

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
June 17, 2015, 4:00 P.M.**

I. ROLL CALL

II. REVIEW OF SUMMARY – no minutes included

III. CONSENT AGENDA

- (1) 14-TV-98 **401 S. Patterson Drive West**, Devin Huesmna (Lisa Watson). Request for an extension of time to complete repairs. Previously heard August 20, 2014, October 22, 2014 and March 18, 2015.
- (2) 14-TV-149 **401 S. Patterson Drive East**, Devin Huesmna (Lisa Watson). Request for an extension of time to complete repairs. Previously heard August 20, 2014, October 22, 2014 and March 18, 2015.
- (3) 14-TV-150 **1400 N. Lincoln Street**, Abraham Schultz. Request for an extension of time to complete repairs.
- (4) 15-TV-65 **113-113 ½ S. Grant Street**, US Assets, LLC. Request for an extension of time to complete repairs.
- (5) 15-TV-69 **501 S. Highland Avenue**, Deborah Rosenberg. Request for an extension of time to complete repairs. Previously heard March 18, 2015.
- (6) 15-TV-70 **403 S. Jordan Avenue**, Deborah Rosenberg. Request for an extension of time to complete repairs. Previously heard March 18, 2015.
- (7) 15-AA-121 **2508 S. Rogers Street**, Coffey Properties, LLC. Request for relief from an administrative decision.
- (8) 15-TV-122 **1416 S. Walnut Street**, Anjanette Radford. Request for an extension of time to complete repairs.
- (9) 15-RV-123 **1001 W. 11th Street**, H.A.N.D. (Phil Jones). Request for rescission of a variance.
- (10) 15-RV-124 **927 N. Jackson Street**, H.A.N.D. (John Hart). Request for rescission of a variance.

- (11) 15-RV-125 **1709 S. Huntington Drive**, H.A.N.D. (Jill Snyder). Request for rescission of a variance.
- (12) 15-TV-128 **102 S. Hillsdale Drive**, Suvariz, LLC. Request for an extension of time to complete repairs.
- (13) 15-TV-129 **204 N. Walnut Street**, Two Zero Five, LLC. Request for an extension of time to complete repairs.
- (14) 15-RV-130 **602 N. Morton Street**, H.A.N.D. (Cedarview Management). Request for rescission of a variance.

- (15) 15-TV-131 **2408 E. 5th Street**, John Graf (Hallmark Rentals). Request for an extension of time to complete repairs.
- (16) 15-RV-132 **1101 S. Rogers Street**, H.A.N.D. (Mary Sturgis). Request for rescission of a variance.
- (17) 15-RV-133 **420 S. Fess Avenue**, H.A.N.D. (GMS Enterprises, LLC). Request for rescission of a variance.
- (18) 15-AA-134 **2621 S. Milton Drive**, Rachel Gross. Request relief from an administrative decision.
- (19) 15-TV-135 **1530 W. Arlington Road**, Mike Byers. Request for an extension of time to complete repairs.
- (20) 15-RV-136 **1513 ½ S. Huntington Drive**, H.A.N.D. (Larry Williams). Request for rescission of a variance.
- (21) 15-TV-137 **1209 S. Park Avenue**, Pamela Cunningham. Request for an extension of time to complete repairs.
- (22) 15-TV-138 **907 W. RCA Park Drive**, John Vargo. Request for an extension of time to complete repairs.
- (23) 15-TV-139 **326 W. Kenwood Drive**, Sharon Belcher. Request for an extension of time to complete repairs.
- (24) 15-RV-140 **1015 W. Gourley Pike**, H.A.N.D. (William McKee). Request for rescission of a variance.

IV. PETITIONS

- (6) 15-TV-13 **812 E. 8th Street**, Judy Fulford & Cheryl Underwood. Request for an extension of time to complete repairs. Previously heard
- (7) 15-TV-127 **1300 S. Walnut Street**, James Gronquist (The Brawley Group). Request for an extension of time to complete repairs

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: June 17, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-98(old)

Address: 401 S. Patterson St. West

Petitioner: IN-IU Holdings, LLC

Inspector: Maria McCormick

Staff Report: The petitioner is requesting an additional extension of time to complete the new construction landscaping requirements of the City of Bloomington Planning Dept. All HAND inspection items have been re-inspected and complied with the exception of meeting the requirements of Planning and a temporary permit has been issued.

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 1, 2015

Attachments: Application for Appeal



RECEIVED
APR 20 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

BY:

Property Address: ⁴⁰¹ ~~525~~ S. PATTERSON AVE ~~W~~ WEST

Petitioner's Name: DEVIN HUESMAN

Address: 201 MAIN ST SUITE 1000

City: LAFAYETTE State: IN Zip Code: 47901

Phone Number: 317-414-1861 Email Address: dhuesman@vizzorllc.com

Property Owner's Name: LISA WATSON

Address: 525 S. PATTERSON AVE

City: BLOOMINGTON State: IN Zip Code: 47403

Phone Number: _____ Email Address: lwatson@liveatthecotton.com

Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY
Petition Number 14-TV-98

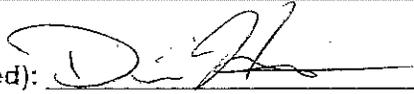
(OLD BUSINESS)

SEE REVERSE

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

All repairs for HAWD have been completed. This is an extension request to allow for final site condition signoff by the Planning Department. I am requesting this extension through May 30, 2015.

Signature (required):



Name (please print):

DEVIN HIESMAN

Date:

4/20/2015

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
H.A.N.D.

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

Meeting Date: June 17, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-149(old)

Address: 401 S. Patterson St. East

Petitioner: IN-IU Holdings. LLC

Inspector: Maria McCormick

Staff Report: The petitioner is requesting an additional extension of time to complete the new construction landscaping requirements of the City of Bloomington Planning Dept. All HAND inspection items have been re-inspected and complied with the exception of meeting the requirements of Planning and a temporary permit has been issued.

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 1, 2015

Attachments: Application for Appeal



RECEIVED
APR 20 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: ⁴⁰¹ ~~525~~ S. PATTERSON AVE EAST

Petitioner's Name: DEVIN HUESMAN

Address: 201 MAW ST SUITE 1000

City: LAFAYETTE State: IN Zip Code: 47901

Phone Number: 317-414-1861 Email Address: dhuesman@vizonllc.com

Property Owner's Name: LISA WATSON

Address: 525 S. PATTERSON AVE

City: BLOOMINGTON State: IN Zip Code: 47403

Phone Number: _____ Email Address: lwatson@liveatthedillon.com

Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY
Petition Number 14-TV-149

(OLD BUSINESS)

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.

All repairs for HAND have been completed. This is an extension request to allow for final site condition signoff by the Planning Department. I am requesting this extension through May 30, 2015.

Signature (required): 

Name (please print): DEVIN HIESMAN Date: 4/20/2015

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
H.A.N.D.

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

Meeting Date: June 17, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 14-TV-150(old)

Address: 1400 N. Lincoln Street

Petitioner: Abram Schultz

Inspector: Maria McCormick

Staff Report: 09/16/2013 Completed cycle inspection
12/06/2013 Temporary permit issued (all other violations complied)
08/14/2014 Sent exterior painting reminder
09/18/2014 Received first application for appeal
10/15/2014 Granted extension for exterior painting until
12/01/2014
12/01/2014 Received 2nd application for appeal
01/21/2015 Granted extension until 05/01/2015
04/29/2015 Received 3rd application for extension of time.

Staff recommendation: Deny the request for extension of time

Conditions: This case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: NA

Attachments: Application for appeal.



RECEIVED
APR 29 2015

BY: SW

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

Property Address: 1400 N. Lincoln St

Petitioner's Name: Abram J. Schultz

Address: 872 S. Romans Way

City: Bloomington State: IN Zip Code: 47401

Phone Number: (812) 325-5271 Email Address: abeschultz@sbcglobal.net

Property Owner's Name: Abram J. Schultz

Address: Same

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: Tenants

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY
Petition Number 14-TV-150
(OLD BUSINESS)

SEE REVERSE

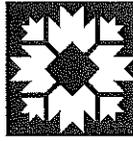
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request; the amount of time needed to bring the property into compliance,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

I have some peeling paint issues at this property that have not been taken care of yet. I am in the process of obtaining quotes to have the whole house painted. Once these are received the work will be completed as soon as the contractor can get to it. All I can say at this point is that it will be done sometime this summer.

Signature (required): 

Name (please print): Abram J. Schultz Date: 4-29-15

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**

City of Bloomington
H.A.N.D.

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

Meeting Date: June 17, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-65 (old business)

Address: 113-113 ½ S. Grant Street

Petitioner: U.S. Assets LLC/Yaling Huang

Inspector: Jo Stong

Staff Report: April 16, 2014: Conducted cycle inspection
July 14, 2014: Sent inspection report
December 8, 2014: Met at property, received registration form and reviewed other documents for inspection.
December 10, 2014: Mailed Remaining Violations report
February 10, 2015: Conducted reinspection, received appeal. All but windows in compliance.
March 18, 2015: BHQA granted extension of time to apply for state variance.
May 19, 2015: Received 2nd appeal

During a cycle inspection it was noted that windows in this property do not meet egress for the time of construction (2001). The petitioner is seeking a second extension of time while awaiting a decision from the State on the petition for a variance for the windows.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: June 30, 2015

Attachments: Cycle Report, appeal



RECEIVED
MAY 19 2015

Application for Appeal
To The BY: _____

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

Property Address: 113 S. Grant St. Apt #1

Petitioner's Name: U S Assets LLC / Yaling Huang

Address: P.O. Box 1601

City: Bloomington State: IN Zip Code: 47402

Phone Number: (812) 322-8829 Email Address: Tenzinjig@AOL.com

Property Owner's Name: U S Assets LLC

Address: SAME AS ABOVE

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

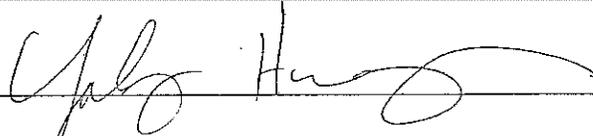
OFFICE USE ONLY
Petition Number 15-TV-65

(OLD BUSINESS)

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.

~~Address~~ Waiting for the # State Variance
to approve

Signature (required):



Name (please print):

YALING HUANG

Date:

5/19/2015

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

6703

OWNERS

Fortune Properties, Inc.
Po Box 1601
Bloomington, IN 47402

Prop. Location: 113 S Grant ST, 113 1/2 S Grant ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/3/5 1/2/5

Date Inspected: 04/16/2014
Primary Heat Source: Gas
Property Zoning: CD
Number of Stories: 1

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

Housing & Neighborhood Development records indicate this structure was built in 2001.
Minimum requirements for emergency egress windows at the time of construction:

Openable area required: 5.0 sq. ft.
Clear width required: 20"
Clear height required: 24"
Maximum Allowable Sill Height: 44" above finished floor

INTERIOR:

UNIT #1 (east, 113)

Living Room (13-6 x 11-5):

No violations noted.

Kitchen (10-2 x 7-6):

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

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

Laundry:

Properly secure the electrical service panel cover. BMC 16.04.060(b), (c)

Attic:

Check at reinspection.

Southeast Bedroom (10-3 x 9-7):

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

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

Height: 24 1/4 inches (**one sash only**)

Width: 34 inches

Sill Height: 27 inches

Openable Area: 5.73 sq. ft.

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

Bathroom:

No violations noted.

Northeast Bedroom (12-1 x 9-7):

No violations noted.

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

Height: 24 1/2 inches (**one sash only**)

Width: 34 1/4 inches

Sill Height: 27 inches

Openable Area: 5.83 sq. ft.

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

Northwest Bedroom (11-8 x 9-10):

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002. The relevant code is the 1998 Indiana Building Code, section: 310.4.

Openable area required: 5.7 sq. ft.

Clear width required: 20"

Clear height required: 24 "

Maximum sill height: Not more than 44"
above finished floor

Existing area: 3.98 sq. ft.

Existing width: 27"

Existing height: 21 1/4 "

Existing sill: 29"

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

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

UNIT #2 (west), 113 ½

Entry:

No violations noted.

Living Room/Kitchen (23-4 x 12-9):

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

Laundry/Toilet Room:

No violations noted.

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(c)

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

Replace the torn window screen. BMC 16.04.060(a)

North Bedroom (9-11 x 8-9):

No violations noted.

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

Height: 24 ¼ inches (**one sash only**)

Width: 34 inches

Sill Height: 28 ½ inches

Openable Area: 5.75 sq. ft.

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

Closet:

Provide a complete directory of all circuits in the electrical service panel. BMC 16.04.020

South Bedroom (9-0 x 9-0):

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2002. The relevant code is the 1998 Indiana Building Code, section: 310.4.

Openable area required: 5.7 sq. ft.

Clear width required: 20"

Clear height required: 24"

Maximum sill height: Not more than 44"
above finished floor

Existing area: 4.96 sq. ft.

Existing width: 21 ½"

Existing height: 33 ¼"

Existing sill: 38 ½"

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

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

EXTERIOR:

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)

No other exterior violations noted.

OTHER REQUIREMENTS:**Required documentation:**

Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner and provided to the office within 60 days of the date of the inspection or a \$25.00 fee will be levied.** BMC 16.03.010(b), BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an

accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: June 17, 2015
Petition Type: An extension of time to complete repairs.
Petition Number: 15-TV-69
Address: 501 S. Highland Ave
Petitioner: Deborah A. Rosenberg
Inspector: Dee Wills
Staff Report: November 03, 2014 Completed Cycle Inspection
February 12, 2015 Received Application for Appeal
March 11, 2015 Completed Reinspection
May 18, 2015 Received 2nd Application for Appeal

Petitioner is requesting an extension of time to complete the remaining repairs. Petitioner states she is having difficulties in getting the painter on site to finish the work.

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: August 17, 2015
Attachments: Application for Appeal, Remaining Violations Report



RECEIVED
5.18.15

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

-SF-

Property Address: 501 S Highland St Avenue

Petitioner's Name: Debbie Rosenberg

Address: 12546 Scottish Bend

City: Cannel State: IN Zip Code: 41033

Phone Number: (317) 507-4050 Email Address: Debbie@Rose-lo.com

Property Owner's Name: Deborah A Rosenberg

Address: Same AS ABOVE

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: Rental Property - Student Housing

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-69

(OLD BUSINESS)

SEE REVERSE

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

The majority of the work required has been completed. I have had difficulties getting the painter on site to finish the job. Weather has also been an issue.

Signature (required):

D. Rosenberg

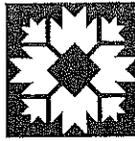
Name (please print):

D. Rosenberg

Date:

5/18/2015

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

JUN 04 2015

Remaining Violations Report

794

OWNERS

Allen & Deborah Rosenberg
12546 Scottish Bend
Carmel, IN 46033

Prop. Location: 501 S Highland AVE
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/6/6 1/3/3

Note: This structure is 2 Rooming Houses.

1 Rooming House has 6 Sleeping Rooms with an Occupancy Load of 6.

1 Rooming House has 3 Sleeping Rooms with an Occupancy Load of 3.

Date Inspected: 11/03/2014

Primary Heat Source: Gas

Property Zoning: RC

Number of Stories: 2

Inspectors: Dee Wills

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

Upper Level

SW Bedroom (13-4 x 12-3)

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

NW Bedroom (13-3 x 12-3)

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

NE Bedroom (13-1 x 8-3)

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

Basement

Stairway/ Entry Door

Properly repair the deteriorated threshold in the exterior doorway. BMC 16.04.060(b)

EXTERIOR

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

(the painting violation has a one-year deadline from the date of the cycle inspection)

Other requirements

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (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: June 17, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-70 (old business)

Address: 403 S. Jordan

Petitioner: Deborah A. Rosenberg

Inspector: Dee Wills

Staff Report: November 03, 2014 Completed Cycle Inspection
February 04, 2015 Application for Appeal to Rescind a Variance
February 11, 2015 Completed Reinspection
February 12, 2015 Received Application for Appeal for an extension
of time.
May 19, 2015 Received Application for Appeal for an extension of time

Petitioner is requesting an extension of time to complete exterior repairs to the retaining wall. The petitioner has acquired three different bids and is now looking into an alternative solution that would be less lengthy and costly.

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: August 17, 2015

Attachments: Application for Appeal, Remaining Violations Report

Handwritten initials



RECEIVED
5.18.15

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: 403 S. JORDAN
Petitioner's Name: Debbie Rosenberg
Address: 12544 Scottish Bend
City: Carmel State: IN Zip Code: 46033
Phone Number: (317) 507-4050 Email Address: Debbie@Rose-W.com
Property Owner's Name: Deborah A Rosenberg
Address: SAME AS ABOVE
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Email Address: _____
Occupants: Rental Property - Student Housing

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-70

(OLD BUSINESS)

SEE REVERSE

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

I have been advised to repair the limestone wall along the Atwater side of the property. I have had three bids to do the work and am considering other options as this will be both a lengthy and costly project. I am close - hopefully I will begin work within two weeks if weather and schedule permit.

Signature (required):

D. Rosenberg

Name (please print):

D. Rosenberg

Date:

5/18/2015

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

MAY 28 2015

Remaining Violations Report

1088

OWNERS

Allen & Deborah Rosenberg
12546 Scottish Bend
Carmel, IN 46033

Prop. Location: 403 S Jordan AVE
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/5/5 1/3/3

Date Inspected: 11/03/2014
Primary Heat Source:
Property Zoning: RC
Number of Stories: 2

Inspectors: Dee Wills
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

Properly tuck point all missing or defective mortar joints on the retaining wall. BMC 16.04.050(a)

Other requirements

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: June 17, 2015
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 15-AA-121
Address: 2508 S. Rogers Street
Petitioner: Jimmie Dean Coffey

This property is owned by Mr. Coffey and occupied by his son, James Cody Coffey.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner, Jimmie Dean Coffey, and occupied by his son, James Cody Coffey, and the grandchildren. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form



City of Bloomington
H.A.N.D.

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

Meeting Date: June 17, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-122

Address: 1416 S Walnut St.

Petitioner: Anjanette Radford

Inspector: John Hewett

Staff Report: June 9, 2014 Cycle Inspection
August 22, 2014 Re-inspection scheduled for October 7, 2014
October 7, 2014 No Show at re-inspection
October 23, 2014 Re-inspection scheduled for November 20, 2014
November 20, 2014 Re-inspection with tenant, New owner identified.
December 15, 2014 Spoke to owner, she will move into house in June,
recommended she appeal for extension.
April 3, 2015 Started Legal
April 17, 2015 Received appeal.

The Cycle inspection process was started under the previous owner, Christopher Dickens. The house is currently occupied by a tenant. The current owner purchased the house and is allowing the lease to run until June 15, 2015. The house will then be owner occupied and no longer under the purview of Title 16.

Staff recommendation: Grant the request.

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

Compliance Deadline: June 25, 2015

Attachments: Cycle Report.



City of Bloomington
Housing and Neighborhood Development

Cycle Report

10372

OWNERS

Christopher M. Dickens
3829 S. Mill Stone Ct.
Bloomington, IN 47401

Prop. Location: 1416 S Walnut ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/5

Date Inspected: 06/09/2014
Primary Heat Source: Gas
Property Zoning: CG
Number of Stories: 1

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

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

Interior

Entry

No violations noted.

Living room

17-8 x 15-1

NC 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)

Q Repair the broken storm window on the east wall, north window. BMC 16.04.060(b)

Dining room

10-1 x 12-10

No violations noted.

Kitchen

13-0 x 7-0

No violations noted.

SE bedroom

C 12-1 x 10-0

Repair the broken window. BMC 16.04.060(b) (top center pane, left window)

Existing Egress Window Measurements:

Height: 27 inches

Width: 29 inches

Sill Height: 20 inches

Openable Area: 5.4 sq. ft.

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

C Bathroom

Complete the installation of the shower tile and floor coverings. BMC 16.04.060(a)

C Re-install the toilet. BMC 16.04.060(c)

SW bedroom

NC 13-7 x 10-1

Repair the west window to close fully and latch. BMC 16.04.060(a)

C Repair the broken window. (top sash top center pane) BMC 16.04.060(b)

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

Existing Egress Window Measurements:

Height: 21.5 inches

Width: 35 inches

Sill Height: 20 inches

Openable Area: 5.2 sq. ft.

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

C Hallway

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

Basement

NC 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)

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

Exterior

No violations noted.

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: June 17, 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-123

Address: 1001 W. 11th St

Petitioner: HAND

Inspector: John Hewett

Staff Report: February 23, 2015 Cycle Inspection
April 20, 2015 Received appeal form
April 28, 2015 Re- inspection all complied

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 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: June 17, 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-124

Address: 927 N. Jackson St.

Petitioner: HAND

Inspector: John Hewett

Staff Report: February 23, 2015 Cycle Inspection
 April 20, 2015 Received appeal form
 April 28, 2015 Re- inspection all complied

This property was previously granted a variance to the pass through requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include pass through requirements and the Building Code in place at the time of construction did not address pass through; therefore we are asking the Board to rescind this variance. The structure was built in 1900.

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: June 17, 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-125

Address: 1709 S. Huntington

Petitioner: HAND

Inspector: John Hewett

Staff Report: February 3, 2015 Cycle Inspection
 April 21, 2015 all complied
 April 22, 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 requirements; 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 for Extension of Time**

Meeting Date: June 17, 2015
Petition Type: An extension of time to complete repairs.
Petition Number: 15-TV-128
Address: 102 S. Hillsdale Dr.
Petitioner: Michael S. Hensinger for Surariz, LLC
Inspector: Maria McCormick
Staff Report: 02/13/2015 Completed cycle inspection
04/23/2015 Received application for appeal

During the cycle inspection it was noted that there were two broken windows. One in the bathroom and one in the northwest bedroom. The petitioner is requesting an extension of time to replace the windows as they had to be custom ordered and have not arrived.

Staff recommendation: Grant the extension of time.
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: July 15, 2015
Attachments: Application for Appeal; Cycle Inspection



RECEIVED
4.23.15
JF

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: 102 Hillside Dr, Blytn, IN 47408

Petitioner's Name: Michael S. Hensinger for Surzriz LLC

Address: 907 S. Rolling Rock Drive

City: Bloomington State: IN Zip Code: 47403

Phone Number: 812-337-8960 Email Address: mhensinger@homefinder.org

Property Owner's Name: Jean Bertrand Ribat / Surzriz, LLC

Address: 830 S. Woodlawn Avenue

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812 339-7467 Email Address: jribat@umzlii.u.edu

Occupants: none currently

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) *only remaining item windows ordered through Tommy D's Windows awaiting arrival & installation*
- 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-128

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 merely awaiting the arrival of two new windows that had to be special ordered through Tommy D's windows. No other place had them in stock either (Lowes, Menards, etc.)

We would have ordered the windows sooner, but we were advised the windows were repairable. They were not.

I sincerely apologize!

Mike Hensinger

912-337-8960 home phone

812-606-6611 cell phone

Signature (required): 

Name (please print): Michael S. Hensinger Date: 4-20-15

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

833

OWNERS

Ribat, Jean-Bertrand
830 S. Woodlawn
Bloomington, IN 47401

Prop. Location: 102 S Hillsdale DR
Units/Bedrooms/Max # of Occupants: 1/3/3
Date Inspected: 02/13/2015
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

AGENT

Hensinger, Michael S.
907 S. Rolling Rock Drive
Bloomington, IN 47403

Number of Units/Structures: 1/1

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

Monroe County Assessor's records indicate that this structure was built in 1955. At that time there were no minimum requirements for emergency egress.

INTERIOR:

Entry:

No violations noted.

Kitchen 10-2 x 10-0 + 8-0 x 7-2:

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

NE Bedroom 13-4 x 12-3; SW Bedroom 10-11 x 9-4:

No violations noted.

Existing Egress Window Measurements:

Height: 21 inches
Width: 28 inches
Sill Height: 28 inches
Openable Area: 4.08 sq. ft.

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

Hallway:

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

NW Bedroom 12-9 x 9-2:

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

Existing Egress Window Measurements:

Height: 21 inches

Width: 28 inches

Sill Height: 28 inches

Openable Area: 4.08 sq. ft.

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

Bathroom:

Replace the broken window glass. BMC 16.04.060(b)

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

Basement –

Family Room 26-7 x 25-8; Laundry/Bathroom:

No violations noted.

Mechanical Closet:

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

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

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm

BMC 16.01.060(f) and 16.04.060 (c)

EXTERIOR:

Replace the missing and broken pieces parts of the fence. BMC 16.04.050(a)

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item only has a compliance deadline of February 13, 2016)

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: June 17, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-129

Address: 204 N. Walnut Street

Petitioner: Two Zero Five, LLC

Inspector: Jo Stong

Staff Report: August 4, 2014: Cycle inspection conducted
August 12, 2014: Report mailed
December 4, 2014: Monroe County records indicate property sold from
Mallory Hawes, LLC to Two Zero Five, LLC
December 16, 2014: Conducted reinspection with Chris Hawes
January 5, 2015: Emailed remaining violations report to Chris Hawes
January 7, 2015: Mailed remaining violations report to former owner
April 3, 2015: Legal proceedings started. Letter sent to new owner.
April 28, 2015: Received appeal

During a cycle inspection of the above property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found. The property was sold shortly before the reinspection (scheduled by the first owner) was conducted. The new owner did not receive the remaining violations report. The new owner is requesting an extension of time to schedule a reinspection and remedy any additional outstanding issues.

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 15, 2015

Attachments: Remaining violations report, legal letter, appeal

A



RECEIVED
APR 28 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: 204 N. WALNUT, BLOOMINGTON, IN 47404-4926

Petitioner's Name: TWO ZERO FIVE, LLC

Address: 118 N. WALNUT STREET

City: BLOOMINGTON State: IN Zip Code: 47404

Phone Number: 812-369-6275 Email Address: mark@suitesat118.com

Property Owner's Name: TWO ZERO FIVE, LLC

Address: 118 N. WALNUT STREET

City: BLOOMINGTON State: IN Zip Code: 47404

Phone Number: 812-369-6275 Email Address: mark@suitesat118.com

Occupants: TENANT: ABCDES, INC.

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)

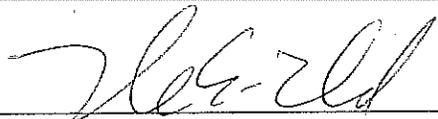
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 15-TV-129

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.

SEE ATTACHED PAGE 3

Signature (required): 

Name (please print): MAK E. NEED, AUTHORIZED MEMBER Date: 4-28-15
TWO ZERO FIVE, LLC

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.

The current owner and petitioner herein acquired the subject property on December 1, 2014, during the inspection cycle for the property. The Remaining Violations Report in this matter, dated January 7, 2015, was served upon the prior owner and not the Petitioner. The petitioner was aware of the issues regarding the most recent inspection and was in communication with the seller about specific plans to resolve each outstanding inspection issue. As of early 2015, the seller understood the issues to have been resolved and satisfied as required by HAND.

Receipt of the April 17, 2015 letter from the City of Bloomington was Petitioner's first notice that no follow-up inspection had been undertaken. **While Petitioner believes that all issues may have already been resolved to the standards required, Petitioner seeks a reasonable additional amount of time within which to inspect the property, confer with the inspector, and resolve any additional outstanding issues.** The Petitioner will act in good faith to resolve any outstanding inspection issues as soon as practicable.



**City of Bloomington
Housing and Neighborhood Development**

JAN 07 2015

Remaining Violations Report

1410

OWNERS

Mallory_Hawes LLC
1533 Arbors Lane
Bloomington, IN 47401

AGENT

Melody McDaniel
1527 Arbors Lane
Bloomington, IN 47401

Prop. Location: 204 N Walnut ST
Number of Units/Structures: 3/1
Units/Bedrooms/Max # of Occupants: 3/1/5

Date Inspected: 08/04/2014
Primary Heat Source: Electric
Property Zoning: CD
Number of Stories: 2

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

VARIANCE

NOTE: LOFT AREAS IN APT. A & APT. C ARE NOT APPROVED FOR SLEEPING PURPOSES OR FOR USE AS BEDROOMS.

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:

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

Unit A (Vacant)

Loft:

Repair the pull-down ladder to function as intended. BMC 16.04.060(b)

Unit B

Southeast Bedroom:

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

Laundry Room:

Properly reconnect the dryer vent to the dryer. Clothes dryer exhaust shall be exhausted to the exterior of the structure and not recirculated to any space. BMC 16.04.060(c)

Unit C

Note: There was no water service to this unit at the time of inspection. The water service will be checked at the reinspection.

Living Room/Bedroom:

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

OTHER REQUIREMENTS:

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

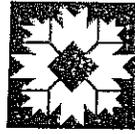
- **A completed copy of the Tenants & Owners Rights and Responsibilities Summary** BMC16.03.060(c)
- **Inventory & Damage List:** The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner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

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 the report

Corporation Counsel
Margie K. Rice

City Attorney
Patricia M. Mulvihill



City of Bloomington
Legal Department

Assistant City Attorneys
Thomas D. Cameron
Barbara E. McKinney
Jacquelyn F. Moore
Michael M. Rouker
Greg Small
Christopher J. Wheeler

FILE COPY

April 17, 2015

Mark E. Need
Two Zero Five, LLC
118 N. Walnut St.
Bloomington, IN 47404

RE: 204 N. Walnut St., Bloomington, IN

Mr. Mark Need,

The City Legal Department received a referral from the Department of Housing and Neighborhood Development ("HAND") concerning a remaining violation of the Residential Rental Unit and Lodging Establishment Inspection Program. According to the Remaining Violations Report issued on January 7, 2015, the property has several remaining violations (copy of the report enclosed). It is imperative that you immediately remedy these issues and schedule a re-inspection through HAND as your occupancy permit for this property has been expired since July 29, 2014. It is a violation of Bloomington Municipal Code § 16.03.030 to rent this property to tenants without an occupancy permit.

You must remedy the remaining violations and schedule for a re-inspection of the property no later than **Friday, May 1, 2015**. Failure on your part to do so will leave the City with no alternative but to initiate legal proceedings against you. In that event, in addition to court costs, you may be fined up to as much as \$2,500.00 per day for each day that the property has been out of compliance with the Bloomington Municipal Code dating back to July 29, 2014, and we will ask that the property be **immediately vacated** until and unless full compliance is reached.

Please contact HAND at (812) 349-3420 with any questions. Your prompt attention to this matter is greatly appreciated.

Sincerely,

Christopher J. Wheeler
Assistant City Attorney

cc: Lisa Abbott, Director for the Department of Housing and Neighborhood Development



City of Bloomington
H.A.N.D.

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

Meeting Date: 17 June 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-130

Address: 602 N. Morton St.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 17 March 2015 Cycle Inspection
14 April 2015 Review by Planning
23 April 2015 Sent Report
28 April 2015 BHQA Application Processed

This property was previously granted a variance to the pass through requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include pass through requirements and the Building Code in place at the time of construction did not address pass through requirements; therefore we are asking the Board to rescind this variance. This structure was built in 2010.

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: June 17, 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-131

Address: 2408 E. 5th Street

Petitioner: Hallmark Rentals & Management, Inc.

Inspector: Dee Wills

Staff Report: February 02, 2015 Completed Cycle Inspection
April 13, 2015 Completed Remaining Violations Report
April 29, 2015 Received Application for Appeal
April 30, 2013 Conducted a "Drive By" at property to confirm that unit is still vacant.

The petitioner is requesting a 3 month extension of time to complete the repairs noted on the Cycle Report. The petitioner also states that the window glazing that needs repaired and replaced must be done by a company who is certified to handle lead based paint . They have not been able to schedule this work to be done by their deadline.

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: All Violations: Must be completed and reinspected prior to Re-occupancy

Attachments: Remaining Violations Report, Application for Appeal

SS



RECEIVED
4/24/15

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

Property Address: 2408 E. 5th St.

Petitioner's Name: Hallmark Rentals & Management, Inc.

Address: 1205 N. L. Dehust St.

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812.334.8819 Email Address: haylor@hallmarkrentals.com

Property Owner's Name: John Gies

Address: 215 S. L. Dehust

City: Spencer State: IN Zip Code: 47274

Phone Number: 812.522.4671 Email Address: none

Occupants: currently 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-131

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 seeking a 3 month extension to complete necessary repairs as per the Cycle Inspection Report. The glazing compound on the windows that is cracked and peeling must be repaired by a company who is certified to handle lead based paint and we have been unable to complete this repair by the deadline.

Signature (required):

Hayle N. Ray, agent

Name (please print):

Hayle N. Ray, agent

Date:

4/28/15

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

APR 15 2015

Remaining Violation Report

1121

OWNERS

Graf, John
215 S. Walnut St.
Seymour, IN 47274

AGENT

Hallmark Rentals & Mgmt. Inc.
1205 N. Walnut St.
Bloomington, IN 47404

Prop. Location: 2408 E 5th ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/5
Date Inspected: 02/02/2015
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: Dee Wills
Foundation Type: Slab
Attic Access: No
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

Living Room/ Dining Room (19-0 x 17-0)

Properly ground the electrical receptacle on the east wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. BMC16.04.020(a)(5); 2009 IEC Article 406(D)(3)

Repair the surface of the ceiling to be free of cracks. BMC 16.04.060(a)

Install/replace battery in smoke detector so that it may function as intended. IC 22-11-18- 3.5

Kitchen (16-0 x 8-0)

Repair the faucet assembly to eliminate the leak. BMC 16.04.060(c)

Repair the left front and back range burners to function as intended. BMC 16.04.060(c)

Laundry Area

No violations noted.

Utility Closet

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

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

BMC 16.01.060(f) and 16.04.060 (c)

Family Room (16-0 x 12-0)

Properly repair the trim board on the entry door. BMC 16.04.060(a)

Repair the surface of the ceiling to be free of cracks. BMC 16.04.060(a)

Properly secure the loose outlet plate on the south wall. BMC 16.04.060(b)

4-29-15
C

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

Hallway

No violations noted.

NE Bedroom (9-0 x 8-0)

No violations noted.

Existing Egress Window Measurements: Casements

Height: 34 inches

Width: 15 inches

Sill Height: 44 inches

Openable Area: 3.54 sq. ft.

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

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

Bathroom

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

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

NW Bedroom (12-0 x 8-0)

No violations noted.

Existing Egress Window Measurements: Casements

Height: 34 inches

Width: 15 inches

Sill Height: 44 inches

Openable Area: 3.54 sq. ft.

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

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

SW Bedroom (12-0 x 10-0)

Properly secure the loose electrical outlet plate on the south wall. BMC 16.04.060(b)

All basement and ground floor windows and all upper windows adjacent to porch roofs, decks or other accessible exterior elements shall be capable of latching securely. Install a locking mechanism to the west window. BMC 16.04.060(b)

EXTERIOR

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

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

Properly re-caulk the windows and entry door windows where glazing compound is cracked or missing. BMC 16.04.050(a)

Properly repair or replace damaged/deteriorated soffit/fascia on the west side in a manner that seals all openings. BMC 16.04.050(a)

Other requirements

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: 17 June 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-132

Address: 1101 S. Rogers St.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 17 April 2015 Cycle Inspection
23 April 2015 Planning review for occupancy
27 April 2015 Sent Report
30 April 2015 Start BHQA process

This property was previously granted a variance to the minimum room size, ceiling height and bathroom access requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include minimum room size, ceiling height and bathroom access requirements and the Building Code in place at the time of construction did not address minimum room size, ceiling height and bathroom access requirements; 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: 17 June 2015

Petition Type: Rescind a variance

Petition Number: 15-RV-133

Address: 420 S. Fess Ave.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 10 February 2015 Cycle Inspection
24 February 2015 Sent Report
30 April 2015 BHQA Application

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

A



City of Bloomington
H.A.N.D.

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

Meeting Date: June 17, 2015
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 15-AA-134
Address: 2621 S. Milton Drive
Petitioner: Rachel Gross & Linda Ball

This property is owned by Ms. Gross and occupied by her mother, Linda Ball, and Ms. Balls grandchildren of whom she shares custody with Ms. Gross.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner, Rachel Gross, and occupied by her mother, Linda Ball, and the grandchildren. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form

deo



City of Bloomington
H.A.N.D.

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

Meeting Date: June 17, 2015
Petition Type: An extension of time to complete repairs.
Petition Number: 15-TV-135
Address: 1530 W. Arlington Rd.
Petitioner: Mike Beyers
Inspector: Dee Wills
Staff Report: February 18, 2015 Completed Cycle Inspection
April 27, 2015 Completed Reinspection
May 07, 2015 Received Application for Appeal

The petitioner is requesting an extension of time to complete the remaining exterior repairs. He had back surgery on April 15th 2015 and is unable to physically make the repairs at this time. He is requesting his deadline to be extended to October 31, 2015 in order for him to have adequate enough time to recover and to make the repairs.

Staff recommendation: Grant the extension of time.
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: October 31, 2015
Attachments: Remaining Violations Report, Application for Appeal



RECEIVED
5.7.15
EF

RECEIVED
MAY 07 2015

Application for Appeal By: _____
To The

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

Property Address: 1530 West Artlington Road

Petitioner's Name: Mike Beyers

Address: 1516 West Artlington Road

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-369-8371 Email Address: _____

Property Owner's Name: /

Address: _____

City: SABC 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-135

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

I had back surgery on April 15th I have the soffit & fascia purchased to alleviate any further paint problems. I would like to have until the end of October to fix this violation

Thanks for your consideration

Signature (required):

Mike Beyers

Name (please print):

Mike Beyers

Date:

4/5/7/2015

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

APR 30 2015

Remaining Violations Report

7489

OWNERS

Michael P. Beyers
1516 Arlington Road
Bloomington, IN 47404

Prop. Location: 1530 W Arlington RD
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/1/3
Date Inspected: 02/18/2015
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspectors: Dee Wills
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

Properly repair or replace damaged/deteriorated soffit/fascia in a manner that seals all openings. BMC 16.04.050(a)

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

(the painting violation has a one-year deadline from the date of the cycle inspection)

Other requirements

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (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: June 17, 2015
Petition Type: An extension of time
Petition Number: 15-TV-137
Address: 1209 S. Park Ave.
Petitioner: Pamela Cunningham
Inspector: Matt Swinney
Staff Report: December 16, 2014 Completed Cycle Inspection Report

Owner has requested an extension for the current tenants lease to end. At that time she will move in and the property will be owner occupied.

Staff recommendation: Grant the request.

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

Compliance Deadline: June 19th, 2015

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

JS



RECEIVED
5.14.15

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: 1209 S. Park

Petitioner's Name: Pamela Cunningham

Address: 3512 S. Rogers

City: Bloomington State: IN Zip Code: 47403

Phone Number: 219-771-5254 Email Address: pamelacunningham@gmail.com

Property Owner's Name: Pamela Cunningham

Address: 3512 S. Rogers

City: Bloomington State: IN Zip Code: 47403

Phone Number: 219-771-5254 Email Address: pamelacunningham3@gmail.com

Occupants: Jean Haley

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-137

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.

Currently this is a rental but it is my intention to move into the house and so that would make it an owner occupied property. The current tenant is moving out on May 31st. I will be moving in at that time.

Signature (required): Pamela L Cunningham

Name (please print): Pamela Cunningham Date: 5/18/2015

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.

Cycle Report

9516

OWNERS

Pamela Cunningham
3512 S. Rogers St.
Bloomington, IN 47403

Prop. Location: 1209 S Park AVE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 12/16/2014	Inspectors: Matt Swinney
Primary Heat Source: Electric	Foundation Type: Crawl Space
Property Zoning: RC	Attic Access: No
Number of Stories: 1	Accessory Structure: Garage

Monroe County Assessor's records indicate this structure was built in 1973.
There were no requirements for emergency egress at the time of construction.

INTERIOR

Living Room (18-3 x 11-6), Kitchen/Dining Room (21-3 x 12-2), Family Room (22-3 x 10-2),
Common Bathroom, Utility Room
No violations noted.

NE Bedroom (9-9 x 9-7), Master Bedroom (13-6 x 9-8)
No violations noted.

Existing Egress Window Measurements

Height: 32 inches
Width: 31.5 inches
Sill Height: 48 inches
Openable Area: 7.00 sq. ft.

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

Master Bathroom

Properly repair or replace loose, damaged, or missing floor covering. BMC 16.04.060(a)

Repair/replace the door to function as intended. BMC 16.04.060(a)

Crawl Space

No violations noted.

Detached Garage

No violations noted.

EXTERIOR

No violations noted.

Required documentation

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

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

This is the end of this report.



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

RECEIVED
 MAY 15 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: 907 W. RCA Park Drive

Petitioner's Name: John Vargo

Address: 7635 N. Tunnel Road

City: Unionville State:IN Zip Code: 47468

Phone Number: 812-332-1482 Email Address: john@insccap.org

Property Owner's Name: John Vargo

Address: 7635 N. Tunnel Road

City: Unionville State:IN Zip Code: 47468

Phone Number: 812-332-1482 Email Address: john@insccap.org

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 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-138

RECEIVED
MAY 15 2015

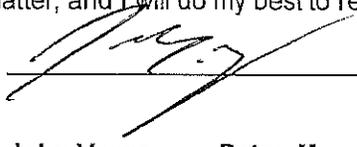
SEE REVERSE

BY: _____

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

I am respectfully requesting an extension of time in order to obtain an egress variance. During a rental cycle inspection, it was noted that one emergency egress window did not meet minimum requirements for a one and two family dwelling built in 1994. This house has passed rental inspections over the last ten or so years, so I had no idea that there was a violation of this sort. I am in the process of filing for an egress variance with the Indiana Fire and Building Safety Commission, but I'm sure that will take some time to finalize. I think that I should have everything complete by August 31, 2015. Thank you for your consideration in this matter, and I will do my best to resolve it quickly.

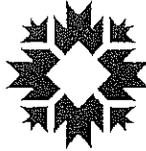
Signature (required): _____



Name (please print): John Vargo

Date: May 12, 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

7315

OWNERS

Vargo, John
7635 N. Tunnel Road
Unionville, IN 47468

Prop. Location: 907 W Rca DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 01/13/2015
Primary Heat Source: Electric
Property Zoning: RS
Number of Stories: 1

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

The Monroe County Assessors records indicate that this structure was built in 1994. These are the minimum egress requirements for One and Two Family Dwellings built or altered between 1990 and 1996.

Clear opening height: 24"
Clear opening width: 18"
Sill height: 44" above finished floor
Openable area: 4.75 sq. ft.

Interior

Living room

14-9 x 10-7

No violations noted.

Kitchen

9-10 x 17-7

No violations noted.

Laundry

No violations noted.

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

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

Garage

No violations noted.

SW bedroom 11-7 x 18-8, SE bedroom 11-2 x 10-5

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1994. The relevant code is the 1990 Indiana Residential Code, Section: 210.2.

Openable area required:	4.75sq. ft.	Existing area:	4.43sq. ft.
Clear width required:	18"	Existing width:	27.75"
Clear height required:	24"	Existing height:	23"
Maximum sill height:	44" above finished floor	Existing sill:	25"

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

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

Hall Bath, Master bath

No violations noted.

Exterior

No violations noted.

Other requirements

Required documentation:

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

Required documentation:

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: June 17, 2015
Petition Type: An extension of time to complete repairs.
Petition Number: 15-TV-139
Address: 326 W. Kenwood Dr.
Petitioner: Sharon Belcher
Inspector: Dee Wills
Staff Report: February 10, 2015 Completed Cycle Inspection
March 17, 2015 Application for Appeal to Rescind a Variance
April 24, 2015 Reinspection is scheduled for June 10, 2015
May 18, 2015 Received Application for Appeal

Petitioner is requesting an extension of time to complete the repairs in Unit # 2. The current tenant is refusing the entry of anyone into her apartment and has become aggressive when attempts were made to enter. The current tenants lease will end on July 30, 2015. The petitioner is requesting more time to finish the repairs after the tenant has vacated the unit.

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: August 30, 2015
Attachments: Application for Appeal, Cycle 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
 5.18.15

Property Address: 326 W. Kemwood Dr. #2

Petitioner's Name: Sharon Belcher

Address: ~~217 S. Star~~ 3255 S. Knightbridge

City: Bloom State: In. Zip Code: 47401

Phone Number: 812-330-7005 Email Address: stberl_sbelcher@earthlink.net

Property Owner's Name: _____

Address: SAME

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: Sara Stone

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-139

SEE REVERSE

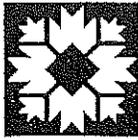
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request; the amount of time needed to bring the property into compliance,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

Tenant would not let the repairmen
in to make the repairs in #2
Tenant will be out by July 30th - lease will be
Sharon ending,

Signature (required): Sharon Belcher

Name (please print): Sharon Belcher Date: 5-15-15

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

1094

OWNERS

Belcher, Charles
3255 S. St Rd 446
Bloomington, IN 47401

Prop. Location: 326 W Kenwood DR
Number of Units/Structures: 12/1
Units/Bedrooms/Max # of Occupants: 12/1/5
Date Inspected: 02/10/2015
Primary Heat Source: Electric
Property Zoning: CG
Number of Stories: 2

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

VARIANCE

11/12/1992 The basement efficiency apartment is not approved for habitation until all conditions for the special exception granted by the Board have been met and reinspected for compliance.

10/18/1978 Granted a variance for the window sill height requirement

This property 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 a sill height requirement and the Building Code in place at the time of construction did not address sill height; 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 1971.
There are no minimum requirements for emergency egress at the time of construction.

Existin Egress Window Measurements:

Height: 32 inches
Width: 19.75 inches
Sill Height: 48 inches
Openable Area: 4.38

Typical Room Measurements:

Living Room: 15 x 12
Kitchen: 14 x 5
Bedroom: 12 x 10
Bathroom

INTERIOR

Unit 1

Living Room

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

Unit 2

Living Room

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

Kitchen

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

Bathroom

Replace all damaged or missing tile(s) in the bathtub surround. BMC 16.04.060(a)

Repair the bathtub drain to function as intended. BMC 16.04.060(b)

Unit 3

Living Room

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

Unit 4

There was no electrical service to this unit at the time of the Cycle Inspection. Electrical service shall be restored and all associated items shall be checked at re-inspection. Any violations noted at that time shall have the same 60 day compliance deadline as the remainder of this report. BMC 16.04.060(c)

Unit 5

Living Room

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

Unit 6

Living Room

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

Unit 7, 8, and 9

No violations noted.

Unit 10

Living Room

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

Bathroom

Replace missing light switch cover plate. BMC 16.04.060(a)

Basement/ Laundry

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

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

4-29-15
C

EXTERIOR

No violations noted.

Required documentation:

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

4-6-15
C

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (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: June 17, 2015
Petition Type: Rescind a variance
Petition Number: 15-RV-140
Address: 1015 W. Gourley Pike
Petitioner: HAND
Inspector: Norman Mosier
Staff Report: March 19, 2015 – Conducted Cycle Inspection
May 21, 2015 – Received June BHQA Application
May 26, 2015 – Prepared June BHQA Staff Report

This property was previously granted a variance to the pass through requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a pass through requirement and the Building Code in place at the time of construction did not address pass through requirement; therefore we are asking the Board to rescind this variance. This structure was built in 1935.

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: 17 June 2015

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-013(old)

Address: 812 E. 8th St.

Petitioner: Judy Fulford

Inspector: Michael Arnold

Staff Report:

11 June 2014	Cycle Inspection
03 July 2014	Sent Inspection Report
08 August 2014	Reinspection scheduled for 24 October 2014
24 October 2014	No show for Reinspection
24 October 2014	Left message to schedule reinspection
19 November 2014	Left message to schedule reinspection
20 November 2014	Sent Remaining Violations Report
25 November 2014	call from Judy for update on file
04 December 2014	Request for extension of time
23 January 2015	Tabled By the Board
28 January 2015	Reinspection for Smoke Detector issue
18 February 2015	BHQA granted extension of time 31 May 2015
21 May 2015	Received requires for Extension of Time

The petitioner is requesting a 2nd extension of time to complete the non-life safety items that were noted on the June 11, 2014 cycle inspection. This property is owned in a partnership; the petitioner Judy Fulford, her late husband, and Cheryl Underwood were the partners in this property.

A re-inspection was scheduled for this property with-in the 60 day time frame as required by the code. However on October 6, 2014 Ms. Underwood called to reschedule the re-inspection for October 15, 2015. On the 15th the inspector was told by the tenants that they had not been notified and they were not comfortable with him conducting the re-inspection. The HAND staff called the property owner (unable to determine which owner the file says agent who is listed as Ms.

JD

Underwood in the file) after the no show to re-schedule. HAND was unable to reach her. Judy Fulford filed the 1st extension of time after receiving the Remaining violations report. The request was first heard at the January 21, 2014 meeting. At that meeting the petition had a request to be tabled by Ms. Underwood's attorney. The board tabled the request to complete repairs until the next meeting with the exception of the smoke detector violation which was given a February 1st compliance deadline. Ms. Fulford scheduled the smoke detector re-inspection with-in the compliance deadline and it was functional at the re-inspection. At the February 18, 2015 BHQA meeting the tabled portion on the extension of time was heard and granted an extension of time until May 31, 2015. There have been no additional re-inspections of this property.

Staff recommendation: Deny the extension of time

Conditions: All repairs must be completed and re-inspected immediately, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Attachments: Application, Remaining Violations Report



RECEIVED
MAY 21 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: 812 East 8th Street, Bloomington, IN

Petitioner's Name: Judy Fulford

Address: 508 East 8th Street

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-334-2188 Email Address: _____

Property Owner's Name: Judy Fulford

Address: 508 East 8th Street

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-334-2188 Email Address: _____

Occupants: Yes

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY
Petition Number 15-TV-13

(OLD BUSINESS)

SEE REVERSE

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

I request of time so owners can decide how to move forward on the May 31, 2015 deadline requirements.

Signature (required):

Judy Fullford

Name (please print):

Judy Fullford

Date:

5/21/15

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

NOV 20 2014

Remaining Violation Report

2688

OWNERS

=====

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

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

AGENT

=====

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

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

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

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

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington.

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

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under BMC 16.10.040

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

Interior:

Basement:

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

Main Level:

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

Bathroom:

C Replace the broke stool seat. BMC 16.04.060(a)

Screened Porch:

Not accessible. Check at reinspection

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

12/8/15
C Provide operating power to smoke detector. IC 22-11-18-3.5

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

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

Exterior:

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: June 17, 2015
Petition Type: An extension of time to make repairs.
Petition Number: 15-TV-127
Address: 1300 S. Walnut St.
Petitioner: German American Bank
Inspector: Matt Swinney
Staff Report: February 3, 2015 Cycle Inspection Report

Owner has requested an extension of time to complete repairs due to ownership change. The current agent has been in contact with HAND to ensure that repairs meet the requirements of the Municipal Code. We recommend separate deadlines for life safety violations and regular violations. In the units where the exterior door has no structure on the outside, the doors must either be permanently sealed, removed, or an appropriate structure built outside the doors.

Staff recommendation: Grant the request.

Conditions: Any exterior repairs to this building must obtain the approval of the Historic Commission. For all question regarding Historic structures and the alterations thereof, contact the HAND office and speak to the Historic Preservation Program Manager. 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 26, 2015 For the life safety violations.
August 31, 2015 For all of the other violations.

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

A

RECEIVED
APR 24 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: 1300 S Walnut St.
Petitioner's Name: Jeff Brawley / The Brawley Group
Address: 115 N. College Ave
City: Bloomington State: IN Zip Code: 47404
Phone Number: (812) 327-5331 Email Address: jeff@thebrawleygroup.com
Property Owner's Name: Gronquist, James M.
Address: P.O. Box 1131
City: Bloomington State: IN Zip Code: 47402
Phone Number: _____ Email Address: _____
Occupants: VARIOUS

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-127

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.

Time extension for repairs.
120 days requested.

Signature (required):



Name (please print):

JEFF BRUBAKER

Date:

4/22/15

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

3539

OWNERS

Gronquist, James M.
P.O. Box 1131
Bloomington, IN 47402

Prop. Location: 1300 S Walnut ST
Number of Units/Structures: 8/1
Units/Bedrooms/Max # of Occupants: 6/1/2 2/1/2

Date Inspected: 02/03/2015	Inspectors: Matt Swinney
Primary Heat Source: Electric	Foundation Type: Basement
Property Zoning: CG	Attic Access: No
Number of Stories: 2	Accessory Structure: None

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

VARIANCE

09/28/1989 Granted a variance to the ceiling height requirement in all habitable rooms in Apt. #9, & #10.

12/02/1982 and 9/28/89 the Board granted variances for light, vent in Apts. 5,6,9 & 10 and to ceiling height in Apts. 9 & 10.

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 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 total number of units in this building has not been determined yet. There are currently 4 units on the second floor. The 1st floor consists of 2 commercial units. The basement is being remolded, at the time of inspection the basement was gutted. The current plan is to have 2 units downstairs.

INTERIOR

Second Floor

Unit#1

Kitchen/Dining Room, Laundry Closet, Water Heater Closet

No violations noted.

Bedroom

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

Bathroom

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

Living Room

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

The exterior door has to lead to a safe and well maintained structure. If it does not the door should be removed. Every flight of interior stairs with 3 or more risers and every flight of exterior stairs with 2 or more risers shall be provided with handrails. Porches, balconies, decks or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards not less than 36 inches in height. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guards not less than 34 inches in height measured vertically from the nosing of the treads. Guards and handrails on opens sides of stairs shall be provided with intermediate railings that do not allow passage of a 4" diameter sphere. BMC 16.04.020

Unit #2

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

Unit #3

Living Room, Kitchen/Dining Room, Bedroom, Laundry Closet, Water Heater Closet

No violations noted.

Bathroom

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

Unit #4

Living Room, Kitchen/Dining Room, Bedroom, Laundry Closet, Water Heater Closet,

No violations noted.

Bathroom

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

Common Stairwell and Hallway

Stairwell

Every flight of interior stairs with 3 or more risers and every flight of exterior stairs with 2 or more risers shall be provided with handrails. Porches, balconies, decks or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards not less than 36 inches in height. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guards not less than 34 inches in height measured vertically from the nosing of the treads. Guards and handrails on open sides of stairs shall be provided with intermediate railings that do not allow passage of a 4" diameter sphere. BMC 16.04.020

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

Properly repair the broken window glass. BMC 16.04.060(b)

Finish and paint all drywall in a workmanlike manner. BMC 16.04.060(a)

Basement

Provide a complete directory of all service panels and circuits. BMC 16.04.020(a) IEC 408.4

Attic

Properly repair deteriorating rafter boards. This includes but is not limited to replacing or repairing damaged or deteriorated rafter boards, decking and structural members. BMC 16.04.060(a)

Repair or replace damaged roof access door in a manner so that it is reasonably weather tight, excludes the entrance of rodents, and functions as intended. BMC 16.04.060(a)

EXTERIOR

Properly repair or replace damaged, missing or deteriorated masonry/finishing trim around doors and windows 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, missing or deteriorating masonry/finishing trim and structural members. BMC 16.04.050(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. This form must be submitted to the HAND office within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.010(b) and BMC 16.01.030(b)

Required documentation

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

MBC
Stairs

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.