PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
April 15, 2015, 4:00 P.M.

I. **ROLL CALL**

II. **REVIEW OFSUMMARY** – February 18. 2015; March 18, 2015

III. **CONSENT AGENDA**

(1) 15-TV-77 **116-118 S. Yancy Street**, Magie Read. Request for an extension of time to complete repairs.

(2) 15-RV-78 **214 ½ S. Maple Street**, H.A.N.D. (Terry Morgan). Request for rescission of a variance.

(3) 15-RV-79 **424 N. Lincoln Street**, H.A.N.D. (HP Allen, LLC). Request for rescission of a variance.

(4) 15-RV-80 **1315 S. Washington Street**, H.A.N.D. (Andrea Love). Request for rescission of a variance.

(5) 15-RV-81 **1017 S. Rogers Street**, H.A.N.D. (Roy J. Campbell). Request for rescission of a variance.

(6) 15-RV-82 **201 E. 2nd Street**, H.A.N.D. (Rhea Lawrence). Request for rescission of a variance.

(7) 15-RV-83 **1300 S. Walnut Street**, H.A.N.D. (James Gronquist). Request for rescission of a variance.

(8) 15-TV-84 **1204 N. Madison Street**, Yadi Ziaeehezarjeribi. Request for an extension of time to complete repairs.

(9) 15-RV-85 **501 S. Rogers Street**, H.A.N.D. (James Jackson). Request for rescission of a variance.

(10) 15-RV-86 **303 E. 8th Street**, H.A.N.D. (JDPHP Investment Group, LLC). Request for rescission of a variance.

(11) 15-RV-87 **1213 N. Washington Street**, H.A.N.D. (Joseph Christine, LLC). Request for rescission of a variance.

(12) 15-TV-88 **901 W. 11th Street**, Fiona Taggart (Zandro Pleimann). Request for an extension of time to complete repairs.

(13) 15-TV-89 **1100 S. Chaseway Court**, Kenneth Toney (Action Property Management). Request for an extension of time to complete repairs.

(14) 15-TV-90 **704 W. 15th Street**, Stephanie Benton (Action Property Management). Request for an extension of time to complete repairs.

(15) 15-TV-91 **1213 S. Lincoln Street**, Kevin Schick (Action Property Management). Request for an extension of time to complete repairs.

(16) 15-RV-92 **610 E. Atwater Avenue**, H.A.N.D. (Elkins Grandchildren's Trust). Request for rescission of a variance.

(17) 15-TV-93 **2508 S. Bryan Street**, Myrtle Peitsch. Request for an extension of time to complete repairs.

(18) 15-RV-94 **1514 E. Maxwell Lane**, H.A.N.D. (Steven Dunphy). Request for rescission of a variance.

(19) 15-RV-95 **401 E. 2nd Street**, H.A.N.D. (College Rentals, LLC). Request for rescission of a variance.

(20) 15-TV-96 **401 E. 2nd Street**, College Rentals, LLC (Jeanne Walters Real Estate). Request for an extension of time to complete repairs.

(21) 15-RV-97 **1614 W. Arlington Road**, H.A.N.D. (JMT, LLC). Request for rescission of a variance.

(22) 15-RV-98 **411 N. Lincoln Street**, H.A.N.D. (Bryan Rentals). Request for rescission of a variance.

(23) 15-RV-99 **1104 S. Washington Street**, H.A.N.D. (Highlands, LLC). Request for rescission of a variance.

(24) 15-TV-100 **421 E. Cottage Grove Avenue**, Stasny & Horn, IGP. Request for an extension of time to complete repairs.

(25) 15-TV-101 **628 E. University Street**, Baseline Properties, LLC (Vince Eads). Request for an extension of time to complete repairs.

(26) 15-TV-102 **1022-1024 W. 7th Street**, PT&A Property, LLC. Request for an extension of time to complete repairs.

(27) 15-TV-103 **1016 S. Henderson Street**, Peter W. Kinne. Request for an extension of time to complete repairs.

(28) 15-RV-104 **326 W. Kenwood Drive**, H.A.N.D. (Charles Belcher). Request for rescission of a variance.

(29) 15-RV-105 **521 S. Park Avenue**, H.A.N.D. (John Simpson). Request for rescission of a variance.

(30) 15-RV-106 **1719 W. Arlington Road**, H.A.N.D. (Joseph Collison). Request for rescission of a variance.

IV. **PETITIONS**

(31) 14-AA-55 **750 S. Walker Street**, Robert & Nancy Shaw. Relief from an administrative decision. Previously heard May 21, 2014.

V. **GENERAL DISCUSSION**

VI. **PUBLIC COMMENT**

VII. **ADJOURNMENT**

City of Bloomington
H.A.N.D.

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

Meeting Date:	April 15, 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-77
Address:	116-118 S. Yancy Lane
Petitioner:	Magie Read
Inspector:	Jo Stong
Staff Report:	December 16, 2014: Conducted cycle inspection December 24, 2014: Mailed inspection report February 23, 2015: Received appeal

During a cycle inspection of the property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were noted. The property is a duplex. The petitioner is requesting an extension of time to complete repairs, citing an uncooperative tenant who will not allow entry to unit 118. The petitioner is in the process of evicting the tenant.

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:	April 30, 2015 for repairs other than those specific to unit 118 May 15, 2015 for interior repairs to unit 118
Attachments:	Cycle report, appeal

RECEIVED
FEB 23 2015
BY:

Application for Appeal
To The
Board of Housing Quality Appeals

P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 116 - 118 S. VANCE LANE

Petitioner's Name: MAGGIE READ,

Address: 501 JEWETT ST PO BOX 248

City: BATTLE GROUND State: IN Zip Code: 47920-0248

Phone Number: 765-303-6945 Email Address: maxbaerjr@yahoo.com

Property Owner's Name: MARGARET READ, MARK BRIGHT

Address: 501 JEWETT ST PO BOX 248

City: BATTLE GROUND State: IN Zip Code: 47920-0248

Phone Number: 765-303-6945 Email Address: maxbaerjr@yahoo.com

Occupants: MARIANNE DAVIS, JON RESCHEL

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-77

SEE REVERSE

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

WE ARE IN THE PROCESS OF EVICTING TENANT IN 118 DUE TO THE NON-PAYMENT OF RENT. WE HAVE BEEN UNABLE TO COMPLETE REPAIRS DUE TO NON-COMMUNICATION WITH TENANT WHO WON'T RETURN PHONE CALLS OR MAKE APPTS TO COMPLETE REPAIRS. TENANT HAS ALSO FAILED TO REMOVE ITEMS FROM OUTSIDE, AND DOESN'T FOLLOW UP FOR REPAIRS. EVICTION HEARING SCHEDULED FOR 2/20. TENANT REFUSES TO ALLOW REPAIR PERSON IN TO FINISH HAND ITEMS REMAINING. WE HAVE TO REGAIN POSESSION TO COMPETE WORK.

Signature (required): Magie Read

Name (please print): MAGIE READ Date: 2/16/2015

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

1023

OWNERS

Bright, Kurk
P.O. Box 248
Battle Ground, IN 47920-0248

Read, Magie
P.O. Box 248
Battle Ground, IN 47920-0248

Prop. Location: 118 S Yancy LN, 116 S Yancy LN
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/2/5

Date Inspected: 12/16/2014
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1964.
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.

Unit 116

Living Room:
No violations noted.

Kitchen:
Caulk/seal behind the sink to exclude the entry of water. BMC 16.04.060(c)

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

TPR valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe

- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. BMC 16.04.060(c)

North Bedroom, South Bedroom:
No violations noted.

Existing Egress Window Measurements for both sleeping rooms (sliding; both sashes removable):

Height: 29 inches
Width: 30 ½ inches
Sill Height: 48 inches
Openable Area: 6.14 sq. ft.

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

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

Properly seal/grout the tiles that are loose in the shower surround. BMC 16.04.060(a)

Caulk/seal behind the sink to exclude the entry of water. BMC 16.04.060(c)

Unit 118
Living Room, Kitchen:
No violations noted.

Mechanical Room:
Properly repair the attic scuttle. BMC 16.04.060 (a)

Install a temperature/pressure relief (TPR) valve discharge tube on the water heater that is no higher than 6" from the floor.

TPR valve discharge tubes:

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

Repair/re-hang the doors so that they function as intended. BMC 16.04.060(c)

Hallway:
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

South Bedroom:
Replace the missing register cover on the west wall. BMC 16.04.060(c)

Note: Egress window measurements are the same as those in unit 116.

North Bedroom:
No violations noted.
Note: Egress window measurements are the same as those in unit 116.

Bathroom:
Properly hang the toilet paper holder. BMC 16.04.060(a)

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

EXTERIOR:

Remove and properly dispose of all accumulated or scattered trash on property. (toilets, trash, broken furniture, carpeting, bed frame etc.) BMC 16.04.040(d)

Remove the trees growing against the foundation on the north side (west corner) of the structure. 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)

Repair the damaged screen on the storm door for unit 118. BMC 16.04.050(a)

Provide tenants with an approved trash container. The owner of every dwelling shall supply an approved, leak proof, covered outside garbage container in accordance with Title 6 of the municipal code. BMC 16.04.080(c)

Crawlspace:
Reconnect the disconnected furnace ductwork. BMC 16.04.060(c)

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 to Rescind Variance

Meeting Date:	April 15, 2015	
Petition Type:	Rescind a variance	
Petition Number:	15-RV-78	
Address:	214 ½ S. Maple St.	
Petitioner:	HAND	
Inspector:	Matt Swinney	
Staff Report:	November 5, 2014	Cycle Inspection
	February 17, 2015	Re-inspection

This property was previously granted a variance to the special exception to the fuel-fired appliance in the bedroom requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a special exception to the fuel-fired appliance in the bedroom requirement and the Building Code in place at the time of construction did not address minimum ceiling height requirements; therefore we are asking the Board to rescind this variance. The 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:	April 15, 2015	
Petition Type:	Rescind a variance	
Petition Number:	15-RV-79	
Address:	424 N. Lincoln St.	
Petitioner:	HAND	
Inspector:	John Hewett	
Staff Report:	February 5, 2015	Cycle Inspection
	February 25, 2015	Received appeal form

This property 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 ceiling height requirements 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. The structure was built in 1940.

Staff Recommendation: Rescind the variances.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date:	April 15, 2015
Petition Type:	Rescind a variance
Petition Number:	15-RV-80
Address:	1315 S. Washington Street
Petitioner:	HAND
Inspector:	Maria McCormick
Staff Report:	This property (built in 1899) was previously granted a variance to the access requirements for the bedroom and bathroom in south apartment 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 pass-thru; 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: April 15, 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-81

Address: 1017 S Rogers ST

Petitioner: HAND

Inspector: Matt Swinney

Staff Report: February 25, 2015 Cycle Inspection

This property was previously granted a variance to the special exception to the bathroom ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a special exception to the bathroom ventilation requirement and the Building Code in place at the time of construction did not address bathroom ventilation requirements; therefore we are asking the Board to rescind this variance. The structure was built in 1929.

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: 4/15/2015

Petition Type: Rescind a variance

Petition Number: 15-RV-82

Address: 201 E 2nd ST

Petitioner: HAND

Inspector: Matt Swinney

Staff Report:

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date: 4/15/2015

Petition Type: Rescind a variance

Petition Number: 15-RV-83

Address: 1300 S Walnut ST

Petitioner: HAND

Inspector: Matt Swinney

Staff Report:

This property was previously granted a variance to the ceiling height, light, ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height, light, ventilation requirement and the Building Code in place at the time of construction did not address ceiling height, light, ventilation; therefore we are asking the Board to rescind this variance. The structure was built in 1928.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

10

City of Bloomington
H.A.N.D.

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

Meeting Date:	April 15, 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-84
Address:	1204 N. Madison St.
Petitioner:	Yadi Ziaeehezarjeribi
Inspector:	Dee Wills
Staff Report:	December 15, 2014 Completed Cycle Inspection March 03, 2015 Received Application for Appeal March 25, 2015 Reinspection scheduled was "No Show" March 25, 2015 Reinspection was rescheduled for April 21, 2015 On the original request the petitioner was asking for an extension of time to complete all interior and exterior repairs. Due to the winter weather conditions the exterior repairs could not be addressed at the time. The petitioner lives out of state and would like to have the exterior and interior repairs on the same deadline. At the scheduled reinspection, which was a "No Show", it was noted that the exterior repairs had been completed and are now complied. The outstanding remaining violations are for the interior only.
Staff recommendation:	Grant the extension of time.
Conditions:	All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline:	June 15, 2015
Attachments:	Cycle Report, Application for Appeal

RECEIVED
MAR 03 2015
BY:

Application for Appeal
To The
Board of Housing Quality Appeals

P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

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: 1204 N. Madison, Bloomington, IN 47404

Petitioner's Name: Yadi Ziaeehezarjeribi

Address: 1255 Audubon Lane APT 312

City: Athens **State:**AL **Zip Code:** 35611

Phone Number: 8122196720 **Email Address:** yadz5674@gmail.com

Property Owner's Name: The same as above

Address:

City: **State:** **Zip Code:**

Phone Number: **Email Address:**

Occupants:

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

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

Please check the petition type that you are requesting:

- [x] An extension of time to complete repairs (Petition type TV)
- [x] 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

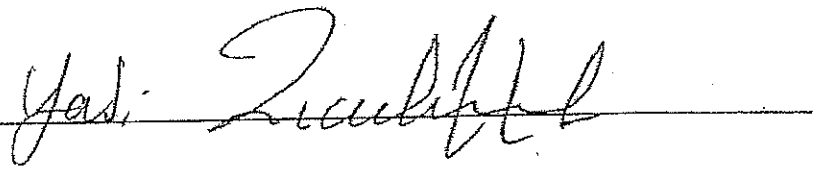
Petition Number 15-TV-84

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.

Dear HAND,
I am writing this letter of appeal for an extension regrading December 16 inspection of property location 1204 N. Madison, Bloomignton, IN 47404. The reason for this extension is due to weather condition and living out of state, I need additional time to make these repairs in a timely manner. I also made several attempts to hire a contractor to repair the recommendations and violations found during the recent inspection of my rental property, but no one was able to make those repairs yet due to weather conditions, and therefore I would like to ask for additional time until the weather is suitable to make both internal and external repairs at one time.
Greatly appreciate your consideration in this matter

Sincerely
Yadi Ziaeehezarjeribi
812-219-6720

Signature (required): 

Name (please print):
Yadi Ziaeehezarjeribi **Date: 03/02/2015**

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

8699

OWNERS

Ziaeehezarjeribi, Yadi
4822 Pine Ridge Court
Terre Haute, IN 47802

Prop. Location: 1204 N Madison ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/5
Date Inspected: 12/15/2014
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 1

Inspectors: Dee Wills
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: Shed

Monroe County Assessor's records indicate this structure was built in 1914.
There are no minimum requirements for emergency egress at time of construction.

INTERIOR

Living Room (11-7 x 15-8)
No violations noted.

West Bedroom (11-6 x 15-7)
No violations noted.

Existing Egress Window Measurements:
Height: 50 inches
Width: 25.50 inches
Sill Height: 29.50 inches
Openable Area: 8.85 sq. ft.

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

Kitchen (11-7 x 13-5)

NC Provide a complete directory of all circuits in the electrical service panel. BMC 16.04.020(a) IEC 408.4

East Bedroom (11-5 x 13-5)

NC Properly secure the loose electrical receptacle on the west wall. BMC 16.04.060(b)

Bathroom

NC Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Enclosed Back Porch/ Mechanical Room

No violations noted.

EXTERIOR

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

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

Crawl Space

No violations noted.

Shed

No violations noted.

Other requirements

Required documentation:

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

Required documentation:

5/20/15 C The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a $25.00 fine will be levied.** BMC16.12.040 and 16.10.030(b)

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

This is the end of this report.

City of Bloomington
H.A.N.D.

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

Meeting Date: April 15, 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-85

Address: 501 S. Rogers St.

Petitioner: HAND

Inspector: Norman Mosier

Staff Report:

This property was previously granted a variance to the ventilation requirements for the bathrooms in units 101 & 102 of the Property Maintenance Code . The Residential Rental and Lodging Establishment Inspection Program does not include a ventilation requirement and the Building Code in place at the time of construction did not address ventilation; therefore we are asking the Board to rescind this variance. This structure was built in 1920.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date: April 15, 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-86

Address: 303 E. 8th Street

Petitioner: HAND

Inspector: Jo Stong

Staff Report: This property was previously granted a variance to the requirements of the Property Maintenance Code regarding cooking in a sleeping room. The Residential Rental and Lodging Establishment Inspection Program does not prohibit cooking in a sleeping room and the Building Code in place at the time of construction (1968) did not address cooking in a sleeping room; therefore we are asking the Board to rescind the 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:	April 15, 2015	
Petition Type:	Rescind a variance	
Petition Number:	15-RV-87	
Address:	1213 N. Washington St.	
Petitioner:	HAND	
Inspector:	Michael Arnold	
Staff Report:	04 December 2014	Cycle Inspection
	12 December 2014	Sent Report
	04 March 2015	Reinspection

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. This structure was built in 1938.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date:	April 15, 2015
Petition Type:	An extension of time to trim trees.
Petition Number:	15-TV-88
Address:	901 W. 11th St.
Petitioner:	Zandro Pleimann
Inspector:	Matt Swinney
Staff Report:	October 10, 2014 Completed Cycle Inspection

Owner has requested an extension of time to trim the tree branches that hang over and near the house. This request has been made due to the inclement weather.

Staff recommendation: Grant the request.

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

Compliance Deadline: July 10, 2015

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

City of Bloomington
H.A.N.D.

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

Meeting Date:	April 15, 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-103
Address:	1100 Chaseway Ct.
Petitioner:	Linda Quillen
Inspector:	John Hewett

Staff Report:

August 5, 2014	Cycle Inspection
September 5, 2014	Sent report
December 1, 2014	Sent RV report
January 30, 2015	Re-inspection, not complied
March 5, 2015	Received Appeal

The petitioner would like an extension of time to make repairs.

Staff recommendation:	Grant an extension of time.
Conditions:	All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline:	May 15, 2015 for deck repairs, Painting on regular date of August 8, 2015
Attachments:	Cycle Inspection report, appeal

RECEIVED
MAR 06 2015
BY:

Application for Appeal
To The
Board of Housing Quality Appeals

P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 1100 Chaseway Ct.

Petitioner's Name: Linda Queen - Action Property Mgmt.

Address: 1201 South Walnut St.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-332-8820 Email Address: action@bluemarble.net

Property Owner's Name: Kenneth Toney

Address: 4921 Kildo Dr.

City: Greenwood State: IN Zip Code: 46142

Phone Number: 317-989-6710 Email Address: Kennethp777@hotmail.com

Occupants: Rob & Debra Wroblinski

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-89

SEE REVERSE

1100 Chaseway Ct.

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

We need an extension of time to complete outside repairs due to winter weather - Painting and deck repairs.

6 months

Signature (required): Linda Quillen

Name (please print): LINDA QUILLEN **Date:** 3/5/15

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

8048

OWNERS
======
Toney, Kenneth & Susan

Military Service

AGENT
=====
Action Property Mgmt. & Realty
714 N Walnut Street
Bloomington, IN 47404

Prop. Location: 1100 S Chaseway CT
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 08/05/2014
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 1

Inspectors: John Hewett
Foundation Type: Basement
Attic Access: No
Accessory Structure:

REINSPECTION REQUIRED

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

The room measurements are on the previous cycle inspection report.

Monroe County Assessor's records indicate this structure was built in 1988.
Minimum emergency egress requirements for the time of construction:

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

Interior

Living room
No violations noted.

Dining room
No violations noted.

Kitchen
No violations noted.

Family room
No violations noted.
Garage
No violations noted.

Laundry
No violations noted.

SE bedroom

Existing Egress Window Measurements:

Height: 24 inches
Width: 30 inches
Sill Height: 28 inches
Openable Area: 5 sq. ft.

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

NE bedroom
No violations noted.
The window measurements are the same as noted above.

NW bedroom
No violations noted.
The window measurements are the same as noted above.

NW bathroom
No violations noted.

Hall bathroom
No violations noted.

Basement

Mechanical room

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

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

BMC 16.01.060(f) and 16.04.060 (c)

Main room

No violations noted.

Exterior

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (door trim at back door)

Repair the deck to meet the requirements/recommendations of the letter from the structural engineer.

1. Double the 12' 2x6s under the south end of the deck.
2. Place another 2x6 under the band joist on the west side of the deck.
3. Add Simpson A23 angle joist hangers on the stair stringers.
4. Add another 4x4 post and a 2x6 under the stair stringers.
5. Repair the retaining wall and replace the lattice.
6. Paint the deck to protect against weathering.

BMC 16.04.060(a)

Required documentation:

Complete the enclosed registration form. A street address is required for both owner and agent. This form must be signed by the owner. If this form is not provided to the HAND department by the compliance deadline and the matter is referred to the Legal Department a fine of $25 will be assessed. BMC 16.03.010(b), BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(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)

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:	April 15, 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-90
Address:	704 W. 15th St.
Petitioner:	Action Property Mgmt.
Inspector:	Norman Mosier
Staff Report:	October 23, 2014 – Conducted Cycle Inspection February 10, 2015 – Conducted Re-inspection March 5, 2015 – Conducted 2nd Re-inspection

It was noted during the Cycle Inspection that the retaining wall on the southwest corner of the structure is failing. Petitioner is requesting an extension of time to complete the repair of the retaining wall.

Staff recommendation: Grant the request.

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

Compliance Deadline: October 16, 2015

Attachments: Cycle Inspection, Remaining Violation Reports, Petitioner's Letter

MAR 05 2015

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: 704 West 15th Street

Petitioner's Name: Linda Quillen - Action Property Mgmt.

Address: 1201 South Walnut St.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-332-8870 Email Address: action@bluemarble

Property Owner's Name: Stephanie Benton

Address: 4616 Park Blvd.

City: Oakland, State: CA Zip Code: 94602

Phone Number: 415-302-6235 Email Address: bentonstephe@aol.com

Occupants: LaQuita Perry - Unit B - Vacant - Unit A

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-90

SEE REVERSE

704 W. 15th Street

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

We need an extension of time to complete outside retaining wall due to Winter weather.

6 months

Signature (required): Linda L. Quillen

Name (please print): LINDA QUILLEN **Date:** 3/5/15

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

MAR 0 9 2015

REMAINING VIOLATIONS REPORT

3669

OWNERS

Benton, Stephanie
4616 Park Boulevard
Oakland, CA 94602

AGENT

Action Property Mgmt. & Realty
1201 S. Walnut St.
Bloomington, IN 47404

Prop. Location: 704 W 15th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/4/3

Date Inspected: 10/23/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: Norman Mosier
Foundation Type: Basement
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.

EXTERIOR:

Repair the failing retaining wall on the west side of structure. BMC 16.04.050(a)

This is the end of this report.

City of Bloomington
Housing and Neighborhood Development

REMAINING VIOLATIONS REPORT

FEB 2 0 2015

3669

OWNERS

Benton, Stephanie
4616 Park Boulevard
Oakland, CA 94602

AGENT

Action Property Mgmt. & Realty
1201 S. Walnut St.
Bloomington, IN 47404

Prop. Location: 704 W 15th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/4/3

Date Inspected: 10/23/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: Norman Mosier
Foundation Type: Basement
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:

LOWER LEVEL – UNIT B

Middle Bedroom 10-8 x 10:

C Repair the window to latch properly and to be weather tight. BMC 16.04.060(b)

EXTERIOR:

Repair the failing retaining wall on the west side of structure. BMC 16.04.050(a)

This is the end of this report.

City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

3669

OWNERS

Benton, Stephanie
4616 Park Boulevard
Oakland, CA 94602

AGENT

Action Property Mgmt. & Realty
714 N Walnut Street
Bloomington, IN 47404

Prop. Location: 704 W 15th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/4/3

Date Inspected: 10/23/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

The Monroe County Assessor's records indicate that this structure was built in 1992.
Minimum egress requirements for a one and two family dwelling built at time of construction.
Openable area: 4.75 Sq. Ft.
Clear height: 24 inches
Clear width: 18 inches
Sill height: Not more than 44 inches above finished floor.

INTERIOR:

MAIN LEVEL – UNIT A

Living Room 19 x 17:

C SEALED 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)

C

SW Bedroom 11-6 x 9-4:

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

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1992

Height: 24 inches
Width: 34 inches
Sill Height: 28 inches
Openable Area: 5.67 sq. ft.

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

C

Middle Bedroom 13-10 x 9-8: Same window as above.

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

Laundry Closet:

No violations noted.

C

Kitchen 6-11 x 3-9:

Replace the defective switch for the garbage disposal. BMC 16.04.060(b)

Bathroom - Vanity Room, Toilet Room:

No violations noted.

C

NW Bedroom 13-6 x 13-6: Exit door for egress requirements.

Repair the interior door to fit the door jamb and to latch properly. BMC 16.04.060(a)

C

Re-attach the grill at the base of the interior door. BMC 16.04.060(a)

C

N Bathroom:

Repair the loose door casing on the south door. BMC 16.04.060(a)

Replace the damaged east door. BMC 16.04.060(a)

C

NE Bedroom 12 x 11-6: Exit door for egress requirements.

Replace the missing striker plate and repair the door to latch properly. BMC 16.04.060(a)

Furnace Closet:

C 16- FLUE Ø- SUPPLY

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

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

Attic:

No access.

LOWER LEVEL – UNIT B

Living Room 19 x 17:

C SEALED 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)

SW Bedroom 10-9 x 10-7:

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

Existing Egress Window Measurements: Slider pop out: Const. Yr. - 1992

Height: 34 inches
Width: 32 inches
Sill Height: 44 inches
Openable Area: 7.56 sq. ft.

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

Kitchen 6-11 x 3-9:

No violations noted.

Furnace Closet:

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

C 20-FLUE & SUPPLY Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

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

BMC 16.01.060(f) and 16.04.060 (c)

Laundry Closet:

No violations noted.

Middle Bedroom 10-8 x 10:

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

C Re-attach the grille at the base of the door. BMC 16.04.060(a)

N/C Repair the window to latch properly and to be weather tight. BMC 16.04.060(b)

Existing Egress Window Measurements: Casement: Const. Yr. - 1992
Height: 43 inches
Width: 25 inches
Sill Height: 44 inches
Openable Area: 7.46 sq. ft.

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

NW Bedroom 13-6 x 13-6: Exit door for egress requirements.

C Repair/replace the bent closing device on the storm door and repair the storm door to latch properly. BMC 16.04.060(a)

Bathroom:

C Vanity Room: Repair the south door to latch properly. BMC 16.04.060(a)

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

N Bathroom:

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

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

NE Bedroom 11-8 x 11-5: Exit door for egress requirements.

C Replace the damaged door. BMC 16.04.060(a)

Water Heater Closet:

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

EXTERIOR:

N/C Repair the failing retaining wall on the west side of structure. BMC 16.04.050(a)

C Repair the east gate to latch properly. BMC 16.04.050(g)

OTHER REQUIREMENTS:

Required documentation:

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

Required documentation:

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

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

This is the end of this report.

City of Bloomington
H.A.N.D.

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

Meeting Date:	April 15, 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-91
Address:	1213 S. Lincoln St.
Petitioner:	Linda Quillen
Inspector:	Dee Wills
Staff Report:	June 23, 2014 Completed Cycle Inspection August 26, 2014 Received 1st Application for Appeal January 21, 2015 Completed Reinspection March 05, 2015 Received 2nd Application for Appeal Petitioner is requesting an extension of time to complete the repairs to the retaining wall due to the winter weather conditions.
Staff recommendation:	Grant the extension.
Conditions:	All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline:	May 15, 2015
Attachments:	Application for Appeal, Remaining Violations Report

RECEIVED
MAR 05 2015
BY:

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

Property Address: 1213 South Lincoln

Petitioner's Name: Linda Quillen - Action Property Mgmt.

Address: 1201 South Walnut St.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-332-8870 Email Address: action@bluemarble.net

Property Owner's Name: Kevin Schick

Address: 7817 Kabacho Street

City: Carlsbad State: CA Zip Code: 92009

Phone Number: 760-445-5811 Email Address: Kevin@science2u.com

Occupants: 1 Vacant

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-91

SEE REVERSE

1213 S. Lincoln

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

We need an extension of time to repair the retaining wall. 3 mos. due to winter weather

Signature (required): Linda Quilled

Name (please print): LINDA Quilled Date: 3/5/15

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

City of Bloomington
Housing and Neighborhood Development

Remaining Violations Report

JAN 22 2015

1298

OWNERS

Schick, Kevin W.
7817 Gabacho St.
Carlsbad, CA 92009

AGENT

Action Property Mgmt. & Realty
1201 S.Walnut Street
Bloomington, IN 47401

Prop. Location: 1213 S Lincoln ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 06/23/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Inspectors: Dee Wills
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: Garage

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

Stairway

3/9/15 C DW Secure the handrail so it is capable of withstanding normally imposed loads. BMC 16.04.060(b)

C 3/9/15 DW Replace battery in smoke detector so that it may function as intended. IC 22-11-18-3.5

EXTERIOR

3/9/15 C DW Replace the missing and deteriorated (cracked and peeling) glazing compound on the windows. BMC 16.04.050(a)

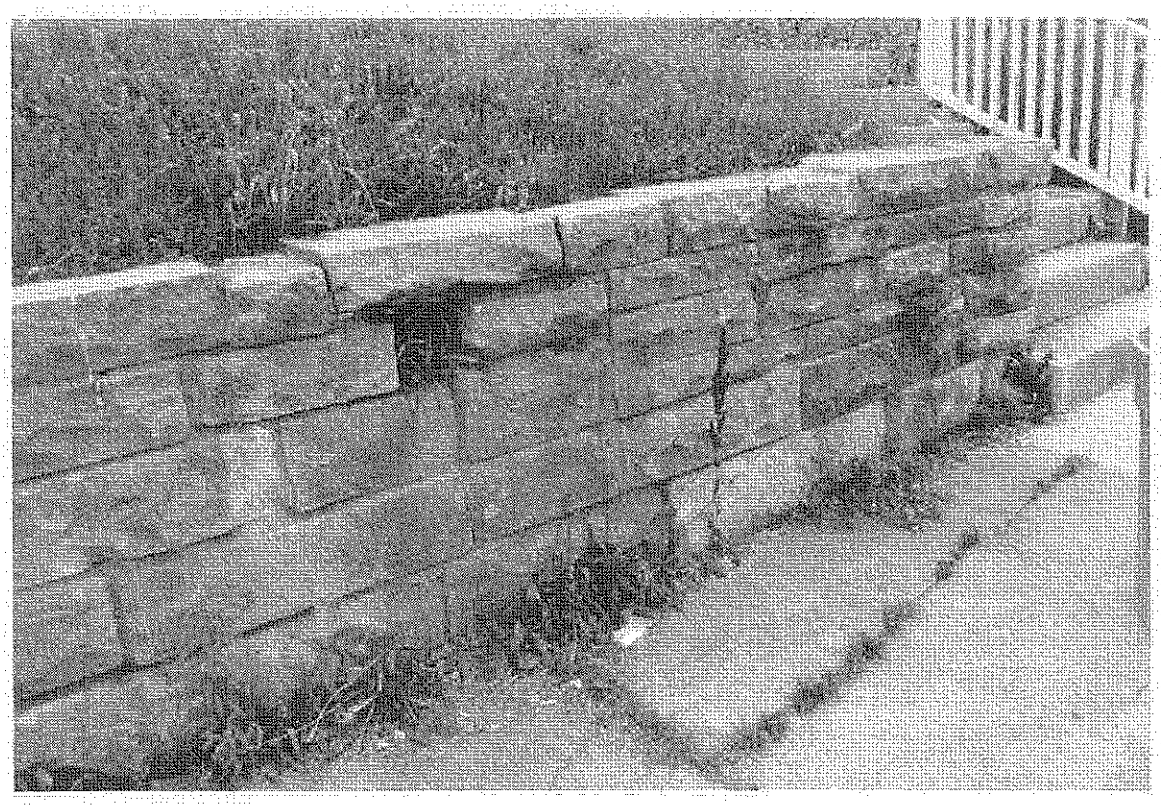
Properly tuck point all missing or defective mortar joints of front retaining wall. BMC 16.04.040(a) and BMC 16.04.050(a)

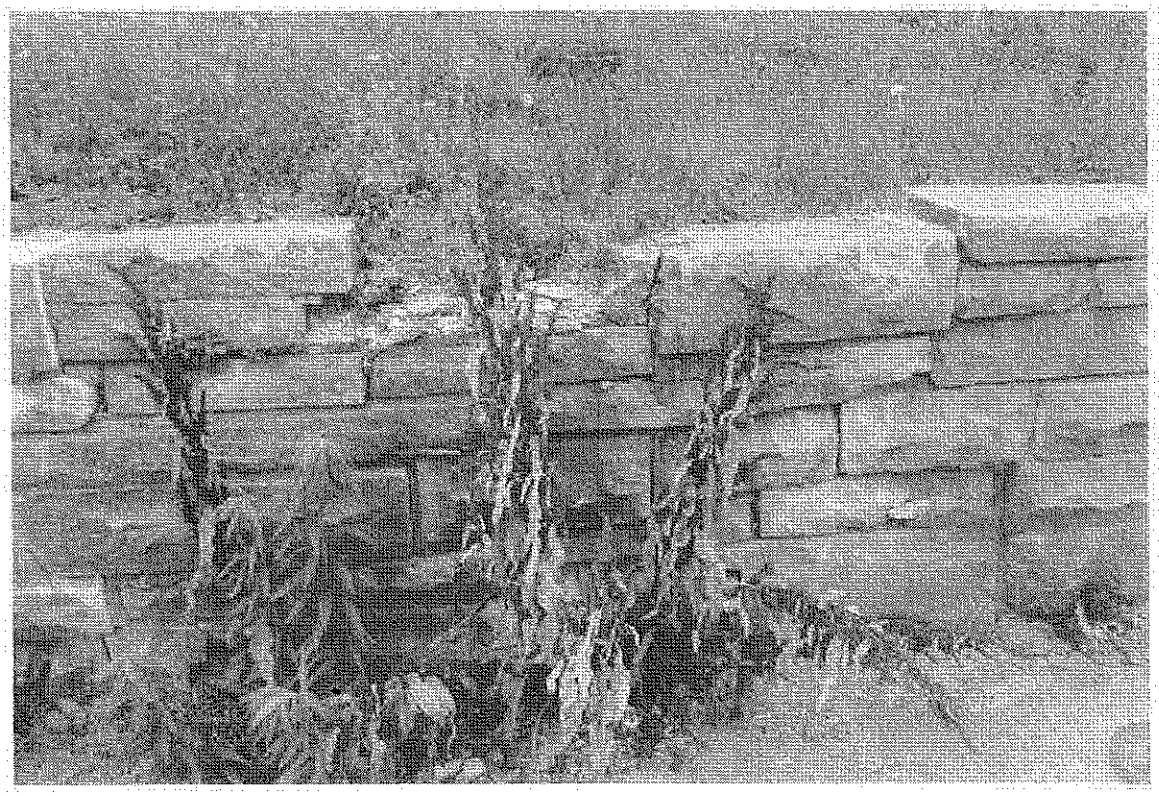
Other requirements

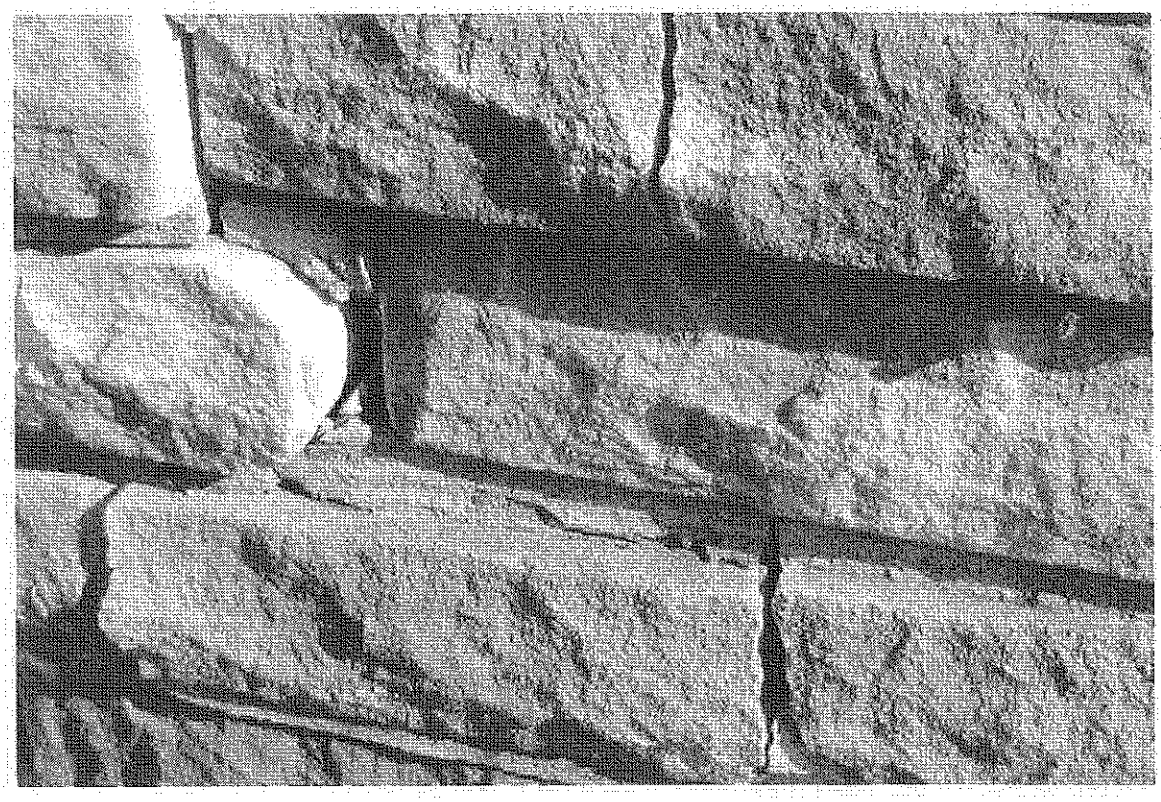
3/10/15 Required documentation:
Complete the enclosed registration form. A street address is required for both owner and agent. This form must be signed by the owner. If this form is not provided to the HAND department by the compliance deadline and the matter is referred to the Legal Department a fine of $25 will be assessed. BMC 16.03.010(b), BMC 16.10.030(b)

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

This is the end of this report.







City of Bloomington
H.A.N.D.

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

Meeting Date:	15 April 2015	
Petition Type:	Rescind a variance	
Petition Number:	15-RV-092	
Address:	610 E. Atwater Ave.	
Petitioner:	HAND	
Inspector:	Michael Arnold	
Staff Report:	06 March 2015	Cycle Inspection
	09 March 2015	Received Rescind Variance Application

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 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. This structure was built in 1920.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date: 15 April 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-093

Address: 2508 S. Bryan St.

Petitioner: Myrtle Pietsch

Inspector: Michael Arnold

Staff Report:

05 December 2014	Cycle Inspection
08 December 2014	Sent Report
11 February 2015	Mailed Remaining Violations Report
05 March 2015	Discussion with owner
09 March 2015	Received request for Ext. of Time

During the cycle inspection it was noted that there was a deteriorated tree in the front of the structure. To date the work has not been completed. The owner is requesting additional time in order to have better weather to complete the work. The petitioner is asking for an additional 60 days.

Staff recommendation: Grant the request.

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

Compliance Deadline: 15 June 2015

Attachments: Remaining Violations, Application

RECEIVED
MAR 09 2015
BY:

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

Property Address: 2508 S. Bryan St. Bloomington — 47403

Petitioner's Name: Myrtle E Pietsch

Address: 2600 E. 5th

City: Bloomington **State:** IN **Zip Code:** 47408

Phone Number: 812 361 8250 **Email Address:** mepeach24@yahoo.com

Property Owner's Name: Myrtle E. Pietsch

Address: 2600 E. 5th

City: Bloomington **State:** IN **Zip Code:** 47408

Phone Number: 812 361 8250 **Email Address:** mepeach24@yahoo.com

Occupants: 1

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-93

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.

Please allow 60 additional days for the following: Remove dead limbs from large trees as directed during inspection.
The weather has made this work unsafe and/or made waitlist for Companies in this business lengthy.

I am directing my daughter Abigail Pietsch the duties to manage and complete this task. She can be reached @ 812 361 8250 for more information. Thank you.

Signature (required): Myrtle E. Pietsch

Name (please print): Myrtle E Pietsch **Date:** 3/5/15

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

FEB 1 1 2015

Remaining Violations Report

9714

OWNERS
======
Pietsch, Myrtle
2600 E. 5th Street
Bloomington, IN 47408

Prop. Location: 2508 S Bryan ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 12/05/2014
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspectors: Mike Arnold
Foundation Type: Other
Attic Access: N/A
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 when repairs are complete so a drive by inspection can be conducted to verify compliance. Our mailing address and telephone number are listed below.

Exterior:

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) (remove the dead/deteriorated portions of the tree – NE corner of the property.

Remove the upholstered furniture from the backyard. BMC 16.04.040(f)

This is the end of this report.

NM

City of Bloomington
H.A.N.D.

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

Meeting Date:	4/15/2015
Petition Type:	Rescind a variance
Petition Number:	15-RV-94
Address:	1514 E Maxwell LN
Petitioner:	HAND
Inspector:	Matt Swinney
Staff Report:	Cycle Date 03/03/15

This property was previously granted a variance to the ceiling height, and bathroom access requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height, and bathroom access requirement and the Building Code in place at the time of construction did not address ceiling height, and bathroom access; 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

City of Bloomington
H.A.N.D.

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

Meeting Date:	15 April 2015
Petition Type:	Rescind a variance
Petition Number:	15-RV-095
Address:	401 E. 2nd St.
Petitioner:	HAND
Inspector:	Michael Arnold

Staff Report:		
	24 September 2014	Received Summary, IDL and Furn. Doc.
	29 October 2014	Cycle Inspection
	12 November 2014	Mailed Inspection Report
	9 January 2015	Reinspection Scheduled
	12 January 2015	Received new Registration
	17 February 2015	Reinspection completed
	23 February 2015	Sent Remaining Violations Report
	9 March 2-15	Received Appeal Rescind Variance

This property was previously granted a variance to the minimum ceiling height and window size requirements for the basement unit of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height and window size requirement and the Building Code in place at the time of construction did not address minimum ceiling height and window size and there is no longer a rental unit in the basement; therefore we are asking the Board to rescind this variance. This structure was built in 1920.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date:	15 April 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-096
Address:	401 E. 2nd St.
Petitioner:	Jeanne Walters Real Estate
Inspector:	Michael Arnold

Staff Report:

24 September 2014	Received Summary, IDL and Furn. Doc.
29 October 2014	Cycle Inspection
12 November 2014	Mailed Inspection Report
9 January 2015	Reinspection Scheduled
12 January 2015	Received new Registration
17 February 2015	Reinspection completed
23 February 2015	Sent Remaining Violations Report
9 March 2-15	Received Appeal for Extension of Time

During the Cycle Inspection it was noted to tuck point the chimney. Petitioner is requesting additional time to have better weather to complete this item.

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:	15 June 2015
Attachments:	Application, Remaining Violations Report

Application for Appeal
To The
Board of Housing Quality Appeals

P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
MAR 09 2015
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: 401 E 2nd Street

Petitioner's Name: Jeanne Walters Real Estate

Address: 107 E 6th Street

City: Bloomington **State:** IN **Zip Code:** 47408

Phone Number: 812-331-8951 **Email Address:** rentals@jeannewalters.com

Property Owner's Name: College Rentals, LLC

Address: 3300 Dundee Road, Suite C4

City: Northbrook **State:** IL **Zip Code:** 60062

Phone Number: 847-272-1234 **Email Address:** mrubinlawyer@sbcglobal.net

Occupants: 5

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

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

Please 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-TV-96

SEE REVERSE

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

Due to inclement weather, we are requesting an extension to properly tuck point the chimney at our 401 E 2nd Street property.

Signature (required): Sara Tilley

Name (please print): Sara Tilley **Date: 3/9/15**

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

City of Bloomington
Housing and Neighborhood Development

Remaining Violation Report

FEB 2 3 2015

2555

OWNERS
======
College Rentals, LIc.
3330 Dundee Road Suite C4
Northbrook, IL 60062

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

Prop. Location: 401 E 2nd ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/5/5

Date Inspected: 10/29/2014
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

Inspectors: Mike Arnold
Foundation Type: Basement
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.

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 requirement; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit. (Note: The basement unit has been removed and the basement is no longer used as habitable space).

Exterior:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) **(This item has a deadline of 29 October 2015).**

Properly tuck point the chimney where mortar is loose, deteriorated or missing. 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: April 15, 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-97

Address: 1614 W. Arlington Road

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 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 (1936, 1940 & 1952) did not address ceiling heights; 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:	15 April 2015	
Petition Type:	Rescind a variance	
Petition Number:	15-RV-098	
Address:	411 N. Lincoln St.	
Petitioner:	HAND	
Inspector:	Michael Arnold	
Staff Report:	03 March 2015	Cycle Inspection
	10 March 2015	Sent Report
	10 March 2015	BHQA Application

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 structure was built in 1920.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date: April 15, 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-99

Address: 1104 S. Washington Street

Petitioner: HAND

Inspector: Jo Stong

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 ceiling height requirement and the Building Code in place at the time of construction (1920) did not address ceiling heights; 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 for Extension of Time

Meeting Date:	April 15, 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-100
Address:	421 E. Cottage Grove
Petitioner:	Stasny & Horn IGP
Inspector:	Dee Wills
Staff Report:	January 28, 2015 Completed Cycle Inspection March 12, 2015 Received Application for Appeal Petitioner is requesting an extension of time to complete the exterior siding and sidewalk repairs. The extension will allow the flexibility needed to contract repairs during the 2015 construction season.
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:	October 09, 2015
Attachments:	Cycle Report, Application for Appeal

MAR 12 2015

BY:

Application for Appeal
To The
Board of Housing Quality Appeals

P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

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: 421 E Cottage Grove Ave, Bloomington, IN 47408

Petitioner's Name: Stasny & Horn IGP

Address: 509 E Cottage Grove Ave Ste 1, PO Box 183

City: Bloomington **State:** IN **Zip Code:** 47402-0183

Phone Number: 812 339-4676 **Email Address:** info@hpiu.com

Property Owner's Name: Stasny & Horn IGP

Address: 509 E Cottage Grove Ave Ste 1, PO Box 183

City: Bloomington **State:** IN **Zip Code:** 47402-0183

Phone Number: 812 339-4676 **Email Address:** info@hpiu.com

Occupants: P Hargrove, H Smith, R Kaeser, R Berg

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**)

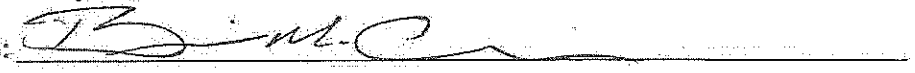
OFFICE USE ONLY

Petition Number 15-TV-100

SEE REVERSE

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

We are requesting an extension of time to complete repairs through October 9, 2015 (six months beyond the original inspection deadline) specific to exterior siding and sidewalk repairs only (BMC 16.04.050(a) and BMC 16.04.040(c) respectfully). This extension will allow us flexibility to contract repairs durning the 2015 construction season. Thank you.

Signature (required): 

Name (please print): Brian Allen, Managing General Partner Date: March 11, 2015

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

RENTAL PERMIT INFORMATION

FEB 09 2015

Stasny & Horn, lgp
P.O. Box 183
Bloomington, IN. 47402-0183

Property Location: 421 E. Cottage Grove Ave.

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by APR 10 2015 to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with BMC 16.10.020(a) and 16.10.040(a) of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.

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

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc:

Cycle Report

239

OWNERS

Stasny & Horn, Igp
Po Box 183
Bloomington, IN 47402-0183

Prop. Location: 421 E Cottage Grove AVE
Number of Units/Structures: 4/1
Units/Bedrooms/Max # of Occupants: 4/1/5
Date Inspected: 01/28/2015
Primary Heat Source: Other
Property Zoning: RH
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1964.
There are no minimum requirements for emergency egress at the time of construction.

INTERIOR

Typical Unit:

Living Room 11-0 x 7-0
Kitchen 6-0 x 5-0
Bedroom 9-0 x 8-0
Bathroom

Typical Egress Window Measurements: Casements

Height: 33.75 inches
Width: 16 inches
Sill Height: 46 inches
Openable Area: 3.75

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.020

Unit 1

Kitchen

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

Bathroom

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

Properly repair/ replace the deteriorated shower surround. BMC 16.04.060(a)

Living Room, Bedroom

No violations noted.

Unit 2

Kitchen

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

Replace the baseboard trim board below the cabinet, adjacent to the entry door. BMC 16.04.060(a)

Bathroom

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

Bedroom

Provide a complete directory of all circuits in the electrical service panel. BMC 16.04.020(a) IEC 408.4

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

Living Room

No violations noted.

Unit 3

Kitchen

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

Bathroom

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

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

Bedroom

No violations noted.

Unit 4

Kitchen

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

Bathroom

No violations noted.

Bedroom

Replace broken light switch cover plate. BMC 16.04.060(b)

EXTERIOR

Properly label electrical service meters/disconnects with corresponding unit numbers. BMC 16.04.020 NEC 225.37

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

Scrape and paint exterior surfaces of thresholds for units 1, 2, and 3 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)

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Repair the sidewalk on the west side to prevent the possibility of being a trip hazard. BMC 16.04.040(c)

Other requirements

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

This is the end of this report.

421 E. Cottage Grove

1/28/2015

City of Bloomington
H.A.N.D.

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

Meeting Date:	April 15, 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-101
Address:	628 E. University St.
Petitioner:	Vince Eads for Baseline Properties
Inspector:	Maria McCormick
Staff Report:	07/14/2014 Completed Cycle Inspection 01/23/2015 Completed Re-inspection During the cycle inspection there were several violations noted. All issues have been complied but the replacement/repair of the city sidewalk in the front of the property. The petitioner is requesting an extension of time to complete this work due to the weather.
Staff recommendation:	Grant the extension
Conditions:	All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline:	June 1, 2015
Attachments:	Application for Appeal; Remaining Violations Report; Photo

RECEIVED
MAR 11 2015
BY:

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

Property Address: 628 UNIVERSITY STREET

Petitioner's Name: Vince Eads

Address: 1580 E. Hoff Rd.

City: BLGTN State: IN Zip Code: 47401

Phone Number: 812-340-6710 Email Address: vce.250@gmail.com

Property Owner's Name: BASELINE PROPERTIES, LLC,

Address: P.O. Box 303

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 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-101

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.

COMPLETE BY JUNE 1, 2015

REPAIR / REPLACE SIDEWALK

Signature (required): Vincent C. Enos

Name (please print): Vincent C. Enos Date: 3-11-15

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

City of Bloomington
Housing and Neighborhood Development

Remaining Violation Report
Re-inspected 01/23/2015

JAN 2 9 2015

1875

OWNERS

Baseline Properties
P.O. Box 303
Clear Creek, IN 47426

AGENT

Tempo Properties
c/o William Thornbury
PO Box 5727
Bloomington, IN 47402

Prop. Location: 628 E University ST
Units/Bedrooms/Max # of Occupants: 7/1/1
Date Inspected: 07/17/2015
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 7/1

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:

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

This is the end of this report.

FOR LEASE

City of Bloomington
H.A.N.D.

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

Meeting Date:	April 15, 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-102
Address:	1022 – 1024 W. 7th Street
Petitioner:	Sara Gardner
Inspector:	Dee Wills
Staff Report:	November 24, 2014 Completed Cycle Inspection March 09, 2015 Completed Reinspection March 13, 2015 Received Application for Appeal The petitioner is requesting an extension of time to complete the remaining repairs of painting the interior window jambs and replacing the exterior siding due to the current weather conditions.
Staff recommendation:	Grant the extension of time.
Conditions:	All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline:	July 30, 2015
Attachments:	Remaining Violations Report, Application for Appeal

MAR 13 2015

BY:

Application for Appeal To The Board of Housing Quality Appeals

P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 1022 + 1024 West 7th St

Petitioner's Name: SARA GARDNER

Address: 910 S. ROGERS ST

City: BLOOMINGTON **State:** IN **Zip Code:** 47403

Phone Number: 415-377-0707 **Email Address:** westseventh@yahoo.com

Property Owner's Name: PT+A PROPERTY LLC

Address: 910 S. ROGERS ST

City: BLOOMINGTON **State:** IN **Zip Code:** 47403

Phone Number: 415-377-0707 **Email Address:** westseventh@yahoo.com

Occupants: 6 total, 3 in each unit

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-102

SEE REVERSE

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

We need extra time to paint the window Jams. Since there are no Storm windows (only screens) the jams are partially exposed ~~to~~ to the outside and can't be painted until it gets warmer. This is for the 3 windows in the bedrooms on the west side of 1022 (downstairs) unit. I would like to request to have until the end of July for these repairs so I can complete them along with other outside painting and repairs we have planned for this summer.

Signature (required): Sara Gard

Name (please print): SARA GARDNER **Date:** 3/9/15

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

City of Bloomington
Housing and Neighborhood Development

Remaining Violation Report

3661

OWNERS

Pt & A Property Llc
910 S. Rogers
Bloomington, IN 47403

AGENT

Gardner, Sara A.
910 S. Rogers Street
Bloomington, IN 47403

Prop. Location: 1022 W 7th ST, 1024 W 7th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 2/3/3
Date Inspected: 11/24/2014
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Inspectors: Dee Wills
Foundation Type: Crawl Space
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.

INTERIOR

SW Bedroom (15-3 x 13-7)

Scrape and paint the interior of the window jambs. BMC 16.04.060(f)

Center West Bedroom (9-6 x 9-6)

Scrape and paint the interior of the window jambs. BMC 16.04.060(f)

EXTERIOR

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

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

Other requirements

Required documentation:

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

This is the end of this report.

City of Bloomington
H.A.N.D.

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

Meeting Date:	April 15, 2015
Petition Type:	An extension of time to complete repairs.
Petition Number:	15-TV-103
Address:	1016 S. Henderson St.
Petitioner:	Peter Kinne
Inspector:	John Hewett

Staff Report:

January 15, 2015	Cycle Inspection
January 26, 2015	Sent report
March 17, 2015	Received Appeal

The petitioner would like to delay repairs until the tenants have moved out.

Staff recommendation:	Grant an extension of time.
Conditions:	All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline:	August 1, 2015
Attachments:	Cycle Inspection report, appeal

RECEIVED
MAR 17 2015
BY:

Application for Appeal

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

Property Address: 1016 S. Henderson

Petitioner's Name: PETER W KINNE

Address: 8899 BABY CREEK Rd.

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812 369-8807 Email Address: PKINNE8899@Gmail.com

Property Owner's Name: Same

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: _____

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

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

Please circle the petition type that you are requesting:

(A) An extension of time to complete repairs (Petition type TV)

B) A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)

C) Relief from an administrative decision (Petition type AA)

D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY
Petition Number 15-TV-103

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.

Tenants will be buying their first home, leaving first early summer - I'd rather wait til they are gone, to make the mess of ceiling repairs to Dining Room and sunroom.

Signature (required): [signature]

Name (please print): PETER M KINNE Date: 3-12-15

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

3546

OWNERS

Kinne, Peter W.
8899 Baby Creek Rd.
Bloomington, IN 47408

Prop. Location: 1016 S Henderson ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 01/15/2015
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Inspectors: John Hewett
Foundation Type: Basement
Attic Access: N/A
Accessory Structure:

VARIANCE

11/09/2005 Special exception for the dining room and living room windows to remain unopenable.

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

Kitchen
9-4 x 9-8
No violations noted.

Dining room
9-7 x 10-7
Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials.
BMC 16.04.060(a)

Living room
10-7 x 14-4

No violations noted.

Living room
10-7 x 14-4
No violations noted.

Sun room (SE)
6-7 x 10-6
Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. BMC 16.04.060(a) (water damaged tiles)

SW bedroom
11-6 x 9-11

Existing Egress Window Measurements:
Height: 22 inches
Width: 27 inches
Sill Height: 27 inches
Openable Area: 4.125 sq. ft.

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

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

Bathroom
No violations noted.

Basement
Main room
No violations noted.

Laundry
Connect the dryer exhaust so that it vents to the exterior of the building envelope. BMC 16.04.060(c)

2nd Floor
Hall
No violations noted.

Bathroom
No violations noted.

S bedroom 16-8 x 10-11, N bedroom 10-4 x 16-8

Existing Egress Window Measurements:
Height: 19 inches
Width: 27 inches

Sill Height: 26.5 inches
Openable Area: 3.5 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.020

Exterior

Replace the missing/broken electrical receptacle cover plate adjacent to the back door. BMC 16.040.060(a)

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. (Ground floor windows and trim) BMC 16.04.050(e)
This violation has a one-year deadline from the date of the Cycle Inspection.

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)

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:	April 15, 2015
Petition Type:	Rescind a variance
Petition Number:	15-RV-104
Address:	326 W. Kenwood Dr.
Petitioner:	HAND
Inspector:	Dee Wills
Staff Report:	February 10, 2015 Completed Cycle Inspection March 17, 2015 Application for Appeal

This property built in 1971, was previously granted a variance to the sill height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include sill height requirements and the Building Code in place at the time of construction did not address sill 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:	April 15, 2015
Petition Type:	Rescind a variance
Petition Number:	15-RV-105
Address:	521 S. Park Ave.
Petitioner:	HAND
Inspector:	Norman Mosier
Staff Report:	This property was previously granted a variance for multiple violations of the Property Maintenance Code. The Residential rental and Lodging Establishment Inspection Program does not include these multiple issues and the Building Code in place at the time of construction did not address these multiple issues; therefore we are asking the Board to rescind this variance. This structure was built in 1899. See attached Cycle Report for complete variance listings.
Staff Recommendation:	Rescind the variance.
Conditions:	None
Attachments:	Cycle Report

City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

1590

OWNERS

Simpson, John C.
214 N. Rogers St.
Bloomington, IN 47404

AGENT

Waltz, Tyler
6199 W. Ratliff Rd.
Bloomington, IN 47404

Prop. Location: 521 S Park AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/6/5

Date Inspected: 03/03/2015
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

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

VARIANCE

02/24/1982 Granted variance to the bathroom ventilation requirement in Apt. #2, resurfacing kitchen floors requirement, and the requirement forbidding cooking facilities in a sleeping area.

This property was previously granted a variance to the bathroom ventilation requirement in Apt. #2, resurfacing kitchen floors requirement, and the requirement forbidding cooking facilities in a sleeping area requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a bathroom ventilation requirement in Apt. #2, resurfacing kitchen floors requirement, and the requirement forbidding cooking facilities in a sleeping area requirement and the Building Code in place at the time of construction did not address bathroom ventilation requirement in Apt. #2, resurfacing kitchen floors requirement, and the requirement forbidding cooking facilities in a sleeping area.; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

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

INTERIOR:

MAIN LEVEL

Entryway:

No violations noted.

SW Bedroom 15 x 11-10: Not used as a sleeping room.

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

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1899

Height: 31 inches
Width: 24 inches
Sill Height: 31 inches
Openable Area: 5.17 sq. ft.

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

Bathroom, Hall Bath, Kitchen 17-10 x 11-4:

No violations noted.

Living Room 15-7 x 11-4:

Secure the loose receptacle on the south wall. BMC 16.04.060 16.04.060(a)

Family Room 15-6 x 9-8:

No violations noted.

BASEMENT

Stairway, Old Garage: Storage

No violations noted.

NW Room:

Discontinue use of extension cord as permanent wiring. Replace extension cord providing electrical power to the heat tape with permanent electrical wiring and electrical receptacle(s) installed in an approved manner. BMC 16.04.060(b)

Main Room, Laundry Room, Storage Room:

No violations noted.

2nd LEVEL

Stairway/Hallway:

No violations noted.

Hall Bath:

No violations noted.

NW Bedroom 11-6 x 10-10:

No violations noted.

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1899

Height: 25.5 inches
Width: 23.5 inches
Sill Height: 27 inches
Openable Area:4.16 sq. ft.

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

SW Bedroom 12-6 x 12-3:

No violations noted.

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1899

Height: 24.5 inches
Width: 26.5 inches
Sill Height: 27 inches
Openable Area: 4.51 sq. ft.

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

S Central Bedroom 13-2 x 11-2:

No violations noted.

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1899

Height: 25 inches
Width: 23.5 inches
Sill Height: 27.5 inches
Openable Area: 4.08 sq. ft.

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

NE Bedroom 13-4 x 12:

No violations noted.

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1899

Height: 24 inches
Width: 26 inches
Sill Height: 27.5 inches
Openable Area: 4.33 sq. ft.

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

SE Bedroom 15-3 x 9-2:

No violations noted.

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1899

Height: 23 inches
Width: 26.5 inches
Sill Height: 26.5 inches
Openable Area: 4.23 sq. ft.

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

EXTERIOR:

No violations noted.

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

This is the end of this report.

City of Bloomington
H.A.N.D.

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

Meeting Date: April 15, 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-106

Address: 1719 W. Arlington Rd.

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This property (built in 1920) 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 heights; 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 for Relief from an Administrative Decision

Meeting Date:	April 15, 2015
Petition Type:	Relief from an administrative decision
Variance Request:	Rescind relief from the requirement to register as a rental
Petition Number:	14-AA-55
Address:	750 S. Walker, #95
Petitioner:	H.A.N.D.

On May 21, 2014, the BHQA granted an exemption to Unit #95 at 750 S. Walker Street from the BMC § 16 Residential Rental Unit and Lodging Establishment Inspection Program such that the unit would "not be considered a rental as long as it remained owned by the current owner and occupied by Miechele McCoy, minister of the Jehovah's Witnesses."

It appears that this exemption was granted under a misunderstanding or misconception which is contrary to BMC § 16.02.020 which does not permit arrangements to be created to avoid application of this title. Miechele McCoy is not a minister as intended by BMC § 16.

Mr. John Watkins is an Elder in the hierarchy of the local Jehovah's Witness. Christopher J. Wheeler spoke by phone with Mr. Watkins on Thursday, February 26, 2015. According to Mr. Watkins, the elders of Jehovah's Witness hierarchy are more akin to what the Christian community commonly thinks of as a pastor, priest or minister. Ministers, on the other hand, are more of a clerical position as, by example, an accounts servant or a literature coordinator, or, more commonly, the men and women you see going door to door spreading the word. All of the members of the congregation are encouraged to be ministers to the church.

Miechele McCoy's ministry to the Kingdom Hall is that of a special pioneer. She works under the elders. She is the only special pioneer that this congregation has. As a special pioneer, Ms. McCoy has taken a vow of poverty and she receives a monthly stipend from the headquarters in New York City to help cover her gasoline, clothing and utilities. In return she is expected to contribute 120 hours per month to the congregation. Her ministry involves door to door spreading of the word, working the Jehovah's Witness table at the farmers market, providing free home bibles, and she has some leadership and teaching responsibilities that she performs at the direction of the Elders.

However, Mr. Watkins was clear that Ms. McCoy is not a church elder, is not in charge of the parish or church and does not conduct their church services. This is important in considering whether an exception exists.

Under Section 16 of the BMC, a "Residential rental unit" is defined as "any dwelling unit, rooming house, or rooming unit occupied by a person(s) other than the owner and/or their legal dependent . . .." (BMC § 16.02.020). However, there is an exception made for occupancy in rectories and parsonages. (BMC § 16.02.020(5)). The terms parsonage and rectory are not defined under BMC § 16).

Merriam-Webster defines a parsonage as "the house provided by a church for its pastor". The house located at 750 S. Walker Street is not being provided by the church. Rather, it is being provided by Mr. Shaw. By definition, the house at 750 S. Walker Street is not a parsonage.

The property is not a rectory either. Merriam-Webster defines rectory as "a residence of a rector or a parish priest". Miechele McCoy is not, by definition, a rector or a parish priest. Merriam Webster defines priest as "one authorized to perform the sacred rites of a religion especially as a mediatory agent between humans and God; *specifically* : an Anglican, Eastern Orthodox, or Roman Catholic clergyman ranking below a bishop and above a deacon." A rector is "a minister who is in charge of a church or parish." (see Merriam-Webster). Although Ms. McCoy is referred to as a minister, she is not authorized to perform the sacred rites of Jehovah's Witness and is not a mediatory agent between humans and God. Furthermore, she is not in charge of the church or parish. Ms. McCoy is neither a rector nor a priest.

Since Ms. McCoy is not a minister as intended by BMC § 16, the house located at 750 S. Walker Street is not a rectory or a parsonage and therefore is not exempt from the Residential Rental Unit and Lodging Establishment Inspection Program under BMC § 16.

Under BMC 16.02.020, "occupancy in a rectory or parsonage by a person(s) generally assumed to occupy such a dwelling" are exempted from the registration requirement. Presumably, the rectory or parsonage is owned by the religious institution. The owner is requesting relief from the registration process under this provision stating that the minister, Miechele McCoy, of the Jehovah's Witnesses resides in this property.

Staff recommendation: Rescind exemption

Conditions: Cycle inspection for the rental occupancy permit must be scheduled no later then the deadline stated below, or this case will be turned over the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: April 29, 2015

Attachments: None.