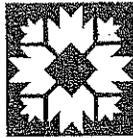
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request; the amount of time needed to bring the property into compliance,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

I need to save some money to have this work done it is going to be very expensive. Windows and tree work is what we are saving for. The City of Bloomington inspector said I could have a year to do these things. We have completed the other things that were in the inspection.

Signature (required): B. Parrott

Name (please print): Brian Parrott Date: 11-24-14

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

DEC 01 2014

Remaining Violation Report

1406

OWNERS

Brian E. & Elizabeth A. Parrott
2815 E. Lilac Ct.
Bloomington, IN 47401

Prop. Location: 526 S Mitchell ST
Units/Bedrooms/Max # of Occupants: 1/4/3
Date Inspected: 07/28/2014
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: 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 16.10.040

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.

EXTERIOR:

Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows. 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 28, 2015.)

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

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

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: 1/21/2015
Petition Type: Rescind a variance
Petition Number: 15-RV-04
Address: 420 N. Roosevelt St.
Petitioner: HAND
Inspector: Matt Swinney
Staff Report:

This property was previously granted a variance to the light, ventilation, and minimum ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a light, ventilation, and minimum ceiling height requirement and the Building Code in place at the time of construction did not address light, ventilation, and minimum ceiling height; therefore we are asking the Board to rescind this variance. The structure was built in 1955.

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

MS



City of Bloomington
H.A.N.D.

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

Meeting Date: 21 January 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-005

Address: 316 N. Washington St.

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: 18 July 2014 Cycle Inspection
08 August 2014 Inspection Report mailed
18 September 2014 Reinspection scheduled
20 November 2014 Reinspection complete
26 November 2014 Received BHQA application
26 November 2014 Remaining Violations Report written
01 December 2014 Sent Remaining Violations Report

This property was previously granted a variance to the minimum light and ventilation requirements and cooking in a sleeping room requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum light and ventilation requirements and cooking in a sleeping room requirements and the Building Code in place at the time of construction did not address minimum light and ventilation requirements and cooking in a sleeping room requirements; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This structure was built in 1928.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

M.P.P.



City of Bloomington
H.A.N.D.

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

Meeting Date: 1/21/2015
Petition Type: Rescind a variance
Petition Number: 15-RV-06
Address: 430 E. Kirkwood Ave.
Petitioner: HAND
Inspector: Matt Swinney

Staff Report:

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 the Building Code in place at the time of construction did not address minimum ceiling height; therefore we are asking the Board to rescind this variance. The structure was built in 1980.

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: 1/21/2015
Petition Type: Rescind a variance
Petition Number: 15-RV-07
Address: 600 E. University St.
Petitioner: HAND
Inspector: Matt Swinney

Staff Report:

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 the Building Code in place at the time of construction did not address minimum ceiling height; 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


43



City of Bloomington
H.A.N.D.

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

Meeting Date: 21 January 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-008

Address: 614 N. Grant St.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 07 October 2014 Cycle Inspection
 15 October 2014 Sent Cycle Inspection report
 18 November 2014 Reinspection complete

This property was previously granted a variance to the minimum living room size requirement of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum living room size requirement and the Building Code in place at the time of construction did not address minimum living room size; therefore the variance must be rescinded by the Board of Housing Quality Appeals. 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 to Rescind Variance**

Meeting Date: 21 January 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-009

Address: 310 E. Smith Ave.

Petitioner: HAND

Inspector: Maria McCormick

Staff Report:	21 November 2013	Cycle Inspection
	12 December 2013	Inspection Report mailed
	31 January 2014	Amended Cycle Report sent
	20 February 2014	Reinspection complete
	20 February 2014	Sent Temporary Permit
	26 September 2014	Exterior Extension Reminder sent
	20 November 2014	Exterior completer per owner
	24 November 2014	Exterior Inspection all complied
	03 December 2014	BHQA application completed

This property was previously granted a variance to the minimum ceiling height requirement of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height requirement and the Building Code in place at the time of construction did not address minimum ceiling height; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This structure was built in 1920.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

MP
45



City of Bloomington
H.A.N.D.

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

Meeting Date: January 21, 2015
Petition Type: Rescind a variance
Petition Number: 15-RV-10
Address: 517 – 517 ½ W. Howe St.
Petitioner: HAND
Inspector: Norman Mosier

Staff Report:

This property was previously granted a variance to the bathroom ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a bathroom ventilation requirement and the Building Code in place at the time of construction did not address bathroom ventilation; therefore we are asking the Board to rescind this variance. This building was constructed in 1958.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

AMB



City of Bloomington
H.A.N.D.

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

Meeting Date: January 21, 2015
Petition Type: Rescind a variance
Petition Number: 15-RV-11
Address: 718 E. 11th Street
Petitioner: HAND
Inspector: Dee Wills
Staff Report: January 27, 2014 Completed Cycle Inspection
May 02, 2014 Completed Re-inspection
December 03, 2014 Sent Exterior Extension Reminder
December 04, 2014 Application for Appeal to Rescind a Variance

This property built in 1950, 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



City of Bloomington
H.A.N.D.

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

Meeting Date: 21 January 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-012

Address: 111-111½ E. 9th St.

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: 25 September 2014 Cycle Inspection
02 October 2014 Inspection Report mailed
04 December 2014 BHQA application
04 December 2014 Reinspection completed
05 December 2014 Remaining Violations Report mailed
08 December 2014 Reinspection scheduled for 05
February 2015

This property was previously granted a variance to the minimum ceiling height, light, ventilation and emergency egress requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height, light, ventilation and emergency egress requirements and the Building Code in place at the time of construction did not address minimum ceiling height, light, ventilation and emergency egress requirements; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This structure was built in 1925.

Staff Recommendation: Rescind the variance.

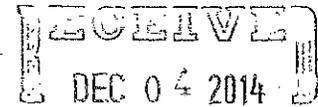
Conditions: None

Attachments: None

WPO



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



BY:

NOTE: A \$20 filing fee must accompany this application. The property will not be placed on the meeting agenda until the filing fee is received.

Property Address: 111 & 111 1/2 E. 9th Street

Petitioner's Name: HAND

Address: PO Box 100

City: Bloomington State:IN Zip Code: 47402

Phone Number: 812-349-3420 Email Address: hand@bloomington.in.gov

Property Owner's Name: Denise & John Wood

Address: PO Box 91

City: Clear Creek State:IN Zip Code: 47426

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 check the petition type that you are requesting:

- An extension of time to complete repairs (Petition type TV)
- A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
- Relief from an administrative decision (Petition type AA)
- Rescind a variance (Petition type RV)

OFFICE USE ONLY

Petition Number 15-RV-12

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 property was previously granted a variance to the ceiling height requirements in the upstairs unit as well as to the light and ventilation requirements of the same unit. This structure was built in 1925, there were no building codes that addressed these issues at that time therefore the variance need to be rescinded.

Signature (required): _____

Name (please print): Maria McCormick for HAND **Date:** December 4, 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
H.A.N.D.

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

Meeting Date: 21 January 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-013

Address: 812 E. 8th St.

Petitioner: Cheryl Underwood

Inspector: Michael Arnold

Staff Report: 11 June 2014 Cycle Inspection
 03 July 2014 Sent Inspection Report
 08 August 2014 Reinspection scheduled for 24 October 2014
 24 October 2014 No show for Reinspection
 24 October 2014 Left message to schedule reinspection
 19 November 2014 Left message to schedule reinspection
 20 November 2014 Sent Remaining Violations Report
 25 November 2014 call from Judy for update on file
 04 December 2014 Request for extension of time

Cycle inspection was completed and sent by 03 July 2014. On 24 October 2014, arrived for reinspection at 3:28pm – no answer. At 3:45pm knocked again and tenant was unaware of the inspection and not comfortable with allowing access for the reinspection. Jacob left message for owner to re-schedule reinspection (unclear which owner was called). Sent RV report then heard from Judy Fulford. Received request for an extension of time.

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: 01 February 2015 Smoke Detector
01 May 2015 All other items

Attachments: Application, Cycle inspection



RECEIVED
DEC 04 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: 812 E 8th St.

Petitioner's Name: Cheryl Underwood

Address: 825 N Walnut St, Ste A

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812 3340094 Email Address: cunderwoodhometender.org

Property Owner's Name: Cheryl Underwood / Judy Fu (and formerly KK Kinney)

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: three tenants

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

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

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 15-TV-13

SEE REVERSE

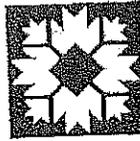
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

Mr Kinney became increasingly ill in the fall and has since died two weeks ago. All interior repairs were done immediately after the first inspection by General Repair Service, Inc. They called HAND and made the appt for the re-inspection. Circumstances have changed due to various reasons and it is now too late in the season to do exterior painting of one section of the soffit. The only other violation remaining is tree trimming. I would like an extension of time to complete these exterior repairs during weather conducive to doing so. I am not opposed to an interior reinspection prior to then.

Signature (required): Cheryl L Underwood

Name (please print): Cheryl L Underwood Date: 12/4/14

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

NOV 20 2014

Remaining Violation Report

2688

OWNERS

=====

Kinney, Kenneth K.
508 E. 8th St
Bloomington, IN 47408

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

AGENT

=====

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

Prop. Location: 812 E 8th ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/5

Date Inspected: 06/11/2014
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 1

Inspectors: Mike Arnold
Foundation Type: Basement
Attic Access: N/A
Accessory Structure:

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the 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 16.10.040

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.

Interior:

Basement:

Repair windows to latch securely. BMC 16.04.060(b) (Check all at reinspection).

Main Level:

Living Room (19-6 x 12-3), Kitchen, ½ bathroom:

Bathroom:

Replace the broke stool seat. BMC 16.04.060(a)

Screened Porch:

Not accessible. Check at reinspection

NW Bedroom (11-0 x 11-0):

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

SE Bedroom (13-7 x 7-2):

This room has a door to the exterior. Rearrange furniture in a manner that does not block or hinder access to emergency egress door. BMC 16.04.020 and BMC 16.04.060(b)

Exterior:

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

Repair the damage to the soffit on the south wall-east end. BMC 16.04.050(a)

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: January 21, 2015
Petition Type: Rescind a variance
Petition Number: 15-RV-14
Address: 406 E. Hillside Drive
Petitioner: HAND
Inspector: Jo Stong

Staff Report:

This property was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The original structure to which this variance pertained was torn down, and a new structure was built in 2013. The variance is no longer necessary and we are asking the board to rescind the variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

MAD



City of Bloomington
H.A.N.D.

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

Meeting Date: January 21, 2015
Petition Type: An extension of time to complete repairs.
Petition Number: 15-RV-15
Address: 307 S. Eastside
Petitioner: HAND
Inspector: Jo Stong

Staff Report: 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 (1945) did not address pass-through; therefore we are asking the Board to rescind this variance.

Staff recommendation: Rescind the variance
Conditions: None
Attachments: None

MAP



City of Bloomington
H.A.N.D.

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

Meeting Date: January 21, 2015
Petition Type: An extension of time to complete repairs.
Petition Number: 15-TV-16
Address: 109 E. Allen Street
Petitioner: Orion Property Management
Inspector: Jo Stong
Staff Report: October 6, 2014: Conducted cycle inspection
October 14, 2014: Sent report
December 11, 2014: Received appeal

During a cycle inspection of the above property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found. The petitioner is requesting an extension of time to vent the dryer through the basement wall to the exterior.

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: January 31, 2015 for all life safety issues
March 21, 2015 for all other violations

Attachments: Cycle inspection report, appeal

AAR



RECEIVED
DEC 11 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: 109 E. Allen St., Bloomington, IN

Petitioner's Name: Orion Property Management

Address: 400 W 7th St., Suite 106

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-334-5964 Email Address: kwilliamson@orionpropertymanagement.com

Property Owner's Name: Thomas Robbin

Address: 222 E. Ohio Ste 510

City: Indianapolis State: IN Zip Code: 46204

Phone Number: 317-637-0207 Email Address: thomrobbin@gmail.com

Occupants: Caleb Cox and Bailey Ash

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.

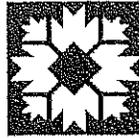
Please circle the petition type that you are requesting:

- 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 15-TV-16

SEE REVERSE



City of Bloomington
Housing and Neighborhood Development

New Cycle Inspection Report

3180

OWNERS

Thomas Robbin
222 E. Ohio St. Ste 510
Indianapolis, IN 46204

AGENT

Orion Management Group, Llc - Keith R. Williamson
400 W. 7th Street, Suite 106
Bloomington, IN 47404

Prop. Location: 109 E Allen ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 10/06/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

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

INTERIOR:

Kitchen (14-0 x 8-9):

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)

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

Properly repair the exhaust fan to function as intended. BMC 16.04.060(c)

It is strongly recommended that the smoke detector be relocated away from the kitchen to prevent nuisance tripping.

Dining Room (10-0 x 7-6):

No violations noted.

Living Room (19-10 x 17-3):

Remove trash from the firebox and chimney flue. BMC 16.04.060(b), (c)

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

Replace the missing light switch cover plate on the east wall. BMC 16.04.060(b)

Hallway:

No violations noted.

Northwest Bedroom (11-11 x 11-11):

Repair the cracked storm window (west window). BMC 16.04.060(b)

Repair the broken window (north window, lower sash). BMC 16.04.060(b)

Repair the left latch on the north window to latch securely. BMC 16.04.060(b)

Existing Egress Window Measurements (double-hung):

Height: 29 inches

Width: 38 inches

Sill Height: 15 inches

Openable Area: 7.65 sq. ft.

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

Bathroom:

No violations noted.

Northeast Bedroom (11-11 x 11-10):

No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 30 inches

Width: 28 ¼ inches

Sill Height: 14 ½ inches

Openable Area: 5.89 sq. ft.

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

BASEMENT

Thoroughly clean and service the furnace, and 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:	50ppm BMC 16.01.060(f) and 16.04.060 (c)

Eliminate all unused openings in the electrical service panel by installing approved rigid knockout blanks. BMC 16.04.060(c)

Install a duct system on the dryer that exhausts to the exterior of the structure. BMC 16.04.060(c)

EXTERIOR:

Secure the handrail on the north steps so it is capable of withstanding normally imposed loads. BMC 16.04.050(b)

Repair the loose eave cover on the southwest corner to eliminate the entry of pests. BMC 16.04.050(a)

Scrape and paint exterior surfaces where paint is peeling or wood is exposed (house and garage). 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 & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a **\$25.00 fine will be levied.** BMC16.03.060(c), BMC16.10.030(b)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner shall at that time jointly complete an inventory and damage list, and this shall be signed by

the owner and at least one tenant. Duplicate copies of the inventory and damage list shall be retained by all parties. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied.** BMC 16.03.050(e), BMC 16.10.030(b)

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: January 21, 2015
Petition Type: Rescind a variance
Petition Number: 15-RV-17
Address: 321-325 E. 3rd Street
Petitioner: HAND
Inspector: Jo Stong

Staff Report:

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 (1920) did not address pass-through; therefore we are asking the Board to rescind this variance.

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: 21 January 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-018

Address: 723 E. 11th St. and 805 N. Park Ave.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 04 December 2014 Cycle Inspection
12 December 2014 Inspection Report mailed
15 December 2014 BHQA Report written

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

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: 21 January 2015
Petition Type: Rescind a variance
Petition Number: 15-RV-019
Address: 413 N. Clark : St.
Petitioner: HAND
Inspector: Michael Arnold
Staff Report: 24 October 2014 Cycle Inspection
29 October 2014 Sent Inspection Report
18 December 2014 Received Variance Application

This property was previously granted a variance to light, ventilation and ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include light, ventilation and ceiling height requirements and the Building Code in place at the time of construction did not address light, ventilation and ceiling height requirements, therefore we are asking the Board to rescind this variance. The structure was built in 1960.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

4PP



City of Bloomington
H.A.N.D.

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

Meeting Date: January 21, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-20

Address: 2501 S. Madison Street/317 W. Graham Drive

Petitioner: Cindy Sterling

Inspector: Jo Stong

Staff Report: September 24, 2014: Conducted cycle report
October 7, 2014: Mailed report
December 9, 2014: Sent remaining violations report
December 17, 2014: Received appeal

The petitioner is requesting an extension of time to complete repairs. She states that repairs in one unit are complete; the other unit has significant damage and violations of the Residential and Lodging Establishment Inspection Program, and the tenant will be out of the property on December 31. She is asking for an extension of time until January 31, 2015.

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: January 31, 2015 for all life-safety issues
March 21, 2015 for all other repairs

Attachments: Cycle report, appeal



RECEIVED
DEC 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: 2501 S. MADISON ST / 317 W. GRAHAM DR.

Petitioner's Name: Cindy Sterling

Address: 4243 S. William Way

City: BLOOMINGTON State: INDIANA Zip Code: 47403

Phone Number: 8123223148 Email Address: c.sterling121@aol.com

Property Owner's Name: Cindy Sterling

Address: 4243 S. William Way

City: Bloomington State: INDIANA Zip Code: 47403

Phone Number: 8123223148 Email Address: c.sterling121@aol.com

Occupants: _____

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

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

Please circle the petition type that you are requesting:

- (A) An extension of time to complete repairs (Petition type TV)
- (B) A modification or exception to the 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 15-TV-20

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.

THE REPAIR AT 2501 IS COMPLETE.

THE REPAIRS AT 317 WILL NOT BE COMPLETED UNTIL THE CURRENT RENTER VACATES THE APARTMENT DEC. 31, 2014. THE CURRENT RENTER IN 317 HAS MADE NUMEROUS DAMAGES INCLUDING RIPPING UP THE CARPET, TEARING OFF THE CABINET DOORS, RIPPING OFF THE DOOR JAMBS, CUTTING CHAIRS OF THE CROWN WALL OUT THE ROOMS, MOUNTING A POLE FROM FLOOR TO CEILING FOR DANCING ON.

I WILL NOT SINK ANY MONEY IN REPAIRS UNTIL THIS PERSON MOVES OUT OF THE APARTMENT. I LOOK TO HAVE THE REPAIRS MADE BY JANUARY 31, 2015 PROVIDING THE RENTER MOVES OUT ON TIME.

Signature (required):

Cindy Sterling

Name (please print):

Cindy Sterling

Date:

12/17/14

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**

Cycle Inspection Report

6756

OWNERS

Sterling, Cindy S.
4243 S. William Way
Bloomington, IN 47403

Prop. Location: 317 W Graham DR, 2501 S Madison ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/2/3 1/3/3

Date Inspected: 09/24/2014
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspector: Jo Stong
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1950.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

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

2501 S. Madison (2BR)

Thoroughly clean and service the furnace, and 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: 50ppm BMC 16.01.060(f) and 16.04.060 (c)

Note: An invoice was presented at the inspection for HVAC work, but it did not note that a CO test had been done. Only air-conditioner work was noted on the invoice.

71

Living Room:

Properly mount the smoke detector. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

South Bedroom:

No violations noted.

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

Height: 32 ¾ inches

Width: 34 ½ inches

Sill Height: 42 inches

Openable Area: 7.85 sq. ft.

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

Kitchen, Bathroom:

No violations noted.

North Bedroom:

No violations noted.

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

Height: 37 inches

Width: 34 ½ inches

Sill Height: 39 inches

Openable Area: 8.86 sq. ft.

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

317 W. Graham Drive (3BR)

Living Room:

No violations noted.

Kitchen:

Eliminate the water leak under the sink. BMC 16.04.060(b)

Properly replace the missing door on the northwest cabinet. BMC 16.04.060(a)

Hallway, Bathroom:

No violations noted.

Mudroom/Mechanical Room:

Remove the keyed lock from the furnace room door. Locks on egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort. BMC 16.04.060(b)

Thoroughly clean and service the furnace, and 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:	50ppm BMC 16.01.060(f) and 16.04.060 (c)

Note: An invoice was presented at the inspection for HVAC work, but it did not note that a CO test had been done. Only air-conditioner work was noted on the invoice.

Northeast Bedroom:

Properly replace the damaged stop on the door frame. BMC 16.04.060(a)

Replace the missing electrical receptacle cover plates on the south and north walls. BMC 16.040.060(b)

Replace the broken receptacle on the south wall. BMC 16.04.060(b)

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

Height: 53 ½ inches
Width: 34 ½ inches
Sill Height: 31 inches
Openable Area: 12.82 sq. ft.

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

Southeast Bedroom:

Note: Egress window measurements are the same as in the northeast bedroom.

Properly repair or replace the damaged window. BMC 16.04.060(b)

Replace the missing electrical receptacle cover plates. BMC 16.04.060(b)

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

Properly repair the torn flooring at the entry. BMC 16.04.060(a)

Properly secure all floor coverings to eliminate trip hazards. BMC 16.04.060(a)

Southwest Bedroom:

Note: Egress window measurements are the same as in the northeast bedroom.

Properly secure the floor covering in and around the closet to eliminate trip hazards. BMC 16.04.060(a)

Properly secure the carpet at the entry. BMC 16.04.060(a)

EXTERIOR:

Remove the vehicle seat from the porch of 317 W. Graham. BMC 16.04.040(f)

Replace the missing protective cover for the light fixture on the porch of 317 W. Graham. BMC 16.04.060(c)

Properly replace the rotted/deteriorated window sill on the north side. BMC 16.04.050(a)

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:

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: January 21, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-21

Address: 814 W. 6th Street

Petitioner: John Bavender

Inspector: Jo Stong

Staff Report: December 19, 2013: Conducted cycle inspection
December 31, 2013: Mailed report
March 24, 2014: Conducted reinspection. All but exterior painting complied
March 25, 2014: Mailed temporary permit: Painting deadline 12.19.14
October 22, 2014: Sent exterior extension reminder
December 18, 2014: Received appeal

The petitioner is requesting an extension of time to complete exterior painting on the property, citing injury to painter, weather, and lack of safety concern as reasons.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: May 31, 2015

Attachments: Cycle report, appeal



RECEIVED
DEC 13 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: 814 W 6th St
Petitioner's Name: John Bavender
Address: Box 2465
City: Bloomington State: IN Zip Code: 47402
Phone Number: 812 330 0410 Email Address: _____
Property Owner's Name: Same
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 15-TV-21

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.

Exterior Painting

Painter fell off ladder and
broke his arm.

Weather has been too wet
to paint most of year.

Not Health & Safety issue.

Signature (required):

John Bavender

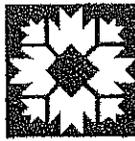
Name (please print):

John Bavender

Date:

12-18-14

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 Inspection Report

4147

OWNERS

Bavender, John
P. O. Box 2465
Bloomington, IN 47402

Prop. Location: 814 W 6th ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 12/19/2013
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

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

INTERIOR:

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

Living Room:

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Dining Room:

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Southwest Bedroom:

Replace existing smoke detector with a new smoke detector (alarm is very weak) or remove it. IC 22-11-18-3.5

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

Height: 53 inches

Width: 23 inches

Sill Height: 31 inches

Openable Area: 8.47 sq. ft.

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

Northwest Bedroom:

No violations noted.

Note: Egress window measurements are the same as in the southwest bedroom.

Bathroom:

Repair the faucet to eliminate the leak (tenant reports hot water side leaks; hot water to sink had been shut off by tenant). BMC 16.04.060(c)

Remove the moldy caulk and properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

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

Properly seal the window to eliminate water infiltration in the window frame and wall. BMC 16.04.060(a)

Kitchen:

No violations noted.

Laundry:

Properly seal the hole in the back door, either by installing a proper cover or installing a lockset. BMC 16.04.060(b)

Repair or replace the non-functioning lock on the entry door. Every door which connects a rental unit with any area exterior to the unit shall have a functioning locking device, door hinge, and door latch and shall be maintained in good condition. BMC 16.04.060(b)

BASEMENT

No violations noted.

EXTERIOR:

Properly seal/mortar all cracks and openings in the foundation. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests. BMC 16.04.050(a)

Properly replace the block on the west side of the northwest corner under the laundry room so that any opening in the foundation wall is sealed. BMC 16.04.050(a)

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

Replace the deteriorated fascia board on the east side of the house. BMC 16.04.050(a)

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:

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

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

This is the end of this report.