

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL McCLOSKEY CONFERENCE ROOM  
March 16, 2016, 4:00 P.M.**

I. **ROLL CALL**

II. **REVIEW OF SUMMARY** – January 16, 2016 (not included)

III. **ELECTION OF OFFICERS**

IV. **CONSENT AGENDA**

- (1) 15-TV-135, **1530 W. Arlington Road**, Mike Beyers. Request for an extension of time to complete repairs. Previously heard July 15, 2015.
- (2) 15-TV-167, **2604 E. Eastgate Lane/2663 E. 7<sup>th</sup> Street**, Michelle Mosier (CRE Rentals). Request for an extension of time to complete repairs. Previously heard August 19, 2015.
- (3) 15-TV-181, **100-102 S. Yancy Lane**, Wilma Estelle Corrigan (Dorothy Dowdy). Request for an extension of time to complete repairs. Previously heard October 21, 2015.
- (4) 15-TV-249, **106-108, 110-112, 113-115 and 114-116 W. Pinewood Drive**, Ashael L. Summitt. Request for an extension of time to complete repairs. Previously heard November 18, 2015.
- (5) 15-TV-253, **2200 E. 7<sup>th</sup> Street**, Jake Flagle. Request for an extension of time to complete repairs. Previously heard November 18, 2015.
- (6) 15-TV-276, **3200 E. John Hinkle Place Unit I**, Casa de Jang, LLC. Request for an extension of time to complete repairs. Previously heard December 16, 2015.
- (7) 16-TV-25, **1702-1704 S. Olive Street**, Jim Gronquist. Request for an extension of time to complete repairs.
- (8) 16-RV-27, **111 E. 16<sup>th</sup> Street**, H.A.N.D. (Mary Karen S. Haley). Request for rescission of a variance.
- (9) 16-RV-29, **714 E. 2<sup>nd</sup> Street**, H.A.N.D. (Dawid Maldi). Request for rescission of a variance.
- (10) 16-RV-30, **310 E. 17<sup>th</sup> Street**, H.A.N.D. (Michael & Julia Donham). Request for rescission of a variance.
- (11) 16-RV-31, **302 E. 19<sup>th</sup> Street**, H.A.N.D. (Lon Stevens). Request for rescission of a variance.
- (12) 16-RV-32, **2604 E. Eastgate Lane/2663 E. 7<sup>th</sup> Street**, H.A.N.D. (Donald M. Coller). Request for rescission of a variance.

- (13)16-TV-33, **3100 S. Walnut Street Pike**, Katie Flora (Willow Manor c/o Grandview Care). Request for an extension of time to complete repairs.
- (14)16-RV-34, **1012 W. 6<sup>th</sup> Street**, H.A.N.D. (Lawrence Cook & Su Fredrickson). Request for rescission of a variance.
- (15)16-TV-35, **101-103 S. Yancy Lane**, Wilma Estelle Corrigan (Dorothy Dowdy). Request for an extension of time to complete repairs.
- (16)16-RV-36, **705 E. Allendale Drive**, H.A.N.D. (Mary L. Hartle). Request for rescission of a variance.
- (17)16-RV-37, **306 S. Euclid Avenue**, H.A.N.D. (Norman Ladd). Request for rescission of a variance.
- (18)16-RV-38, **715 N. Maple Street**, H.A.N.D. (Richard D. Wells). Request for rescission of a variance.
- (19)16-RV-39, **148-150 E. Willow Court**, H.A.N.D. (Dwayne Woods). Request for rescission of a variance.
- (20)16-TV-40, **3717 E. 3<sup>rd</sup> Street**, Xiu Dong. Request for an extension of time to complete repairs.
- (21)16-RV-41, **430 E. 10<sup>th</sup> Street**, H.A.N.D. (10-29, LLC). Request for rescission of a variance.
- (22)16-TV-42, **102 S. Hillsdale Drive**, Mike Hensinger (Surariz, LLC). Request for an extension of time to complete repairs.
- (23)16-TV-44, **402 S. Highland Avenue**, Dorothy Kinney. Request for an extension of time to complete repairs.
- (24)16-RV-45, **417 S. Fess Avenue**, H.A.N.D. (Mary Alice Hoover). Request for rescission of a variance.
- (25)16-TV-46, **402, 428, 444, 448 & 450 E. Melrose Avenue**, Tim Bonner (Regency Consolidated Residential, LLC). Request for an extension of time to complete repairs.
- (26)16-RV-47, **505 W. Dodds Street**, H.A.N.D. (Jane Henderson). Request for rescission of a variance.
- (27)16-RV-48, **1105 S. Fairview Street**, H.A.N.D. (CPW Properties, LLC). Request for rescission of a variance.
- (28)16-TV-49, **2010 N. Monroe Street**, Jennifer & Allen Teare (Pegasus Properties). Request for an extension of time to complete repairs.
- (29)16-TV-50, **1019 W. Gourley Pike**, Jennifer & Allen Teare (Pegasus Properties). Request for an extension of time to complete repairs.
- (30)16-RV-52, **317 N. Fairview Street**, H.A.N.D. (Jane Henderson). Request for rescission of a variance.

- (31)16-TV-53, **708 S. Park Avenue**, Ian Miller. Request for an extension of time to complete repairs.
- (32)16-RV-54, **509 N. Grant Street**, H.A.N.D. (Roger Fierst). Request for rescission of a variance.
- (33)16-RV-56, **2331 E. 7<sup>th</sup> Street**, H.A.N.D. (Matt & Donna Carter). Request for rescission of a variance.
- (34)16-RV-57, **643 N. Monroe Street**, H.A.N.D. (Kathleen Johnson). Request for rescission of a variance.
- (35)16-RV-58, **704 W. Allen Street**, H.A.N.D. (Karen Cherrington). Request for rescission of a variance.
- (36)16-RV-59, **411 N. Washington Street**, H.A.N.D. (Mary & Dan Friedman). Request for rescission of a variance.
- (37)16-TV-61, **305 S. Euclid Street**, Bloomington Rentals (Evie Ladin). Request for an extension of time to complete repairs.
- (38)16-TV-64, **607 N. Monroe Street**, Janel Fifer. Request for an extension of time to complete repairs.
- (39)16-TV-65, **212 S. Roosevelt Street**, Yaling Huang. Request for an extension of time to complete repairs.
- (40)16-RV-66, **510 S. Woodlawn Avenue**, H.A.N.D. (Larry McConnaughy). Request for rescission of a variance.
- (41)16-RV-67, **503 N. Grant Street**, H.A.N.D. (Roger Fierst). Request for rescission of a variance.
- (42)16-RV-68, **1207 S. Lincoln Street**, H.A.N.D. (Jonathan Cargill). Request for rescission of a variance.
- (43)16-RV-69, **613 E. Moody Drive**, H.A.N.D. (Spicer Rentals). Request for rescission of a variance.
- (44)16-RV-70, **1612 E. Matlock Road**, H.A.N.D. (Cream and Crimson Management, LLC). Request for rescission of a variance.
- (45)16-TV-71, **328 S. Fairview Street**, Bloomington Rentals (Rob DeCleene). Request for an extension of time to complete repairs.
- (46)16-RV-72, **1114 S. Woodlawn Avenue**, H.A.N.D. (Kenneth Craig). Request for rescission of a variance.

V. **PETITIONS**

- (47)16-AA-28, **825 S. Eastside Drive**, Susan Powell (Byrne Trust – Cal Beisner, executor). Request for relief from an administrative decision.
- (48)16-AA-43, **1124 S. Henderson Street**, Our Cottage Industry, LLC. Request for

relief from an administrative decision.

(49)16-V-51, **2490 S. Winslow Court**, Nikki Ball (Jonathan Cohn). Request for a modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program.

(50)16-TV-55, **2673 S. McCartney Lane**, Hyde Park Partnership, LLC (Nancy Young and Howard Young). Request for an extension of time to complete repairs.

(51)16-V-60, **2490 S. Winslow Court**, Eloise McGhee (Jonathan Cohn). Request for a modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program.

(52)16-AA-62, **2504 E. Covenanter Drive**, Kim Underwood (Bill & Barb Sycks). Request for relief from an administrative decision.

(53)16-AA-63, **2633 E. Oaklawn Court**, Jerome C. & Melinda B. Neely. Request for relief from an administrative decision.

VI. **GENERAL DISCUSSION**

VII. **PUBLIC COMMENT**

VIII. **ADJOURNMENT**

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call [812-349-3429](tel:812-349-3429) or e-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).*



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-135 (old business)

Address: 1530 W. Arlington Road

Petitioner: Mike Beyers

Inspector: Dee Wills

Staff Report: February 18, 2015 Completed Cycle Inspection  
April 27, 2015 Completed Reinspection  
May 07, 2015 Received Application for Appeal  
June 18, 2015 BHQA Meeting Moved to July 15, 2015  
November 05, 2015 Did Drive-By Reinspection  
November 09, 2015 Issued Temporary Permit  
January 05, 2016 Exterior Extension Reminder Report mailed out to owner.  
February 16, 2016 Received 2<sup>nd</sup> Application for Appeal

Petitioner is requesting an extension of time until October 30, 2016, to complete the exterior painting violation. The petitioner would prefer to install aluminum siding instead of painting. However, his wife has been ill and has had surgery, so he has been unable to make these repairs by the deadline of February 18, 2016. This is when the Temporary Permit will expire.

Staff recommendation: Grant the extension of time.

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

Compliance Deadline: October 30, 2016

Attachments: Application for Appeal, Exterior Extension Reminder Report

☆



RECEIVED  
FEB 16 2016

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

BY: DW

[hand@bloomington.in.gov](mailto:hand@bloomington.in.gov)

Property Address: 1530 1530 W. Arlington Road

Petitioner's Name: Mike Beyers

Address: 1516 W. Arlington Road

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-369-8371 Email Address: \_\_\_\_\_

Property Owner's Name: Mike Beyers

Address: 1516 W. Arlington Road

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-369-8371 Email Address: \_\_\_\_\_

Occupants: 1

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY  
Petition Number 15-TV-135

SEE REVERSE

OLD BUSINESS

DW  
PREVIOUSLY  
7.15.15

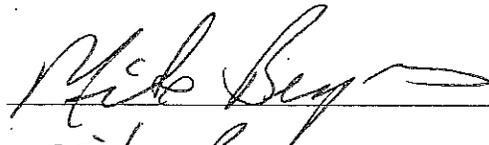
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request; the amount of time needed to bring the property into compliance,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

In the past 7 months my wife Johnette has had 4-surveys and I have not been able to do the repairs needed. I want to wrap all window casings in Aluminium and install white Aluminium soffit on porch ceiling. I feel confident that I can have this work done by the end of Oct. 2016.

Thank you for your consideration

I did install new vinyl soffit and Alum. fascia on entire house in Oct 2015  
Inspector Dec Willis

Signature (required):



Name (please print):

Mike Beyers

Date:

2-16-2016

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

JAN 05 2016

EXTERIOR EXTENSION REMINDER INSPECTION REPORT

7489

Owner(s)

Michael P. Beyers  
1516 Arlington Road  
Bloomington, IN 47404

Prop. Location: 1530 W Arlington RD  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/1/2

Date Inspected: 02/18/2015  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 1

Inspector: Dee Wills  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: None

**This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on 02/18/2015.**

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

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.10.030 of the Bloomington Municipal Code.

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

EXTERIOR

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

Other requirements

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

This is the end of this report.



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-167 (Old Business)

Address: 2604 E. Eastgate Lane/2663 E. 7<sup>th</sup> Street

Petitioner: CRE Rentals

Inspector: Mosier/Wills/Swinney

Staff Report: April 6, 2015 – Conducted Cycle Inspection  
June 29, 2015 – Received August BHQA Appeal  
September 8, 2015 – Conducted Life Safety Inspection  
November 16, 2015 – Conducted Re-inspection  
January 7, 2016 – Received January BHQA Appeal

It was noted during the cycle inspection that most or all of the units have violations with caulking the sink counter tops and caulking the tub/showers at the floor in the bathrooms. Also caulk around the window frames where deteriorated/cracked and/or missing and scrape and paint the interior surfaces where paint is peeling or bare wood is exposed in all or most of the bedrooms. Also other violations as noted in the cycle inspection report.

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 31, 2016 - Smoke Detectors and Life Safety Violations, they are as follows:

**BLDG 2665**

**UNIT H**

Provide operating power to all of the smoke detectors in this unit. IC22-11-18-3.5

**BLDG 2679**

**UNIT E**

**Living Room:**

Repair the smoke detector in this room to be interconnected. IC22-11-18-3.5

**UNIT F**

**Living Room:**

Repair the sliding glass door to open easily and to lock as intended. BMC 16.04.060 (b)

**BLDG 2661**

**Living Room:**

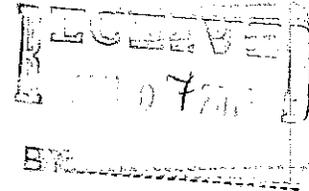
Secure the loose receptacle. BMC 16.04.060 (b)

**May 16, 2016 - All Other Violations**

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



Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
[hand@bloomington.in.gov](mailto: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: Park Doral Apartments 2663 E. 7<sup>th</sup> Street Bloomington, IN 47408

Petitioner's Name: Michelle Mosier

Address: 2663 E. 7<sup>th</sup> Street

City: Bloomington State:IN Zip Code: 47408

Phone Number: 812-336-8208 Email Address: [parkdoral@crrentals.com](mailto:parkdoral@crrentals.com)

Property Owner's Name: CRE Rentals

Address: 400 E. 3<sup>rd</sup>. St. Suite #1

City: Bloomington State:IN Zip Code: 47401

Phone Number: 812-332-1509 Email Address: [parkdoral@crrentals.com](mailto:parkdoral@crrentals.com)

Occupants: 104 units

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-167  
(old business)

August 19, 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.

We are requesting more time to finish the repairs deemed necessary per the inspection. We have recently changed maintenance staff 3 times and have found that repairs we thought were finished were in deed not completed. We had extensive repairs on the finding sheets having to do with the windows, etc. that we have been working on but need more time to complete. The wording on the original report concerning this was misleading leading to labor intensive and time consuming repairs concerning the "glazing" on the windows. So, we are requesting at least 3 months to finish the necessary repairs now that we have a new maintenance staff.

Signature (required):

Michelle Mosier

Name (please print): Michelle Mosier Date: 1/5/16

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.



City Of Bloomington

Housing and Neighborhood Development  
REMAINING VIOLATION INSPECTION REPORT

Owner(s)

1659

Donald M. Collier  
400 E. 3rd St. Suite #1  
Bloomington, IN 47401

Agent

American Sunbelt  
400 E. 3rd St. Suite #1  
Bloomington, IN 47401

Prop. Location: 2663 E 7th ST

Number of Units/Structures: 104/4

Units/Bedrooms/Max # of Occupants: Bld 1: 8/3/5 16/2/5 6/1/5 1/Eff/5, Bld 2: 6/3/5 11/2/5 3/1/5,  
Bld 3: 6/3/5 12/2/5 2/1/5 1/Eff/5, Bld 4: 10/3/5 17/2/5 3/1/5 2/Eff/5

Date Inspected: 04/06/2015

Primary Heat Source: Gas

Property Zoning: RH

Number of Stories: 2

Inspector: Norman Mosier

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: None

Variance: 01/05/1983 Granted variances to allow cooking in sleeping room Apts. #2612K & 2620K.

**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.

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

City Hall  
[bloomington.in.gov](http://bloomington.in.gov)

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

**General Violations:**

**For All Units:**

**Interior:**

**Bathrooms**

Properly re-caulk around the sink and sink 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)

**Bedrooms**

Properly re-caulk around the window frames where glazing compound is deteriorated/ cracked or missing. BMC 16.04.060(a)

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

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**BLDG 2665**

**UNIT H**

Provide operating power to all the smoke detectors in this unit. IC 22-11-18-3.5

**BLDG 2679**

**Unit E**

**Living Room**

Repair the smoke detector to be interconnected. IC 22-11-18-3.5

**Unit F**

**Living Room**

Properly repair the sliding glass door to open with ease and to lock so that it may function as intended. BMC 16.04.060(b)

**Bldg. 1**

**2661**

**Unit A**

**Bedrooms**

See General Violations.

**Unit B**

This unit was not inspected at the time of the cycle inspection. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. BMC 16.03.040

**Living Room:**

Secure the loose receptacle. BMC 16.04.060 (b)

**Kitchen:**

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

**Bathroom:**

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

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

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

Bedroom 1 See general violation.

Bedroom 2: See general violation.

**Secure the loose outlet on the right wall. BMC 16.04.060 (b)**

**Unit E**

Back Bathroom: See General violations.

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

Bedroom

See General Violations.

**Unit G**

Bedrooms

See General Violations.

**Unit H**

This unit was not inspected at the time of the cycle inspection. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. BMC 16.03.040

Kitchen:

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

Master Bedroom:

Repair/replace the defective window frame. BMC 16.04.060 (a)

Master Bath:

Caulk the sink and the shower at the floor. BMC 16.04.060 (a)

**Unit I**

Bathroom

See General Violations.

Bedrooms

See General Violations.

Back Bathroom

See General Violations.

Secure toilet to its mountings. BMC 16.04.060(c)

**Unit J**

Kitchen

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

Bathroom

See General Violations.

Bedrooms

See General Violations.

**2663**

Unit B

Bedrooms

See General Violations.

Unit C

Bathroom

Properly install or replace the aerator on the sink faucet so that it functions as intended.  
BMC 16.04.060(c)

Bedrooms

See General Violations.

Unit F

Bedrooms

See General Violations

Unit G

Kitchen

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

Bedrooms

See General Violations.

Unit H

Bathroom

Secure toilet to its mountings. BMC 16.04.060(c)

Bedrooms

See General Violations.

**BLDG 2665**

Laundry/ Storage Rooms

Fuel fired 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)

Unit B

Bedrooms

See General Violations.

Unit C

Bedrooms

See General Violations.

**Unit D**

**Kitchen**

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

**Bedrooms**

See General Violations.

**Unit E**

**Bedrooms**

See General Violations.

**Unit F**

**Kitchen**

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

Properly install or replace the aerator on the sink faucet so that it functions as intended.

BMC 16.04.060(c)

**Bedrooms**

See General Violations.

**Unit H**

**Bedrooms**

See General Violations.

**Unit I**

**Bedrooms**

See General Violations.

**Bldg. 2**

**2667**

**Unit A**

**Kitchen**

Properly secure the loose faucet assembly. BMC 16.04.060(c)

**Bathroom**

See General Violations.

**Left Bedroom**

See General Violations.

**Right Bedroom**

See General Violations.

**Unit B**

**Bathroom**

See General Violations.

**Right Bedroom, Left Bedroom**

See General Violations.

**Unit C**

**Right Bedroom, Left Bedroom**

See General Violations.

**Unit D**

**Bathroom**

See General Violations.

**Front Right, Back Right, Left Bedroom**

See General Violations.

**Unit E**

**Left Front, Left Back, Master Bedroom**

See General Violations.

**Master Bathroom**

See General Violations.

**Unit F**

**Left Bedroom**

See General Violations.

**Right Bedroom**

See General Violations.

**Unit G**

**Left Bedroom, Right Bedroom**

See General Violations.

**Unit H**

**Bathroom**

See General Violations.

**Master Bedroom, Back Right Bedroom, Front Right Bedroom**

See General Violations.

**Master Bathroom**

See General Violations.

**Unit I**

**Front Left Bedroom, Back Left Bedroom, Master Bedroom**

See General Violations.

**Master Bathroom**

See General Violations.

**Unit J**

**Kitchen**

Scrape and paint surfaces of the range exhaust hood where paint is peeling. BMC 16.04.060(f)

**Bldg. 2**

**2669**

**Laundry/ Storage Rooms**

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

**Unit A**

**Bathroom**

See General Violations.

**Left Bedroom, Right Bedroom**

See General Violations.

**Unit B**

**Bedroom**

See General Violations.

**Unit C**

**Mechanical Closet**

Repair/replace the damaged door. BMC 16.04.060(a)

**Bathroom**

See General Violations.

**Right Bedroom**

See General Violations.

**Left Bedroom**

See General Violations.

**Unit D**

**Storage Closet**

Repair/replace the damaged door. BMC 16.04.060(a)

**Master Bathroom**

See General Violations.

**Back Right Bedroom, Front Right Bedroom**

See General Violations.

**Unit F**

**Mechanical Closet**

Repair/replace the damaged door. BMC 16.04.060(a)

**Unit G**

**Right Bedroom, Left Bedroom**

See General Violations.

**Unit H**

**Master Bedroom**

See General Violations.

**Front Right Bedroom, Back Right Bedroom**

See General Violations.

**Unit I**

**Bathroom**

See General Violations.

Left Bedroom

See General Violations.

Right Bedroom

See General Violations.

Unit J

Bedroom

See General Violations.

Bldg. 3

2673

Unit A

Storage Closet

Repair/replace the damaged door. BMC 16.04.060(a)

Bathroom

See General Violations.

Front Right Bedroom

See General Violations.

Master Bedroom

See General Violations.

Master Bathroom

See General Violations.

Unit B

Bathroom

See General Violations.

Properly seal the hole in the wall around the toilet shut off valve. BMC 16.04.060(a)

Front Left Bedroom, Master Bedroom

See General Violations.

Master Bathroom

See General Violations.

Unit C

Right Bedroom, Left Bedroom

See General Violations.

Unit D

Front Right Bedroom

See General Violations.

Back Right Bedroom, Master Bedroom

See General Violations.

**Unit E**

**Front Left Bedroom**

See General Violations.

**Back Left Bedroom**

See General Violations.

**Master Bedroom**

See General Violations.

**Master Bathroom**

See General Violations.

**Unit F**

**Bathroom**

See General Violations.

**Right Bedroom, Left Bedroom**

See General Violations.

**Unit G**

**Left Bedroom**

See General Violations.

**Right Bedroom**

See General Violations.

**Unit H**

**Master Bedroom, Master Bathroom**

See General Violations.

**Back Right Bedroom**

See General Violations.

**Front Right Bedroom**

See General Violations.

**Unit I**

**Master Bedroom**

See General Violations.

**Back Left Bedroom**

See General Violations.

**Front Left Bedroom**

See General Violations.

**Bathroom**

See General Violations.

**Unit J**

**Bathroom**

See General Violations.

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

Right Bedroom, Left Bedroom  
See General Violations.

Unit K  
See General Violations.

**2671**

**Laundry/ Storage Rooms**

Fuel fired 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)

**Common Hallway/ Attic**

Repair the attic scuttle door to fit properly and to be secure. BMC 16.04.060(a)

**Unit A**

Front Bedroom

See General Violations.

Back Bedroom

See General Violations.

Bathroom

See General Violations.

Back Bathroom

See General Violations.

**Unit B**

Bathroom

See General Violations.

Bedrooms

See General Violations.

Mechanical Closet

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

**Unit C**

Bathroom

See General Violations.

Bedrooms

See General Violations.

**Unit E**

Bedrooms

See General Violations.

**Unit F**

**Bedrooms**

See General Violations.

**Unit G**

**Back Bedroom**

See General Statements.

**Unit H**

**Bedrooms**

See General Statements.

**Unit I**

**Bedrooms**

See General Violations

**Unit J**

**Bedrooms**

See General Violations.

**Bldg. 4**

**2675**

**Unit A**

**Bedroom**

See General Violations.

**Unit B**

**Bedroom One, (west)**

See General Violations.

**Bedroom Two**

See General Violations.

**Unit C**

**Bedroom**

See General Violations

**Bathroom**

See General Violations.

**Unit D**

**East Bedroom**

See General Violations.

**North Bedroom**

See General Violations.

**Unit E**

**Kitchen**

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

Hall Bathroom

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

NE Bedroom

See General Violations.

SE Bedroom

See General Violations.

South Bedroom

See General Violations.

**Unit F**

South Bedroom, West Bedroom

See General Violations.

**Unit G**

Bathroom

See General Violations.

Bedroom

See General Violations.

**Unit H**

East Bedroom

See General Violations.

North Bedroom

See General Violations.

**Unit I**

NE Bedroom, SE Bedroom

See General Violations.

South Bedroom

Repair the hole in the wall adjacent to the entry door. BMC 16.04.060(a)

Bathroom

Properly secure the loose sink faucet handle. BMC 16.04.060(c)

Secure toilet to its mountings. BMC 16.04.060(c)

**Unit J**

West Bedroom

See General Violations.

South Bedroom

See General Violations.

**2677**

**Unit A**

Mechanical Closet

Repair closet door to latch securely. BMC 16.04.060(a)

West Bedroom

See General Violations.

North Bedroom

See General Violations.

**Unit B**

Mechanical Closet

Repair closet door to latch securely. BMC 16.04.060(a)

West Bedroom

See General Violations.

South Bedroom

See General Violations.

**Unit C**

Kitchen

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

West Bedroom, North Bedroom

See General Violations.

**Unit D**

Hall Bathroom

See General Violations.

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

SE Bedroom

See General Violations.

NE Bedroom

See General Violations.

North Bedroom

See General Violations.

**Unit E**

NE Bedroom

See General Violations.

SE Bedroom

See General Violations.

Master Bedroom

See General Violations.

**Unit F**

Hall Bathroom

Clean, service and repair the exhaust fan, rattles. BMC 16.04.060(c)

West Bedroom

See General Violations.

South Bedroom

See General Violations.

**Unit G**

Hall Bathroom

See General Violations.

West Bedroom

See General Violations.

North Bedroom

See General Violations.

**Unit H**

Hall Bathroom

See General Violations.

SE Bedroom, NE Bedroom

See General Violations.

North Bedroom

See General Violations.

**Unit I**

Kitchen

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

Hall Bathroom

See General Violations.

NE Bedroom

See General Violations.

SE Bedroom

See General Violations.

Master Bedroom

See General Violations.

**Unit J**

Hall Bathroom

See General Violations.

**2679**

**Laundry/ Storage Rooms**

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)

**Unit A**

**Hall Bathroom**

Properly repair/ replace the sink stopper assembly. BMC 16.04.060(c)

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

See General Violations.

**South Bedroom**

See General Violations.

**West Bedroom**

See General Violations.

**Unit B**

**Hall Bathroom**

See General Violations.

**NE Bedroom**

See General Violations.

**NE Bedroom**

See General Violations.

**Unit C**

**SE Bedroom, SW Bedroom**

See General Violations.

**Unit D**

**Kitchen**

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)

**NE Bedroom**

See General Violations.

**NW Bedroom**

See General Violations.

**Master Bedroom, Master Bathroom**

See General Violations.

**Unit E**

**Hall Bathroom**

See General Violations.

**NW Bedroom**

See General Violations.

**NE Bedroom**

See General Violations.

Master Bedroom

See General Violations.

Master Bathroom

See General Violations.

**Unit F**

Hall Bathroom

Secure toilet to its mountings. BMC 16.04.060(c)

SE Bedroom

See General Violations.

**Unit G**

Mechanical Closet

Properly secure the escutcheon at the top of the furnace flue. BMC 16.04.060(c)

Left Bedroom, Right Bedroom

See General Violations.

**Unit H**

Kitchen

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

Bathroom

See General Violations.

Front Right Bedroom

See General Violations.

Back Right Bedroom

See General Violations.

Master Bedroom

See General Violations.

**Unit I**

Front Left Bedroom, Back Left Bedroom

See General Violations.

Master Bedroom, Master Bathroom

See General Violations.

**Unit J**

Bathroom

See General Violations.

Left Bedroom, Right Bedroom

See General Violations.

**Unit K**  
**Bathroom**

Properly replace the deteriorated trim adjacent to floor. BMC 16.04.060(a)

**EXTERIOR**

Properly seal all gaps between the end of the brick wall and the siding adjacent to both sides of the balcony hand railing on the south side of Building 2679, all levels. BMC 16.04.050(a)

Properly tuck point all missing or defective mortar joints of the patio retaining walls,  
Bldg 2667- Unit B, BMC 16.04.050(a)

**Required documentation:**

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

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

**This is the end of this report.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-181 (Old Business)

Address: 100-102 S. Yancy Ln.

Petitioner: Wilma Estelle Corrigan

Inspector: Wills/Mosier

Staff Report: February 17, 2015 – Conducted cycle inspection  
May 27, 2015 – Sent remaining violations report  
June 15, 2015 – Scheduled re-inspection  
July 16, 2015 – Received BHQA Appeal  
September 16, 2015 – BHQA meeting cancelled, no quorum, heard at October meeting  
December 28, 2015 – Conducted re-inspection for units 101, 100-102  
January 11, 2016 – Agent scheduled re-inspection, received BHQA Appeal under old business (15-TV-181)  
January 13, 2016 – Conducted re-inspection on unit 100 (complied)

Staff recommendation: Grant the request

Owner states that the tenant in unit 100 had to be evicted, then agent renovated the unit 100. Unit 102 has outstanding violations. Petitioner is requesting an extension of time to complete the repairs.

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

Compliance Deadline: March 31, 2016 – For life safety violations.  
May 16, 2016 – For all other violations.

Attachments: Remaining violations report, BHQA appeal, Petitioner's letter



RECEIVED  
JAN 11 2016

OLD BUSINESS

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](mailto:hand@bloomington.in.gov)

Property Address: 100-102 S. YANCY LANE  
Petitioner's Name: Wilma Estelle Corugan (agent for Dorothy Dowdy)  
Address: 11711 Morning Grove Drive  
City: Las Vegas State: NV Zip Code: 89135  
Phone Number: 702-219-2202 Email Address: medseor@embarqmail.com  
Property Owner's Name: Dorothy A. Dowdy  
Address: 205 S. Yancy Lane  
City: Bloomington State: IN Zip Code: 47404  
Phone Number: 812-332-3564 Email Address: A  
Occupants: 100 - vacant 102 Chuck Dowdy (Charles Dowdy)

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-181

(OLD BUSINESS)

SEE REVERSE

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

The properties have repairs that are greater than we have time to repair.

One property has had total remodel and we just have a few items to finish. (100 apt. yansy)

We will continue to repair and comply.

~~Please allow for 6-8 months extension~~

On a personal note, my mother, Dorothy Dowdy is 93 and is having limited mobility. My mother (3) was recently flown by helicopter to Methodist Hospital and was in ICU for several days.

I thank you for letting me have the opportunity to help my mother with her properties!

Signature (required): Wilma Estelle Corrigan

Name (please print): Wilma Estelle Corrigan Date: 1-5-2016

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



City Of Bloomington  
Housing and Neighborhood Development

DEC 29 2015

REMAINING VIOLATIONS INSPECTION REPORT

782

Owner(s)

Dorothy Dowdy  
205 S. Yancy Lane  
Bloomington, IN 47404

Agent

(Wilma) Estelle Corrigan  
11711 Morning Grove Drive  
Las Vegas, NV 89135

Prop. Location: 100 - 102 S Yancy LN  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/3/5

Date Inspected: 02/17/2015  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 1

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

**REINSPECTION REQUIRED**

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

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

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

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

---

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

INTERIOR

100 S. Yancy Lane

Mechanical/ Laundry Room

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

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

Properly replace the missing baseboards. BMC 16.04.060(a)

Center Bedroom (11-6 x 11-0)

WS

Properly repair the window to be openable, to lock securely using its own hardware, and to be weather tight. (currently frozen shut) BMC 16.04.060(b)

West Bedroom (11-6 x 11-0)

WS

The windows in this room were not inspected at the time of the cycle inspection as there was no access to them. The windows in this 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

Replace the missing interior window pane and install a locking mechanism on the window.  
BMC 16.04.060 (b)

102 S. Yancy Lane

Living Room (11-3 x 16-2)

Repair the hole in the south wall, at phone jack. BMC 16.04.060(a)

Mechanical/ Laundry Room

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

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

Kitchen (7-0 x 10-0)

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

Replace missing/broken cabinet drawer. BMC 16.04.060(a)

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

**Note:** The stove was not inspected at the time of the cycle inspection. (Gas turned off.) The stove must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. BMC 16.03.040

Hallway

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

Bathroom

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

East Bedroom (11-0 x 11-6)

Replace the broken outlet cover plate on the north wall. BMC 16.04.060(a)

Center Bedroom (11-0 x 11-6)

4/5 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)

**EXTERIOR**

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

Properly replace the missing gutter piece (end cap) at the back of structure. BMC 16.04.050(a)

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

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

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

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

**OTHER REQUIREMENTS:**

**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 16.12.080 (b)

This is the end of this report.



City of Bloomington  
H.A.N.D.

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

Meeting Date: 16 March 2016

Petition Type: An extension of time to complete Cycle Inspection

Petition Number: 15-TV-249

Address: 106-108 W. Pinewood Dr.

Petitioner: Ashael Summitt

Inspector: Michael Arnold

Staff Report: 08 October 2015 Received Request for extension of time  
18 October 2015 Permit Expires  
19 January 2016 Received second request for extension of time

HAND received a request for extension of time to delay the Cycle Inspection for this property. The owner has a medical issue that has prevented him from doing work on the property to prepare it for the inspection. Per his letter he is not permitted to drive in order to attend the cycle inspection at this time. Per the owner, Unit 106 needs new kitchen and bathroom flooring. The owner also states that Unit 108 has not been evaluated. This structure has had a five year permit for the last three Cycles (since 2000).

The Owner is still recovering from medical issues and is still not permitted to drive. Owner is requesting time until 01 August 2016 before the Cycle Inspection is conducted. This allows him time to recover and for the contractors to address issues outlined in his application.

Staff recommendation: Deny the request

Conditions: Schedule the Cycle Inspection for both units. If additional time beyond the 60 days is necessary, then additional time to complete repairs may be requested to complete the repairs. Owner shall call to schedule the Cycle Inspection no later the date listed below.

Compliance Deadline: 01 April 2016

Attachments: Application

RB



City of Bloomington  
H.A.N.D.

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

Meeting Date: 16 March 2016

Petition Type: An extension of time to complete the Cycle Inspection

Petition Number: 15-TV-249

Address: 110-112 W. Pinewood Dr.

Petitioner: Ashael Summitt

Inspector: Michael Arnold

Staff Report: 08 October 2015 Received Request for extension of time  
18 October 2015 Permit Expires  
19 January 2016 Received second request for extension of time

HAND received a request for extension of time to delay the Cycle Inspection for this property. The owner has a medical issue that has prevented him from doing work on the property to prepare it for the inspection. Per his letter he is not permitted to drive in order to attend the cycle inspection at this time. Per the owner, Unit 110 is currently vacant and the bathroom needs repaired and the unit painted. The owner also states that Unit 112 has had new doors installed and will need some electrical work completed. This structure has had a five year permit for the last three Cycles (since 2000).

The Owner is still recovering from medical issues and is still not permitted to drive. Owner is requesting time until 01 August 2016 before the Cycle Inspection is conducted. This allows him time to recover and for the contractors to address issues outlined in his application.

Staff recommendation: Deny the request

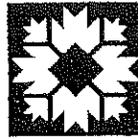
Conditions: Schedule the Cycle Inspection for both units. If additional time beyond the 60 days is necessary, then additional time to complete repairs may be requested to complete the repairs. Owner shall call to schedule the Cycle Inspection no later the date listed below.

Compliance Deadline: 01 April 2016

Attachments: Application



City of Bloomington  
H.A.N.D.



**City of Bloomington  
Housing and Neighborhood Development**

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

Meeting Date: 16 March 2016

Petition Type: An extension of time to complete Cycle Inspection

Petition Number: 15-TV-249

Address: 113-115 W. Pinewood Dr.

Petitioner: Ashael Summitt

Inspector: Michael Arnold

Staff Report: 08 October 2015 Received Request for extension of time  
 18 October 2015 Permit Expires  
 18 November 2015 Granted Extension of Time  
 19 January 2016 Received Request for extension of time

HAND received a request for extension of time to delay the Cycle Inspection for this property. The owner has a medical issue that has prevented him from doing work one the property to prepare it for the inspection. Per the owner, Unit 113 Needs the kitchen floor replaced. He also states that Unit 115 has not yet been evaluated. This structure has had a five year permit for the last three Cycles (since 2000). The Owner is still recovering from medical issues and is requesting time until 01 August 2016 for inspection. This allows him time to recover and for the contractors to address issues outlined in his application.

Staff recommendation: Deny the request

Conditions: Schedule the Cycle Inspection for both units. If additional time beyond the 60 days is necessary, then additional time to complete repairs may be requested to complete the repairs. Owner shall call to schedule the Cycle Inspection no later the date listed below.

Compliance Deadline: 01 April 2016

Attachments: Application



City of Bloomington  
H.A.N.D.

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

Meeting Date: 16 March 2016

Petition Type: An extension of time to complete Cycle Inspection

Petition Number: 15-TV-249

Address: 114-116 W. Pinewood Dr.

Petitioner: Ashael Summitt

Inspector: Michael Arnold

Staff Report: 08 October 2015 Received Request for extension of time  
18 October 2015 Permit Expires  
18 November 2015 Granted Extension of Time  
19 January 2016 Received second request for extension of time

HAND received a request for extension of time to delay the Cycle Inspection for this property. The owner has a medical issue that has prevented him from doing work on the property to prepare it for the inspection. Per his letter he is not permitted to drive in order to attend the cycle inspection at this time. Per the owner, Unit 114 has had floor work and mold issues addressed as well as some electrical repairs. The owner also states that Unit 116 has had extensive repairs and some window replacement. Both of these units have been treated for infestation. This structure has had a five year permit for the last three Cycles (since 2000).

The Owner is still recovering from medical issues and is still not permitted to drive. Owner is requesting time until 01 August 2016 before the Cycle Inspection is conducted. This allows him time to recover and for the contractors to address issues outlined in his application.

Staff recommendation: Deny the request

Conditions: Schedule the Cycle Inspection for both units. If additional time beyond the 60 days is necessary, then additional time to complete repairs may be requested to complete the repairs. Owner shall call to schedule the Cycle Inspection no later the date listed below.

Compliance Deadline: 01 April 2016

Attachments: Application



RECEIVED  
01.19.16

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

Property Address: (106-128) (110-114) (113-115) + (114-116) PINEWOOD RD

Petitioner's Name: ASHAEL L SUMMITT

Address: 8319 MOULING BIRD LANE

City: INDIANAPOLIS State: INDIANA Zip Code: 46256

Phone Number: 317-849-7211 Email Address: ---

Property Owner's Name: ASHAEL L. SUMMITT

Address: 8319 MOULING BIRD LANE

City: INDIANAPOLIS State: INDIANA Zip Code: 46256

Phone Number: 317-849-2219 Email Address: ---

Occupants: ---

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

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

Please circle the petition type that you are requesting:

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

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

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

D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 15-TV-249

(OLD BUSINESS)

SEE REVERSE

HEARD Nov. 18, 2015

MA

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

SEE ATTACHED

Signature (required):

Michael L. Summitt

Name (please print):

ASHAEL L. SUMMITT

Date:

1/14/2016

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.

1/14/2016

TO: THE BOARD OF HOUSING  
AND QUALITY APPEAL.

FROM: ASHAEL L. SUMMITT

I WOULD LIKE TO START OUT  
BY SAYING THAT I OWN THE  
DOUBLES ON PINEWOOD DRIVE,  
(106-108) (110-112) BUILT IN 1966 AND  
(113-115) (114-116) BUILT IN 1967.

SINCE WE WERE TAKEN INTO  
THE CITY, WE HAVE DONE VERY  
WELL ON THE INSPECTIONS AND  
HAVE HAD A VERY GOOD RELATION-  
SHIP WITH THE INSPECTORS AND  
WITH THE CITY OF BLOOMINGTON.

I BROKE MY HIP ABOUT FIVE  
MONTHS AGO AND HAVE BEEN  
STRUCTURED BY MY DOCTOR NOT  
TO DRIVE. I HAVE HAD TO DEPEND  
ON A FRIEND IN BLOOMINGTON  
TO INFORM ME OF THE WORK THAT  
NEEDS TO BE DONE AND TO HIRE THE  
BEST PEOPLE AVAILABLE TO DO THE  
WORK. ONE OF THE PROBLEMS THAT HE  
IS HAVING IS THAT THEY ARE WORKING  
US ON, AND NOT NECESSARILY ON A  
GOOD TIME TABLE FOR US.

(2)

DA TO ALL OF THE WORK THAT NEEDS TO BE DONE, I WAS TOLD THAT I MIGHT BE ABLE TO GET A ONE YEAR EXTENSION WHEN I SENT THE REQUEST TO THE BOARD LAST YEAR, I WAS ONLY GRANTED A FOUR MONTHS EXTENSION.

I WAS SENT A FORM SHOWING THAT THEY HAD TO BE INSPECTED AND IF NECESSARY REINSPECTED BY 2/18/2006 I CONTACTED LISA ABBOTT AND SHE SAID SHE WOULD BE GONE ON JANUARY 1ST, I WAS INFORMED ON JANUARY 1ST THAT SHE HAD BEEN REPLACED BY DOUG SIMS.

SHE HAS BEEN VERY BUSY IN MEETINGS LAST WEEK I WAS OUT THERE TO JOHN HEWITT, HE AND I AGREED THAT I SHOULD FILE FOR ANOTHER EXTENSION. HE TOLD ME THE BOARD WOULD MEET IN MID FEBRUARY.

BASED ON WHAT I WILL GET LINES ON THE FOLLOWING PAGES, I WOULD LIKE TO BE RECONSIDERED FOR AN EXTENSION UNTIL AUGUST 1ST, 2006. THEY HAVE ALREADY SENT ME THE NEW PAPER WORK TO FILE FOR ANOTHER EXTENSION.

(35)

ON THE FOLLOWING PAGES, I  
WILL OUTLINE WHAT HAS BEEN  
ACCOMPLISHED AND SOME OF THE  
COSTS AND WHAT YET NEEDS TO BE  
ACCOMPLISHED

1.) ON 116. PINEWOOD PRIOR TO THE  
TENANT MOVED OUT ON JULY 31ST  
GIVING ME TWO MONTHS RENT, THE  
INSIDE AND OUTSIDE HAD BEEN  
TOTALLY TRASHED. THE SUBLEASED THE  
APARTMENT AND HE HAD TO FORCE  
THEM OUT.

AS OF THIS DATE WE HAVE SPENT  
\$2,000<sup>00</sup> ON REPAIRS PLUS 400<sup>00</sup> TO  
REPLACE TWO WINDOWS. WE ALSO  
PAID TO REPLACE THE LOCKS.

WE STILL HAVE TO REPLACE ALL  
WINDOWS WITH CURTAINS AND BLINDS  
AND SHOWER RODS AND CURTAINS IN  
THE BATHROOM. THE DRIVE WAY  
HAS TO BE GRADED AND THE SIDE  
YARD RESEED AT A COST  
OF A MINIMUM OF 2,000<sup>00</sup>

116 AND 114 NEXT DOOR WERE FULL  
OF ROACHES AND BEETLES. TERMINA  
WAS NOT ABLE TO GET RID OF  
THEM. WE PAID ANOTHER COMPANY  
400<sup>00</sup> AND STILL TOOK FOUR WEEKS  
BEFORE THEY WERE GONE

(3)

NEEDLESS TO SAY, THE WEATHER HAS BEEN A PROBLEM IN GETTING THE OUTSIDE DONE.

AS YOU CAN SEE, WE HAVE BEEN HAVING WORK DONE ON 116 FOR FIVE MONTHS WITH TWO TO FOUR WEEKS TO GO.

(2) ON 114 PINEWOOD DRIVE THE SAME COMPANY THAT CHARGED US, 14,000<sup>00</sup> ON 116, CHARGED US 14,000<sup>00</sup> FOR SOME WORK ON 114. IN ADDITION TO THAT COST, WE HAD A MAJOR PROBLEM IN 114. WE HAD TO TAKE OUT AND REPLACE SOME DRY WALL. WE ALSO HAD SOME ELECTRICAL PROBLEMS THAT COST

95<sup>00</sup>  
(3) ON 110 PINEWOOD DRIVE THE TENANT MOVED OUT IN SEPTEMBER OWING US TWO MONTHS RENT. THE BATH ROOM WILL HAVE TO BE TOTALLY REPAIRED AND THE INSIDE PAINTED. WE HAVE NOT GOT A COST ON THESE TWO ITEMS AS OF YET

④

4) ON 106 PINEWOOD DR

THE TILE GOING INTO THE KITCHEN AND IN THE BATHROOMS WILL HAVE TO BE REPLACED

5) ON 108 PINEWOOD DR

WE HAVE NOT BEEN ABLE TO INSPECT IT AS OF NOW

6) ON 112 PINEWOOD DR

WE HAVE ALREADY REPLACED THE BACK DOOR AND PUT NEW LOCKS ON THE FRONT AND BACK DOOR. WE ALSO HAD TO HAVE SOME ELECTRICAL WORK DONE. WE HAVE TO DETERMINE IF IT NEEDS PAINTED

7) ON 113 PINEWOOD DRIVE

WE WILL HAVE TO REMOVE AND REPLACE THE KITCHEN TILE. THE COST ON 113 & 108 WILL BE 1400<sup>00</sup>

8) ON 115 PINEWOOD DRIVE

WE HAVE NOT INSPECTED THIS ONE AS YET.

(E)

BASED ON ALL OF THE ABOVE  
AND, WEATHER CONDITIONS AND  
THE PROBLEM OF GETTING HELP  
ON A TIMELY BASES, I FEEL IT  
WILL TAKE UNTIL AUGUST 1ST TO  
GET IT ALL ACCOMPLISHED,

I WILL CERTAINLY APPRECIATE  
YOUR CONSIDERATION

Thanker

Robert J. Bennett



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-253 (Old Business)

Address: 2200 E. 7<sup>th</sup> St.

Petitioner: Jake Flagle

Inspector: Norman Mosier

Staff Report: August 10, 2015 – Conducted Cycle Inspection  
September 21, 2015 – Owner Requested Re-inspection w/Program Manager to look at doors and fogged windows.  
October 19, 2015 – Received BHQA Appeal  
December 31, 2015 – Received 2<sup>nd</sup> BHQA Appeal under old business

It was noted during the cycle inspection that there are repairs to be completed and there are several windows to be replaced, windows have lost their seal and become fogged. Petitioner is requesting an extension of time to purchase the windows and have them installed.

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 31, 2016 – For Life Safety Violations  
Hallway: Replace the smoke detector battery so that it functions as intended.  
IC22-11-18-3.5

May 16, 2016 – For all other violations

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

RECEIVED  
DEC 31 2015



BY: \_\_\_\_\_  
Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
[hand@bloomington.in.gov](mailto:hand@bloomington.in.gov)

Property Address: 2200 E. 7th Street, Blmngtn, In 47408

Petitioner's Name: Jake Flagle

Address: 6804 W. Staenmeyer Rd.

City: New Palestine State: IN Zip Code: 46163

Phone Number: 317-4307393 Email Address: charityadk2003@yahoo.com

Property Owner's Name: Jake Flagle

Address: \_\_\_\_\_

City: Same State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Occupants: 3

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-253

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.

Our inspection has requested for 4-windows to be replaced. We are unable at this time to purchase the windows & install them. We just received our estimate via mail Dec. 19th. With the window costing around \$1000<sup>00</sup> not including installation - we are asking for an extended time so we may, in a fair manner, be able to cover our expenses. We are asking for a 6 month extension from the January 18<sup>th</sup> Date. This will allow us to cover our expenses & install them in the Spring. Our other repairs have been completed & outstanding paperwork has been completed & turned in.

Signature (required):



Name (please print):

Jake Flagler

Date:

12/27/15

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

3351

Owner(s)

Chasity Flagle  
6804 W. Stinemyer Road  
New Palestine, IN 46163

Prop. Location: 2200 E 7th ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 08/10/2015	Inspector: Norman Mosier
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RC	Attic Access: No
Number of Stories: 1	Accessory Structure: Shed

**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**

Living Room 13-2 x 12-5:

Replace the fogged window, on the north wall, right side. BMC 16.04.060 (a)

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

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

45

Hallway:

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

SW Bedroom 10-5 x 9-5:

Replace the fogged west window. BMC 16.04.060 (a)

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1955  
Height: 50 inches  
Width: 27.5 inches  
Sill Height: 30 inches  
Openable Area: 9.55 sq. ft.

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

Closet:

Repair the door to fit the door jamb and to latch properly, missing striker plate.  
BMC 16.04.060 (a)

NW Bedroom 10-3 x 9-9: Same window as above.

Replace the fogged lower sash on the west window. BMC 16.04.060 (a)

Replace the missing/broken handles on the same window. BMC 16.04.060 (a)

Kitchen/Dining Room 19-11 x13-11:

Replace the fogged window on the north wall. BMC 16.04.060 (a)

**BASEMENT:**

NW Room:

Eliminate the use of the extension cord for the sump pump, install an electrical receptacle for permanent use. BMC 16.04.060 (c)

**EXTERIOR:**

Repair the gate on the north side of property to latch properly, latch broken. BMC 16.04.040 (g)

**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.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-276 (Old Business)

Address: 3200 E. John Hinkle Place # I

Petitioner: Casa De Jang, LLC

Inspector: Norman Mosier

Staff Report: August 8, 2015 – Conducted Cycle Inspection  
November 16, 2015 – Received BHQA Appeal  
February 16, 2016 – Received BHQA Appeal

It was noted during the cycle inspection that the master bedroom window does not stay open. Petitioner is requesting an extension of time to complete the repair to the window. Petitioner has not scheduled re-inspection for unit.

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: May 16, 2016

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



RECEIVED  
FEB 16 2016  
VH

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

Property Address: 3200 John Hinkle Pl, Unit I, Bloomington, IN 47408

Petitioner's Name: Casa de Jang LLC

Address: 484 E Carmel Dr # 114

City: Carmel State: IN Zip Code: 46032

Phone Number: 317-572-8132 Email Address: Bob.Lam@VLL-LLP.com

Property Owner's Name: Casa de Jang LLC

Address: same as above

City: State: Zip Code:

Phone Number: Email Address:

Occupants: Alanna Davey, Nicole Janowski

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.

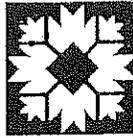
OFFICE USE ONLY  
Petition Number 15-TV-276

(OLD BUSINESS)

SEE REVERSE

PREVIOUSLY  
12.16.15 NIM





City of Bloomington  
Housing and Neighborhood Development

CYCLE REPORT

4886

OWNERS

Casa De Jang Llc  
484 E. Carmel Dr. #114  
Carmel, IN 46032

AGENT

Bobby Y. Lydon-Lam  
201 N. Illinois St. Suite 1600  
Indianapolis, IN 46204

Prop. Location: 3200 E John Hinkle PL UNIT I  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/3/5

Date Inspected: 08/28/2015  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 3

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

The Monroe County Assessor's records indicate that this structure was built in 1993.  
Minimum egress requirements for as single family dwelling built at the time of construction.  
Openable area: 4.75 Sq. Ft.  
Clear height: 24 inches  
Clear width: 18 inches  
Sill height: Not more than 44 inches above finished floor.

INTERIOR:

Living Room 15-2 x 13, Dining Room 11-3 x 10-3:  
No violations noted.

Kitchen 10-7 x 8:

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)

Replace the rubber gasket on the refrigerator, leaks. BMC 16.04.060 (c)

Hallway, Laundry Closet, Hall Bath, Furnace Closet – Electric:

No violations noted.

N Bedroom 9-6 x 8-6:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993

Height: 54 inches

Width: 35.25 inches

Sill Height: 26.5 inches

Openable Area: 13.22 sq. ft.

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

Center Bedroom 9-5 x 8-6: Same window as above.

No violations noted.

Master Bedroom 12-9 x 9-8:

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

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

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993

Height: 54 inches

Width: 43.25 inches

Sill Height: 26.5 inches

Openable Area: 16.22 sq. ft.

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

Closet:

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

Master Bathroom:

No violations noted.

**EXTERIOR:**

No violations noted.

**OTHER REQUIREMENTS:**

**Required documentation:**

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

**Required documentation:**

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

---

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

**This is the end of this report.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-25

Address: 1702-1704 S. Olive St.

Petitioner: James Gronquist

Inspector: Norman Mosier

Staff Report: June 25, 2015 – Conducted Cycle Inspection  
September 15, 2015 – Sent Remaining Violations Report  
October 22, 2015 – Start Legal  
November 11, 2015 – Owner Scheduled Re-inspection for 12/22/2015,  
Owner cancelled re-inspection. Advised to apply for extension of time.  
December 22, 2015 – Received BHQA Application  
December 22, 2015 – Update Legal

Petitioner is requesting an extension of time to complete the repairs until the tenants move out at the end of March.

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 31, 2016 – For all life safety violations.**

**UNIT 1702**

**Laundry Closet:**

Replace the missing cover plate for the receptacle. BMC 16.04.060 (b)

Living Room:

Replace the battery in the smoke detector so it functions as intended. IC22-11-18-3.5

**UNIT 1704**

Kitchen:

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

Living Room:

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

**May 16, 2016 – For all other violations.**

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



RECEIVED  
FEB 2 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: 1702 1704 S. OLIVE ST

Petitioner's Name: Jim Gregorist

Address: PO Box 1131

City: Bloomington State: IN Zip Code: 47402

Phone Number: 812 219 0135 Email Address: jgregorist@yahoo.com

Property Owner's Name: J

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Occupants: \_\_\_\_\_

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY  
Petition Number 16-TV-25

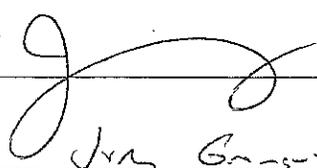
SEE REVERSE

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.

1702 ~~1704~~ will be updating when resident  
move end of March.  
in mean time = treated for roaches  
smoke detectors working

1704 vacant updating unit

Signature (required):



Name (please print):

Jerry Gonzalez

Date: 12 22 15

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



City of Bloomington  
Housing and Neighborhood Development

REMAINING VIOLATIONS REPORT

SEP 25 2015

3708

OWNERS

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

Prop. Location: 1704 S Olive ST, 1702 S Olive ST  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: 2/3/3

Date Inspected: 06/25/2015  
Primary Heat Source: Electric  
Property Zoning: RS  
Number of Stories: 2

Inspectors: Norman Mosier  
Foundation Type: Crawl Space  
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.

## GENERAL VIOLATION

This inspection revealed a roach infestation. Serious efforts by both the tenants and management will be required to significantly reduce this infestation to an acceptable level. This office strongly advises that the tenants properly prepare for treatment by:

1. Removing all items from the kitchen cabinets and drawers, including the shelf paper.
  2. Removing all items from the pantry floor.
  3. Removing all items from the bathroom floor and medicine cabinets.
  4. Sanitize all areas where infestation is obviously present.
  5. Sanitize all areas where roach droppings are present.
  6. Properly store food items in sealed containers. BMC 16.04.090
- Bloomington Municipal Code 16.04.090

Every owner, agent or operator of a structure containing two (2) or more rental units shall be responsible for the extermination of insects, rodents or other pests in the structure or premises. The owner shall be responsible for extermination within each rental unit, but who is ultimately responsible to pay for such extermination is not regulated or discussed by the Municipal Code.

## INTERIOR:

### UNIT 1702 – See general violation.

#### Entryway:

Repair the hole in the closet door, or replace the door. BMC 16.04.060 (a)

#### ½ Bath:

Replace the cracked sink. BMC 16.04.060 (a)

#### Kitchen 11-7 x 7:

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

#### Laundry Closet:

Replace the missing cover plate for the receptacle. BMC 16.04.060 (b)

#### Furnace Closet:

No violations noted.

#### Living Room 20 x 13-6:

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

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

## 2<sup>nd</sup> LEVEL

#### Stairway/Hallway:

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

E Bedroom 14-7 x 8-2:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1991

Height: 24.25 inches

Width: 34.25 inches

Sill Height: 28 inches

Openable Area: 5.77 sq. ft.

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

Center Bedroom 10-5 x 8-9: Same window as above.

Repair/replace the damaged door. BMC 16.04.060 (a)

Hall bath:

No violations noted.

W Bedroom 14-7 x 9-5:

Secure the loose door casing, latch side of door. BMC 16.04.060 (a)

**UNIT 1704**

Entryway:

Repair/replace the defective doorknob. BMC 16.04.060 (a)

Repair/replace the damaged storm door. BMC 16.04.060 (a)

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

½ Bath:

Secure toilet to its mountings. BMC 16.04.060(a)

Kitchen 11-7 x 7:

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)

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

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

Restore power to the south wall receptacles. BMC 16.04.060 (c)

Laundry Closet:

Repair the bi-fold doors to stay in the tracks. BMC 16.04.060 (a)

Furnace Closet:

Temperature/pressure relief (TPR) valve discharge tubes:

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

✓ Living Room 20 x 13-6:

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

Repair the doorknob on the west door to function as intended. BMC 16.04.060 (a)

2<sup>nd</sup> LEVEL

Stairway/Hallway:

Repair/replace the damaged carpet adjacent to the top step. BMC 16.04.060 (a)

E Bedroom 14-7 x 8-2: Same window as above.

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

Center Bedroom 10-5 x 8-9: Same window as above.

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

Hall Bath:

Secure the loose receptacle adjacent to the sink. BMC 16.04.060 (c)

Repair the sink drain to function as intended, slow. BMC 16.04.060(c)

Secure the loose towel rack. BMC 16.04.060 (a)

W Bedroom 14-7 x 9-5: Same window as above.

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

**EXTERIOR:**

No violations noted.

Crawlspace:

No violations noted.

**OTHER REQUIREMENTS:**

**Required documentation:**

Complete the enclosed registration form. A street address is required for both owner and agent. This form must be signed by the owner. If this form is not provided to the HAND department by the compliance deadline and the matter is referred to the Legal Department a fine of \$25 will be assessed. BMC 16.03.020(b), BMC 16.10.030(b)

**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.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: 16 March 2016

Petition Type: Rescind a variance

Petition Number: 16-RV-027

Address: 111 E. 16<sup>th</sup> St.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 18 December 2015      Cycle Inspection  
23 December 2015      BHQA Application  
08 January 2016      Cycle Report Mailed  
25 January 2016      BHQA Report written

This property was previously granted a variance to the pass through requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a pass through requirement and the Building Code in place at the time of construction did not address pass through; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of the Rental Occupancy Permit, but will not negatively affect the length of the permit. This structure was built in 1933.

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: March 16, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-29  
Address: 714 E. 2<sup>nd</sup> St.  
Petitioner: HAND  
Inspector: Norman Mosier

Staff Report:

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

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: March 16, 2016

Petition Type: Rescind a variance.

Petition Number: 16-RV-30

Address: 310 E 17<sup>th</sup> St.

Petitioner: HAND

Inspector: John Hewett

Staff Report: April 30, 2015                      Cycle Inspection with agent  
August 7, 2015                                Mailed RV report  
October 2, 2015                               Re-inspection, not all complied  
December 22, 2015                           Drive by, all complied  
January 04, 2016                              Filed appeal to rescind variance

This property was previously granted a bathroom access and a bathroom ventilation variance. These violations are no longer a part of Title 16, and were not a requirement of the Building Code in place when this structure was built. Please rescind these variances.

Staff Recommendation: Rescind the variances.

Conditions: None

Attachments: None

RB



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: Rescind a variance.

Petition Number: 16-RV-31

Address: 302 E 19<sup>th</sup> St.

Petitioner: HAND

Inspector: John Hewett

Staff Report:           October 22, 2015           Cycle Inspection with owner  
                                  January 04, 2016           Filed appeal to rescind variance  
                                  January 8, 2016           Re-inspection, all complied

This property was previously granted a bathroom access requirement and a ceiling height variance. These violations are no longer a part of Title 16, and were not a requirement of the Building Code in place when this structure was built. Please rescind these variances.

Staff Recommendation:       Rescind the variances.

Conditions:           None

Attachments:         None

*RJD*



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: Rescind a variance.

Petition Number: 16-RV-32

Address: 2604 E. Eastgate Lane/2663 E. 7<sup>th</sup> Street

Petitioner: HAND

Inspector: Mosier/ Swinney/ Wills

Staff Report: April 04, 2015 Completed Cycle Inspection  
June 29, 2015 Received Application for Appeal  
September 08, 2015 Completed Reinspection for Life Safety  
Violations.  
November 16, 2015 Completed Reinspection  
November 17, 2015 Received 2<sup>nd</sup> Application for Appeal

This property (built in 1970) was previously granted a variance to the cooking in a sleeping room requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a cooking in a sleeping room requirement and the Building Code in place at the time of construction did not address cooking in a sleeping room; 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: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-33

Address: 3100 S Walnut Street Pike

Petitioner: Katie Flora

Inspector: Matt Swinney

Staff Report: October 13, 2015 Completed Cycle Inspection Report  
January 8, 2016 Agent scheduled a reinspection for March 15, 2016

Owner has requested an additional 30 day extension of time to make repairs to the common stairwells. They are experiencing delays with the building permit and specifications needed from the engineer.

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 31, 2016 To schedule a reinspection  
June 1, 2016 To complete repairs to the common stairwells

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



RECEIVED  
JAN 08 2016

BY: rw

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

Property Address: 3100 S. Walnut St. Apt.

Petitioner's Name: Katie Fiosa

Address: 3100 S. Walnut St. Apt.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-339-3588 Email Address: Kfiosa@aol.com

Property Owner's Name: Grandview Care

Address: 1555-B Omsby Station Ct.

City: Louisville State: KY Zip Code: 40003

Phone Number: 502-351-1133 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-33

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 have completed all required maintenance per our inspection in November 2015 with the exception of the repairs to our common stairwells. This repair has been started, but will not be completed by 1/15/16. We request an additional 30 days to complete this repair. We are facing a delay with regards to obtaining a building permit. We are currently waiting for material specifications from the engineer to provide to the city building department.

Signature (required): Katie Flora

Name (please print): Katie Flora Date: 1/15/16

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.



City of Bloomington  
Housing and Neighborhood Development

NOV 10 2015

**RENTAL PERMIT INFORMATION**

Willow Manor, C/O Grandview Care - Attn Sam Bick  
1515-B Ormsby Station Ct.  
Louisville, KY 40223

Property Location: 3100 S Walnut Street PIKE

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 **JAN 09 2016** 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](http://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](http://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

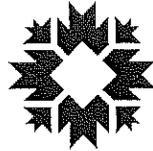
Xc: Flora, Katie

401 N. Morton  
PO Box 100  
Bloomington, IN 47402

**City Hall**

[www.bloomington.in.gov/hand](http://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

NOV 10 2015

**RENTAL PERMIT INFORMATION**

Willow Manor, C/O Grandview Care - Attn Sam Bick  
1515-B Ormsby Station Ct.  
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Housing and Neighborhood Development Department

Enclosures: Inspection Report

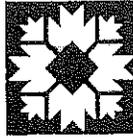
Xc: Flora, Katie

401 N. Morton  
PO Box 100  
Bloomington, IN 47402

**City Hall**

[www.bloomington.in.gov/hand](http://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

3330

OWNERS

Willow Manor, C/O Grandview Care - Attn Sam Bick  
1515-B Ormsby Station Ct.  
Louisville, KY 40223

AGENT

Flora, Katie  
3100 S. Walnut St. Pike  
Bloomington, IN 47401

Prop. Location: 3100 S Walnut Street PIKE  
Number of Units/Structures: 190/3  
Units/Bedrooms/Max # of Occupants: Bld A: 95/1/5, Bld B: 93/1/5, Bld C: 2/2/5

Date Inspected: 10/13/2015	Inspectors: Matt Swinney
Primary Heat Source: Electric	Foundation Type: Slab
Property Zoning: RH	Attic Access: No
Number of Stories: 3	Accessory Structure: None

Monroe County Assessor's records indicate that these structures were built in 1972. At that time there were no minimum requirements for emergency egress.

All apartments have the following room dimensions:  
Living Room 10-0 x 14-0; Kitchen 7-0 x 11-0; Bathroom; Bedroom 8-0 x 15-0:

Existing Egress Window Measurements:  
Height: 20 ¾ inches  
Width: 30 ¼ inches  
Sill Height: 34 ½ inches  
Openable Area: 4.36 sq. ft.

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

Only rooms with violations will be listed in this report.

### **General Statement**

#### **Water Heater Closet**

It is recommended to replace the current light fixture with one that has a protective cover or replace bulb with a CFL to eliminate the possibility of contact between a hot bulb and flammable objects.

It is recommended that all TPR tubes meet the following criteria.

Temperature/pressure relief (TPR) valve discharge tubes:

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

### **General Violations**

#### **Metal Staircases with concrete treads**

Repair/replace all damaged/deteriorated handrails so they are capable of withstanding normally imposed loads. (Some are rusted in two.) BMC 16.04.060(b)

Repair/replace all cracked or deteriorating concrete stair treads. BMC 16.04.060(b)

Repair front of stair treads where the metal is heavily rusted and there is a large gap between it and the concrete tread. BMC 16.04.060(b)

Scrape and paint interior surfaces where paint is peeling, metal has heavy rust scale, or bare surfaces are exposed. BMC 16.04.060(f)

## **INTERIOR**

### **Building A**

#### **Apt. 1**

No violation noted.

#### **Apt. 2**

##### **Bedroom**

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

#### **Apt. 3-4**

No violation noted.

Apt. 5

Kitchen

Repair the light fixture to function as intended. BMC 16.04.060(b)

Replace existing smoke detector with a new smoke detector. IC 22-11-18-3.5

Bathroom

Replace missing shower head. BMC 16.04.060(a)

Bedroom

Replace the missing closet door. BMC 16.04.060(a)

Apt. 6

Bathroom

Temperature/pressure relief (TPR) valve discharge tubes:

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

Apt. 7

Kitchen

Repair the light fixture to function as intended. BMC 16.04.060(b)

Bathroom

Replace the missing sink drain stopper. BMC 16.04.060(a)

Apt. 8-12

No violation noted.

Apt. 13

Living Room

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

Water Heater Closet

Repair the light fixture to function as intended. BMC 16.04.060(b)

Apt. 14

No violations noted.

Apt. 15

No violations noted.

Apt. 16

Bathroom

Replace the missing sink drain stopper. BMC 16.04.060(c)

**1st Floor Common Laundry**

No violation noted.

Apt. 17

Bedroom

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

Apt. 18

No violation noted.

Apt. 19

Living Room

Secure loose electrical receptacle. BMC 16.04.060(b)

Bedroom

Replace all the missing outlet cover plate. BMC 16.04.060(b)

Apt. 20

No violation noted.

Apt. 21

Kitchen

Replace the exhaust fan filter above the stove so that it functions as intended and secure the range hood. BMC 16.04.060(c)

Apt. 22-23

No violations noted.

**1st Floor Common Hallway West**

No violations noted.

Apt. 24

Kitchen

Secure loose electrical receptacle. BMC 16.04.060(b)

Apt. 25

No violations noted.

Apt. 26

Replace existing smoke detector with a new smoke detector. IC 22-11-18-3.5

Apt. 27

Kitchen

Repair the light fixture to function as intended. BMC 16.04.060(b)

Bathroom

Repair the faucet to be secure to the sink. BMC 16.04.060(c)

Water Heater Closet

Repair the light fixture to function as intended. BMC 16.04.060(b)

Apt. 28

Kitchen

Repair the range hood light fixture to function as intended. BMC 16.04.060(b)

Apt. 29

No violation noted.

Apt. 30

Bedroom

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

Apt. 31

Water Heater Closet

Cap the unused pipe by the water heater. BMC 16.04.060(c)

Apt. 33

Kitchen

Replace the broken outlet cover plate. BMC 16.04.060(b)

Apt. 34-37

No violations noted.

Apt. 38

Water Heater Closet

Repair the light fixture to function as intended. BMC 16.04.060(b)

Living Room

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

Apt. 39-40

No violations noted.

Apt. 41

Replace existing smoke detector with a new smoke detector. IC 22-11-18-3.5

Apt. 42

No violations noted.

Apt. 43

Bathroom

Repair the electrical outlet to be wired correctly, it shows hot neutral reverse. BMC 16.04.060(c)

Apt. 44

Kitchen

Properly install or replace the aerator on the sink faucet so that it functions as intended. BMC 16.04.060(c)

Apt. 45

Replace existing smoke detector with a new smoke detector. IC 22-11-18-3.5

Apt. 46-48

No violation noted.

Apt. 49

Bedroom

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

**2<sup>nd</sup> Level Common Hallway**

No violations noted.

Apt. 50

No violations noted.

Apt. 51

Replace all the missing outlet and switch cover plates. BMC 16.04.060(b)

Entry

Repair the light fixture to function as intended. BMC 16.04.060(b)

Bathroom

Repair the sink drain to function as intended. BMC 16.04.060(c)

Apt. 52

Bathroom

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

Kitchen

Repair the light fixture to function as intended. BMC 16.04.060(b)

Entry

Repair the light fixture to function as intended. BMC 16.04.060(b)

Apt. 53

Water Heater Closet

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

Bedroom

Replace the missing outlet cover plate. BMC 16.04.060(b)

Apt. 54

No violations noted.

Apt. 55

Replace existing smoke detector with a new smoke detector. IC 22-11-18-3.5

Apt. 56

Bathroom

Replace the cracked sink drain. BMC 16.04.060(c)

Apt. 57

No violations noted.

Apt. 58

Water Heater Closet

Repair the light fixture to function as intended. BMC 16.04.060(b)

Apt. 59-60

No violations noted.

Apt. 61

Replace all the missing outlet and switch cover plates. BMC 16.04.060(b)

Entry

Repair/replace the damaged door frame in a workmanlike manner. BMC 16.04.060(a)

Bathroom

Repair the toilet in a manner so that it functions as intended and prevents the water from constantly running. BMC 16.04.060(c)

Water Heater Closet

Repair the light fixture to function as intended. BMC 16.04.060(b)

Apt. 62

No violations noted.

Apt. 63

Bathroom

Secure toilet to its mountings. BMC 16.04.060(c)

Apt. 64-65

No violation noted.

Apt. 66

Affix a unit identification number to the front entry door of this unit.

- Numbers shall be a minimum of 4 inches tall.
- Numbers shall contrast with their background. BMC 16.04.100

Apt. 67-68

No violations noted.

Apt. 69

Bathroom

Secure loose electrical receptacle. BMC 16.04.060(b)

Apt. 70-71

No violations noted.

Apt. 72

Water Heater Closet

Repair the light fixture to function as intended. BMC 16.04.060(b)

Bathroom

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

Apt. 73-77

No violations noted.

Apt. 78

Replace all the missing outlet and switch cover plates. BMC 16.04.060(b)

Apt. 79

Bedroom

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

Apt. 80

No violations noted.

Apt. 81

Kitchen

Secure loose electrical receptacle/switch combo. BMC 16.04.060(b)

Apt. 82

Entry

Replace the missing closet doors. BMC 16.04.060(a)

Water Heater Closet

Repair the light fixture to function as intended. BMC 16.04.060(b)

**3<sup>rd</sup> Floor Common Laundry**

No violations noted.

Apt. 83

Replace all the missing outlet and switch cover plates. BMC 16.04.060(b)

Apt. 84-85

No violations noted.

Apt. 86

Bedroom

Replace all the missing outlet and switch cover plates. BMC 16.04.060(b)

Apt. 87-88

No violations noted.

Apt. 89

Bathroom

Replace the shower drain with the appropriate screws, so they are flush and not sticking up.  
BMC 16.04.060(a)

Apt. 90-91

No violations noted.

Apt. 92

Bathroom

Repair the shower drain to be secure and function as intended. BMC 16.04.060(c)

Apt. 93-94

No violations noted.

Apt. 95

Living Room

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)

Apt. 96

Bathroom

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster.

BMC 16.04.060(a)

**Building B**

**1<sup>st</sup> Floor Common Hallway, Common Laundry Room, Maintenance Room**

Repair the emergency light fixture to function as intended. BMC 16.04.060(b)

Apt. 97-100

No violations noted.

Apt. 101

Bathroom

Temperature/pressure relief (TPR) valve discharge tubes:

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

Apt. 102

Bedroom

This room was not inspected at the time of this inspection, as it was not accessible. This 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

Bathroom

Temperature/pressure relief (TPR) valve discharge tubes:

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

Apt. 103

Replace existing smoke detector with a new smoke detector. IC 22-11-18-3.5

Kitchen

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

Replace broken refrigerator handle. BMC 16.04.060(a)

Apt. 104

Bathroom

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

Apt. 105

Bathroom

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

Apt. 106

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

Bathroom

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

Bedroom

This room was not inspected at the time of this inspection, as it was not accessible. This 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

Apt. 107

Repair/replace the existing water heater to function as intended, this unit has no hot water. BMC 16.04.060(b)

Apt. 108

Kitchen

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

Bathroom

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

Apt. 109

Bedroom

The window in this room were not inspected at the time of the cycle inspection as there was no access. The window in this 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

Apt. 110

No violation noted.

Apt. 111

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

Apt. 112

Bathroom

Uncover the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Remove the newspaper from the outlet to avoid fire hazard or risk of electric shock. BMC 16.04.060(b)

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

Apt. 113

No violation noted.

Apt. 114

Bathroom

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

Apt. 115

Bathroom

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

Bedroom

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

Apt. 116

Bathroom

Secure loose electrical receptacle. BMC 16.04.060(b)

Apt. 117

Bathroom

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

Apt. 118

No violations noted.

Apt. 119

Bathroom

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

Repair the faucet to secure to the sink. BMC 16.04.060(c)

Apt. 120

Replace existing smoke detector with a new smoke detector. IC 22-11-18-3.5

Entry

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

Bathroom

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

Apt. 121

Bathroom

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

Apt. 122

Bathroom

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

Bedroom

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

Apt. 123-125

No violation noted.

**2<sup>nd</sup> Floor**

**Common Laundry Room; Common Hallway**

It is strongly recommended that the fire extinguisher next to unit 129 that has been used be replaced.

Apt. 126

Bathroom

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

Apt. 127

No violations noted.

Apt. 128

Bathroom

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

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

Apt. 129

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

Bathroom

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

Apt. 130

Entry Door

Repair or replace door knob/lock assembly in a manner so that it is secure and functions as intended. BMC 16.04.060(b)

Apt. 131

Bathroom

Properly repair, then clean and surface coat damaged or stained ceiling area. BMC 16.04.060(a)

Apt. 132

No violation noted.

Apt. 133

Bathroom

Properly repair, then clean and surface coat damaged or stained ceiling area. BMC 16.04.060(a)

Apt. 134

Bathroom

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

Apt. 135

No violations noted.

Apt. 136

Bedroom

Replace the broken phone and outlet cover plate. BMC 16.04.060(a)

Apt. 137

No violation noted.

Apt. 138

Entry Door

Properly repair or replace damaged door trim. BMC 16.04.060(a)

Apt. 139

Bathroom

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

Repair the exhaust fan to eliminate excessive noise. BMC 16.04.060(c)

Apt. 140

Replace missing closet door handle. BMC 16.04.060(a)

Bathroom

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

Apt. 141

No violations noted.

Apt. 142

Bathroom Shower

The shower was not inspected at the time of this inspection, as it was not accessible. The shower 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

Apt. 143

Entry

Repair or replace the locks on the entry door so that they function as intended. BMC  
16.04.060(c)

Bathroom

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

Apt. 144

Bathroom

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

Apt. 145

Bathroom

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

Apt. 146

Bathroom

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

Apt. 147

This unit was not inspected at the time of this inspection, as it was not accessible. This unit 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

Apt. 148

Bathroom

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

Apt. 149

Bathroom

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

Bedroom

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

Apt. 150

Bathroom

This room was not inspected at the time of this inspection, as it was not accessible. This 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

Apt. 151

Bathroom

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

Apt. 152

Bathroom

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

Properly repair, then clean and surface coat damaged or stained ceiling area above the tub. BMC 16.04.060(a)

Repair the broken toilet paper rack. BMC 16.04.060(a)

Apt. 153

Entry

Repair/replace the door to close easily and function as intended. (Catches on the floor.) BMC 16.04.060(a)

Apt 154

Bathroom

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

Kitchen

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

Apt. 155

Bathroom

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

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

Bedroom

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

Apt. 156

Bathroom

Replace the missing outlet and switch cover plates. BMC 16.04.060(b)

Apt. 157

Bedroom

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

**3<sup>rd</sup> Floor**

**Common Laundry Room, Maintenance Room, Common Hallway**

No violations noted.

Apt. 158

No violations noted.

Apt.159

Water Heater Closet

Repair the light fixture to function as intended. BMC 16.04.060(b)

Apt. 160

Replace the missing outlet and switch cover plates. BMC 16.04.060(b)

Apt. 161-163

No violations noted.

Apt. 164

Kitchen

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

Entry

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

Apt. 165

Replace the missing outlet and switch cover plates. BMC 16.04.060(b)

Kitchen

Properly install or replace the aerator on the sink faucet so that it functions as intended.  
BMC 16.04.060(c)

Apt. 166

Entry Door

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

Apt. 167

No violation noted.

Apt. 168

Kitchen

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

Bathroom

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

Apt. 169

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

Bathroom

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

Kitchen

Repair/replace all stove burners to function as intended. BMC 16.04.060(a)

Apt. 170

Bedroom

Replace the missing door. BMC 16.04.060(a)

Apt. 171

No violation noted.

Apt. 172

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

Apt. 173

Bathroom

Properly repair, then clean and surface coat damaged or stained ceiling area. BMC 16.04.060(a)

Apt. 174

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

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)

Apt. 175-177

No violations noted.

Apt. 178

Bathroom

Repair the shower drain to function as intended. BMC 16.04.060(c)

Entry

Repair or replace deadbolt on entry door so that it is secure and functions as intended. BMC 16.04.060(c)

Apt. 179-180

No violations noted.

Apt. 181

Bathroom

Install a sink drain stopper. BMC 16.04.060(a)

Apt. 182

No violations noted.

Apt. 183

Properly replace missing carpet. BMC 16.04.060(a)

Apt. 184

Bathroom

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

Apt. 185-186

No violations noted.

Apt. 187

Living Room

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

Apt. 188-189

Kitchen

**Building C**

Apt. 190

No violations noted.

Apt. 191

Bathroom

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

**EXTERIOR**

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

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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: March 16, 2016

Petition Type: Rescind a variance.

Petition Number: 16-RV-34

Address: 1012 W 6<sup>th</sup> St.

Petitioner: HAND

Inspector: John Hewett

Staff Report: September 14, 2015      Cycle Inspection with owner  
January 11, 2016      Reinspection, all complied  
January 11, 2016      Filed appeal to rescind variance

This property was previously (06/08/1983) granted a pass-through variance. This violation is no longer a part of Title 16, and was not a requirement of the Building Code in place when this structure was built. Please rescind this variance. This structure was built in 1899.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-35

Address: 101-103 S. Yancy Ln.

Petitioner: Wilma Estelle Corrigan

Inspector: Arnold/Mosier

Staff Report: July 30, 2014 – Conducted Cycle Inspection, Unit 101 not inspected, tenant ill.  
November 17, 2014 – Owner’s grandson scheduled re-inspection  
January 6, 2015 – Owner’s grandson rescheduled re-inspection  
January 20, 2015 - Owner’s grandson rescheduled re-inspection  
February 20, 2015 – Unit 103 complied, unable to conduct re-inspection on unit 101, No keys to enter, start legal.  
March 13, 2015 – Start Legal  
June 15, 2015 – Owner’s daughter scheduled re-inspection  
July 10, 2015 – Attempted cycle inspection for unit 101, Inspector cancelled cycle inspection due to clutter. Sent Remaining violations report with tenant violation for clutter.  
July 14, 2015 – Update Legal  
July 28, 2015 – Owner scheduled re-inspection  
August 17, 2015 – Conducted tenant violation re-inspection, not complied.  
August 18, 2015 – Sent tenant violation remaining violations report as per Director.  
August 20, 2015 – Update to legal  
October 15, 2015 – Owner’s grandson scheduled tenant violation re-inspection for unit 101.  
November 4, 2015 – Conducted tenant violation re-inspection for unit 101, complied. Owner needs to schedule cycle inspection for unit 101 as tenant violation is complied.  
November 8, 2015 – Update legal  
November 11, 2015 – New agent, owner’s daughter, scheduled cycle inspection for unit 101

December 22, 2015 – Update legal

December 28, 2015 – Conducted cycle inspection for unit 101

December 29, 2015 – Sent remaining violations report

January 16, 2016 – Received BHQA Appeal

Initial attempts to gain access to unit 101 were unsuccessful due to the accumulation of items in the unit by the tenant. Before the cycle inspection could be completed, the tenant had to comply with the tenant violation for accumulation in order to allow access to the unit. The cycle inspection found multiple issues that need to be addressed with extensive repairs required in the bathroom. The owner is also considering replacement of windows in this unit. Petitioner is requesting 6-8 months 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: September 16, 2016

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



RECEIVED  
JAN 11 2016

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](mailto:hand@bloomington.in.gov)

Property Address: 101-103 S. YANCY LANE

Petitioner's Name: Wilma Estelle Corrigan *agent for Dorothy Dowdy*

Address: 11711 Morning Grove Dr.

City: Las Vegas State: NV Zip Code: 89135

Phone Number: 702-219-2202 Email Address: medscar@embarqmail.com

Property Owner's Name: Dorothy A. Dowdy

Address: 205 S. Yancy Lane

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-332-3564 Email Address: 0

Occupants: 101- Jeff Roberts - failed inspection  
*Passed* 103 Tyler Frayer

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-35

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.

Property 101 has extensive repairs needed in the bathroom. There are also some problems which may require replacement of windows in bedrooms.

\*Please, allow for 6-8 month attention!

My mother Dorothy Doudy owns the property, she is 93 and has suffered some illness and mobility problems. Also, my mother was recently hospitalized at Methodist Hospital in T.C., which has caused many distractions and worry.

I will continue to support and comply with city regulations. I thank you for the opportunity to help my mother.

Signature (required): Wilma Estelle Corrigan

Name (please print): Wilma Estelle Date: 1-5-2015  
Corrigan

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



City Of Bloomington  
Housing and Neighborhood Development

DEC 29 2015

REMAINING VIOLATION INSPECTION REPORT

3334

Owner(s)

Dorothy Dowdy  
205 S. Yancy Lane  
Bloomington, IN 47404

Agent

(Wilma) Estelle Corrigan  
11711 Morning Grove Drive  
Las Vegas, NV 89135

Prop. Location: 101 S Yancy LN  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/3/5

Date Inspected: 07/10/2015  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 1

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

**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.

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.

---

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

NOTE: The gas is turned off at the time of inspection.

INTERIOR:

UNIT 101

Living Room 18 x 11:

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

Dining Room 9 x 8:

No violations noted.

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:

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)	

Seal the duct work on the north side of room, close off the unused ductwork. BMC 16.04.060 (c)

Kitchen 8-6 x 8:

**Check stove at the re-inspection, see note above.**

Hallway:

No violations noted.

W Bedroom 15 x 9-1:

Caulk around the window frames to be weather tight. BMC 16.04.060 (a)

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

Existing Egress Window Measurements: Slider: Const. Yr. - 1966

Height: 34 inches

Width: 15 inches

Sill Height: 48.5 inches

Openable Area: 3.54 sq. ft.

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

Center Bedroom 11-5 x 10-9: Same window as above.

Caulk around the window frames to be weather tight. BMC 16.04.060 (a)

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

E Bedroom 12-3 x 11-7: Same window as above.

No violations noted.

Hall Bath:

Repair the failing walls in the tub/shower. BMC 16.04.060 (a)

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

**EXTERIOR:**

No violations noted.

**OTHER REQUIREMENTS:**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(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: March 16, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-36  
Address: 705 E. Allendale Dr  
Petitioner: HAND  
Inspector: Dee Wills  
Staff Report: September 29, 2015 Completed Cycle Inspection  
January 08, 2016 Completed Reinspection  
January 12, 2016 Application for Appeal

This property (built in 1852) was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling height; therefore we are asking the Board to rescind this variance.

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

RB



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-37  
Address: 306 S Euclid Ave  
Petitioner: HAND  
Inspector: Matt Swinney  
Staff Report: February 18, 2015 Cycle Inspection

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

Handwritten mark or signature.



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-38  
Address: 715 N. Maple Street  
Petitioner: HAND  
Inspector: Jo Stong  
Staff Report: January 4, 2016: Conducted cycle inspection  
January 14, 2014: Received application for appeal  
February 17, 2016: BHQA meeting cancelled due to lack of  
quorum

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-39  
Address: 148-150 E. Willow Court  
Petitioner: HAND  
Inspector: Jo Stong  
Staff Report: January 5, 2016: Conducted cycle inspection  
January 14, 2016: Received appeal  
February 17, 2016: BHQA meeting cancelled due to lack of  
quorum

This property was previously granted a variance to the minimum room size requirements of the Property Maintenance Code. The State has determined that the Board of Housing Quality Appeals did not have the authority to grant variances to State Code; therefore we are asking the Board of Housing Quality Appeals to rescind the variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

JA



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016  
Petition Type: An extension of time to complete repairs.  
Petition Number: 16-TV-40  
Address: 3717 E 3<sup>rd</sup> St.  
Petitioner: Xiu Dong  
Inspector: Matt Swinney  
Staff Report: November 06, 2015 Completed Cycle Inspection Report

New owner has requested an extension of time to complete repairs due to recently acquiring this property. New owner did not have previous knowledge of the recent cycle inspection until after the 60 day deadline. It is recommend we give the new owner an additional 60 days.

Staff recommendation: Grant the request.

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

Compliance Deadline: March 18, 2016

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

JW



RECEIVED  
01.15.16  
013

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

Property Address: 3717 E 3rd St Bloomington IN 47401

Petitioner's Name: XIU DONG

Address: 920 S Fenbrook Ct

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-219-8017 Email Address: susandong@hotmail.com

Property Owner's Name: XIU DONG

Address: 920 S Fenbrook Ct

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-219-8017 Email Address: susandong@hotmail.com

Occupants: restaurant manager

**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-40

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 new property owner. I just got report from old owner. Two day ago. I ~~would~~ would like more time to complete ~~the~~ repair.

Signature (required): Xiu Dong

Name (please print): XIU DONG Date: 1/15/2016

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



**City Of Bloomington  
Housing and Neighborhood Development**

**NOV 12 2015**

RENTAL PERMIT INFORMATION

Fitzgerald, Charles  
3717 E. 3rd Street  
Bloomington, IN 47401

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 **JAN 11 2016** 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](http://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](http://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 & Neighborhood Development

Encl: Inspection Report,

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

City Hall  
[bloomington.in.gov](http://bloomington.in.gov)

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



City Of Bloomington  
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

2781

Owner

Fitzgerald, Charles  
3717 E. 3rd Street  
Bloomington, IN 47401

Prop. Location: 3717 E 3rd ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/4/3

Date Inspected: 11/06/2015  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 1

Inspector: Matt Swinney  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: Det. Garage

Monroe County Assessor's records indicate this structure was built in 1961.  
There were no requirements for emergency egress at the time of construction.

This property was vacant at the time of inspection.

INTERIOR

Living Room 22 x 13, Dining Room 13 x 11

No violations noted.

Kitchen 10 x 7

Repair the microwave range light fixture to function as intended. BMC 16.04.060(b)

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)



**City Of Bloomington  
Housing and Neighborhood Development**

**UPPER LEVEL**

Hallway, Bathroom, SE Bedroom 13 x 11

No violations noted.

Existing Egress Window Measurements: Casement: Const. Yr. - 1961

Height: 32 inches

Width: 13 inches

Sill Height: 45.5 inches

Openable Area: 2.89 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.400 (b)

SW Bedroom 14 x 12-6

No violations noted.

Existing Egress Window Measurements: Dbl Hung pop out: Const. Yr. - 1961

Height: 33 inches

Width: 30.25 inches

Sill Height: 45 inches

Openable Area: 6.93 sq. ft.

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

NW Bedroom 14-6 x 9

No violations noted.

Existing Egress Window Measurements: Dbl Hung pop out: Const. Yr. - 1961

Height: 33 inches

Width: 30.25 inches

Sill Height: 45 inches

Openable Area: 6.93 sq. ft.

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

**LOWER LEVEL**

Stairway, Bathroom, Garage

No violations noted.



**City Of Bloomington  
Housing and Neighborhood Development**

Bedroom 15 x 10

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

Existing Egress Window Measurements: Slider: Const. Yr. - 1961

Height: 33 inches

Width: 18 inches

Sill Height: 39 inches

Openable Area: 4.13 sq. ft.

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

**BASEMENT**

Replace existing smoke detector with a new smoke detector. IC 22-11-18-3.5

Detached Garage

NOTE: The electricity was not connected. Electrical items will be checked at the reinspection. The electrical items must be inspected and brought into compliance within the same 60 day deadline as the remainder of this property. BMC 16.03.040(g) and BMC 16.04.060(c)

**EXTERIOR**

Rear Entry

Repair the stair well drain to function as intended. BMC 16.04.050(c)

Detached Garage

Repair or replace damaged or deteriorating roofing. This is to be done in a workmanlike manner and includes but is not limited to damaged or deteriorating roofing material, sheathing, and all structural members. BMC 16.04.050(a)

**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**

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



**City Of Bloomington**  
**Housing and Neighborhood Development**

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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: March 16, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-41  
Address: 430 E 10<sup>th</sup> St.  
Petitioner: HAND  
Inspector: Matt Swinney  
Staff Report: January 14, 2016      Cycle Inspection

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

Staff Recommendation:      Rescind the variance.

Conditions:      None

Attachments:      None



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-42

Address: 102 S. Hillsdale Dr.

Petitioner: Mike Hensinger

Inspector: Maria McCormick

Staff Report: 02/13/2015 Completed Cycle Inspection  
04/23/2015 Received 1<sup>st</sup> BHQA application for Extension of Time  
07/13/2015 Completed re-inspection. All complied but Exterior  
Painting.  
01/13/2016 Received BHQA Application for Extension of Time  
for Exterior Painting

The petitioner is requesting additional time to complete the exterior painting at this property as the contractor that was to do the painting was injured and he is now going to complete the work himself.

Staff recommendation: Grant the extension

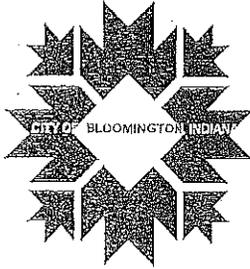
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: April 1, 2016

Attachments: Application for Appeal, Exterior Extension Reminder

RECEIVED  
JAN 15 2016

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](mailto:hand@bloomington.in.gov)

Property Address: 102 Hillsdale Drive

Petitioner's Name: Mike Hensinger

Address: 907 S. Rolling Rock Drive

City: Bloomington State: IN Zip Code: 47403

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

Property Owner's Name: Surzry LLC, Jean Bertrand Ribzt

Address: 830 Woodlawn Ave

City: Bloomington State: IN Zip Code: 47401

Phone Number: out of country Email Address: jribzt@umail.iu.edu

Occupants: Susan Mari, Alexz Lancherich, Paige Kibbler

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-42

SEE REVERSE

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

I need to repaint the outside of the home, my handyman had to have shoulder surgery & I lost his services, I got some of the pre-paint scraping done myself, I also have matching paint & all supplies purchased & at my personal home, I am asking for an extension of time because I will have to complete this job myself outside of my normal work & in warm/dry weather.

Thank you so much for your consideration.

Sincerely,  
Mike

Signature (required): Michael S. Hensinger

Name (please print): Michael S. Hensinger Date: 1/13/15

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



City Of Bloomington  
Housing and Neighborhood Development

DEC 16 2015

EXTERIOR EXTENSION REMINDER INSPECTION REPORT

833

Owner(s)

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

Agent

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

Prop. Location: 102 S Hillside DR  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 02/13/2015  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

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

**This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on 02/13/2016.**

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

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.10.030 of the Bloomington Municipal Code.

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

**EXTERIOR:**

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

*MM*

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

City Hall

[bloomington.in.gov](http://bloomington.in.gov)

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-44

Address: 402 S. Highland Ave.

Petitioner: Dorothy Kinney

Inspector: Norman Mosier

Staff Report: August 19, 2015 – Conducted Cycle Inspection  
December 18, 2015 – Conducted Re-inspection  
January 15, 2016 – Received BHQA Appeal  
February 17, 2016 – BHQA Meeting Cancelled, moved to March meeting

It was noted during the cycle inspection that the gutters are failing and the petitioner is requesting an extension of time to find new gutters and complete the repairs to them.

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: May 16, 2016

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



RECEIVED  
JAN 15 2016

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](mailto:hand@bloomington.in.gov)

Property Address: 402 S. Highland Ave.

Petitioner's Name: Dorothy Kinney

Address: 7604 Sweetbriar Rd

City: Henrico State: VA Zip Code: 23229

Phone Number: 219-713-4321 Email Address: dkdotkinney@gmail.com

Property Owner's Name: Dorothy Kinney

Address: 7604 Sweetbriar Rd

City: Henrico State: VA Zip Code: 23229

Phone Number: 219-713-4321 Email Address: dkdotkinney@gmail.com

Occupants: Ben Harris and Richard Smagar  
402 S. Highland Ave, Bloomington IN 47401

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-44

SEE REVERSE

The property in question is at 402 S. Highland Ave  
Bloomington  
IN 47401

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 would like to request an extension of the amount of time allowable to bring the property at 402 South Highland Street into compliance with HAND requirements.

Most issues raised in the last inspection have been addressed, and the only remaining issues involve the gutters.

The house is one of only a handful of remaining Lustron houses and is made almost entirely of enameled coated steel. The gutters were fabricated as part of the house and can't be easily replaced, and, given the historical nature of the home, I would like more time to determine what the best options are for repair or replacement.

Signature (required): Dorothy A. Kinney

Name (please print): Dorothy A. Kinney Date: 1/12/2016

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



City Of Bloomington  
Housing and Neighborhood Development

DEC 23 2015

REMAINING VIOLATION INSPECTION REPORT

1161

Owner(s)

Kinney, Dorothy  
7604 Sweetbriar Road  
Henrico, VA 23229

Agent

Doughman, Woody  
Po Box 664  
Bloomington, IN 47402

Prop. Location: 402 S Highland AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/3

Date Inspected: 08/09/2015  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 1

Inspector: Norman Mosier  
Foundation Type: Crawl Space  
Attic Access: No  
Accessory Structure: Det. 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.

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

**INTERIOR:**

Living Room 16-3 x 14-2:

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

C Secure the loose receptacle on the north wall and replace the missing cover plate.  
BMC 16.04.060 (b)

Dining Room 10-3 X 9-1:

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

Utility Room:

C  
RECTO  
FURN. DOC.  
Q-SUPPLY  
N/M  
1-7-16

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)

W Bedroom 17-2 x 10-7:

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

E Bedroom 13-8 x 12-8:

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

**EXTERIOR:**

NC Repair/replace the deteriorated gutters on the east and west sides of structure.  
BMC 16.04.050(a)

C Repair/replace the deteriorated soffit on the west side of structure. BMC 16.04.050 (a)

C Reconnect the downspout to the gutter adjacent to the back door. BMC 16.04.050 (a)

C Repair the gate to latch as intended. BMC 16.04.040 (g)

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

**OTHER REQUIREMENTS:**

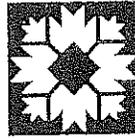
**Required documentation:**

Complete the enclosed registration form. A street address is required for both owner and agent. This form must be signed by the owner. If this form is not provided to the HAND department by the compliance deadline and the matter is referred to the Legal Department a fine of \$25 will be assessed. BMC 16.03.020(b), BMC 16.10.030(b)

REC'D  
1-15-16

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

**This is the end of this report.**



City of Bloomington  
Housing and Neighborhood Development

CYCLE REPORT

1161

OWNERS

Kinney, Dorothy  
247 Wells Street  
Crown Point, IN 46307

AGENT

Kinney, Jason A.  
509 N. Washington Street  
Spencer, IN 47460

Prop. Location: 402 S Highland AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 08/19/2015  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 1

Inspectors: Norman Mosier  
Foundation Type: Crawl Space  
Attic Access: No  
Accessory Structure: Det. Garage

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

INTERIOR:

Enclosed Front Porch:

C Install a closing device on the south storm door. BMC 16.04.060 (a)

C Repair/replace the east storm door to latch as intended. BMC 16.04.060 (a)

Living Room 16-3 x 14-2:

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

N/C

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

N/C

Secure the loose receptacle on the north wall and replace the missing cover plate. BMC 16.04.060 (b)

Dining Room 10-3 X 9-1:

N/C

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

Kitchen 9-3 x 4-4:

No violations noted.

Utility Room:

C

Repair the entry storm door to latch as intended, missing latch. BMC 16.04.060 (a)

C

Repair the electrical service panel door, falls off when opened. BMC 16.04.060 (a)

C

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

N/C

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

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

BMC 16.01.060(f) and 16.04.060 (c)

C

Bathroom:

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

C

Hallway:

Sand and paint the north wall, peeling paint. BMC 16.04.060 (f)

N/C

W Bedroom 17-2 x 10-7:

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

C

Replace the missing cover plates on the north and west walls. BMC 16.04.060 (b)

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1940  
Height: 48 inches  
Width: 17 inches  
Sill Height: 34.5 inches  
Openable Area: 5.67 sq. ft.

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

E Bedroom 13-8 x 12-8: Same window as above.

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

C Sand and paint the north & east walls, peeling paint. BMC 16.04.060 (f)

**EXTERIOR:**

C Secure the loose and hanging front porch light. BMC 16.04.050 (b)

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

N/C Repair/replace the deteriorated gutters on the east and west sides of structure. BMC 16.04.050(a)

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

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

N/C Repair/replace the deteriorated soffit on the west side of structure. BMC 16.04.050 (a)

N/C Reconnect the downspout to the gutter adjacent to the back door. BMC 16.04.050 (a)

C Repair/replace the deteriorated sidewalk adjacent to the street and along the alleyway, slabs offset and the stairs have deteriorated. BMC 16.04.040 (c)

C ~~REMOVED~~ Repair/replace all of the deteriorated fence on the property. BMC 16.04.050 (a)

N/C Repair the gate to latch as intended. BMC 16.04.040 (g)

Crawlspace:

No access.

Detached Garage:

C Remove the vines that are growing on the structure. BMC 16.04.050(a)

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

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

C Repair/replace the deteriorated siding on the garage. BMC 16.04.050(a)

**OTHER REQUIREMENTS:**

**Required documentation:**

C  
REC'D  
10-22-15  
NM  
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:**

C  
The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. 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: 16 March 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-045  
Address: 417 S. Fess Ave.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 15 January 2016                      Cycle Inspection  
                  19 January 2016                      BHQA Application

This property was previously granted a variance to the cooking in a sleeping room requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a cooking in a sleeping room requirement and the Building Code in place at the time of construction did not address cooking in a sleeping room; 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 1964.

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: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-46

Address: 402, 428, 444, 448 & 450 E. Melrose Ave.

Petitioner: Tim Bonner

Inspector: Maria McCormick

Staff Report: 09/17/2015 Completed Cycle Inspection  
01/21/2016 Completed Re-inspections  
01/21/2016 Received BHQA Extension of Time Application

The petitioner is requesting an extension of time to complete the outstanding repairs on these units. They have ordered replacement windows however they have not arrived. The current windows open fully, the top sashes do not go completely up and drop down if the windows are not locked.

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 24, 2016 for Smoke Detector in Unit 428  
May 1, 2016 for all other outstanding violations

Attachments: Application for Appeal, Remaining Violations Reports



RECEIVED  
JAN 21 2016

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

BY: EW

Property Address: 402, 428, 444, 448 & 450 E. Melrose Ave.

Petitioner's Name: TIM BANNER

Address: 1616 S. Henderson St. #363

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-331-1616 Email Address: t.banner@regencyapartments.com

Property Owner's Name: Regency Consolidated Residential, LLC

Address: 2417 Field South Drive

City: Champaign State: IL Zip Code: 61822

Phone Number: 217-359-7031 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-46

SEE REVERSE

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

This is a request so that we may do the necessary fixes to some windows due to weather related issues. We request an extension of two weeks.

Signature (required): Tim Bowner

Name (please print): TIM BOWNER Date: 1/21/2016

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

8535

Owner(s)

Regency Consolidated Residential, Llc  
2417 Fields South Dr  
Champaign, IL 61822

Agent

Nancy K. Jones  
513 W Gourley Pk  
Bloomington, IN 47404

Prop. Location: 402 E Melrose AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/4/5

Date Inspected: 09/17/2015  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 3

Inspector: Maria McCormick  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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

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

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

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

City Hall  
[bloomington.in.gov](http://bloomington.in.gov)

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

**OTHER REQUIREMENTS:**

**Required documentation:**

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

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

**This is the end of this report.**



**City Of Bloomington  
Housing and Neighborhood Development**

**REMAINING VIOLATION INSPECTION REPORT**

8601

Owner(s)

Regency Consolidated Residential, Llc  
2417 Fields South Dr  
Champaign, IL 61822

Agent

Nancy K. Jones  
513 W Gourley Pk  
Bloomington, IN 47404

Prop. Location: 428 E Melrose AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/4/5

Date Inspected: 09/17/2015  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 3

Inspector: Maria McCormick  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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Neighborhood Division (812) 349-3421  
Housing Division (812) 349-3401

**INTERIOR:**

**2<sup>nd</sup> Level –**

**Rear Bedroom/Bathroom:**

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

Every window shall be capable of being easily opened and held in position by its own hardware.  
The top sashes of both windows fall down when the window is opened. BMC 16.04.060(b)

**3<sup>rd</sup> Level –**

**Bathroom:**

Properly repair or replace broken or missing cabinet door. BMC 16.04.060(a)

**Front Bedroom:**

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

**Existing Egress Window Measurements:**

Height: 26 ½ inches

Width: 34 inches

Sill Height: 18 inches

Openable Area: 6.25 sq. ft.

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

**OTHER REQUIREMENTS:**

**Required documentation:**

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

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

**This is the end of this report.**



**City Of Bloomington**  
**Housing and Neighborhood Development**

REMAINING VIOLATION INSPECTION REPORT

8616

Owner(s)

Regency Consolidated Residential, Llc  
2417 Fields South Dr  
Champaign, IL 61822

Agent

Nancy K. Jones  
513 W Gourley Pk  
Bloomington, IN 47404

Prop. Location: 444 E Melrose AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/5

Date Inspected: 09/17/2015  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 3

Inspector: Maria McCormick  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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

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

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

*NM*

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

City Hall

[bloomington.in.gov](http://bloomington.in.gov)

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

**OTHER REQUIREMENTS:**

**Required documentation:**

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

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

**This is the end of this report.**



**City Of Bloomington**  
**Housing and Neighborhood Development**

REMAINING VIOLATION INSPECTION REPORT

8512

Owner(s)

Regency Consolidated Residential, Llc  
2417 Fields South Dr  
Champaign, IL 61822

Agent

Nancy K. Jones  
513 W Gourley Pk  
Bloomington, IN 47404

Prop. Location: 448 E Melrose AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/5

Date Inspected: 09/17/2015  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 3

Inspector: Maria McCormick  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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

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

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

*NM*

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

**OTHER REQUIREMENTS:**

**Required documentation:**

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

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

**This is the end of this report.**



City Of Bloomington  
Housing and Neighborhood Development

REMAINING VIOLATION INSPECTION REPORT

8513

Owner(s)

Regency Consolidated Residential, Llc  
2417 Fields South Dr  
Champaign, IL 61822

Agent

Nancy K. Jones  
513 W Gourley Pk  
Bloomington, IN 47404

Prop. Location: 450 E Melrose AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/5

Date Inspected: 09/17/2015  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 3

Inspector: Maria McCormick  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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

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

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

*MM*

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

**INTERIOR:**

**Main Level –**

**2<sup>nd</sup> Level –**

**Rear Bedroom/Bathroom:**

Repair or replace the windows to function as intended and to completely close and lock. BMC 16.04.060(b)

**Front Bedroom/Bathroom:**

Properly seal the edges of the floor covering in the bathroom. BMC 16.04.060(a)

Remove all mold and mildew from the walls. BMC 16.04.060(a)

**3<sup>rd</sup> Level –**

**Bathroom:**

Remove all the mold/Mildew growing on the floor and baseboards. BMC 16.04.060(b)

**OTHER REQUIREMENTS:**

**Required documentation:**

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

---

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: March 16, 2016

Petition Type: Rescind a variance.

Petition Number: 16-RV-47

Address: 505 W. Dodds St.

Petitioner: HAND

Inspector: Maria McCormick

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 height; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: Rescind a variance.

Petition Number: 16-RV-48

Address: 1105 S. Fairview St.

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: This property was previously granted a variance to the pass through requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a pass through requirement and the Building Code in place at the time of construction did not address pass through; 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: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-49

Address: 2010 N. Monroe St.

Petitioner: Pegasus Properties

Inspector: Norman Mosier

Staff Report: October 15, 2015 – Conducted Cycle Inspection  
October 21, 2015 – Received BHQA Staff Report to Rescind Variance  
January 25, 2016 – Received BHQA Appeal for an Extension of time

It was noted during the cycle inspection that there are several violations to be repaired, including repair of the north foundation wall. 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: March 31, 2016 – For smoke detectors and life safety violations.  
May 16, 2016 – For all other repairs.

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



RECEIVED  
JAN 25 2016

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](mailto:hand@bloomington.in.gov)

Property Address: 2010 N Monroe Street

Petitioner's Name: Pegasus Properties

Address: POB 37

City: Smithville State: IN Zip Code: 47458

Phone Number: 812-824-3230 Email Address: pegasus-properties@gmail.com

Property Owner's Name: Jennifer & Allen Teare

Address: 2799 Crabapple Circle

City: Bloom State: IN Zip Code: 47401

Phone Number: 812-824-9781 Email Address: \_\_\_\_\_

Occupants: Mary Mullis

**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-49

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.

Notated on H.A.N.O inspection. "Repair north foundation wall"

We have requested Kevin Potter PE to inspect and give us a report with written specifications on repairs needed.

At that time we will proceed ASAP with repairs.

All other repairs noted on H.A.N.O inspection report have been completed

Signature (required): Sharon Dalton, Property Manager

Name (please print): Sharon Dalton Date: 1-20-16

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.



City Of Bloomington  
Housing and Neighborhood Development

JAN 05 2016

REMAINING VIOLATION INSPECTION REPORT

7501

Owner(s)

Daja Properties  
P.O. Box 37  
Smithville, IN 47458

Agent

Pegasus Property Mgmt - C/O Sharon Dalton  
P.O. Box 37  
Smithville, IN 47458

Prop. Location: 2010 N Monroe ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/3

Date Inspected: 10/05/2015	Inspector: Norman Mosier
Primary Heat Source: Gas	Foundation Type: Crawl Space
Property Zoning: BP	Attic Access: No
Number of Stories: 1	Accessory Structure: None
<u>Variance: 10/13/2004 Special exception to passing through a bedroom to access the bathroom.</u>	

**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.

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

**INTERIOR:**

Enclosed Front Porch 11 x 7-6:

No violations noted.

Living Room 12-6 x 11-6:

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

✓

Repair/replace the defective smoke detector, if it is hardwired it must be replaced with a hardwired model. IC 22-11-18-3.5

Laundry Room:

Repair the dryer to exhaust to the exterior of the structure. BMC 16.04.060 (c)

✓

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

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, south wall and north wall under the window. BMC 16.04.060(a)

N Bedroom 11-10 x 7-10:

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

✓

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

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1935

Height: 23.75 inches

Width: 27.5 inches

Sill Height: 29.5 inches

Openable Area: 4.54 sq. ft.

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

Bathroom:

Paint the trim around the bathroom door. BMC 16.04.060 (a)

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

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

Kitchen 11-5 x 7-9:

Seal the backsplash of the sink at the wall. BMC 16.04.060 (a)

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

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

E Bedroom 11-2 x 7-6:

✓ Repair/replace the defective smoke detector, if it is hardwired it must be replaced with a hardwired model. IC 22-11-18-3.5

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

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1935

Height: 22.5 inches

Width: 27.5 inches

Sill Height: 36 inches

Openable Area: 4.30 sq. ft.

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

Finish the drywall repairs on the walls and the ceiling, sand and paint.

BMC 16.04.060 (a)

**EXTERIOR:**

Replace the deteriorated window sill on the south wall, west window. BMC 16.04.050(a)

Paint the window jams and the frames where paint is peeling or wood is exposed.

BMC 16.04.050(a)

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

Seal the south wall adjacent to the back door. BMC 16.04.050(a)

Crawlspace:

Repair the failing north foundation wall in a workmanlike manner. BMC 16.04.050(a)

**OTHER REQUIREMENTS:**

**Required documentation:**

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)

**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 this report.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-50

Address: 1019 W. Gourley Pike

Petitioner: Pegasus Properties

Inspector: Norman Mosier

Staff Report: September 15, 2015 – Conducted Cycle Inspection  
December 7, 2015 – Scheduled re-inspection for 01/22/2016  
January 22, 2016 – No show, wrong keys  
January 25, 2016 - Received March BHQA Appeal

It was noted during the cycle inspection that there are several repairs to be completed. The Main beam supporting the structure is failing and deteriorated. 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: March 31, 2016 – For life safety violations  
May 16, 2016 – For all other repairs

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



RECEIVED  
JAN 25 2016

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](mailto:hand@bloomington.in.gov)

Property Address: 1019 W Gourley Pike

Petitioner's Name: Pegasus Properties

Address: POB 37

City: Smithville State: IN Zip Code: 47458

Phone Number: 812-824-3230 Email Address: pegasusproperties@gmail.com

Property Owner's Name: Jennifer & Allen Teara

Address: 2799 Crabapple Circle

City: Blgtn State: IN Zip Code: 47401

Phone Number: 812-824-9781 Email Address: \_\_\_\_\_

Occupants: Miranda Brann

**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-50

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.

Notated on H.A.N.D inspection. "Repair north foundation wall"

We have requested Kevin Potter PE to inspect and give us a report with written specifications on repairs needed.

At that time we will proceed ASAP with repairs.

All other repairs noted on H.A.N.D inspection report have been completed

Signature (required): Sharon Dalton, Property Manager

Name (please print): Sharon Dalton Date: 1-20-16

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.



City of Bloomington  
Housing and Neighborhood Development

CYCLE REPORT

7500

OWNERS

Daja Properties  
P.O. Box 37  
Smithville, IN 47458

AGENT

Pegasus Property Mgmt - C/O Sharon Dalton  
P.O. Box 37  
Smithville, IN 47458

Prop. Location: 1019 W Gourley PIKE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/5

Date Inspected: 09/15/2015  
Primary Heat Source: Gas  
Property Zoning: BP  
Number of Stories: 1

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

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

INTERIOR:

Living Room 13-2 x 12-3:

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

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

C  
REC'D VIA FAX  
12-8-15  
Φ SUPPLY  
MM

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)

N Bedroom 10-7 x 8-5:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials, remove the boards that are holding up the ceiling and properly repair the ceiling. BMC 16.04.060(a)

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1935

Height: 23 inches  
Width: 30.5 inches  
Sill Height: 12 inches  
Openable Area: 4.87 sq. ft.

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

Bathroom:

Install an extra length of pull chain to be able to turn the exhaust fan on and off, can't reach pull chain. BMC 16.04.060 (c)

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

Kitchen 12-5 X 11-6:

Secure the loose sink faucet handle. 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)

S Bedroom 12 x 11: Same window as above.

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

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

**EXTERIOR:**

Remove and properly dispose of yard waste/brush piles. BMC 16.04.040(d)

Remove the vines that are growing on the structure. BMC 16.04.050(a)

Repair/replace the loose and deteriorated deck boards on the back porch. BMC 16.04.050 (a)

Replace the deteriorated deck boards on the front porch and paint. BMC 16.04.050 (a)  
**(This violation has a one-year deadline from the date of the Cycle Inspection.)**

Crawlspace:

Replace the deteriorated main beam to properly support the structure in a workmanlike manner. 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 16.03.060(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)**

REC'D  
11-20-15  
NM  
C

---

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

**This is the end of this report.**



City Of Bloomington  
Housing and Neighborhood Development

REMAINING VIOLATION INSPECTION REPORT

JAN 27 2016

7500

Owner(s)

Daja Properties  
P.O. Box 37  
Smithville, IN 47458

Agent

Pegasus Property Mgmt - C/O Sharon Dalton  
P.O. Box 37  
Smithville, IN 47458

Prop. Location: 1019 W Gourley PIKE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/5

Date Inspected: 09/15/2015  
Primary Heat Source: Gas  
Property Zoning: BP  
Number of Stories: 1

Inspector: Norman Mosier  
Foundation Type: Crawl Space  
Attic Access: No  
Accessory Structure: None

**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.

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.

---

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

**INTERIOR:**

Living Room 13-2 x 12-3:

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

N Bedroom 10-7 x 8-5:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials, remove the boards that are holding up the ceiling and properly repair the ceiling. BMC 16.04.060(a)

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1935

Height: 23 inches

Width: 30.5 inches

Sill Height: 12 inches

Openable Area: 4.87 sq. ft.

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

Bathroom:

Install an extra length of pull chain to be able to turn the exhaust fan on and off, can't reach pull chain. BMC 16.04.060 (c)

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

Kitchen 12-5 X 11-6:

Secure the loose sink faucet handle. 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)

S Bedroom 12 x 11: Same window as above.

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

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

**EXTERIOR:**

Remove and properly dispose of yard waste/brush piles. BMC 16.04.040(d)

Remove the vines that are growing on the structure. BMC 16.04.050(a)

Repair/replace the loose and deteriorated deck boards on the back porch. BMC 16.04.050 (a)

Replace the deteriorated deck boards on the front porch and paint. BMC 16.04.050 (a)  
**(This violation has a one-year deadline from the date of the Cycle Inspection.)**

Crawlspace:

Replace the deteriorated main beam to properly support the structure in a workmanlike manner.  
BMC 16.04.050 (a)

**OTHER REQUIREMENTS:**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(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: March 16, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-52  
Address: 317 N. Fairview  
Petitioner: HAND  
Inspector: Dee Wills  
Staff Report: January 12, 2016 Completed Cycle Inspection  
January 27, 2016 Application for Appeal

This property was previously granted a variance to the minimum, ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ventilation requirement and the Building Code in place at the time of construction did not address minimum 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 1899.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-53

Address: 708 S. Park

Petitioner: Ian Miller

Inspector: John Hewett

Staff Report: February 19, 2015 Cycle Inspection with owner  
May 1, 2015 Re-inspection, issued Temporary Permit  
January 7, 2016 Mailed exterior extension reminder  
January 28, 2016 Received appeal and fee

The petitioner is requesting additional time to complete the exterior painting.

Staff recommendation: Grant the extension

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

Compliance Deadline: June 16, 2016

Attachments: Petitioner's appeal



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

RECEIVED  
 JAN 28 2016

BY: SW

**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: 708 S. PARK AVE.

Petitioner's Name: IAN MILLER

Address: 708 S. PARK AVE.

City: Bloomington State: IN. Zip Code: 47401

Phone Number: (812)369-8207 Email Address: ian.millbuild@gmail.com

Property Owner's Name: IAN MILLER

Address: 708 S. PARK AVE.

City: Bloomington State: IND. Zip Code: 47401

Phone Number: (812)369-8207 Email Address: ian.millbuild@gmail.com

Occupants: Ian Miller, Caleb Miller, Jill Cable

**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-53





City of Bloomington  
H.A.N.D.

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

Meeting Date: 16 March 2016

Petition Type: Rescind a variance

Petition Number: 16-RV-054

Address: 509 N. Grant St.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 28 January 2016                      Cycle Inspection  
                  29 January 2016                      Inspection Report Written  
                  01 February 2016                      BHQA Report Written

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-56  
Address: 2331 E. 7<sup>th</sup> Street  
Petitioner: HAND  
Inspector: Dee Wills  
Staff Report: January 25, 2016 Completed Cycle Inspection  
February 01, 2016 Application for Appeal

This property built in 1940, was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling height; therefore we are asking the Board to rescind this variance.

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

28



City of Bloomington  
H.A.N.D.

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

Meeting Date: 16 March 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-057  
Address: 643 N. Monroe St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 20 January 2016            Cycle Inspection  
                  25 January 2016            Report Written  
                  01 February 2016          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 minimum ceiling height requirement and the Building Code in place at the time of construction did not address minimum ceiling height; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This 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 1925.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

LB



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-68  
Address: 704 W. Allen St.  
Petitioner: HAND  
Inspector: Norman Mosier  
Staff Report: November 10, 2015 – Conducted Cycle Inspection  
February 4, 2016 – Received BHQA Appeal  
February 23, 2016 – Conducted Re-inspection

This property was previously granted a variance to the ceiling height, light and ventilation requirements in the upstairs bedroom of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height, light and ventilation requirement in the upstairs bedroom and the Building Code in place at the time of construction did not address ceiling heights, light and ventilation; 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: March 16, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-59  
Address: 411 N. Washington Street  
Petitioner: HAND  
Inspector: Jo Stong  
Staff Report: February 3, 2016: Conducted cycle inspection  
February 5, 2016: Received appeal

This property was previously granted a variance to the bathroom ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a bathroom ventilation requirement and the Building Code in place at the time of construction (1899) did not address bathroom ventilation; 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: 16 March 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-061

Address: 305 S. Euclid

Petitioner: Evie Ladin

Inspector: Michael Arnold

Staff Report: 06 January 2015 Cycle Inspection  
15 January 2015 Mailed Report  
04 March 2015 Reinspeciton  
09 March 2015 Sent Temporary Permit  
23 November 2015 Sent Exterior Extension Reminder  
01 February 2016 Spoke with Agent  
05 February 2016 Received Appeal

Exterior painting was noted on the Cycle Report with a one year deadline. The owner has decided to paint the entire structure and is asking for additional time to complete this task.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: 01 June 2016

Attachments: EE Report, Application

RB



RECEIVED  
FEB 05 2016

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

BY: CW

Property Address: 305 S Euclid St.

Petitioner's Name: Bloomington Rentals

Address: 305 S. Euclid

City: Bloomington State: IN Zip Code: 47402

Phone Number: 300-2288 Email Address: bloomingtonrentals@yahoo.com

Property Owner's Name: Eric Lader

Address: 668 42nd St.

City: Oakland State: CA Zip Code: 94609

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Occupants: \_\_\_\_\_

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
  2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

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

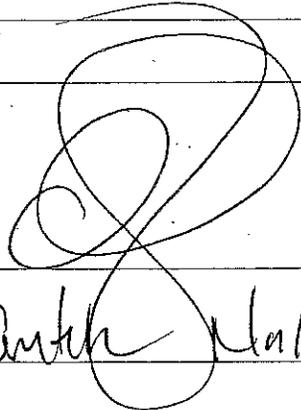
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 16-TV-61

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

Exterior Paint

Signature (required):



Name (please print):

Amber Hall

Date:

2/5/16

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.



**City Of Bloomington**  
**Housing and Neighborhood Development**

**NOV 23 2015**

EXTERIOR EXTENSION REMINDER INSPECTION REPORT

6383

Owner(s)

Ladin, Evie K.  
 668 42nd Street  
 Oakland, CA 94609

Agent

Nall, Gretchen  
 410 Pleasant Ridge Road  
 Bloomington, IN 47401

Prop. Location: 305 S Euclid AVE  
 Number of Units/Structures: 1/1  
 Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/3

Date Inspected: 01/06/2015  
 Primary Heat Source: Gas  
 Property Zoning: RC  
 Number of Stories: 1

Inspector: Mike Arnold  
 Foundation Type: Basement  
 Attic Access: No  
 Accessory Structure: none

**This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on 01/06/2015.**

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

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.10.030 of the Bloomington Municipal Code.

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

Exterior:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a deadline of 06 January 2016). (Basement door and front door trim).

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016  
Petition Type: An extension of time to complete repairs.  
Petition Number: 16-TV-64  
Address: 607 N. Monroe St.  
Petitioner: Janel Pffifer  
Inspector: Matt Swinney  
Staff Report: December 3, 2015 Completed Cycle Inspection Report  
February 8, 2016 Received appeal for extension of time

Owner has requested an extension of time to secure a contractor and 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: April 16, 2016

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



RECEIVED  
FEB 08 2016

BY: SW

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

Property Address: 607 N Monroe Street

Petitioner's Name: Janel Fifer

Address: 213 N Sheffield Drive

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-219-5075 Email Address: fifer.janel@gmail.com

Property Owner's Name: Same as above

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Occupants: Amanda C. Fleming and Kayla Roller (Whaley)

**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-64

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.

It is very important to me that all of the repairs needed at my rental property be done as soon as possible. I normally take on repairs myself but some of these repairs will require a professional. I would like to request more time to find a reputable contractor that I trust and who is able to complete these repairs without causing a lot of disruption to my tenants. I am turning in copies of the required documentation that was requested at the inspection along with this extension request. Thank you for your time.

Signature (required):



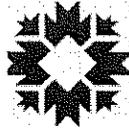
Name (please print):

Janel Fife

Date:

2-8-2016

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

6011

Owner

Fifer, Janel M.  
213 N. Sheffield Dr  
Bloomington, IN 47408

Agent

Hicks, Amy G.  
213 N. Sheffield Dr  
Bloomington, IN 47408

Prop. Location: 607 N Monroe ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 12/03/2015  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Inspector: Matt Swinney  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1999.  
Minimum requirements for emergency egress windows at the time of construction.

Openable area required: 4.75 sq. ft.; 5.7 sq. ft. if removing sashes  
Clear width required: 20" for double hung windows; 18" for casements  
Clear height required: 22"  
Maximum Allowable Sill Height: 44" above finished floor

**INTERIOR**

Living room 19 x 15, Hallway, Bathroom

No violations noted.

Kitchen 18 x 13

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

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

Replace damaged or torn storm door screen. BMC 16.04.060(a)

Laundry Closet

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

Northeast Bedroom 10 x 15

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

Existing Egress Window Measurements:

- Height: 60 inches
- Width: 32 inches
- Sill Height: 19 inches
- Openable Area: 13.33 sq. ft.

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

Northwest Bedroom 10 x 12, South Master Bedroom 11 x 14

Egress window measurements are the same as noted above.

No violations noted.

Master Bathroom

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

Crawlspace

No violations noted.

**EXTERIOR**

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

**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:

2/18/16  
MS

- 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**

2/18/16  
MS

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**

2/18/16  
MS

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: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-65

Address: 212 S. Roosevelt St.

Petitioner: Yaling Huang

Inspector: Norman Mosier

Staff Report: August 10, 2015 – Conducted Cycle Inspection  
October 28, 2015 – Sent Remaining Violations Report  
October 30, 2015 – Received BHQA Appeal (Rescind Variance)  
December 8, 2015 – Owner Scheduled Re-inspection For 01/12/2016  
January 12, 2016 – No Show For Re-inspection  
January 12, 2016 – Owner Scheduled Re-inspection For 02/12/2016  
February 10, 2016 – Owner Cancelled Re-inspection of 02/12/2016,  
Advised Owner To Apply For Extension of Time.  
February 11, 2016 – Received 2<sup>nd</sup> BHQA Appeal  
February 12, 2016 – Cancelled Re-inspection for 02/12/2016

It was noted during the cycle inspection that there are several violations to be repaired, including exterior painting. 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: March 31, 2016 – For All Life Safety Violations  
May 16, 2016 – For All Other Repairs

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



RECEIVED  
Application for Appeal  
To The 2/11/16  
Board of Housing Quality Appeals D23  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
hand@bloomington.in.gov

Property Address: 212 S. Roosevelt St. Bloomington  
 Petitioner's Name: Yaling Huang IN 47408  
 Address: P.O. Box 1601  
 City: Bloomington State: IN Zip Code: 47402  
 Phone Number: (812) 322-8829 Email Address: F.P.FORRENT@  
 Property Owner's Name: SAME AS ABOVE EMAIL.COM  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_  
 Occupants: \_\_\_\_\_

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY  
Petition Number 16-TV-65

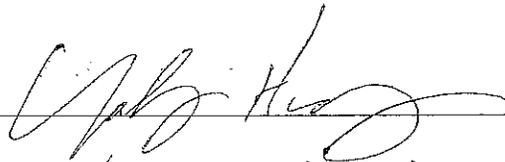
SEE REVERSE

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 condition and non-respond from hired contractor, will need 60 days to complete repairs.

Thank you!

Signature (required):



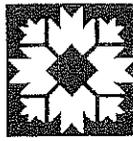
Name (please print):

YALINS HUANG

Date:

2/11/2016

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

OCT 29 2015

1726

OWNERS

Huang, Yaling  
P.O. Box 1601  
Bloomington, IN 47402

Prop. Location: 212 S Roosevelt ST  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: 1/2/3 1/Eff/3

Date Inspected: 08/10/2015  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

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

VARIANCE

10/08/1987 Granted a variance to the ceiling height requirement in the basement unit.

This property was previously granted a variance to the ceiling height requirement in the basement unit, 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.

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 UNIT**

Living Room 15-8 x 11-5:

✓ The smoke detector in this room appears to be more than ten years old and may not provide adequate protection. Install new a smoke detector in an improved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

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

✓ Every window shall be capable of being easily opened and held in position by its own hardware, east casement windows to function as intended. BMC 16.04.060(b)

Kitchen 11-10 x 9-3:

Secure the loose sink faucet. BMC 16.04.060 (c)

✓ N Bedroom 11-8 x 10-7:

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

Existing Egress Window Measurements:

Height: 43.25 inches

Width: 26 inches

Sill Height: 34.5 inches

Openable Area: 7.81 sq. ft.

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

Bathroom:

Secure the loose sink to the wall and caulk the backsplash at the wall.  
BMC 16.04.060(c)

Paint the north and south doors. BMC 16.04.060 (f)

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

S Bedroom 10-11 x 8: Exit door for egress requirements.

Replace the torn screen on the entry storm door and repair the storm door to latch properly. BMC 16.04.060 (a)

Closet:

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

**BASEMENT**

Stairway:

✓ Every flight of interior stairs with 3 or more risers and every flight of exterior stairs with 2 or more risers shall be provided with handrails. Porches, balconies, decks or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards not less than 36 inches in height. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guards not less than 34 inches in height measured vertically from the nosing of the treads. BMC 16.04.020

✓ Utility Room:

Secure the loose receptacle adjacent to the dryer. BMC 16.04.060 (b)

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

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

BMC 16.01.060(f) and 16.04.060 (c)

**BASEMENT UNIT:**

Living Room/Bedroom 17-11 x 13-8:

✓ Repair the interior screen door to function as intended, hinges loose, torn screen. BMC 16.04.060 (a)

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

Kitchen 10 x 8, Study:

No violations noted.

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(c)

**EXTERIOR:**

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

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

Secure the loose siding on the se corner of structure. BMC 16.04.050(a)

Remove the vines that are growing on the structure, east side. BMC 16.04.050(a)

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

All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. Finish the removal of the dead trees in the back yard, also the dead pine tree adjacent to the NW corner of structure. BMC 16.04.040(e)

Repair the deteriorated soffit on the north side of structure. BMC 16.04.050(a)

**OTHER REQUIREMENTS:**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(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: March 16, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-66  
Address: 510 S. Woodlawn Ave.  
Petitioner: HAND  
Inspector: Norman Mosier  
Staff Report: February 2, 2016 – Conducted Cycle Inspection  
February 16, 2016 – Received BHQA Application

This property was previously granted a variance to the number of bedrooms allowed to share a bathroom requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a number of bedrooms allowed to share a bathroom requirement and the Building Code in place at the time of construction did not address number of bedrooms allowed to share a bathroom; 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: 16 March 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-067  
Address: 503 N. Grant St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 09 February 2016                      Cycle Inspection  
                  15 February 2016                      BHQA Application.

This property was previously granted variances to the minimum room size, ceiling height, light, ventilation and bathroom ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum room size, ceiling height, light, ventilation and bathroom ventilation requirement and the Building Code in place at the time of construction did not address minimum room size, ceiling height, light, ventilation and bathroom 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 1930.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: 16 March 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-068  
Address: 1207 S. Lincoln St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 12 February 2016                      Cycle Inspection  
                  15 February 2016                      BHQA Application.

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: 16 March 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-069  
Address: 613 E. Moody Dr.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 11 February 2016      Cycle Inspection  
                  16 February 2016      BHQA Application

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

Meeting Date: 16 March 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-071

Address: 328 S. Fairview St.

Petitioner: Bloomington Rentals

Inspector: Michael Arnold

Staff Report:

06 January 2015	Cycle Inspection
15 January 2015	Sent Report
19 March 2015	Sent RV Report
14 April 2016	Reinspection scheduled
14 April 2015	Received new registration form and Furnace documentation
27 May 2015	Reinspection completed all complied except exterior
09 June 2015	Exterior items repaired. Painting not complete
25 June 2015	Sent Temp. Permit
23 November 2015	Sent Exterior Extension Reminder
18 February 2016	Received BHQA Application

It was noted on the Cycle Inspection that exterior painting was required where paint was peeling or wood is exposed. The petitioner is requesting additional time to complete repairs.

Staff recommendation: Grant the Extension of Time

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

Compliance Deadline: 16 May 2016

Attachments: Application, Cycle Inspection

JK



RECEIVED  
2-18-16

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

DVCS

Property Address: 328 S. Fairview St.

Petitioner's Name: Bloomington Rentals

Address: PO 1397

City: Bloomington State: IN Zip Code: 47401

Phone Number: 360 2288 Email Address: bloomingtonrentals@yahoo.com

Property Owner's Name: Rob DeCleere

Address: 1341 Squire Dr #13

City: South Bend State: IN Zip Code: 46637

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Occupants: \_\_\_\_\_

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

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

Please circle the petition type that you are requesting:

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

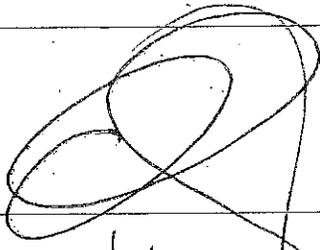
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 16-TV-71

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 to schedule a new painter

Signature (required):



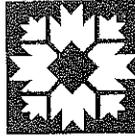
Name (please print):

Gretchen Wall

Date:

2/18/10

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

9505

OWNERS

=====

Rob DeCleene  
1341 Squire Dr. #13  
South Bend IN 46637

AGENT

=====

Gretchen Nall  
PO Box 1327  
Bloomington IN 47402

Prop. Location: 328 S Fairview ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/3

Date Inspected: 01/06/2015  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

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

Monroe County records show this structure was built in 1899. There were no minimum emergency egress requirements at the time of construction.

Interior:

Main Structure:

Enclosed Entry Porch, Living Room (15-8 x 13-8), Dining Room (11-6 x 11-0), Bathroom:

No violations noted

NE Bedroom (10-2 x 9-7):

Existing Egress:

Height: 29.5 inches  
Width: 25.5 inches  
Sill Height: 31 inches  
Openable Area: 5.22 sq. ft.

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

No violations noted

It is recommended that this room not be used for sleeping purposes or that a carbon monoxide detector be installed in this room.

**West Bedroom (11-11 x 9-7):**

**Existing Egress:**

**Height:** 29.5 inches  
**Width:** 25.5 inches  
**Sill Height:** 31 inches  
**Openable Area:** 5.22 sq. ft.

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

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

**Detached Garage:**

No violations noted

**Exterior:**

**Main Structure:**

Properly tuck point the chimney where mortar is loose, deteriorated or missing. BMC 16.04.050(a)

**Detached Garage:**

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)  
**(This item has a deadline of 06 January 2016).**

Repair/replace the damaged gutter board on the south side of the structure. BMC 16.04.050(a)

**Required Documentation:**

Complete the enclosed registration form. A street address is required for both owner and agent. This form must be signed by the owner. If this form is not provided to the HAND department by the compliance deadline and the matter is referred to the Legal Department a fine of \$25 will be assessed. BMC 16.03.020(b), BMC 16.10.030(b)

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. BMC 16.03.050 and BMC 16.10.030(b)

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

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

BMC 16.01.060(f) and 16.04.060 (c)

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

This is the end of this report.



City of Bloomington  
H.A.N.D.

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

Meeting Date: 16 March 2016

Petition Type: Rescind a variance

Petition Number: 16-TV-072

Address: 1114 S. Woodlawn Ave.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 02 September 2015      Cycle Inspection  
25 September 2015      Sent Report  
22 December 2015      Reinspection  
18 February 2016      BHQA Application

This property has a variance to keep a dead tree and a brush pile in the NW corner of the backyard with the condition that the brush pile does not increase. During the reinspection it was noted that the brush pile was gone and no dead trees were noted. Because the issue requiring the variance has been resolved, HAND is asking the variance be rescinded

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: Relief from an administrative decision

Variance Request: Relief from meeting the requirements of Title 16.

Petition Number: 16-AA-28

Address: 825 S. Eastside Dr.

Petitioner: Susan Powell (manager)

Inspector: Dee Wills

Staff Report: September 25, 2015      Cycle Inspection with agent  
December 28, 2015      Received appeal

The cycle inspection was conducted with the agent/tenant. The property is being remodeled. The work is being done by the tenants. There is a building permit. The work will be inspected to meet the requirements of the Indiana Residential Code by the Monroe County Building Department. The petitioner has requested that she be exempt from registering this property as a rental for as long as the house is occupied by the daughter's family.

**Staff recommendation:** Grant the request.

**Conditions:** This property shall be exempt from the requirements of Title 16 for the duration of time that Mike & Susan Powell and family reside here with no more than one unrelated adult, and it is owned by the Byrne Trust (Cal Biesner, executor). The file will be pulled for one year for drive by and check status.

**Compliance Deadline:** None.

**Attachments:** Appeal form, Additional Note from the petitioner, Cycle Inspection report

EB



RECEIVED  
DEC 14 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

RECEIVED  
12.28.15

Property Address: 825 S Eastside Dr 47401

Petitioner's Name: Susan Powell (manager)

Address: 825 S Eastside Dr

City: Bloomington State: IN Zip Code: 47401

Phone Number: 954 579 3924 Email Address: spowell1418@gmail.com

Property Owner's Name: Byrne Trust (Cal Bersner, executor)

Address: 13004 NW 13th St

City: Pembroke Pines State: FL Zip Code: 33028

Phone Number: 954 579 5370 Email Address: ecalvinbersner@gmail.com

Occupants: Mike & Susan Powell & children (Jacob<sup>(1)</sup>, Meriah<sup>(2)</sup>, Joshua<sup>(6mos)</sup>)

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-28

So sorry!  
Slipped my notice  
as I mailed it.  
-SP  
SEE REVERSE

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

See attached

Signature (required):

*Susan Powell*

Name (please print):

Susan Powell

Date:

12/3/15

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.

The circumstances of this house rental are unique:

The property was purchased in December 2014 by the Byrne Trust, whose executor, Calvin Beisner, made arrangements with his daughter and son-in-law, Susan and Mike Powell, to collaborate. According to these arrangements, the property would serve as an investment opportunity for the Trust, which is providing all the capital for the work of complete renovating the house. Unlike a normal "flipping" house, Mike & Susan Powell agreed to do the work of renovations themselves in exchange for living on the property with their children during the years in Bloomington while Mike is an IU doctoral student. The arrangement allows them an affordable living situation for their financial and family needs, and they in turn are renting "in kind" by providing labor for the investor.

Consequently, the house is a work in progress and cannot meet normal rental codes. Since the only tenants are the managers of the property this does not seem to be a concern to us. While we are making steady progress according to our own timeline, the renovations required according to the rental inspection we have received cannot be complete by the date prescribed (December 17). Rather than applying for an extension we would like to ask relief or exception due to the unique circumstances. We are on schedule to complete all interior work by Summer 2016. We would be happy to meet with the board or its representative if more details would help the board understand the situation and its constraints.

Sincerely,

Susan Powell (manager, on behalf of E Calvin Beisner)  
Mike Powell

Susan Powell  
825 S. Eastside Drive  
Bloomington, Indiana 47401  
[spowell418@gmail.com](mailto:spowell418@gmail.com)  
954 579 3924

March 7, 2016

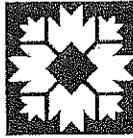
Attn: Board of Housing Appeals  
John Hewett

This letter is in response to an inquiry by phone from John Hewett regarding our appeal of a rental housing decision last fall. I wanted to clarify the owner/tenant situation of this address: The house belongs to a family trust with my father as the executor and he is allowing me and my family to live in it during our time in Bloomington to attend Indiana University. Based on this we're asking for relief from this property being considered as a rental for the duration of our residence in it.

Thank you very much.

Sincerely,

Susan Powell



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

9502

OWNERS

George W. & Gloria B. Byrne Trust  
13004 NW 13<sup>th</sup> Street  
Pembroke Pines, FL 33028

AGENT

Susan Powell  
825 S. Eastside DR  
Bloomington, IN 47401

Prop. Location: 825 S Eastside DR  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/4/3  
Date Inspected: 09/25/2015  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 1

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

Monroe County Assessor's records indicate this structure was built in 1958.  
There are no minimum requirements for emergency egress at the time of construction.

INTERIOR

**Note: An increase in bedroom count of 4 must be approved by  
City Planning & Engineering Department.**

Main Level

Living Room (18-9 x 15)

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

Properly finish the installation of door all frames. BMC 16.04.060(a)

Properly finish the installation of all window framing. BMC 16.04.060(a)

Properly finish the installation of all baseboards and trim. BMC 16.04.060(a)

Replace all missing register covers for newly located ducts. BMC 16.04.060(a)

Properly repair the flooring where old registers were located. BMC 16.04.060(a)

Replace all missing outlet cover plates. BMC 16.04.060(b)

Replace all missing light switch cover plates. BMC 16.04.060(b)

#### Kitchen/ Dining Area (16-1 x 21-7)

No violations noted.

#### Hallway

Properly finish the installation of door all frames. BMC 16.04.060(a)

Properly finish the installation of all window framing. BMC 16.04.060(a)

Properly finish the installation of all baseboards and trim. BMC 16.04.060(a)

#### Hall Bathroom

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

Properly finish the installation of the wall cabinet. BMC 16.04.060(a)

#### SW Bedroom (11-6 x 8-6)

Properly finish the installation of door all frames. BMC 16.04.060(a)

Properly finish the installation of all window framing. BMC 16.04.060(a)

Properly finish the installation of all baseboards and trim. BMC 16.04.060(a)

Replace all missing register covers for newly located ducts. BMC 16.04.060(a)

Properly repair the flooring where old registers were located. BMC 16.04.060(a)

Replace all missing outlet cover plates. BMC 16.04.060(b)

Replace all missing light switch cover plates. BMC 16.04.060(b)

Existing Egress Window Measurements:

Height: 34 inches  
Width: 26.50 inches  
Sill Height: 43 inches  
Openable Area: 6.25 sq. ft.

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

NW Bedroom (12-4 x 9)

Repair or replace door knob/lock assembly in a manner so that it functions as intended.  
BMC 16.04.060(b)

Properly finish the installation of door all frames. BMC 16.04.060(a)

Properly finish the installation of all window framing. BMC 16.04.060(a)

Properly finish the installation of all baseboards and trim. BMC 16.04.060(a)

Replace all missing register covers for newly located ducts. BMC 16.04.060(a)

Properly repair the flooring where old registers were located. BMC 16.04.060(a)

Replace all missing outlet cover plates. BMC 16.04.060(b)

Replace all missing light switch cover plates. BMC 16.04.060(b)

Existing Egress Window Measurements:

Height: 34 inches  
Width: 34.50 inches  
Sill Height: 43 inches  
Openable Area: 8.14 sq. ft.

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

Master Bedroom (13 x 11)

Properly finish the installation of door all frames. BMC 16.04.060(a)

Properly finish the installation of all window framing. BMC 16.04.060(a)

Properly finish the installation of all baseboards and trim. BMC 16.04.060(a)

Replace all missing register covers for newly located ducts. BMC 16.04.060(a)

Properly repair the flooring where old registers were located. BMC 16.04.060(a)

Replace all missing outlet cover plates. BMC 16.04.060(b)

Replace all missing light switch cover plates. BMC 16.04.060(b)

Existing Egress Window Measurements:

Height: 34 inches

Width: 34.50 inches

Sill Height: 43 inches

Openable Area: 8.14 sq. ft.

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

### Master Bathroom

**This room is currently under construction:**

This 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

### Basement

NE Bedroom( New Bedroom) (measure at reinspection)

**New bedrooms shall have a window that meets the following emergency egress requirements:**

Openable area required: 5.7 sq. ft. (5 sq. ft. grade level)

Clear width required: 20"

Clear height required: 22"

Maximum Allowable Sill Height: 44" above finished floor IRC R310

Window wells required for emergency escape and rescue shall have horizontal dimensions that allow the door or window of the emergency escape and rescue opening to be fully opened. The horizontal dimensions of the window well shall provide a minimum net clear area of 9 square feet with a minimum horizontal projection and width of 36 inches. BMC 16.04.020

**Single and multiple-station, hard wired smoke alarms shall be installed in the following locations and in accordance with following criteria: BMC 16.04.060(b), IC 22-11-18-3.5**

- 1. In each sleeping room**
- 2. Outside of each sleeping area in the immediate vicinity of the bedrooms.**
3. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling units with split levels without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

4. The alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.
5. Install smoke detector(s) in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
6. The required smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery.
7. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

**Existing Egress Window Measurements are as follows:**

**Height: 43 inches**  
**Width: 31.50 inches**  
**Sill Height: 31 inches**  
**Openable Area: 9.40 sq. ft.**

**The rest of the basement area is under construction:**

This area 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

**EXTERIOR**

Properly tuck point all missing or defective mortar joints on the north west corner of brick. BMC 16.04.050(a)

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

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

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

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

Properly repair or replace damaged or deteriorated siding in a manner that leaves the structure weather tight and excludes the entrance of rodents. This is to be done in a

workmanlike manner and includes but is not limited to all damaged or deteriorating siding and structural members. BMC 16.04.050(a)

Properly secure the support post under the carport at the top and bottom to eliminate the possibility of movement. BMC 16.04.050(b)

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

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

#### Other requirements

##### Required documentation:

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

##### Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC 16.12.040 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: March 16, 2016  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from being required to complete repairs.  
Petition Number: 16-AA-43  
Address: 1124 S. Henderson St.  
Petitioner: Our Cottage Industry, LLC (Jon Lawrence & Janice Sorby)  
Inspector: Maria McCormick  
Staff Report: 11/18/2015 Completed Cycle Inspection  
01/15/2016 Received Application for Appeal

The petitioners are requesting relief from an administrative decision, to not have to complete the repairs that were cited on the cycle inspection report.

Staff recommendation: Deny the relief from administrative decision.

Conditions: All repairs shall be completed and re-inspected by the date specified below.

Compliance Deadline: April 1, 2016

Attachments: Application for Appeal; Cycle Inspection Report

RB



RECEIVED  
JAN 15 2016

BY: CW

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: 1124 S. Henderson

Petitioner's Name: Don Cottage Industry LLC [Don Lawrence & Justice Sontky]

Address: 525 E. Grimes Lane

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-650-2810 Email Address: Jontlawrence@gmail.com

Property Owner's Name: Same as above

Address:

City: State: Zip Code:

Phone Number: Email Address:

Occupants: Kristin Retherford, Justin Wane (daughter Ariel)

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:

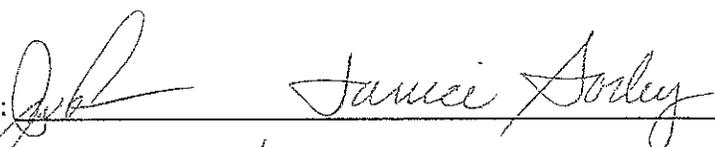
- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
- C) Relief from an administrative decision (Petition type AA)**
- D) Rescind a variance (Petition type RV)

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-43

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

See attached document & photo

Signature (required):  Janice Sorley

Name (please print): Jan Lawrence / Janice Sorley Date: 1/12/2016

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

We are the owners of 1124 S. Henderson, Bloomington, IN, 47401. We respectfully request consideration for relief from an administrative decision. The three cited violations found during the recent cycle inspection are not in violation of Title 16, Residential Rental Unit and Lodging Code.

This house, as well as our other rental units, are located close to our home and we take pride in the condition and appearance of our all our rentals. This house is adjacent to our own home. We support the HAND inspection process and desire consistency in the application of code throughout our neighborhood and the city.

**Violation 1:**

Inspection Report: "clean and service the exhaust fan". Code 16.04.060(c)

*Code 16.04.060 Interior Structure (c) All equipment contained within the interior of a residential rental unit and its accessory structures shall be maintained in good repair, in accordance with its manufacturer's guidelines and in accordance with this Title.*

- The fan works perfectly. The inspector thought it sounded a little loud. After receiving the report we inquired via email about a decibel rating or some type of guidance and received none. Looking for guidance, we read code and found it does not address the sound of an exhaust fan that functions perfectly. Additionally, there is an operable window in the bathroom and a fan is not required.

**Violation 2:**

Inspection Report: "trim all tree branches away from the siding and roofline to maintain a 3' clearance". BMC 16.04.040(e)

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

- The tree in question is actually a Northern Bayberry (*Myrica Pensylvanica*) shrub and part of the foundation planting and thus not a tree. This bayberry does NOT pose danger to persons or property and is in good health. The code cited in the report does not specify a 3' clearance nor does it pertain to shrubbery.

**Violation 3:**

Inspection Report: "Properly repair or replace damaged or deteriorated siding in a manner that leaves structure weather tight and excludes the entrance of rodents. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deterioration siding and structural members. On the west side of the house. 16.04.050(a)

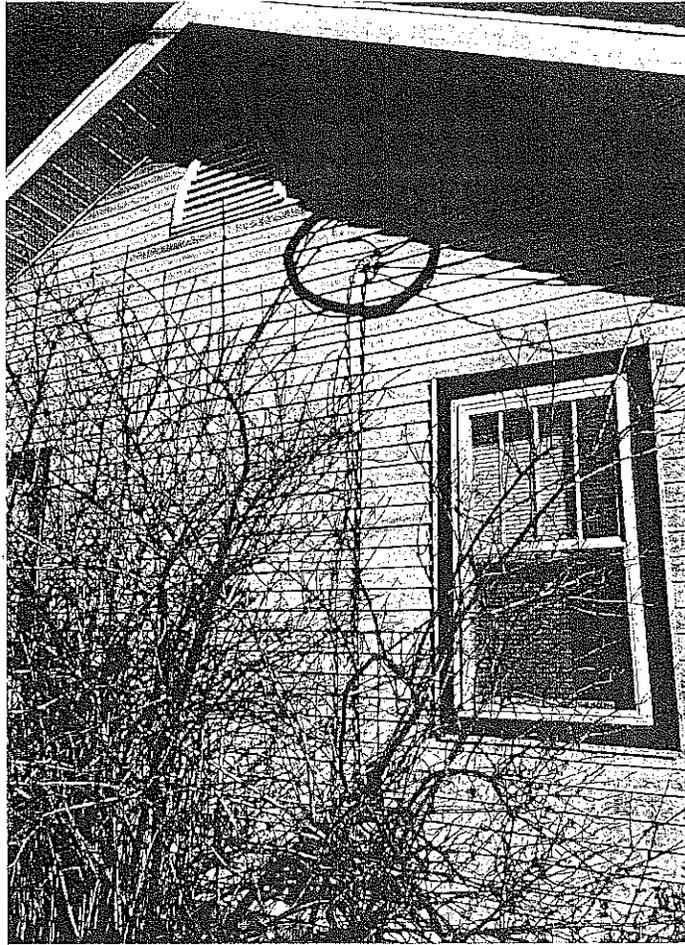
*16.04.050 Exterior Structure. (a) All portions of the exterior of a residential rental unit and its accessory structures shall be maintained in a structurally sound manner, be in good repair and be maintained in accordance with this Title.*

- The property is weather tight and excludes the entrance of rodents. It is structurally sound and is not visually unpleasant. Several years ago an arborist was delivering a very tall tree to a neighbor and accidentally detached the telephone/cable line attached to the west side of the house. The tree tore a small hole in the vinyl siding (see attached photo). We could not find siding to match the color of the vinyl. The tear is high on the house, small and located under the overhang of the roof and the vinyl siding encases the original historic redwood siding which is painted and in itself rot and water resistant. We feel mismatched vinyl siding would be more visually jarring than the small tear. This small tear has passed several inspection cycles and is not in violation of code.

The above cited violations are not supported in code and we respectfully ask that you remove them from our landlord record. Perhaps what has been identified as a violation should have only been friendly suggestions rather than citations as the property does not violate code or even the spirit of the code. For your information, it has long been our plan to remove the vinyl siding and restore the original historic character to the skin of this building. The fan functions perfectly and is very powerful, but we will probably take a look at it. We will evaluate the shrub in the spring and trim any winter damage but it is a beautiful addition to the gardens.

Two of our goals have always been that no one should ever be able to determine, by looking, that one of our houses is a rental and that we would never rent a house that we would not desire to live in ourselves. We purchased our properties because we live near them. The only way we could ensure the integrity of our neighborhood and quality of our life was by owning, maintaining and restoring these properties. We have been invited multiple times to include our home and the adjacent rental properties on the Bloomington Garden Tour. We received Bloomington Restoration Inc's (BRI) Outstanding Preservation Project Award for 2015 for work on one of our rental houses that we moved to our neighborhood. We actually care about houses and work hard to make them nice--and legal. We are deeply troubled by receiving citations that are not supported in the code and with the inconsistent application of code to the large volume of rundown, non-compliant rental properties across Bloomington that somehow pass inspection.

Thank you for your consideration.



Rip in  
vinyl siding



**City Of Bloomington  
Housing and Neighborhood Development**

**DEC 10 2015**

RENTAL PERMIT INFORMATION

Our Cottage Industry, Llc  
525 E. Grimes Ln.  
Bloomington, IN 47401

Property Location: 1124 S Henderson ST

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 **FEB 08 2016** 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](http://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](http://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 & Neighborhood Development  
Encl: Inspection Report,

*NM*

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

City Hall  
[bloomington.in.gov](http://bloomington.in.gov)

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



City Of Bloomington  
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

5287

Owner(s)

Our Cottage Industry, Llc  
525 E. Grimes Ln.  
Bloomington, IN 47401

Prop. Location: 1124 S Henderson ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 11/18/2015  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

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

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

INTERIOR:

Kitchen/Dining Area 17-0 x 9-6; Living Room 15-8 x 12-8; Hallway:

No violations noted.

Bathroom:

Clean and service the exhaust fan. BMC 16.04.060(c)

North Bedroom 12-4 x 11-8:

No violations noted.

Existing Egress Window Measurements:

Height: 48 inches  
Width: 31 ½ inches  
Sill Height: 34 inches  
Openable Area: 10.50 sq. ft.

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

South Bedroom 17-3 x 9-6:

No violations noted.

Existing Egress Window Measurements:

Height: 48 inches

Width: 29 inches

Sill Height: 34 inches

Openable Area: 9.66 sq. ft.

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

**Basement –**

Hallway/Stairway:

No violations noted.

Storage Area (unfinished):

No violations noted.

Family Room (3<sup>rd</sup> Bedroom):

No violations noted.

This room has a door to the exterior for egress.

**EXTERIOR:**

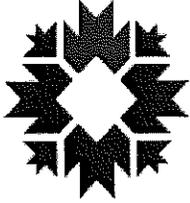
Trim all tree branches away from the siding and roofline to maintain a 3' clearance. BMC 16.04.040(e)

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

---

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

**This is the end of this report.**



City of Bloomington, Indiana  
H.A.N.D.

**BOARD OF HOUSING QUALITY APPEALS**  
**Staff Report: Petition for Modification or Exception to the Residential**  
**and Lodging Establishment Inspection program**

Meeting Date: March 16, 2016

Petition Type: Modification or Exception to the Residential and Lodging Establishment Inspection program

Petition Number: 16-V- 51

Address: 2475 Winslow Court

Petitioner: Henderson Ct. Apts.

Inspector: Maria McCormick & Matt Swinney

Staff Report: During the cycle inspection two violations were noted in Unit 2490. First, the wall in the living room by the front door has some cracks or holes that should be repaired and painted. Second, the bathroom sink should be re-caulked.

Mrs. Eloise M. McGhee resides in Unit 2490. Mrs. McGhee reports being diagnosed with Multiple Chemical Sensitivity. Assistant City Attorney Christopher J. Wheeler spoke by telephone with the property owner's attorney who confirmed that the matter of Mrs. McGhee's disability was litigated in the past with a favorable finding for Mrs. McGhee and against the owner. Given this affirmation, and since the cited violations are not health or safety concerns, Mr. Wheeler advised that granting the exception would be appropriate if there are no chemical free means by which to correct these violations. The exception should be a one-time event and the unit should remain subject to additional cycle inspections in the future. Future exceptions may be granted depending on the nature of any future violations. Staff recommends that the Board of Housing Quality Appeals grant the exception with those conditions.

Staff Recommendation: Grant the Exception.

Conditions: This is a one-time exception and does not relieve the landlord from continuing to have unit 2490 inspected during all future HAND inspections.

Attachments: Application for Appeal

RB

RECEIVED  
JAN 25 2016



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: Henderson Court Apts.  
Petitioner's Name: Nikki J. Ball / Property Manager  
Address: 2475 S. Winslow Ct.  
City: Bloomington State: IN Zip Code: 47401  
Phone Number: (812) 339-3088 Email Address: hendersonctapts@comcast.net  
Property Owner's Name: Johnathon Cohn  
Address: 7920 Ward Parkway  
City: Kansas City State: MO Zip Code: 64114  
Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_  
Occupants: Eloise McGhee ; 2490 S. Winslow Ct  
Bloomington, IN 47401

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-V-51

SEE REVERSE

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

The resident living in unit # 2490 is asking that we omit her unit from having any repairs being done to her unit due to her disability. Management is also asking that we omit any modifications to allow for her reasonable accomodation. The resident is homebound and suffers from Multiple Chemical Sensitivity (MCS). The following repairs were noted by the HAND inspector:

2490

Living Room

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

Bathroom

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

The living room + bathroom were inspected by mgmt and maintenance and determined not to be a serious issue that affects the structure or unit underneath 2490

Signature (required): Nikki J. Ball, Property Mgr.

Name (please print): Nikki J. Ball Date: 1/15/2015

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.

## EXPOSURE TO SOLVENTS CAUSES SERIOUS AND LASTING BODILY HARM TO MULTIPLE ORGAN SYSTEMS

Submitted by Plaintiff Eloise M. McGhee to the Small Claims Court (Monroe County, Indiana) on October 31 2008 as an attachment to her Motion for an Emergency Possessory Order.

Below are selections from public-access information found at the website of the National Institute for Drug Abuse (NIDA), regarding solvent damage to the brain and other organs. Additional materials found at NIDA, based on non-drug exposure to low levels of solvent fumes, make it clear that the organ damage found in inhalant abusers is also found in those who (for example) experience long-term, low-level exposure in the workplace.

Plaintiff McGhee is homebound and suffers from Multiple Chemical Sensitivity (MCS). MCS is defined by HUD's 1992 Directive GME-0009 (on MCS as a handicap warranting Reasonable Accommodation in housing) as:

[A]n acquired disorder characterized by **recurrent symptoms**, referable to **multiple organ systems**, occurring in response to **demonstrable exposure** to many chemically unrelated compounds at **doses far below those** established in the general population to cause harmful effects. **No single widely accepted test of physiologic function can be shown to correlate with symptoms.**

[...]

**Persons with MCS and EI may be substantially limited in major life activities due to their handicap. For such persons, exposure to a variety of common substances may cause them significant limitations to their major life activities, such as those listed, *supra*, . . . . Moreover, due to the frequency that ordinary living normally brings people into contact with the commonly found substances to which persons with MCS and EI typically react, persons with these disabilities may be severely constrained in their daily living and must make major adjustments to avoid exposure. Since *it is critical that people with MCS and EI minimize their exposure to common substances found in or near most housing facilities, they generally face a significantly limited choice of housing.***

Even at low chronic doses, solvents which immediately attack the brain and Central Nervous System would have immediate, serious, and irreversible effects on a person with MCS. In reading the excerpts below, substituting the phrase 'person with MCS' for terms like 'chronic solvent abuser' will provide a fairly accurate understanding of the effects of low-level, chronic solvent exposure on an MCS-

handicapped person.

[http://www.drugabuse.gov/NIDA\\_notes/NNvol17N4/Index.html](http://www.drugabuse.gov/NIDA_notes/NNvol17N4/Index.html)

### **Chronic Solvent Abusers Have More Brain Abnormalities and Cognitive Impairments Than Cocaine Abusers**

Research Findings Vol. 17, No. 4 (November 2002)

By Robert Mathias, NIDA NOTES Staff Writer

Chronic inhalant abuse has long been linked to widespread brain damage and cognitive abnormalities that can range from mild impairment to severe dementia. Now a NIDA-funded study that compared brain damage and intellectual functioning among long-term inhalers of volatile solvents and cocaine abusers has found substantial brain abnormalities and cognitive impairment among both groups. However, considerably more inhalant abusers than cocaine abusers had **brain abnormalities, their brain damage was more extensive, and they did significantly worse than cocaine abusers on tests of working memory and the ability to focus attention, plan, and solve problems.**

<http://www.drugabuse.gov/ResearchReports/default.html>

#### **What are the medical consequences of inhalant abuse?**

Animal and human research shows that most inhalants are extremely toxic. Perhaps the most significant toxic effect of chronic exposure to inhalants is **widespread and long-lasting damage to the brain and other parts of the nervous system.** For example, both animal research and human pathological studies indicate that **chronic abuse of volatile solvents such as toluene damages the protective sheath around certain nerve fibers in the brain and peripheral nervous system. This extensive destruction of nerve fibers is clinically similar to that seen with neurological diseases such as multiple sclerosis.**

The neurotoxic effects of prolonged inhalant abuse **include neurological syndromes that reflect damage to parts of the brain involved in controlling cognition, movement, vision, and hearing.** Cognitive abnormalities can range from mild impairment to **severe dementia.** Other effects can include difficulty coordinating movement, limb spasms, and loss of feeling, hearing, and vision.

**Inhalants also are highly toxic to other organs. Chronic exposure can produce significant damage to the heart, lungs, liver, and kidneys.** Although some inhalant-induced damage to the nervous and other organ systems may be at least partially reversible when inhalant abuse is stopped, **many syndromes caused by**

repeated or prolonged abuse are irreversible.

<http://www.drugabuse.gov/ResearchReports/default.html>>|

### **Research Report Series - Inhalant Abuse**

Inhaled chemicals are rapidly absorbed through the lungs into the bloodstream and quickly distributed to the brain and other organs. Within seconds of inhalation, the user experiences intoxication along with other effects similar to those produced by alcohol. Alcohol-like effects may include slurred speech, an inability to coordinate movements, euphoria, and dizziness. In addition, users may experience lightheadedness, hallucinations, and delusions.

[...]

Although the chemical substances found in inhalants may produce various pharmacological effects, most inhalants produce a rapid high that resembles alcohol intoxication with initial excitation, then drowsiness, disinhibition, lightheadedness, and agitation. If sufficient amounts are inhaled, nearly all solvents and gases produce anesthesia, a loss of sensation, and even unconsciousness.

The chemicals found in solvents, aerosol sprays, and gases can produce a variety of additional effects during or shortly after use. These effects are related to inhalant intoxication and may include belligerence, apathy, impaired judgment, and impaired functioning in work or social situations. Dizziness, drowsiness, slurred speech, lethargy, depressed reflexes, general muscle weakness, and stupor are other possible effects. For example, research shows that toluene can produce headache, euphoria, giddy feelings, and inability to coordinate movements. Exposure to high doses can cause confusion and delirium. Nausea and vomiting are other common side effects.

<http://www.drugabuse.gov/infofacts/InfofaxIndex.html>>

### **NIDA InfoFacts: Inhalants**

#### **How Do Inhalants Affect the Brain?**

The effects of inhalants are similar to those of alcohol, including slurred speech, lack of coordination, euphoria, and dizziness. Inhalant abusers may also experience lightheadedness, hallucinations, and delusions. With repeated inhalations, many users feel less inhibited and less in control. Some may feel drowsy for several hours and experience a lingering headache. Chemicals found in different types of inhaled products may produce a variety of additional effects, such as confusion, nausea, or vomiting.

By displacing air in the lungs, inhalants deprive the body of oxygen, a condition known as hypoxia. **Hypoxia can damage cells throughout the body, but the cells of the brain are especially sensitive to it.** The symptoms of brain hypoxia vary according to which regions of the brain are affected; **the hippocampus, for example, helps control memory, so someone who repeatedly uses inhalants may lose the ability to learn new things or may have a hard time carrying on simple conversations.**

Long-term inhalant abuse can also break down myelin, a fatty tissue that surrounds and protects some nerve fibers. Myelin helps nerve fibers carry their messages quickly and efficiently, and when damaged can lead to muscle spasms and tremors or even permanent difficulty with basic actions like walking, bending, and talking.

[...]

**Lethal effects:** Sniffing highly concentrated amounts of the chemicals in solvents or aerosol sprays can directly induce heart failure and death within minutes of a session of repeated inhalations. This syndrome, known as sudden sniffing death, can result from a single session of inhalant use by an otherwise healthy young person. Sudden sniffing death is particularly associated with the abuse of butane, propane, and chemicals in aerosols.

High concentrations of inhalants may also cause **death from suffocation by displacing oxygen in the lungs, causing the user to lose consciousness and stop breathing.** Deliberately inhaling from a paper or plastic bag or in a closed area greatly increases the chances of suffocation. **Even when using aerosols or volatile products for their legitimate purposes (i.e., painting, cleaning), it is wise to do so in a well-ventilated room or outdoors.**

**Harmful irreversible effects:**

- Hearing loss
- Peripheral neuropathies or limb spasms
- Central nervous system or brain damage
- Bone marrow damage

**Serious but potentially reversible effects:**

- Liver and kidney damage
- Blood oxygen depletion



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-55

Address: 2673 S. McCartney Ln.

Petitioner: Hyde Park Partnership, LLC

Inspector: John Hewett

Staff Report: January 13, 2016 Complaint Inspection with tenant & maintenance  
January 29, 2016 Received appeal form from agent

The complaint inspection revealed extensive moisture/water problems in the attic of this unit. The management and the home-owners association have a bid for the work. They are requesting additional time for the repairs to be completed.

Staff recommendation: Grant the extension

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

Compliance Deadline: May 15, 2016

Attachments: Petitioner's appeal



RECEIVED 02.01.16 D28

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: 2673 S. McCartney Lane
Petitioner's Name: Hyde Park Partnership, LLC
Address: 2909 S. Sare Road
City: Bloomington State: IN Zip Code: 47401
Phone Number: 812-339-2700 Email Address: virgohydepark@yahoo.com
Property Owner's Name: Nancy Young - Howard E. Young
Address: 2909 S. Sare Rd office
City: Bloomington State: IN Zip Code: 47401
Phone Number: 812-339-2700 Email Address: virgohydepark@yahoo.com
Occupants: Vicky and Ilana Linder

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-IV-55

SEE REVERSE

JH

Apr. 24. 2015 11:45AM

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.

John, (per our conversation 1/29/16) We are requesting an extension for complete roof replacement. They (ppc) have forwarded a copy of their estimate and time frame. I am sending this info to you. I do know they have placed debris in the affected area. They need a couple good days to tear off decking & then Werner Tempa for shingles. This is all I know at this time. Please feel free to call me if you have any questions.

Thank You!

Nollette

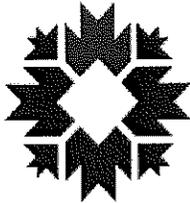
I mailed Ch 15596 20.00 today

339-2700

Signature (required): Nancy Ann Young

Name (please print): Nancy Ann Young Date: 1/29/16

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.



City of Bloomington, Indiana  
H.A.N.D.

**BOARD OF HOUSING QUALITY APPEALS**  
**Staff Report: Petition for Modification or Exception to the Residential**  
**and Lodging Establishment Inspection program**

Meeting Date: March 16, 2016

Petition Type: Modification or Exception to the Residential and Lodging Establishment Inspection program

Petition Number: 16-V- 60

Address: 2475 Winslow Court

Petitioner: Mrs. Eloise M. McGhee

Inspector: Maria McCormick & Matt Swinney

Staff Report: During the cycle inspection two violations were noted in Unit 2490. First, the wall in the living room by the front door has some cracks or holes that should be repaired and painted. Second, the bathroom sink should be re-caulked.

Mrs. Eloise M. McGhee resides in Unit 2490. Mrs. McGhee reports being diagnosed with Multiple Chemical Sensitivity. Assistant City Attorney Christopher J. Wheeler spoke by telephone with the property owner's attorney who confirmed that the matter of Mrs. McGhee's disability was litigated in the past with a favorable finding for Mrs. McGhee and against the owner. Given this affirmation, and since the cited violations are not health or safety concerns, Mr. Wheeler advised that granting the exception would be appropriate if there are no chemical free means by which to correct these violations. The exception should be a one-time event and the unit should remain subject to additional cycle inspections in the future. Future exceptions may be granted depending on the nature of any future violations. Staff recommends that the Board of Housing Quality Appeals grant the exception with those conditions.

Staff Recommendation: Grant the Exception.

Conditions: This is a one-time exception and does not relieve the landlord from continuing to have unit 2490 inspected during all future HAND inspections.

Attachments: Application for Appeal

Handwritten initials, possibly 'RM', in the bottom right corner of the page.

RECEIVED  
FEB 05 2016  
BY: *[Signature]*



Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
[hand@bloomington.in.gov](mailto: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: 2490 S Winslow Ct, Bloomington (unit in Henderson Ct – see Petition 16-V-51)

Petitioner's Name: Eloise M. McGhee, Tenant/Petitioner

Address: 2490 S Winslow Ct

City: Bloomington State:IN Zip Code: 47401

Phone Number: 812-219-3447 Email Address: [EMCMcGhee@gmail.com](mailto:EMCMcGhee@gmail.com)

Property Owner's Name: Jonathan Cohn

Address: 7920 Ward Parkway

City: Kansas City State:MO Zip Code: 64114

Phone Number: Email Address:

**Occupants:** Eloise M. McGhee; disabled w Reasonable Accommodation prohibiting construction chemicals

**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-V-60

SEE REVERSE

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

Signature (required): Eloise M. McGhee

Name (please print):

Date:

Eloise M. McGhee Feb 5, 2014

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

[Please see attached Summary of Bloomington Municipal Codes in support of tenant's right to appeal to BHQA.]

**Background:**

As a Fair Housing Act Reasonable Accommodation to her disabling condition of Multiple Chemical Sensitivity, Tenant/Petitioner's unit did not undergo standard between-tenant maintenance when she moved in in 2000 (under a previous owner). In 2008, when the current Owner purchased the property with the intent of renovating all 150 units, Tenant/Petitioner sought and was granted a formal Reasonable Accommodation by HUD's Chicago Regional FHEO office and the Indiana Civil Rights Commission (ICRC). This Reasonable Accommodation prohibits the Owner from introducing any construction chemicals into the Tenant/Petitioner's unit in order to protect her health. A HUD 1992 legal decision established that this 'no-chemicals' policy is necessary as the only workable Reasonable Accommodation for a person with MCS. Since 2008, the Owner has observed this Reasonable Accommodation, as it is required to do by Federal law.

As a HUD Project-based Section 8 property, Yarco/Henderson Court inspects its units frequently. Because Henderson Court receives funding from a number of government sources (including State LITHC funds and \$7.25 million in revenue bonds from the City Of Bloomington), it also undergoes regular inspections from those other funding sources. All of these inspections pay close attention to structural stability and the safety of the buildings. The Tenant/Petitioner's unit and her building have never, to the best of her knowledge, been cited as needing structural repairs during her 15-year residency.

**HAND 'Cycle' Inspection, November 2016:**

Inspector noticed two minor cosmetic flaws that have been unchanged during tenant's entire residency.

**BMC16.04.060 Interior structure.** (a) All portions of the interior of a residential rental unit and its accessory structures shall be maintained in a structurally sound manner, be in good repair and be maintained in accordance with this title.

**HAND Inspector's Findings** in 2490 S Winslow Ct, in Henderson Court Apartments:

Living Room: Interior wall by the entry door shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. BMC 16.04.060(a)

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

These do not represent structural flaws, and allowing them to remain will not harm the safety, health, or welfare of the building's occupants. The chemicals used to repair them would damage the Tenant/Petitioner's health and violate the 2008 Reasonable Accommodation.

**ADDENDUM TO APPEAL TO BHQA**  
In regard to 2490 S Winslow Court (Henderson Court)

**SUMMARY OF BLOOMINGTON MUNICIPAL CODES RELEVANT TO:  
TENANT'S RIGHT TO APPEAL TO BHQA and  
REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT**

*[Compiled and submitted by Eloise M. McGhee, disabled tenant, with HAND appeal form and payment for appeals fee (Six pages, copyright February 2016 EMC McGhee, all rights reserved)]*

**PURPOSE OF THIS LEGAL SUMMARY:** HAND officials, along with other City officials, have repeatedly told the disabled Tenant that the BHQA appeals process is 'Only for Landlords'. A careful reading of Bloomington Municipal Codes 16 and 2.19 (which govern HAND and BHQA) have led this Tenant to believe that HAND's practices and procedures in restricting the BHQA to 'only Landlords' depart from the letter of Bloomington's law. In addition, HAND's actions and statements (along with statements by other City officials) have ignored and effectively voided the disabled Tenant's civil rights to Reasonable Accommodation under the Fair Housing Act.

Believing that the plain language of the Bloomington Municipal Code should govern the practices, procedures, and actions of both HAND and BHQA, the affected Tenant compiled all portions of BMC 16 and 2.19 that deal with access to the BHQA appeals process by persons other than Landlords. The Tenant has included, in Comments, her understanding and opinion of those laws for the BHQA's review.

The affected Tenant believes that, although other-than-Landlord access to the BHQA appeals process is supported by several significant portions of BMC 16 and 2.19, she believes that if only one portion supported her position, BMC 16.10.050 would be sufficient:

**16.10.050 Appeals.** (a) Any person directly affected by a decision of the director or a notice or order issued under this title, and related to a residential rental unit, shall have the right to appeal to the board of housing and quality appeals.

EXCERPTS FROM BMC 16 AND 2.19	COMMENTS
<p><b>BMC 16.10.020 Penalties and remedies for violations.</b> (d) For purposes of <b>issuing penalties and fines</b> in accordance with this chapter, the following persons shall be considered <b>responsible parties</b>, with liability for fines and responsibility for the remediation of the violation:</p> <ul style="list-style-type: none"> <li>(1) Property owner;</li> <li>(2) <b>Any person with a possessory interest in the property;</b> and/or</li> <li>(3) <b>Any person who has caused the violation.</b></li> </ul>	<p>Disabled HUD-subsidized Tenant 'has caused' HAND violation due to Reasonable Accommodation prohibiting use of chemical compounds used for construction/repair in the dwelling unit and is thus a 'responsible party'.</p>
<p><b>BMC 16.10.020 Penalties and remedies for violations. (e), (f) (j); and BMC 16.10.030 Penalty [entire]</b></p>	<p>Penalties apply to 'responsible parties', including the MCS-disabled Tenant in this instance.</p>
<p><b>16.10.040 Enforcement procedure.</b> (a) If the director finds that any violation of this title is occurring, or has occurred, notice shall be given to the <b>responsible party</b>. For purposes of this title only, a <b>cycle inspection report</b>, . . . is considered notice of a violation. For purposes of issuing a notice, the <b>following persons may be</b></p>	<p>Notice of violation shall be sent to 'responsible parties', including those with possessory interest and specifically to "tenant . . . who causes, maintains, suffers or permits the violation to occur and/or to continue".</p>

EXCERPTS FROM BMC 16 AND 2.19	COMMENTS
<p>considered <u>responsible parties</u>, with liability for fines and responsibility for remediation of the violation:</p> <p>(1) The owner of the residential rental unit;</p> <p>(2) Persons with any <u>possessory interest</u> in the residential rental unit;</p> <p>(3) Any person who, whether as property manager, agent, owner, lessee, <u>tenant</u>, or otherwise <u>who, either individually or in concert with another, causes, maintains, suffers or permits the violation to occur and/or to continue</u>; [...]</p> <p>(5) Persons with any possessory interest in the lodging establishment.</p>	<p>Disabled Tenant's Reasonable Accommodation prohibiting chemical use in the dwelling unit "causes, maintains, suffers or permits the violation to occur and/or to continue", and legally obligates Owner to support the 'violation'.</p> <p>Owner received notification, Tenant did not receive notification.</p>
<p><b>16.10.040 Enforcement procedure.</b></p> <p>(b) <u>The notice shall be in writing and shall be served on all of the responsible parties and shall be in accordance with all of the following:</u></p> <p>(1) Include a description of the residential rental unit or lodging establishment sufficient for identification;</p> <p>(2) Include a statement of the violation(s) and why the notice is being issued;</p> <p>(3) Include a correction order allowing a reasonable time to make repairs and improvements required to bring the residential rental unit or accessory structures or lodging establishment into compliance with the provisions of this title; and</p> <p>(4) <u>Inform the owner of the residential rental unit or lodging establishment of his right to an appeal;</u></p>	<p>BMC 16.10.040(b) specifies that the notice shall be sent to "all responsible parties" while 16.10.040(b)(4) states that 'only the Owner' is to be informed of "his right to an appeal".</p> <p>BMC 16.10.040(b) may be the source of HAND's practice of telling other 'responsible parties' (who are subject to penalties and fines) that the BHQA appeals process is "only for Landlords". However, BMC 16.10.040 does not exclude or prohibit "responsible parties" (including tenants) or any "person directly affected" by a HAND decision" from pursuing an appeal with BHQA.</p> <p>The right of "any person directly affected" by a HAND decision is established by --</p> <p><b><u>BMC 16.10.050 Appeals. (a) Any person directly affected by a decision of the director or a notice or order issued under this title, and related to a residential rental unit, shall have the right to appeal to the board of housing and quality appeals.</u></b></p> <p>The MCS-disabled Tenant is "directly affected" by the risks of having her Fair Housing Act Reasonable Accommodation violated, of being exposed to chemicals which will harm her health, by a greater risk of losing her housing, and of being fined at the rate of \$2500/day, along with other penalties in BMC16.10.020.</p> <p><b>These risks make it necessary for the disabled Tenant to exercise her</b></p>

EXCERPTS FROM BMC 16 AND 2.19	COMMENTS
	rights to an appeal to BHQA under BMC 16.10.050(a).
<p><b>16.10.040 Enforcement procedure.</b></p> <p>(c) The notice shall be deemed properly served if a copy thereof is:</p> <p>(1) Delivered personally;</p> <p>(2) Sent by certified or first-class mail addressed to the last known address of the responsible party;</p>	<p>The MCS-disabled Tenant was not sent notice by any means, although the law calls for 'proper service' after describing her as a 'responsible party'.</p>
<p><b>16.10.040 Enforcement procedure.</b></p> <p>(g) In addition to issuing a notice, the director may utilize and/or seek through legal proceedings one or more of the following remedies:</p> <p>(1) Revoke or withhold issuance of an occupancy permit; and/or</p> <p>(2) Any and all penalties and remedies listed in</p>	<p>The MCS-disabled tenant's occupancy rights will be voided if HAND revokes or withholds the Owner's occupancy permit, because the Owner will lose his right to let all of the 150 dwelling units on the HUD-subsidized Project-based Section 8 property. (Note that the threat of permit revocation creates an incentive for the Owner to either violate the existing Reasonable Accommodation, or to evict the tenant, or both.)</p> <p>The disabled tenant, as an impoverished individual, would be unable to pay even one day's worth of the \$2500/day fine, which is only one of several penalties that can be imposed by HAND.</p>
<p><b>16.10.050 Appeals.</b></p> <p>(a) Any person directly affected by a decision of the director or a notice or order issued under this title, and related to a residential rental unit, shall have the right to appeal to the board of housing and quality appeals.</p>	<p><b>BMC 16.10.050(a) establishes the disabled Tenant's right to appeal to BHQA.</b></p> <p>The repeated assertions by HAND and the City Attorney's office that the BHQA's appeal process is "only for Landlords" appears to be a misunderstanding of one line in BMC 16.10.040(b)(4) [see above].</p>
<p><b>16.10.050 Appeals.</b></p> <p>(b) An appeal filed with the board of housing and quality appeals shall be in the manner prescribed in _____ of the Bloomington Municipal Code and the established rules and procedures of the board.</p>	<p>The Tenant made repeated attempts to acquire a copy of BHQA's "established rules and procedures" over a period of four weeks. During the week of Feb 2, 2016, a member of the City Attorney's office made strong, repeated assertions that no such 'Rule of Procedure' existed, and that BHQA's By-Laws were identical with those 'Rules of Procedure' in BMC 2.19.040.</p> <p>The same member of the City</p>

EXCERPTS FROM BMC 16 AND 2.19	COMMENTS
	<p>Attorney's office also asserted that HAND/BHQA's practices and procedures were 'all done legally', which the Tenant/Petitioner took to mean that the 'letter of the law governs all of HAND/BHQA's actions.' The Tenant's appeal is submitted to BHQA with confidence in the letter of the law.</p>
<p><b>BMC 2.19.000 Establishment.</b> There is created the <b>housing and neighborhood development department.</b> [...]</p> <p><b>BMC 2.19.030 Neighborhood development division.</b> [...] shall enforce property maintenance codes applicable within the city. [...]</p>	<p>Establishes HAND and its Neighborhood development division</p>
<p><b>BMC 2.19.040 Board of housing quality appeals.</b> <b>(1) Purpose. The purpose of this board is to hear the appeal of any owner or person who is aggrieved by a ruling or decision of the enforcing officer or any administration official, in any matter relative to the interpretation or enforcement of any of the provisions of the property maintenance code of the city. The board is authorized to make investigations relative to the complaint and may overrule the decisions of any administrative officer including the neighborhood development manager.</b></p>	<p>Establishes BHQA. BHQA's purpose is "to hear the appeal of any owner or person who is aggrieved" by an action or decision by HAND.</p> <p>Therefore, contrary to HAND's practices and procedures of restricting BHQA appeals as "only for Landlords", <b>BHQA was established with the purpose of hearing appeals from any 'aggrieved person'.</b></p> <p>This statement of BHQA's purpose agrees with several sections of BMC 16 (above) which use terms like 'interested party' and 'responsible party' to identify those who, although not property Owners, have the right to appeal to BHQA.</p>
<p><b>BMC 2.19.040 Board of housing quality appeals.</b> <b>(4) Rules of Procedure. The housing quality appeals board shall establish its own rules of operating procedure which may be amended from time to time by a majority of the membership; provided, however, that a petitioner seeking an exception from the code shall always be required to make a showing that the exception requested shall not harm the safety, health, or welfare of the occupants as well as provide a reasonable explanation of why the variance is needed.</b></p>	<p>The disabled Tenant/Petitioner made repeated attempts over four weeks to obtain these Rules of Procedure mandated by BMC 2.19.040. She stopped her search when a member of the City Attorney's office stoutly asserted that no such Rules of Procedure exist, and that BHQA's By-Laws are identical with these Rules of Procedure. [see above]</p>
<p><b>BMC 2.19.040 Board of housing quality appeals.</b> <b>(5) Powers and Duties. The powers and duties of the board of housing quality appeals shall be to:</b></p>	<p>BHQA's powers and duties are to hear and determine appeals from any HAND order and to hear and decide "special exceptions" to HAND's</p>

EXCERPTS FROM BMC 16 AND 2.19	COMMENTS
<p>(a) Hear and determine appeals from and review any order, requirement, decision or determination made by an administrative official or board charged with the enforcement of any regulation or restrictions set forth in the <b>property maintenance code</b>; [...]</p> <p>(c) Hear and decide special exceptions to the terms of the <b>property maintenance code</b> upon which the board is required to act under this section;</p>	<p>code.</p> <p>HAND's Codes, as spelled out in <b>BMC 16 and BMC 2.19</b>, contain no mention whatsoever of the <b>civil rights extended to members of protected classes under the Fair Housing Act</b>. In particular, HAND's codes, practices, and procedures contain <b>no mention of disabled tenants' protected civil right to Reasonable Accommodation</b>.</p> <p>HAND's rules, policies, and procedures exclude the FHA civil right of Reasonable Accommodation, while HAND's decisions and actions may well affect disabled tenants. In particular, <b>tenants disabled by MCS (or other chemical sensitivities) will suffer Disparate Impact from HAND's rules when, at HAND's mandate, potentially harmful chemicals will be introduced into their dwellings</b>.</p> <p>If BMC 2.19 and BHQA's By-Laws are indeed the only rules, policies, and procedures that govern BHQA, then disabled tenants' rights under the Fair Housing Act are similarly excluded from their rules, policies and procedures.</p> <p><b>This apparent exclusion of disabled tenants' rights to Reasonable Accommodation under the Fair Housing Act leads this Tenant/Petitioner to ask the BHQA to consider her appeal as a "special exception" to HAND codes under BMC 2.19.040(5)(c)</b>. This Petitioner hopes the BHQA will recognize the Federal authority of the Fair Housing Act and its Reasonable Accommodation protection of disabled tenants.</p>
<p><b>BMC 2.19.040 Board of housing quality appeals.</b></p> <p>(8) <b>Petitions. A person may petition the board to appeal any decision of any administrative official or enforcing officer by submitting a written petition to the board, accompanied by a filing fee of twenty dollars. Petitioner must list the names of the occupants of the premises in the petition.</b></p>	<p>BMC 2.19.040(8) broadens the category of those with the right to submit an appeal to BHQA to 'a person', without any qualifiers such as 'aggrieved party' or 'affected party'. 'A person' suggests 'any person', and</p>

EXCERPTS FROM BMC 16 AND 2.19	COMMENTS
	'any person' may appeal any HAND action, if the plain language of BMC 2.19.040(8) is accepted.
<p><b>BMC 2.19.040 Board of housing quality appeals.</b></p> <p>(9) <b>Board Action on Petition.</b> Within thirty days after the filing, the board shall investigate the petition and set a date for a public hearing to be held within thirty days thereof. Notice of the public hearing shall be advertised at least ten days beforehand according to provisions in IC 5-3-1. The cost of advertising shall be borne by the petitioner. Notice of the hearing shall be served at least ten days before the hearing date on the petitioner, the person having possession of the premises and the owner of the premises, if the owner is not in possession. The occupants of the premises shall be allowed to participate in the public hearing.</p>	<p>BMC 2.19.040(9) is included here simply because it adds such a note of confusion to the appeals process, in the hope that some clarity can be obtained through BHQA's review.</p> <p>The same member of the City Attorney's office who informed this Tenant/Petitioner that no BHQA 'rules of procedure' exist also informed her that an 'appeal' and a 'petition' were 'one and the same'. However, BMC 2.19.040(9) puts conditions on 'petitions' that are not specified for 'appeals'. If such conditions on 'appeals' had been included in BMC 16 or BMC 2.19, they would have been included in this list.</p> <p>BMC 2.19.040(9) implies that 'petitions' are processed separately and differently than 'appeals' in that hearing a petition is a public meeting, with the petitioner bearing the costs for its public announcement. This is an odd condition for a meeting, which does not agree with the definitions of either 'public' or 'private' meetings as defined in the Indiana Public Access Counselor's Handbook.</p> <p>Since elements of the regular BHQA meetings also seem to include aspects of both 'public' and 'private' meetings, it may be necessary to pursue clarification on BHQA meetings from the Indiana Public Access Counselor.</p>



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from being required to register as a rental.  
Petition Number: 16-AA-62  
Address: 2504 E Covenant Dr.  
Petitioner: Kim Underwood

**Staff Report:**

This property is currently occupied by the daughter and son-in-law of the owner. The petitioner has requested that she be exempt from registering this property as a rental for as long as the house is occupied by the daughter's family.

Staff recommendation: Grant the relief from administrative decision.

Conditions: This unit shall be exempt from the requirement to register as a rental for as long as it is owned by the current owners, Bob and Barb Sycks, and is occupied by the current residents, Kim and Doug Underwood, and no more than one unrelated adult. The property will be pulled in one year's time for drive-by and check on status.

Compliance Deadline: none

Attachments: Appeal form



RECEIVED  
FEB 05 2016

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: 2504 E Covenant Drive

Petitioner's Name: Kim Underwood

Address: 2504 E Covenant Drive

City: Bloomington State: IN Zip Code: 47401

Phone Number: 8123251463 Email Address: kunderwood1968@yahoo.com

Property Owner's Name: Bill + Barb Sycks

Address: 3104 S Camino Kino

City: Green Valley State: AZ Zip Code: 85622

Phone Number: 8123605299 Email Address: barbara\_sycks@yahoo.com

Occupants: Kim + Doug Underwood

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.

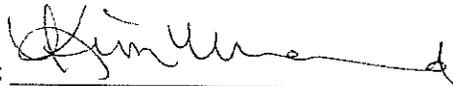
OFFICE USE ONLY  
Petition Number 16-AA-62

SEE REVERSE

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

My parents own the property that I  
am living in.

Signature (required):



Name (please print):

Kim Underwood

Date:

2-6-16

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.



City of Bloomington  
H.A.N.D.

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

Meeting Date: March 16, 2016  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from being required to register as a rental.  
Petition Number: 16-AA-63  
Address: 2633 E Oaklawn Ct.  
Petitioner: Jerome Neely

**Staff Report:**

This property is currently occupied by the son of the owner. The petitioner has requested that he be exempt from registering this property as a rental for as long as the house is occupied by his son Michael Neely.

Staff recommendation: Grant the relief from administrative decision.

Conditions: This unit shall be exempt from the requirement to register as a rental for as long as it is owned by the current owners, Jerome C. & Melinda B. Neely, and is occupied by the current resident, Michael J. Neely, and no more than one unrelated adult. The property will be pulled in one year's time for drive-by and check on status.

Compliance Deadline: none

Attachments: Appeal form

RECEIVED  
FEB 08 2016



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](mailto:hand@bloomington.in.gov)

Property Address: 2633 East Oaklawn Court, Bloomington, IN 47401

Petitioner's Name: JEROME C. & Melinda B. Neely, Owners

Address: 3599 E Saddlebrook Court

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-332-9849 Email Address: JERRY.NEELY@ROGERSGROUPINC.COM

Property Owner's Name: Same as Petitioners

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Occupants: Michael J. Neely, SON

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)
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- D) Rescind a variance (Petition type RV)

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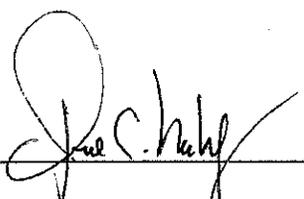
OFFICE USE ONLY  
Petition Number 16-AA-63

GR # 11277  
2/4/16

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.

OUR SON LIVES IN THIS UNIT AND HAS SO SINCE ITS PURCHASE.

Signature (required):   
Name (please print):     JEROME C. NEELY     Date:     2/4/16    

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.