

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
January 20, 2016, 4:00 P.M.**

ALL ITEMS ARE ON THE CONSENT AGENDA

I.	<u>ROLL CALL</u>	
II.	<u>REVIEW OF SUMMARY</u> – December 16, 2015	3
III.	<u>PETITIONS</u>	
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(2)	15-TV-138, 907 W. RCA Park Drive , John Vargo. Request for an extension of time to complete repairs. Previously heard July 15, 2015.	11
(3)	15-TV-194, 1503 S. Dorchester Drive , Chad Minks (Donald W. Bevis). Request for an extension of time to complete repairs. Previously heard October 21, 2015.	18
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(5)	16-TV-02, 2374 S. Henderson Street , Muhammad Rana (Yaqoob Rana). Request for an extension of time to complete repairs.	27
(6)	16-TV-03, 3332 N. Windcrest Drive , Orion Property Management (Allison Bektesh). Request for an extension of time to complete repairs.	34
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(11)	16-RV-09, 521 S. Mitchell Street , H.A.N.D. (Cadjon Properties). Request for rescission of a variance.	56
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IV. **GENERAL DISCUSSION**

V. **PUBLIC COMMENT**

VI. **ADJOURNMENT**

B.H.Q.A. MEETING OF DECEMBER 16, 2015

SUMMARY

MEMBERS PRESENT: Megan Binder, Elizabeth Gallman, Nikki Gastineau, Susie Hamilton

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, John Hewett, Norman Mosier, Matthew Swinney, Dee Wills (HAND), Christopher Wheeler (Legal)

Meeting start time 4:00 PM.

I. REVIEW OF SUMMARY

Hamilton made a motion to approve the minutes for October 21, 2015. Gastineau seconded. Motion passed, 4-0.

Hamilton made a motion to approve the minutes for November 18, 2015. Gastineau seconded. Motion passed, 4-0.

II. CONSENT AGENDA

15-TV-257, **1020 E. Thornton Drive**, H.A.N.D. (Justin Cheney). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-TV-258, **207 S. Clark Street**, Olympus Properties (Frank Hrisomalos). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a May 31, 2016 deadline.

15-TV-259, **1005 W. 6th Street**, H.A.N.D. (B.K. Sharma). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-TV-260, **508 S. Maple Street**, Maria Karina Pazos. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a February 16, 2016 deadline.

15-TV-261, **1705 N. Lincoln Street**, College Properties (Daniel Langley). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a February 15, 2016 deadline.

15-RV-262, **212 S. Roosevelt Street**, H.A.N.D. (Yaling Huang). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-RV-263, **1209 S. Lincoln Street**, H.A.N.D. (Scott Owens). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-TV-264, **211 S. Kimble Drive**, Irma Denny (Peter Nguyen). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a December 31, 2015 deadline for all life-safety violations and a February 16, 2016 deadline for all other violations.

15-RV-265, **609 S. Grant Street**, H.A.N.D. (Lee Arthur). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-RV-266, **1215 N. Washington Street**, H.A.N.D. (Carol Hanna). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-TV-267, **2440 S. Henderson Street**, Crawford Apartments (Life Designs, Inc.). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a March 16, 2016 deadline.

15-RV-268, **400-402 S. Henderson Street**, H.A.N.D. (Pavilion Properties). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-RV-269, **514 W. Davis Street**, H.A.N.D. (Kevin Perry). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-RV-270, **524 S. Washington Street**, H.A.N.D. (Michael & Julia Donham). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-RV-271, **511 N. Fess Avenue**, H.A.N.D. (Long Real Estate, L.P.). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-RV-272, **1816 W. Vernal Pike**, H.A.N.D. (John Robinson). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-RV-273, **317 E. 15th Street**, H.A.N.D. (William Eckhart). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-RV-274, **328 W. 15th Street**, H.A.N.D. (Suzette & John Weakley). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-TV-275, **116 E. 3rd Street**, Pavilion Properties (Hyun Kim). Request for an extension of time to

complete repairs. Staff recommendation to grant the request with a March 16, 2016 deadline.
15-TV-276, **3200 E. John Hinkle Place Unit I**, Bobby Y. Lydon-Lam (Casa de Jang, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a February 16, 2016 deadline.

15-RV-277, **341 S. Madison Street**, H.A.N.D. (John Graf). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-TV-278, **2455 E. Tamarack Trail**, Edward Pate (Meadowood Retirement Center). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a December 31, 2015 deadline for smoke detectors and all other life-safety violations and a January 30, 2016 deadline for window, door and all other violations.

15-RV-279, **828 E. Cottage Grove Avenue**, H.A.N.D. (Sarajane Costas). Request for rescission of a variance. Staff recommendation to grant the rescission.

15-TV-238, **401 S. Woodlawn Avenue**, Pavilion Properties. Request for an extension of time to complete repairs. Previously heard November 18, 2015. Staff recommendation to grant the request with an April 01, 2016 deadline.

Approved.

III. GENERAL DISCUSSION

None.

IV. PUBLIC COMMENT

None.

V. ADJOURNMENT

Hamilton made motion to adjourn. Gastineau seconded. Motion unanimously passed. Meeting adjourned at 4:02 PM.



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-25 (Old Business)

Address: 703 W. Gourley Pike

Petitioner: Jessica Jackson

Inspector: Swinney/Wills/Mosier

Staff Report: September 22, 2014 – Conducted Cycle Inspection
December 22, 2014 – Received BHQA Application
February 16, 2015 – Received 2nd BHQA Application
March 19, 2015 – Sent Notice of Board Action
March 31, 2015 -Conducted Re-inspection for Life SafetViolations/Smoke Detectors.
June 8, 2015 – Conducted Re-inspection
August 24, 2015 – Conducted Re-inspection
December 1, 2015 – Conducted Re-inspection and Received BHQA Appeal

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: March 20, 2016

Attachments: Remaining violations report, BHQA Appeal, Petitioner's Letter

fa



RECEIVED
DEC 01 2015

Application for Appeal
To The BY: EW

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

Property Address: 703 W Gourley Pike, Bloomington, IN 47404

Petitioner's Name: Jessica Jackson

Address: 703 W Gourley Pike

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-332-6540 Email Address: jjackson@cbcech.com

Property Owner's Name: Copper Beech Townhome Communities Twenty Two, LLC

Address: 2590 Park Center Blvd, Ste. 200

City: State College State: PA Zip Code: 16801

Phone Number: 814-861-8100 Email Address: info@cbcech.com

Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY
Petition Number 15-TV-25

OLD BUSINESS

SEE REVERSE

Handed 03-18-15
02-18-15

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 property was inspected 12/1/15. A few minor repairs are still needed. They will be completed by the end of the week.

Signature (required): Jessica Jackson

Name (please print): Jessica Jackson Date: 12/1/15

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



City Of Bloomington
Housing and Neighborhood Development
REMAINING VIOLATION INSPECTION REPORT

416

Owner(s)

Copper Beach Townhome Communities Twelve, Llc
 2590 Park Center Blvd. Suite 200
 State College, PA 16801

Agent

Copper Beech Townhome Communities Twenty Two, Llc
 703 W. Gourley Pike
 Bloomington, IN 47404

Prop. Location: 703 W Gourley PIKE

Number of Units/Structures: 208/15

Units/Bedrooms/Max # of Occupants: Bld 1: 32/1/5 154/2/5 22/3/5

Date Inspected: 09/22/2014

Primary Heat Source: Electric

Property Zoning: RH

Number of Stories: 2

Inspector: Swinney/Wills/Mosier

Foundation Type: Slab

Attic Access: Yes

Accessory Structure: None

Variance: 02/12/2008 NOTE: This permit does not cover unit #129 & #130. These units must remain vacant until such time that the structural repairs have been made and the units re-inspected. This is not a variance to the City of Bloomington Property Maintenance Code.

02/12/2008 NOTE: This permit does not cover unit #129 & #130. These units must remain vacant until such time that the structural repairs have been made and the units re-inspected. This is not a variance to the City of Bloomington Property Maintenance Code.

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Department that your rental property continues to be in violation of the Bloomington Municipal Code, Title 16 - Residential Rental Unit and Lodging Establishment Inspection Program.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection. It is your responsibility to contact the Housing and Neighborhood Development Department to schedule the required re-inspection. Our mailing address and telephone number are listed below.

401 N Morton St
Bloomington, IN 47404
Fax (812) 349-3582

City Hall

bloomington.in.gov

Rental Inspection (812) 349-3420
Neighborhood Division (812)
349-3421
Housing Division (812) 349-3401

If you fail to make the repairs and/or schedule the required re-inspection then this matter will be referred to the City Legal Department for legal action under Bloomington Municipal Code § 16.10.04.

Your prompt attention to this matter is greatly appreciated.

EXTERIOR

Building 1

Replace the missing siding on the gable end above unit 4. BMC 16.04.050(a)

Building 3

Repair/replace the deteriorated trim around the sliding door of unit 25. BMC 16.04.050(a)

Properly caulk/seal the top of the sliding door unit 35. BMC 16.04.050(a)

Building 4

Replace the missing fascia trim above unit 47. BMC 16.04.050(a)

Building 5

Replace the missing soffit pieces at the SW corner. BMC 16.04.050(a)

Secure the loose outlet (J-boxes) to the structure for outlets on the balconies. BMC 16.04.050(b)

Building 6

Properly repair the sidewalk for entry to door to 77-82. BMC 16.04.050(a)

Building 10

Patch the hole at slider of unit 123. BMC 16.04.050(a)

Building 12

Properly seal/caulk the openings/gaps around the sliding door of unit 147. BMC 16.04.050(a).

Repair the loose concrete and cracks in the patio at the slider of unit 156. BMC 16.04.040(c)

Repair the loose concrete and cracks in the patio at the slider of unit 157. BMC 16.04.040(c)

Repair/replace the deteriorated door trim of unit 159. BMC 16.04.050(a)

Seal the crack at the entry door to unit 159 and 160. BMC 16.04.040(c)

Eliminate the trip hazard in the sidewalk at the entry of unit 160. BMC 16.04.040(c)

Building 13

Repair/replace the deteriorated trim around entry of unit 166. BMC 16.04.050(a)

Properly seal/caulk the openings/gaps around the sliding door of unit 166. BMC 16.04.050(a).

Eliminate the source and repair the wash out under the patio and AC pad for unit 166. BMC 16.04.050(c)

Building 15

Properly seal/caulk the openings/gaps around the sliding doors and windows on the north side of the structure. BMC 16.04.050(a).

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:

- 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.



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-138 old business

Address: 907 W. RCA Park Drive

Petitioner: John Vargo

Inspector: John Hewett

Staff Report: January 15, 2015 Cycle Inspection
April 18, 2015 started legal
May 15, 2015 received appeal
July 15, 2015 Board granted extension of time, August 31
deadline
November 9, 2015 emailed owner concerning windows
December 17, 2015 Received appeal under old business

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: February 20, 2016

Attachments: Cycle Report, Petitioner's letters

js



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

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

Property Address: 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 OLD BUSINESS

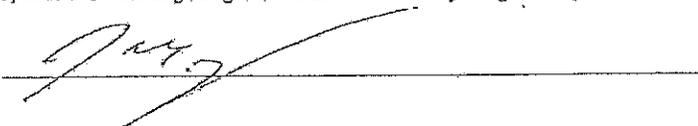
July 15, 2015

SEE REVERSE

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

I am respectfully requesting another extension of time in order to install a window that meets egress requirements. During a rental cycle inspection, it was noted that one bedroom did not have a window that met emergency egress window minimum requirements for a one and two family dwelling built in 1994. I have been working with John Hewett and Lisa Abbott to figure out what my options were, because this house has passed rental inspections over the last ten or so years and I had no idea that there was a violation of this sort. I have paid the deposit for a new custom window to be ordered from Tommy D's Windows, but they are booked up until mid-January. They should have the installation complete by the end of January 2016, and I will have the house reinspected shortly thereafter. I apologize that this matter has taken so long to resolve, but I am close to getting it taken care of. Thank you again for your consideration in this matter.

Signature (required):



Name (please print): John Vargo

Date: December 17, 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.



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

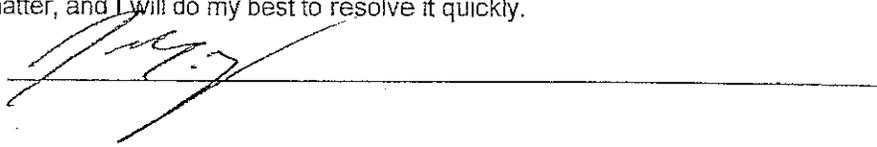
SEE REVERSE

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



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)



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-194 (Old Business)

Address: 1503 S. Dorchester Dr.

Petitioner: Chad Minks

Inspector: Norman Mosier

Staff Report: December 15, 2014 – Conducted Cycle Inspection
April 9, 2015 – Conducted Re-inspection
July 16, 2015 – Conducted Re-inspection, Sent Tenant Violation #1503
September 3, 2015 – Received BHQA Appeal - Tenant Violation (Oct.)
December 18, 2015 – Received BHQA Appeal (Old Business)

It was noted during the cycle inspection that inspector had no access to unit 1503, at the re-inspection access was obtained into unit 1503. Upon entering the unit the inspector cancelled the inspection for that unit due to excessive clutter. Petitioner is requesting an extension of time to move out of the unit.

Staff recommendation: Deny the request.

Conditions: None

Compliance Deadline: None

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



RECEIVED
12/18/15
JK

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: 1503 S. Dorchester Dr 47401

Petitioner's Name: Chad Winks

Address: 1503 S. Dorchester Dr ~~47401~~

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-360-2117 Email Address: _____

Property Owner's Name: Don Bovis

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: 2

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

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

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the 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-194

(OLD BUSINESS)

SEE REVERSE

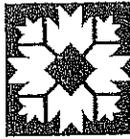
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request; the amount of time needed to bring the property into compliance,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

I am in the process of packing up
to move. I am on a month to month
basis currently. I need some additional
time. I need till April if possible
Due to an injury to my foot I am unable
to move anything at all.

Signature (required): Chad Mink

Name (please print): Chad Mink Date: 12-18-15

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 24 2015 REMAINING VIOLATIONS REPORT

1274

OWNERS

Bevis, Donald W.
Po Box 1183
Bloomington, IN 47402

Prop. Location: 1501- 1531 S. Dorchester Dr.
Number of Units/Structures: 16/2
Units/Bedrooms/Max # of Occupants: Bld 1: 8/2/5, Bld 2: 8/2/5

Date Inspected: 12/15/2014
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

Inspectors: Norman Mosier
Foundation Type: Slab
Attic Access:
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.

21

NORTH BUILDING
UNIT 1503

TV HOUSEKEEPING

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

UNIT 1507
2nd LEVEL

Hall Bath:

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

UNIT 1515

Entryway:

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

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

2nd LEVEL

Hall Bath:

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

SOUTH BUILDING

UNIT 1517

Kitchen:

C Secure the loose sink faucet. BMC 16.04.060(c)

UNIT 1519

1/2 Bath:

~~ABC~~ C Repair/replace the loud exhaust fan. BMC 16.04.060(c)

UNIT 1523

2nd LEVEL

Hall Bath:

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

UNIT 1525

Kitchen:

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

UNIT 1529

Kitchen:

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

UNIT 1531

Entryway:

C Replace the inaudible smoke detector. IC22-11-18-3.5

Living Room:

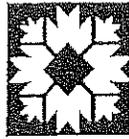
C Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials, adjacent to the hallway. BMC 16.04.060(a)

EXTERIOR:

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

(This violation has a one-year deadline from the date of the Cycle Inspection.)

This is the end of this report.



City of Bloomington
Housing and Neighborhood Development

TENANT VIOLATION REPORT

1274

OWNERS

Donald W. Bevis
Po Box 1183
Bloomington, IN 47402

Prop. Location: 1531 S Dorchester DR, 1501 S Dorchester DR
Number of Units/Structures: 16/2
Units/Bedrooms/Max # of Occupants: Bld 1: 8/2/5, Bld 2: 8/2/5

Date Inspected: 07/16/2015
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

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

NORTH BUILDING

UNIT 1503

TENANT VIOLATION: NOTE: Unit was not accessible due to clutter.

Chad Minks
1503 S. Dorchester Dr.
Bloomington, IN. 47401

During an inspection for renewal of the Rental Occupancy Permit on this property, violations were noted that are the responsibility of the tenant(s) to correct. The violations must be corrected and re-inspected for compliance with the Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington within **14 days** of the date on which this notice was mailed. **It is the responsibility of the tenant to contact this office to schedule the required re-inspection at 349-3420.** Any questions can be addressed to the inspector at 349-3420.

Failure to comply with the requirements of this notice within 14 days will result in this matter being forwarded to the City's Legal Department for legal action and fines under the provisions of Title 16 of the Bloomington Municipal Code.

- ☞ Reduce the amount of clutter to an average and manageable amount for a single adult. BMC 16.04.080
- ☞ A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the exterior. Remove clutter that is obstructing access to all ingress & egress areas in a manner that will provide a minimum 36 inch wide path of travel. BMC 16.04.020
- ☞ Provide clear and unobstructed access to all cooking, cleaning, and or sanitary facilities and fixtures. This includes but is not limited to kitchen sink and surrounding area, cooking facilities, and bathroom or sanitary fixtures/areas. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. BMC 16.04.020 and BMC 16.04.060(c)
- ☞ Tenant(s) must remove or rearrange items in a manner that allows the inspector access to all items and areas subject to inspection in regards to the Residential Rental Unit and Lodging Establishment Inspection Program. This includes but is not limited to all windows, doors, electrical receptacles and appliances, mechanical appliances, plumbing facilities, and attic/basement areas. BMC 16.04.030(a)
- ☞ Clean and sanitize entire unit. BMC 16.04.060(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: January 20, 2016
Petition Type: Rescind a variance
Petition Number: 16-RV-01
Address: 3801-3811 E. Morningside DR
Petitioner: HAND
Inspector: Dee Wills
Staff Report: November 09, 2015 Completed Cycle Inspection
November 23, 2015 Application for Appeal

This property built in 1967, was previously granted a variance to the light and ventilation requirements of the Property Maintenance Code for Unit B2. This requirement is no longer a requirement of Title 16 of the BMC, so we are asking the Board to rescind this variance.

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

js



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016
Petition Type: An extension of time to complete repairs.
Petition Number: 16-TV-02
Address: 2374 S. Henderson St.
Petitioner: Muhammad Rana
Inspector: Norman Mosier
Staff Report: September 3, 2015 - Conducted Cycle Inspection
November 20, 2015 – Received BHQA Appeal

It was noted during the cycle inspection that there are numerous repairs to be completed. Petitioner is requesting an extension of time to complete the repairs.

Staff recommendation: Grant the request.

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

Compliance Deadline: January 31, 2016 – For smoke detectors
March 20, 2016 – For all other violations

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



RECEIVED
NOV 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

Property Address: 2374 S Henderson St

Petitioner's Name: Muhammad Rang

Address: 1100 E Keenland Ct

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-360-4757 Email Address: mmranas4@yahoo.com

Property Owner's Name: Yaqoob A Rang

Address: _____

City: Plymouth State: IN Zip Code: 46563

Phone Number: 574-780-2200 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.

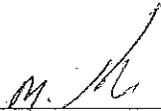
OFFICE USE ONLY
Petition Number 16-TV-02

SEE REVERSE

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

Need new carpet ~~carpet~~
Paint & repair and have to get paint
may be it will be get done by end
of February 2016

Signature (required):



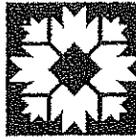
Name (please print):

MUHAMMAD RANA

Date:

11/20/15

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

785

OWNERS

Yaqoob Rana
11461 Crocus Court
Plymouth, IN 46563

AGENT

Muhammad Rana
1100 E Keenland Court
Bloomington, IN 47401

Prop. Location: 2374 S Henderson ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/5

Date Inspected: 09/03/2015
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

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

VARIANCE

07/19/2010 This property has been granted a variance from the Indiana State Fire Safety and Building Safety Commission on May 5, 2010 for the egress requirements. Project Name: 2374 S. HENDERSON WINDOWS - BLOOMINGTON; Variance Number: 10-05-2.

Monroe County Assessor's records indicate this structure was built in 1983.

GENERAL VIOLATION:

Clean and sanitize the carpet on the stairway and the entire 2nd level.
BMC 16.04.060 (a)

INTERIOR:

MAIN LEVEL

Entryway:

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

½ Bath:

No violations noted.

Kitchen 10-6 x 3-7:

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

Living Room 16-10 x 14-9:

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

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

Secure the loose receptacle on the north wall at corner. BMC 16.04.060 (b)

Repair/replace the defective lock on the sliding glass door. BMC 16.04.060 (b)

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

Balcony:

Secure the west handrail. BMC 16.04.050(b)

BASEMENT:

Stairway:

No violations noted.

Bath/Utility Room:

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

Repair/replace the defective shower surround, glued on walls are separating from walls. BMC 16.04.060 (a)

Bedroom 23-2 x 14-6: Exit door for egress requirements.

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

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

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

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

Repair/replace the sliding glass door to be weather tight and to open easily.

BMC 16.04.060 (a)

Repair/replace the broken lock for the sliding glass door. BMC 16.04.060 (b)

2nd LEVEL

Stairway/Hallway: See general violation.

Secure the loose bannister at the top of the stairway. BMC 16.04.060 (b)

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

W Bedroom 11-5 x 8-4:

Repair the damaged door casing. BMC 16.04.060 (a)

Secure all of the loose receptacles. BMC 16.04.060 (b)

Existing Egress Window Measurements: dbl hung: Const. Yr. - 1983

Height: 23.75 inches

Width: 32.5 inches

Sill Height: 31 inches

Openable Area: 5.36 sq. ft.

Note: See State Variance.

Bathroom:

Install a GFCI receptacle, old receptacle loose. BMC 16.04.060 (b), IEC406.3(d)(2)

Secure the loose sink faucet. BMC 16.04.060 (a)

E Bedroom 13-9 x 9-8:

Secure the loose receptacles on the north and east walls. BMC 16.04.060 (b)

Existing Egress Window Measurements: dbl hung: Const. Yr. - 1983

Height: 23.75 inches

Width: 32.5 inches

Sill Height: 31 inches

Openable Area: 5.36 sq. ft.

Note: See State Variance.

EXTERIOR:
No violations noted.

OTHER REQUIREMENTS:

Required documentation:

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

Required documentation:

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016
Petition Type: An extension of time to complete repairs.
Petition Number: 16-TV-03
Address: 3332 N Windcrest Dr.
Petitioner: Keith Williamson
Inspector: Matt Swinney
Staff Report: September 21, 2015 Cycle Inspection Report

Owner has requested an extension of time to complete the repairs.

Staff recommendation: Grant the request.

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

Compliance Deadline: January 28, 2016

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

A

RECEIVED
NOV 23 2015



BY: EW

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: 3332 N. Windcrest Dr.

Petitioner's Name: Orion Property Management

Address: PO Box 371

City: Bloomington State: IN Zip Code: 47402

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

Property Owner's Name: Allison Bektesh

Address: P.O. Box 8311

City: Aspen State: CO Zip Code: 81612

Phone Number: 812-334-5964 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.

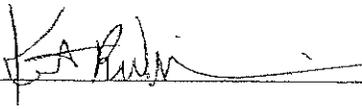
OFFICE USE ONLY
Petition Number 16-TV-03

SEE REVERSE

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

We were waiting on responce from the owner of the property and require a few more days to complete work.

Signature (required):



Name (please print):

Keith R. Williamson

Date:

11-23-15

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

SEP. 29 2015

RENTAL PERMIT INFORMATION

Allison Bektesh
P.O. Box 8311
Aspen, CO 81612

Property Location: 3332 N Windcrest DR

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **NOV 28 2015** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

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

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

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

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

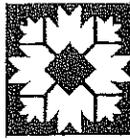
Xc: Orion Management Group, Llc

401 N. Morton
PO Box 100
Bloomington, IN 47402

City Hall

www.bloomington.in.gov/hand

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



City of Bloomington
Housing and Neighborhood Development

Cycle Report

10628

OWNERS

Allison Bektesh
P.O. Box 8311
Aspen, CO 81612

AGENT

Orion Management Group, Llc
P.O. Box 371
Bloomington, IN 47404

Prop. Location: 3332 N Windcrest DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 09/21/2015	Inspectors: Matt Swinney
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RS	Attic Access: Yes
Number of Stories: 1	Accessory Structure: Garage

Monroe County Assessor's records indicate this structure was built in 1962.
There were no requirements for emergency egress at the time of construction.

INTERIOR

MAIN LEVEL

Living room 11 x 15, Dining room 8 x 9

All receptacles show hot/neutral reverse please properly rewire receptacles to be correct. BMC
16.04.060(b)

Kitchen 6-6 x 6

Terminate electrical wiring under kitchen sink in an approved manner such as an electrical junction
box. BMC 16.04.060(b)

Hallway

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

Bathroom

Every window shall have a functioning locking device, window latch and shall be maintained in good condition. Window locks in rental units shall be capable of tightly securing the window and shall be openable without special knowledge or effort. BMC 16.04.060(b)

Front Bedroom 15-10 x 10-9

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

Every window shall have a functioning locking device, window latch and shall be maintained in good condition. Window locks in rental units shall be capable of tightly securing the window and shall be openable without special knowledge or effort. BMC 16.04.060(b)

Existing Egress Window Measurements:

Height: 21 inches
Width: 31 inches
Sill Height: 30.75 inches
Openable Area: 4.52 sq. ft.

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

Back Bedroom 9-8 x 11-3

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

Existing Egress Window Measurements:

Height: 22 inches
Width: 27 inches
Sill Height: 30.75 inches
Openable Area: 4.13 sq. ft.

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

Basement

Main Room 10-11 x 20

This room has an exterior door.

Properly install vent cover in the ceiling. BMC 16.04.060(a)

Bathroom

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

Mechanical Closet

Fuel fired furnace and water heater vent connectors/flue piping shall be installed without dips or sags and shall slope upward toward the vent or chimney at least ¼ inch per foot (2000 IFG 503.10.8). Replace or reconfigure the existing vent connectors/flue piping in a manner that meets the abovementioned criteria. BMC 16.04.060(c)

Laundry Closet

No violations noted.

Hallway

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

Bedroom 15 x 10

Repair/replace the door to close, latch, and function as intended. BMC 16.04.060(a)

Existing Egress Window Measurements: Both sashes removed

Height: 37 inches

Width: 27 inches

Sill Height: 53.5 inches

Openable Area: 6.94 sq. ft.

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

Attic

Terminate electrical wiring in an approved manner such as an electrical junction box. BMC 16.04.060(b)

Garage

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

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

EXTERIOR

Garage

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

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

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

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

OTHER REQUIREMENTS

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)

Required documentation

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

Required documentation

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016
Petition Type: Rescind a variance
Petition Number: 16-RV-04
Address: 815 N. Park Avenue
Petitioner: HAND
Inspector: Jo Stong
Staff Report: November 18, 2015: Conducted cycle inspection
November 24, 2015: Processed BHQA application

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

AS



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016
Petition Type: Rescind a variance.
Petition Number: 16-RV-05
Address: 1101 S. Grant St.
Petitioner: HAND
Inspector: Norman Mosier

Staff Report:

This property was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling heights; therefore we are asking the Board to rescind this variance. This structure was built in 1950.

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: 20 January 2016
Petition Type: Rescind a variance
Petition Number: 16-RV-006
Address: 1101 S. Dunn St.
Petitioner: HAND
Inspector: Michael Arnold
Staff Report: 23 November 2015 Cycle Inspection
 01 December 2015 BHQA Application

This property was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling 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. This structure was built in 1920.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: Relief from an administrative decision

Variance Request: Relief from loss of potential 4 year permit length due to missing a deadline.

Petition Number: 16-AA-08

Address: 614 S. Lincoln St.

Petitioner: David Kerber (agent)

Inspector: Jo Stong

Staff Report: April 20, 2015 Agent scheduled Cycle inspection for June 27, 2015

April 26, 2015 Previous Permit expires

May 27, 2015 Cycle Inspection with owner & agent

June 09, 2015 Report mailed to owner

August 06, 2015 Owner scheduled re-inspection

September 9, 2015 Re-inspection, not all complied

September 10, 2015 Rec'd documents, all complied

October 15, 2015 Billing statement sent

November 24, 2015 Past due billing statement sent

November 30, 2015 Agent called upset about past due bill

December 2, 2015 Received appeal

December 7, 2015 Received payment

HAND mailed billing for these inspections to the owner on October 15, 2015, and payment was not received by HAND until December 7, 2015. Pursuant to BMC § 16.03.030(e)(1)(C) an owner who fails to satisfy any outstanding fee assessment within thirty days from the date of billing shall receive a three year permit. Owner claims that the late payment is due to a mistake made by HAND. However, the mistake, if any, made by HAND did not occur until well after the thirty day deadline for payment. However, late payment was not the initial reason why HAND issued a three year permit. Late payment only served as a secondary reason for issuing a

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three year permit. The initial reason was for failure to correct a noted violation in the Cycle Report.

The cycle inspection was timely scheduled and completed. HAND issued a cycle report which noted, among other things, failure to provide required documentation concerning furnace cleaning and testing as a violation. Pursuant to BMC § 16.03.030(e)(1)(B), a residential rental unit shall receive a three year occupancy permit if the owner fails to correct all violations within sixty days after the report citing the violations was mailed to the owner. The Cycle Report was mailed to the owner on June 9, 2015. However, the owner did not deliver the required documentation concerning furnace cleaning and testing to HAND until 12:55 pm on September 10, 2015. As a result of the untimely filing of said required documentation the permit length was reduced to three years. Thus, even if the owner had timely paid his bill, the occupancy permit would still be three years in length.

Note that HAND has no discretion in this matter. Use of the word "shall" in the ordinance requires HAND to issue a three year permit in this case.

Relevant Code Sections:

BMC § 16.03.030(e)(1) Three-Year Permit. A residential rental unit shall receive a three-year occupancy permit if the criteria listed below apply:

- (A) If the owner fails to schedule a Cycle Inspection prior to the expiration of the residential rental unit's current occupancy permit; or
- (B) If a residential rental unit has had a Cycle Inspection by the HAND Department and said Department has issued a Cycle Inspection Report noting violations of this Title, and the owner fails to have the residential rental unit re-inspected and found to be in compliance with this Title within sixty days after the report citing the violations was mailed to the owner or within the time which may be granted by the Board of Housing Quality Appeals; or
- (C) If the owner fails to satisfy all outstanding fee assessments under this Title within thirty days from the date of billing.

Staff recommendation: Deny the relief from administrative decision.

Conditions: None

Compliance Deadline: None

Attachments: Appeal form, Cycle Inspection report, Furnace Documentation, Billing statements, Copy of payment

RECEIVED
DEC 02 2015



BY: EW

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: 614 S Lincoln St

Petitioner's Name: David Kerber (Agent)

Address: 3630 E Park Ln

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-287-9977 Email Address: dave@rentbps.com

Property Owner's Name: Kadhim A Shaaban

Address: 1588 S Andrew Circle

City: Bloomington State: IN Zip Code: 47401

Phone Number: call Agent Email Address: email Agent

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 16-AA-08

SEE REVERSE

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

I am the Agent for the Owner. The Owner received the original invoice for the permit, however, I did not for some reason. The Owner called me and asked if I had paid the bill, I told him I had not as I was unaware it was due but was close to HAND office and would stop in to pay it. Came into the office to make the payment and the younger of the two gentleman who sit at the front desk said all permits were current and that there were no outstanding balances. I had him double check all properties. He did and again told me there was nothing to pay. I then today receive a past due notice in the mail. Called HAND office today and learn that there is in fact a balance and that we will now lose our 4yr permit (turning into a 3yr permit) because the bill was unpaid. HAND office made an error, we should not be penalized for that. Payment in the amount of \$120 was mailed on 11/30/15 via GA Bank.



David Kerber

Digitally signed by David Kerber
DN: cn=David Kerber, o, ou, email=dave@rentbps.com, c=US
Date: 2015.11.30 13:05:07 -05'00'

Signature (required):

Name (please print): David Kerber

Date: 11/30/15

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 Inspection Report

1258

OWNERS

Kadhim A. Shaaban
1588 S. Andrew Circle
Bloomington, IN 47401

AGENT

David M. Kerber
3630 E. Park Lane
Bloomington, IN 47408

Prop. Location: 614 S Lincoln ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/1/3 1/3/5

Date Inspected: 05/27/2015
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1920.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

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

Unit #2 (vacant at the time of inspection)

Living Room:

No violations noted.

Dining Room:

Correct the polarity of the electrical receptacle on the west wall (north outlet). The hot and neutral conductors are reversed. BMC 16.04.060(b)

Kitchen:

Eliminate the duct tape and properly seal the hole in the west wall for the dryer vent. BMC 16.04.060(a)

Southeast Bedroom:

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

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

Bathroom:

No violations noted.

BASEMENT

Hallway, Laundry Room:

No violations noted.

Mechanical Room:

Thoroughly clean and service the furnace, and inspect and test shut-off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged.

Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

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

Southwest Bedroom, Southeast Bedroom:

No violations noted.

Existing Egress Window Measurements (casement):

Height: 31 ½ inches

Width: 25 ¾ inches

Sill Height: 44 inches SW, 42 ½ inches SE

Openable Area: 5.63 sq. ft.

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

Northeast Room:

Repair the holes in the south wall, ceiling and floor. BMC 16.04.060(a)

Unit #1 (efficiency)

Living Room/Kitchen:

Eliminate the duct tape on the outlet over the sink and properly repair or terminate the receptacle.

BMC 16.04.060(b)

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)

Bedroom, Bathroom:

No violations noted.

Existing Egress Window Measurements for the bedroom (double-hung):

Height: 32 ¼ inches

Width: 25 ½ inches

Sill Height: 19 inches

Openable Area: 5.71 sq. ft.

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

Hallway:

Remove the foil on the return air grille and properly seal or install the return to work as intended.

BMC 16.04.060(c)

EXTERIOR:

Properly tuck-point the holes and cracks in the foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests. BMC 16.04.050(a)

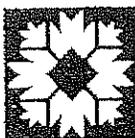
Clean debris from the gutter guards. BMC 16.04.050(a)

OTHER REQUIREMENTS:

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

BILLING STATEMENT

DATE: OCT 15 2015

OWNER: Kadhim A. Shaaban
1588 S. Andrew Circle
Bloomington, IN 47401

AGENT: David M. Kerber
3630 E. Park Ln.
Bloomington, IN 47408

RENTAL PROPERTY ADDRESS: , 614 S Lincoln ST

NUMBER OF UNITS: 2

NUMBER OF BUILDINGS: 1

ASSESSMENT

Inspection Fee: \$ 120.00

Reinspection Fee: \$ 0.00

No Show Fee: \$ 0.00

Failure to Provide Summary of Rights & Responsibilities: \$ 0.00

Failure to Provide Inventory & Damage List: \$ 0.00

Fines: \$ 0.00

TOTAL AMOUNT DUE: \$ 120.00 DUE BY: NOV 14 2015

*** RENTAL PERMIT WILL BE ISSUED UPON RECEIPT OF PAYMENT**

Please make your check or money order payable to "HAND". A copy of this statement must be returned with your payment within 30 days to: City of Bloomington, Housing and Neighborhood Development, P.O. Box 100, Bloomington, IN 47402.

If payment is not received within 30 days, any long-term occupancy permit will revert to a three-year permit, and this matter will be referred to the City Legal Department.



City of Bloomington
Housing and Neighborhood Development

BILLING STATEMENT

DATE: OCT 15 2015

OWNER: Kadhim A. Shaaban
1588 S. Andrew Circle
Bloomington, IN 47401

AGENT: David M. Kerber
3630 E. Park Ln.
Bloomington, IN 47408

PAST DUE

RENTAL PROPERTY ADDRESS: , 614 S Lincoln ST

NUMBER OF UNITS: 2

NUMBER OF BUILDINGS: 1

ASSESSMENT

Inspection Fee: \$ 120.00

Reinspection Fee: \$ 0.00

No Show Fee: \$ 0.00

Failure to Provide Summary of Rights & Responsibilities: \$ 0.00

Failure to Provide Inventory & Damage List: \$ 0.00

Fines: \$ 0.00

TOTAL AMOUNT DUE: \$ 120.00 DUE BY: NOV 14 2015

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Please make your check or money order payable to "HAND". A copy of this statement must be returned with your payment within 30 days to: City of Bloomington, Housing and Neighborhood Development, P.O. Box 100, Bloomington, IN 47402.

If payment is not received within 30 days, any long-term occupancy permit will revert to a three-year permit, and this matter will be referred to the City Legal Department.

RECEIPT
No. 32916

Received Date: 12/08/2015
Received From: Kadhim Shaaban
For Property Located at: 614 S Lincoln ST
Amount Received: \$ 120.00
Inspection Fee: \$ 120.00
Reinspection Fee: \$ 0.00
No Show Fee: \$ 0.00
B.H.Q.A. Fine: \$ 0.00
Balance Due: \$ 0.00
Paid by: Check #00095010
Units/Buildings: 2 / 1 *2009645010*

Approved by the State Board of Accounts, 2004.

Thank you for your payment



City of Bloomington
H.A.N.D.

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

Meeting Date: 20 January 2016
Petition Type: Rescind a variance
Petition Number: 16-RV-009
Address: 521 S. Mitchell St.
Petitioner: HAND
Inspector: Michael Arnold
Staff Report: 23 November 2015 Cycle Inspection
 03 December 2015 BHQA Application

This property was previously granted a variance to the kitchen window, light and ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a window, light and ventilation requirement and the Building Code in place at the time of construction did not address window, light and ventilation; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit. This structure was built in 1950.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

DJR 56



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: Rescind a variance

Petition Number: 16-RV-10

Address: 404 S. Washington Street

Petitioner: HAND

Inspector: Jo Stong

Staff Report: This property was previously granted a variance to the pass-through requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a pass-through requirement and there was no Building Code in place at the time of construction (1899); therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

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D/F



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-11

Address: 622 E. 8th Street

Petitioner: Stasny & Horn IGP / Horn Properties

Inspector: Maria McCormick

Staff Report: 10/08/2015 Completed Cycle Inspection
12/03/2015 Received Application for Appeal

At the cycle inspection there were several exterior violations noted. Including window glazing and replacement/repair of the sidewalks around the property and exterior painting. The petitioner is requesting an extension of time on all exterior repairs so that they can all be completed at the same time as the painting. They have a re-inspection scheduled for all interior violations on 01/25/2016.

Staff recommendation: Grant the extension

Conditions: All exterior 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 8, 2016

Attachments: Application for Appeal; Cycle Report

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

RECEIVED
DEC 03 2015

BY: *[Signature]*

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: 622 E. 8th Street, Bloomington, IN 47408

Petitioner's Name: Stasny & Horn IGP / Horn Properties

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

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

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

Property Owner's Name: Stasny & Horn IGP / Horn Properties

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

City: Bloomington State:IN Zip Code: 47401-0183

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

Occupants: E Hughes, T Spentzas, S Kim, A Kruchten, S Velazquez, M Vaughan, J Kim, T Lukemeyer, K Ellis, D Trujillo, H Jasicki, J Alexander

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 16-TV-11

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 request an extension of time to complete certain noted exterior repairs through October 8, 2016.

The Cycle Report Exterior citations reference sidewalk et al. maintenance (specifically public sidewalks that are adjacent to our property), window glazing replacement, clearing roof/gutters/downspouts of leaves, and scraping and repainting wooden trim on multiple levels.

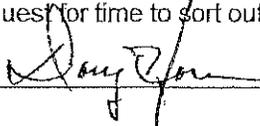
We understand that the repainting requirement has been extended to our requested date.

The inspection was conducted on October 8. Clearing the roof and roof drainage system of leaves is a seasonal maintenance issue that was tended to as a calendared annual event following leaf fall and does not require an extension.

Window glazing, particularly as broadly outlined in the report, is a time consuming, weather permitting issue. The building features 71 window units over 3.5 stories made up of approximately 454 glazed panes of glass. We do not anticipate starting this project prior to May 1, 2016 specific to consistent weather conditions required by the products to be used.

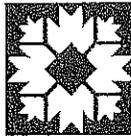
The public sidewalks called out for repair/replacement by the inspector face two sides of the property. These public ways intersect with the Historically Designated University Park Brick Street Grid. We will need to understand our obligations particular to those intersections which may require oversight by agencies outside of Bloomington. Again, we do not anticipate beginning this project until May 2016 following the end of the Spring Semester when pedestrian traffic in the area dwindles.

Thank you for considering our request for time to sort out these matters.

Signature (required): 

Name (please print): Doug Horn, General Partner Date: November 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

2685

OWNERS

=====

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

Prop. Location: 622 E 8th ST
Units/Bedrooms/Max # of Occupants: 2/Eff/5 3/1/5 3/2/5
Date Inspected: 10/08/2015
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 3

Number of Units/Structures: 8/1

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

Monroe County Assessor's records indicate that this structure was built in 1930. At that time there were no minimum requirements for emergency egress.

Note: Room dimensions are in the file.

INTERIOR:

624 #1 –

Kitchen:

No violations noted.

Main Room:

No violations noted.

Existing Egress Window Measurements:

Height: 29 inches
Width: 33 inches
Sill Height: 25 inches
Openable Area: 6.65 sq. ft.

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

Bathroom:

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

319 #2 –

Kitchen:

No violations noted.

Bedroom:

No violations noted.

Existing Egress Window Measurements:

Height: 24 inches

Width: 34 inches

Sill Height: 24 inches

Openable Area: 5.67 sq. ft.

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

Bathroom:

Repair the stool to eliminate water running continuously. BMC 16.04.060(c)

Basement –

Thoroughly clean and service the furnaces, 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)

319 #3 –

Living Room; Kitchen; Bathroom:

No violations noted.

Bedroom:

No violations noted.

Existing Egress Window Measurements:

Height: 34 inches

Width: 19 ½ inches

Sill Height: 48 inches

Openable Area: 4.06 sq. ft.

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

319 #4 –

Main Room:

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

This room has a door to the exterior for egress.

Kitchen:

Repair the front right stove burner to light as intended. BMC 16.04.060(b)

Bathroom:

No violations noted.

319 #5 –

Living Room; Kitchen; Bathroom:

No violations noted.

North Bedroom; South Bedroom:

No violations noted.

Existing Egress Window Measurements:

Height: 34 inches

Width: 19 ½ inches

Sill Height: 48 inches

Openable Area: 4.60 sq. ft.

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

622 #6 –

Living Room:

Remove or properly install the loose 6-way outlet adapter in the floor receptacle. BMC 16.04.060(b)

Bedroom:

No violations noted.

Existing Egress Window Measurements:

Height: 26 inches

Width: 33 ½ inches

Sill Height: 25 inches

Openable Area: 6.05 sq. ft.

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

Kitchen:

No violations noted.

622 #7 –

Living Room; Bathroom:

No violations noted.

Kitchen:

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

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)

North Bedroom:

Every window shall be capable of being easily opened and held in position by its own hardware. Repair or replace the north window to open. BMC 16.04.060(b)

Repair the south window lock to function as intended. BMC 16.04.060(a)

Existing Egress Window Measurements:

Height: 25 ½ inches

Width: 27 ½ inches

Sill Height: 25 inches

Openable Area: 6.64 sq. ft.

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

South Bedroom:

Replace the missing window hardware so that the 2nd window on the west wall will function as intended. BMC 16.04.060(b)

Existing Egress Window Measurements:

Height: 34 inches

Width: 19 ½ inches

Sill Height: 48 inches

Openable Area: 4.60 sq. ft.

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

622 #8 –

Living Room:

No violations noted.

Kitchen:

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

Bathroom:

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

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

Replace the deteriorated baseboard trim adjacent to the shower. BMC 16.04.060(a)

North Bedroom:

No violations noted.

Existing Egress Window Measurements:

Height: 16 inches

Width: 33 inches

Sill Height: 20 inches

Openable Area: 3.67 sq. ft.

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

South Bedroom:

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

Existing Egress Window Measurements:

Height: 16 inches

Width: 33 inches

Sill Height: 20 inches

Openable Area: 3.67 sq. ft.

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

EXTERIOR:

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. For sidewalks in the public right of way, contact the City of Bloomington Planning and Transportation Department at (812) 349-3423 to apply for the **required permit**. The fee will be waived but the permit must be obtained prior to work in the public right of way. BMC 16.04.040(c)

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

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

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 October 8, 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: January 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-12

Address: 719 ½ W 3rd Street

Petitioner: Norman Ladd

Inspector: John Hewett

Staff Report: August 18, 2015 Cycle Inspection with Maintenance
October 5, 2015 Mailed report
December 3, 2015 Received appeal form

During the Cycle inspection process a number of items were cited on the exterior of the structure. The owner has requested an additional 2-3 months to complete these repairs.

Staff recommendation: Grant the request.

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

Compliance Deadline: March 4, 2016

Attachments:



DECEIVED
1235
7F

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: 719 1/2 W. 3rd St, Bloomington, IN 47403

Petitioner's Name: Norman Ladd

Address: 306 1/2 S. Fairview St

City: Bloomington State: IN Zip Code: 47403

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

Property Owner's Name: Norman Ladd

Address: 815 E. University St

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-325-1986 Email Address: laddrentals@att.net

Occupants: X

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:

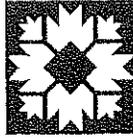
- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

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 16-TV-12

SEE REVERSE



City of Bloomington
Housing and Neighborhood Development

OCT 05 2015

RENTAL PERMIT INFORMATION

Norman A. Ladd
306 ½ S. Fairview St.
Bloomington, IN. 47403

Property Location: 719 ½ W. 3rd St.

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **DEC 04 2015** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

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

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

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

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3004

OWNERS

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

AGENT

Simon N. Ladd
321 Lori Lane
Bloomington, IN 47401

Prop. Location: 719 1/2 W 3rd ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/1/3

Date Inspected: 08/18/2015
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspectors: John Hewett
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure:

Interior

Kitchen

14-10 x 10-0

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)

Bedroom

8-0 x 11-5

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

Existing Egress Window Measurements:

Height: 37 inches

Width: 27 inches

Sill Height: 43 inches

Openable Area: 6.93 sq. ft.

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

Living room

14-10 x 15-2

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

Bathroom

No violations noted.

Exterior

Repair/replace the rotted door frame on the N door. BMC 16.04.050(a)

Install a J channel for the siding on the East side of the North door. BMC 16.04.050(a)

Repair all holes in the siding. BMC 16.04.050(a)

Repair the bulging/loose siding on the west side of the structure. BMC 16.04.050(a)

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

Repair the loose siding on the gable end on the east side. BMC 16.04.050(a)

Replace the torn screen on the east storm door. BMC 16.04.050(a)

Replace the deteriorated storm door on the north side. BMC 16.04.050(a)

Repair the dented roof corner at the SW corner. BMC 16.04.050(a)

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 Relief from an Administrative Decision**

Meeting Date: January 20, 2016
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 16-AA-13
Address: 739 E. Sherwood Hills Dr.
Petitioner: Ozan Bas

This property is owned by Ozan Bas and occupied by his sister, Ozen Bas and her friend Safak Kilitcepe. Ms. Kilitcepe is scheduled to leave the premises by January 10, 2016.

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, Ozan Bas, and occupied by Ozen Bas. This property will be pull dated for thirty days to check on the status of Ms. Kilitcepe and one year to check general status.

Compliance Deadline: None

Attachments: Appeal form



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: 739 E Sherwood Hills Dr Bloomington, IN 47401

Petitioner's Name: OZAN BAS

Address: 3350 Woodburn Rd #34

City: Amandale State: VA Zip Code: 22003

Phone Number: 812-272-7362 Email Address: ozanbas81@yahoo.com

Property Owner's Name: OZAN BAS

Address: 3350 Woodburn Rd #34

City: Amandale State: VA Zip Code: 22003

Phone Number: 812-272-7362 Email Address: ozanbas81@yahoo.com

Occupants: OZEN BAS, SAFAK KILICTEPE
(Petitioner's sister), (Petitioner's friend)

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 16-AA-13

SEE REVERSE

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

Last year (2014) I had applied and got Rental Occupancy Permit for my property (733 E Sherwood Hills Dr, Bloomington, IN 47401) thinking that my sister was going to move out and I was going to rent it out. Although I received the occupancy permit, my sister changed her mind and decided to stay, therefore I never rented out the property. I'm currently residing in Annandale, VA but using this property as a secondary address and visit my sister multiple times during the year. I do not and did not charge anything to my sister nor her friend temporarily residing in my property as I am supporting my sister during her studies in IU. Therefore aforementioned property is not and has not been a Rental Property. Therefore hereby I request Administrative Relief from the renewal of Rental Occupancy Permit as it is not a rental property.

Signature (required):



Name (please print):

OZAN BAS

Date:

11.24.2015

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 Relief from an Administrative Decision

Meeting Date: January 20, 2016
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 16-AA-14
Address: 589 Graham Place
Petitioner: Byron A. Naum

This property is owned by Byron A. Naum and occupied by his son-in-law, Scott Newland. Mr. Newland has four daughters who often spend weekends with their father.

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, Byron A. Naum, and occupied by Scott Newland and his daughters. This property will be pull dated for one year to check general status.

Compliance Deadline: None

Attachments: Appeal form



RECEIVED
12.9.15

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

7F

Property Address: 589 E. GRAHAM PLACE

Petitioner's Name: BYRON A. NAUM

Address: 2074 W. ARBOR RIDGE WAY

City: BLOOMINGTON State: IN Zip Code: 47403

Phone Number: 812-333-4724 Email Address: BYRONNAUM@YAHOO.COM

Property Owner's Name: ABOVE

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: SCOTT NEWLAND

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 16-AA-14

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.

Last April (2015) I purchased a condominium at 589 E. Graham Place for my son-in-law to live in, rent free, because of a number of factors which were changing in his life. It is not a rental property and he pays me nothing to live there, consequently I am asking to be exempted from the Bloomington HAND rental requirements, including the inspection.

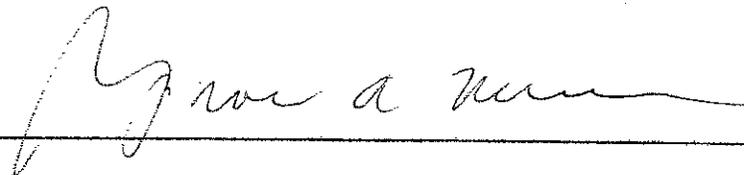
My four granddaughters often spend weekends with him.

I have no intention of renting the property to anyone and, if he moves out, I plan to sell it. I have my own condo on the west side and have no desire to own another one.

Thanks for your consideration of this request. If you need any additional information, please let me know.

Attached is a \$20 check for administrative costs.

Signature (required):



Name (please print):

BYRON A. NAUM

Date:

12/9/15

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



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016
Petition Type: Relief from an administrative decision
Variance Request: Relief from Occupancy Permit length due to payment
Petition Number: 16-AA-15
Address: 1205 N. Madison
Petitioner: Diamond Properties, LLC

The Petitioner's billing statement was due December 2nd. Per the postmark on the envelope, they mailed their payment to HAND on November 25th, but inadvertently used their PO Box as the mailing address. They resent the payment upon receipt of the mistake, but it did not reach HAND until December 9th. This changed their 5 year permit to a 3 year permit. This property has had five year permits since 1995.

Staff recommendation: Grant the relief from Occupancy Permit length due to payment

Conditions: If approved, HAND will reissue the permit for five years.

Compliance Deadline: None

Attachments: Appeal form



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
 12.9.15
 JF

Property Address: 1205 N Madison

Petitioner's Name: Diamond Properties, LLC

Address: P.O. Box 1834

City: Bloom State: IN Zip Code: 47402

Phone Number: 812-332-4984 Email Address: greglauer2@yahoo.com

Property Owner's Name: Greg & Heather Lauer (Diamond Properties LLC)

Address: P.O. Box 1834

City: Bloom State: IN Zip Code: 47402

Phone Number: 812-332-4984 Email Address: greglauer2@yahoo.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 16-AA-15

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.

Payment was mailed on time but we mistakenly put the wrong P.O. Box number on envelope. As you can see from our original it is postmarked and sent prior to due date. I ~~am~~ just put my P.O. Box number on the address. Please take this into consideration and allow us to keep our 5yr permit. Thank you!

Signature (required):



Name (please print):

Heather Lauer

Date:

12/9/15

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



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: Rescind a variance

Petition Number: 16- RV-16

Address: 521 S. Fess Ave.

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This property (built in 1930) was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling heights; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: Rescind a variance

Petition Number: 16-RV-17

Address: 401 S. Dunn St.

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This property (built in 1910) was previously granted a variance to the minimum room width requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum room width requirement and the Building Code in place at the time of construction did not address minimum room width; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: Rescind a variance

Petition Number: 16-RV-18

Address: 612 S. Grant St.

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This property (built in 1920) was previously granted a variance to the minimum room width requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum room width requirement and the Building Code in place at the time of construction did not address minimum room width; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016
Petition Type: An extension of time to complete repairs.
Petition Number: 16-TV-19
Address: 423 S. Fess Ave.
Petitioner: Jeanne Walters Real Estate
Inspector: Matt Swinney
Staff Report: September 29, 2015 Completed Cycle Inspection Report

Owner has requested a 6 month extension of time to the repairs to leaning masonry wall. There has been a re-inspection scheduled on 1/21/2016 for all other violations.

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 30, 2016

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

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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
12.9.05
SF

Property Address: 423 S Fess Avenue

Petitioner's Name: Jeanne Walters Real Estate

Address: 107 E 6th Street

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 331-8951

E-mail Address: sara@jeannewalters.com

Owner's Name: College Rentals Inc (Mort Rubin)

Address: 3300 Dundee Road, Suite C4

City: Northbrook

State: Illinois

Zip Code: 60062

Phone Number: 847-272-1234

E-mail Address: mrubinlawyer@sbcglobal.net

Occupants: 9 units - 11 total 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.

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

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

Reminder:

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

(Will be assigned by BHQA)
Petition Number: 16-TV-19

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

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

Due to weather and scheduling conflicts, we are requesting an extension of time to repair/replace the leaning masonry wall & to attach the support posts at the back of the home at 423 S Fess Avenue. Also due to the invasive nature of the work, we are trying to schedule the repair at a later date as to not disrupt our tenants. We request an extension of 6 months to complete this portion of work. Thank you for your consideration.

Signature (Required): Sara Tilley

Name (Print): Sara Tilley Date: 12/9/15

Important information regarding this application format:

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

Print Form



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: Rescind a variance

Petition Number: 16-RV-20

Address: 625 S. Walnut Street

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This property (built in 1930) was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling heights; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

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City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016
Petition Type: An extension of time to complete repairs.
Petition Number: 16-TV-21
Address: 609 W. 6th Street
Petitioner: Dana Morrison
Inspector: Dee Wills
Staff Report: April 15, 2015 Completed Cycle Inspection
September 21, 2015 Completed Reinspection
December 14, 2015 Received Application for Appeal

Petitioner is requesting an extension of time for the tree trimming violation. The petitioner has had an arborist examine the tree, and he stated that the tree needs to be removed entirely. The petitioner is in process of getting estimates for this work to be done, and needs more time to comply.

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: March 20, 2016
Attachments: Application for Appeal, Remaining Violations Report

js



RECEIVED
12.14.15

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: 609 W. 6th St

Petitioner's Name: Dawn Morrison

Address: 5820 S. Hanover Rd

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-345-1524 Email Address: dmorrisu@aol.com

Property Owner's Name: Same

Address: Same

City: _____ State: _____ Zip Code: _____

Phone Number: 812-345-1524 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.

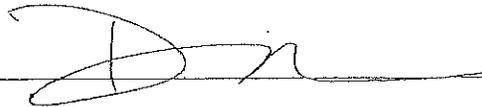
OFFICE USE ONLY
Petition Number 16-TV-21

SEE REVERSE

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

Removal of small limbs on E Eve of House
Limbs on North Side of House. Applicant stated that
if you do the limb you need to remove the entire
tree so we are getting stumps to remove + to make
a few more trees healthy on this property + The Property
we own adjoining

Signature (required):



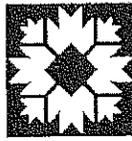
Name (please print):

Dana Morrison

Date:

12-14-15

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



City of Bloomington
Housing and Neighborhood Development

Remaining Violations Report

SEP 29 2015

2635

OWNERS

David & Dana Morrison
5820 S. Handy Rd.
Bloomington, IN 47401

Prop. Location: 609 W 6th ST
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: 1/2/3 1/1/3

Date Inspected: 04/15/2015
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

VARIANCE

09/10/1992 Granted variance to the minimum ceiling height requirement in the south bedroom.

This property built in 1900, was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling height; therefore 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.

INTERIOR

Unit 1

Furnace 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:

12/14/15
C

- 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)

Unit 2

Furnace 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:

12/14/15
C

- 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

Properly label gas disconnects with corresponding unit numbers. Piping from multiple meter installations shall be marked with an approved permanent identification by the installer so that the piping system supplied by each meter is readily identifiable. IFGC 401.7 and BMC 16.04.020

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

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:

NC • A completed copy of the Tenants & Owners Rights and Responsibilities Summary BMC16.03.060(c)

- NC • 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 16.12.080 (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: January 20, 2016

Petition Type: Relief from an administrative decision

Variance Request: Relief from loss of 5 year permit length due to missing a deadline.

Petition Number: 16-AA-22

Address: 455 N. College Ave.

Petitioner: Smallwood Plaza

Inspector: John Hewett

Staff Report:

June 9, 2015	Agent scheduled Cycle Inspection for December 14-15, 2015
November 29, 2015	Previous Permit expires
December 14, 2015	Inspection cancelled, tenants were not notified prior to date of inspection.
December 14, 2015	Agent re-scheduled Cycle inspection
December 14, 2015	HAND received appeal and fee

The Cycle Inspection was scheduled for December, the permit was valid, even though the date was after the expiration of the permit. This would allow for the possibility of a 5 year permit to be issued if no deadlines were missed after the inspection. When the scheduled inspection did not take place, the permit was expired and a 5 year permit was no longer available for this permit cycle.

BMC 16.03.030(e)(1)Three-Year Permit A residential rental unit shall receive a three-year occupancy permit if the criteria listed below apply:

- (A) If the owner fails to schedule a Cycle Inspection prior to the expiration of the residential rental unit's current occupancy permit; or...

Staff recommendation: Deny the relief from administrative decision.

DJH 96

Conditions: none

Compliance Deadline: none

Attachments: Appeal form



RECEIVED
12/14/16
SF

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: 455 N. College, Avenue

Petitioner's Name: Smallwood Plaza

Address: 455 N. College, Avenue

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-331-8500 Email Address: manager@smallwoodapts.com

Property Owner's Name: Barrett and Stokely "John Jacobs" Smallwood

Address: 455 N. College, Avenue Plaza

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-331-8500 Email Address: manager@smallwoodapts.com

Occupants: 228 apartments

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.

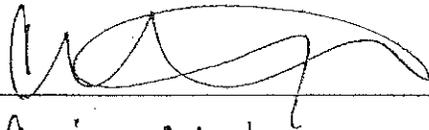
OFFICE USE ONLY
Petition Number 16-AA-22

SEE REVERSE

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

Please see attached.

Signature (required):



Name (please print):

Cecily Mosier

Date:

12/14/15

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.

Cecily Mosier
455 North College Avenue
Bloomington, IN, 47404

To whom it may concern:

12/14/2015

A previous Community Manager (Whitney Kincaid) scheduled Smallwood Plaza's HAND inspections to be on December 15th and 16th. In the beginning of November myself (Cecily Mosier) became the Community Manager. At this time we also promoted a new Maintenance Supervisor, Tristen Thomas. During this transition it was indicated to us that the inspection was scheduled for 12/14 (Morton 400), 12/15/15 (Smallwood Plaza) and 12/16/15 (Smallwood Plaza). On Thursday 12/10 I phoned the City of Bloomington HAND office and was informed of where to find the Pre – Inspection document online. I also asked to confirm our dates for The Morton 400 and Smallwood Plaza and included the information I had previously been given. I was told at this time "Yep, we have you scheduled." In hindsight this was a vague response and I should have pressed for a more detailed response. As per required we notified residents in Morton 400 on Friday 12/1/15 of the upcoming inspection and entry and had intended to notify Smallwood Residents of their inspection for Tuesday 12/15/15 on Monday 12/14/15.

Upon arrival of the HAND inspectors I was informed that they had nothing on the schedule for the Morton 400 and had Smallwood Plaza listed as having 235 apartments. After speaking with Jacob I learned that the Morton 400 had been scheduled in April (or didn't need to be scheduled until April.) I told him we have 228 units total, including Morton 400. After some deliberation we re – scheduled the HAND inspection for Monday and Tuesday, February 15th and 16th of 2016.

I am hopeful and would be grateful if we could keep our five year inspection schedule due to the significant changes in management since June when the initial inspection was scheduled, mis – communication between Smallwood Plaza and your office as well as the incorrect amount of units. We have been on this schedule for both of our previous inspections and it is my belief staying on this schedule would be mutually beneficial for both parties involved. We take these inspections very seriously and I can assure you we will be fully prepared on 2/15/16 and 2/16/16 to complete the inspection of Smallwood Plaza at 455 North College Avenue.

Thank you for your time and consideration of this request.

Cecily (Nikki) Mosier, Community Manager
455 North College Avenue
Bloomington, IN, 47404



City of Bloomington
H.A.N.D.

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

Meeting Date: January 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-23

Address: 1205-1207 S. Rogers Street

Petitioner: Fortune Properties, Inc.

Inspector: Maria McCormick

Staff Report: 03/12/2015 Completed Cycle Inspection
06/10/2015 Sent Remaining Violations Report
06/16/2015 Re-inspection scheduled for 08/24/2015
08/21/2015 Re-inspection re-scheduled for 09/24/2015
09/24/2015 Re-inspection re-scheduled for 10/12/2015
10/12/2015 Re-inspection completed. All complied but furnace documentation and exterior items.
12/17/2015 Received Application for Extension of time

The petitioner is requesting an extension of time to complete the remaining repairs.

Staff recommendation: Grant the extension

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

Compliance Deadline: March 12, 2016

Attachments: Application for Appeal; Remaining Violations Report



RECEIVED
12/15/16

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

JE

Property Address: 1205 S. Rogers St.

Petitioner's Name: Feature Properties

Address: P.O. Box 1601

City: Bloomington State: IN Zip Code: 47402

Phone Number: (812)322-8829 Email Address: FPPORRENT@GMAIL.COM

Property Owner's Name: US Assets, LLC.

Address: P.O. Box 1601

City: Bloomington State: IN Zip Code: 47402

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

Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY
Petition Number 16-TV-23

SEE REVERSE

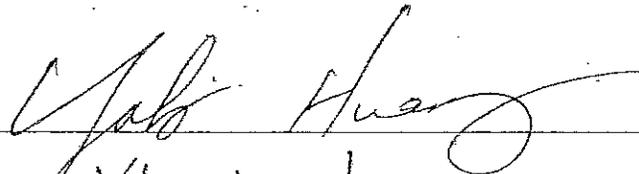
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request; the amount of time needed to bring the property into compliance,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

Due to weather and family emergency,
~~At least~~ 60 days will be good.

I will fax over HVAC and Tenants' rights this weekend.

Thanks!

Signature (required):



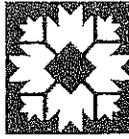
Name (please print):

YALING Huang

Date:

12/17/2015

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

Remaining Violation Report

OCT 22 2015

693

OWNERS

=====

Us Assets, Llc
P.O. Box 1601
Bloomington, IN 47402

AGENT

=====

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

Prop. Location: 1205 1/2 S Rogers ST, 1207 S Rogers ST, 1205 S Rogers ST

Number of Units/Structures: 5/1

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

Date Inspected: 03/12/2015

Primary Heat Source: Gas

Property Zoning: RM

Number of Stories: 3

Inspectors: Maria McCormick

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:

Basement --

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:

Properly secure the walls around the deck of 1207 A, so that they are secure and can support normally imposed loads. BMC 16.04.050(a)

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

Secure guttering to the structure. BMC 16.04.050(b)

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 March 12, 2016)

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

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 this report.

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

Staff recommendation: Deny the relief from administrative decision.

Conditions: none

Compliance Deadline: none

Attachments: Appeal form, Cycle Inspection report, Remaining violations report.



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

Property Address: 1016 W. Entry Club Dr

Petitioner's Name: William R Avery

Address: 5600 Ornamental Dr

City: Bluffton State: SC Zip Code: 29910

Phone Number: 812-349-3420 Email Address: _____

Property Owner's Name: William R Avery

Address: 5600 Ornamental Dr

City: Bluffton State: SC Zip Code: 29910

Phone Number: 812-349-3420 Email Address: _____

Occupants: LD

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 16-AA-24

SEE REVERSE

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

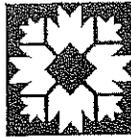
Requesting a review of inspections for 10/16 W. Conry ab rental. Rental was inspected at 2nd reinspection on adjoining property (less than a hundred fifty ft away) work was promptly completed, however, rescheduling was very lengthy. Next inspection ended up with one item still not satisfactory required. (1-deadbolt) Repairs were completed same day. However, again scheduling was very slow. There should not be imposed when rescheduling is unreasonably long. Also, landlords such as myself should not be penalized for prompt work but slow re-scheduling. 3yr occupancy instead of 5yr is not a fair reward for someone who keeps property in compliance according to rules

Signature (required): William A. Avery

Name (please print): William A. Avery Date: 12/18/16

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.

Reinspection Fee	40.00	} Not good business practice
OV Gov Fee	30.00	
3yr Occupancy		



City of Bloomington Housing and Neighborhood Development

Cycle Report

7119

OWNERS

=====

Avery, William R.
5600 Ornamental Dr.
Bloomington, IN 47401

Prop. Location: 1016 W Country Club DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/1/3

Date Inspected: 08/11/2015
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspectors: Mike Arnold
Foundation Type: Basement
Attic Access: No
Accessory Structure: garage

Monroe County records show this structure was built in 1935. There were no minimum emergency egress requirements at the time of construction.

Interior:

Basement:

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

Maintain minimum clearances from combustibles. BMC 16.04.060(c) (Fuel-fired appliances-36" clearance from combustible storage).

Main Level:

Living Room (13-4 x 13-2):

Repair window to latch securely. BMC 16.04.060(b) (East wall – south window).

Kitchen (15-8 x 9-7):

Repair window to latch securely. BMC 16.04.060(b) (North wall – east).

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

Every door available as an exit shall be capable of being opened easily from the inside and without the use of a key. BMC 16.04.020 and BMC 16.04.060(a)

Bathroom:

Repair window to latch securely. BMC 16.04.060(b)

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

Bedroom (13-2 x 10-7):

Existing Egress:

Height: 25.25 inches

Width: 26.5 inches

Sill Height: 20.5 inches

Openable Area: 4.64 sq. ft.

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

No violations noted

Exterior:

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

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a deadline of 11 August 2016).

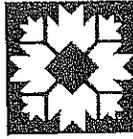
Required Documentation:

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

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

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.050(d)

This is the end of this report.



City of Bloomington Housing and Neighborhood Development

Remaining Violation Report

OCT 21 2015

7119

OWNERS

=====

Avery, William R.
5600 Ornamental Dr.
Bloomington, IN 47401

Prop. Location: 1016 W Country Club DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/1/3

Date Inspected: 08/11/2015
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspectors: Mike Arnold
Foundation Type: Basement
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:

Main Level:

Kitchen (15-8 x 9-7):

Every door available as an exit shall be capable of being opened easily from the inside and without the use of a key. BMC 16.04.020 and BMC 16.04.060(a)

This is the end of this report.

112