

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

I. **ROLL CALL (introduction of new member)**

II. **REVIEW OF SUMMARY** – January 16, 2016

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-261, **1705 N. Lincoln Street**, College Properties (Dan Langley). Request for an extension of time to complete repairs. Previously heard December 16, 2015.
- (7) 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.
- (8) 15-TV-278, **2455 E. Tamarack Trail**, Edward Pate (Meadowood Five Star Retirement). Request for an extension of time to complete repairs. Previously heard December 16, 2015.
- [WITHDRAWN] 16-TV-25, **1702-1704 S. Olive Street**, Jim Gronquist. Request for an extension of time to complete repairs.
- (9) 16-RV-27, **111 E. 16<sup>th</sup> Street**, H.A.N.D. (Mary Karen S. Haley). Request for rescission of a variance.
- (10) 16-RV-29, **714 E. 2<sup>nd</sup> Street**, H.A.N.D. (Dawid Maidi). Request for rescission of a variance.
- (11) 16-RV-30, **310 E. 17<sup>th</sup> Street**, H.A.N.D. (Michael & Julia Donham). Request for

rescission of a variance.

- (12)16-RV-31, **302 E. 19<sup>th</sup> Street**, H.A.N.D. (Lon Stevens). Request for rescission of a variance.
- (13)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.
- (14)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.
- (15)16-RV-34, **1012 W. 6<sup>th</sup> Street**, H.A.N.D. (Lawrence Cook & Su Fredrickson). Request for rescission of a variance.
- (16)16-TV-35, **101-103 S. Yancy Lane**, Wilma Estelle Corrigan (Dorothy Dowdy). Request for an extension of time to complete repairs.
- (17)16-RV-36, **705 E. Allendale Drive**, H.A.N.D. (Mary L. Hartle). Request for rescission of a variance.
- (18)16-RV-37, **306 S. Euclid Avenue**, H.A.N.D. (Norman Ladd). Request for rescission of a variance.
- (19)16-RV-38, **715 N. Maple Street**, H.A.N.D. (Richard D. Wells). Request for rescission of a variance.
- (20)16-RV-39, **148-150 E. Willow Court**, H.A.N.D. (Dwayne Woods). Request for rescission of a variance.
- (21)16-TV-40, **3717 E. 3<sup>rd</sup> Street**, Xiu Dong. Request for an extension of time to complete repairs.
- (22)16-RV-41, **430 E. 10<sup>th</sup> Street**, H.A.N.D. (10-29, LLC). Request for rescission of a variance.
- (23)16-TV-42, **102 S. Hillsdale Drive**, Mike Hensinger (Surariz, LLC). Request for an extension of time to complete repairs.
- (24)16-TV-44, **402 S. Highland Avenue**, Dorothy Kinney. Request for an extension of time to complete repairs.
- (25)16-RV-45, **417 S. Fess Avenue**, H.A.N.D. (Mary Alice Hoover). Request for rescission of a variance.
- (26)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.
- (27)16-RV-47, **505 W. Dodds Street**, H.A.N.D. (Jane Henderson). Request for rescission of a variance.
- (28)16-RV-48, **1105 S. Fairview Street**, H.A.N.D. (CPW Properties, LLC). Request for rescission of a variance.

- (29)16-TV-49, **2010 N. Monroe Street**, Jennifer & Allen Teare (Pegasus Properties). Request for an extension of time to complete repairs.
- (30)16-TV-50, **1019 W. Gourley Pike**, Jennifer & Allen Teare (Pegasus Properties). Request for an extension of time to complete repairs.
- (31)16-RV-52, **317 N. Fairview Street**, H.A.N.D. (Jane Henderson). Request for rescission of a variance.
- (32)16-TV-53, **708 S. Park Avenue**, Ian Miller. Request for an extension of time to complete repairs.
- (33)16-RV-54, **509 N. Grant Street**, H.A.N.D. (Roger Fierst). Request for rescission of a variance.
- (34)16-RV-56, **2331 E. 7<sup>th</sup> Street**, H.A.N.D. (Matt & Donna Carter). Request for rescission of a variance.
- (35)16-RV-57, **643 N. Monroe Street**, H.A.N.D. (Kathleen Johnson). Request for rescission of a variance.
- (36)16-RV-58, **704 W. Allen Street**, H.A.N.D. (Karen Cherrington). Request for rescission of a variance.
- (37)16-RV-59, **411 N. Washington Street**, H.A.N.D. (Mary & Dan Friedman). Request for rescission of a variance.
- (38)16-TV-61, **305 S. Euclid Street**, Bloomington Rentals (Evie Ladin). Request for an extension of time to complete repairs.
- (39)16-TV-64, **607 N. Monroe Street**, Janel Fifer. Request for an extension of time to complete repairs.
- (40)16-TV-65, **212 S. Roosevelt Street**, Yaling Huang. Request for an extension of time to complete repairs.
- (41)16-RV-66, **510 S. Woodlawn Avenue**, H.A.N.D. (Larry McConnaughy). Request for rescission of a variance.
- (42)16-RV-67, **503 N. Grant Street**, H.A.N.D. (Roger Fierst). Request for rescission of a variance.
- (43)16-RV-68, **1207 S. Lincoln Street**, H.A.N.D. (Jonathan Cargill). Request for rescission of a variance.
- (44)16-RV-69, **613 E. Moody Drive**, H.A.N.D. (Spicer Rentals). Request for rescission of a variance.
- (45)16-RV-70, **1612 E. Matlock Road**, H.A.N.D. (Cream and Crimson Management, LLC). Request for rescission of a variance.
- (46)16-TV-71, **328 S. Fairview Street**, Bloomington Rentals (Rob DeCleene). Request for an extension of time to complete repairs.

- (47)16-RV-72, **1114 S. Woodlawn Avenue**, H.A.N.D. (Kenneth Craig). Request for rescission of a variance.
- (48)16-RV-75, **211 S. Roosevelt Street**, H.A.N.D. (David & Lesa Henson). Request for rescission of a variance.
- (49)16-RV-76, **1503 S. Walnut Street**, H.A.N.D. (James Crane). Request for rescission of a variance.
- (50)16-RV-77, **723 S. Park Avenue**, H.A.N.D. (Patricia St. John). Request for rescission of a variance.
- (51)16-TV-78, **604 W. Allen Street**, Don Miller. Request for an extension of time to complete repairs.
- (52)16-TV-79, **3011 S. Acadia Court**, Scott Perez (Elon Property Management). Request for an extension of time to complete repairs.
- (53)16-TV-80, **1832 S. Covey Lane**, Bret Johnson on behalf of Brady Johnson (LifeDesigns). Request for an extension of time to complete repairs.
- (54)16-RV-81, **104 E. Wilson Street**, H.A.N.D. (Robert Keefer). Request for rescission of a variance.
- (55)16-RV-82, **631 N. Walnut Street**, H.A.N.D. (Jon Holden). Request for rescission of a variance.
- (56)16-RV-83, **104 N. Roosevelt Street**, H.A.N.D. (David & Bonnie Steele). Request for rescission of a variance.
- (57)16-RV-84, **417 E. 9<sup>th</sup> Street**, H.A.N.D. (PLK Rentals, LLC). Request for rescission of a variance.
- (58)16-TV-85, **111 E. 16<sup>th</sup> Street**, Emily Brown (Karen Haley). Request for an extension of time to complete repairs.
- (59)16-RV-86, **320 E. 1<sup>st</sup> Street**, H.A.N.D. (Karen Allen). Request for rescission of a variance.
- (60)16-TV-87, **549 S. Lincoln Street**, Matt Murphy. Request for an extension of time to complete repairs.
- (61)16-TV-88, **1518 E. Atwater Avenue**, Cedarwood Properties, LLC. Request for an extension of time to complete repairs.
- (62)16-RV-89, **415 E. 4<sup>th</sup> Street**, H.A.N.D. (Anyetsang Properties). Request for rescission of a variance.
- (63)16-RV-91, **339 S. Fairview Street**, H.A.N.D. (Karen Allen). Request for rescission of a variance.
- (64)16-RV-92, **500 N. Grant Street/401 ½ E. 9<sup>th</sup> Street**, H.A.N.D. (Douglas McCoy). Request for rescission of a variance.
- (65)16-TV-93, **815 N. College Avenue**, GMS Enterprises. Request for an extension of time to complete repairs.
- (66)16-TV-94, **2367 S. Brandon Court**, Scott Perez (Elon Property Management). Request for an extension of time to complete repairs.

(67)16-TV-95, **120 S. Kingston Drive**, Mick Hix (David Bilfeld). Request for an extension of time to complete repairs.

V. **PETITIONS**

(68)16-AA-28, **825 S. Eastside Drive**, Susan Powell (Byrne Trust – Cal Beisner, executor). Request for relief from an administrative decision.

(69)16-AA-43, **1124 S. Henderson Street**, Our Cottage Industry, LLC. Request for relief from an administrative decision.

(70)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.

(71)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.

(72)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.

(73)16-AA-62, **2504 E. Covenant Drive**, Kim Underwood (Bill & Barb Sycks). Request for relief from an administrative decision.

(74)16-AA-63, **2633 E. Oaklawn Court**, Jerome C. & Melinda B. Neely. Request for relief from an administrative decision.

(75)16-AA-73, **1516 E. Matlock Road**, Pamela London & Samuel Zivot. 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).*

# B.H.Q.A. MEETING OF JANUARY 20, 2016

## SUMMARY

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

STAFF PRESENT: Michael Arnold, Daniel Bixler, John Hewett, Doris Sims, Jo Stong, Dee Wills (HAND), Christopher Wheeler (Legal)

GUESTS: William Avery (1016 W. Country Club Road), Jessica Jackson (Colonial Crest Apartments), Suzanne Peperak (Smallwood Plaza)

Meeting start time 4:00 PM.

### I. REVIEW OF SUMMARY

Hamilton made a motion to approve the minutes for December 16, 2015. Gastineau seconded. Motion passed, 5-0.

### II. CONSENT AGENDA

15-TV-25, **703 W. Gourley Pike**, Jessica Jackson (Copper Beech Town Home Communities Twenty-Two, LLC). Request for an extension of time to complete repairs. Previously heard February 18, 2015 and March 18, 2015. Staff recommendation to grant the request with a March 20, 2016 deadline.

15-TV-138, **907 W. RCA Park Drive**, John Vargo. Request for an extension of time to complete repairs. Previously heard July 15, 2015. Staff recommendation to grant the request with a February 20, 2016 deadline.

15-TV-194, **1503 S. Dorchester Drive**, Chad Minks (Donald W. Bevis). Request for an extension of time to complete repairs. Previously heard October 21, 2015. Staff recommendation is to deny the request.

16-RV-01, **3801-3811 E. Morningside Drive**, H.A.N.D. (Woodington Management). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-03, **3332 N. Windcrest Drive**, Orion Property Management (Allison Bektesh). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a January 28, 2016 deadline.

16-RV-04, **815 N. Park Avenue**, H.A.N.D. (Jaqueline Willens). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-05, **1101 S. Grant Street**, H.A.N.D. (Bloomington Free Methodist Church). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-06, **1101 S. Dunn Street**, H.A.N.D. (Peggy Watson). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-07, **444 E. 3<sup>rd</sup> Street**, Burnham Place Apartments. Request for an extension of time to complete repairs. This petition was withdrawn.

16-RV-09, **521 S. Mitchell Street**, H.A.N.D. (Cadjon Properties). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-10, **404 S. Washington Street**, H.A.N.D. (Mark & Tracy Rothrock). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-11, **622 E. 8th Street**, Stasny & Horn, IGP. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 08, 2016 deadline.

16-AA-13, **739 E. Sherwood Hills Drive**, Ozan Bas. Request for relief from an administrative decision. Staff recommendation to grant the request for relief from the rental registration program on condition that property is owned by current owner, Ozan Bas, and is occupied by Ozen Bas, with the property pulled dated for thirty days to check on the status of Ms. Kilictepe and one year to check general status.

16-AA-14, **589 E. Graham Place**, Byron Naum. Request for relief from an administrative decision. Staff recommendation to grant the request for relief from the rental registration program on condition that property is owned by current owner, Byron A. Naum, and is occupied by Scott Newland and his daughters. The property will be pulled dated for one year to check general status.

16-RV-16, **521 S. Fess Avenue**, H.A.N.D. (John C. Simpson). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-RV-17, **401 S. Dunn Street**, H.A.N.D. (John C. Simpson). Request for rescission of a variance.

Staff recommendation to grant the rescission.

16-RV-18, **612 S. Grant Street**, H.A.N.D. (John C. Simpson). Request for rescission of a variance.

Staff recommendation to grant the rescission.

16-TV-19, **423 S. Fess Avenue**, Jeanne Walters Real Estate (College Rentals, Inc.). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 30, 2016 deadline.

16-RV-20, **625 S. Walnut Street**, H.A.N.D. (First Choice Real Estate). Request for rescission of a variance. Staff recommendation to grant the rescission.

16-TV-21, **609 W. 6<sup>th</sup> Street**, H.A.N.D. (Dana Morrison). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a March 20, 2016 deadline.

**Approved.**

### III. PETITIONS

16-AA-22, **455 N. College Avenue**, Smallwood Plaza (Barrett & Stokely/John Jacobs). The petitioner, Suzanne Peperak, was present to request relief from an administrative decision that limited their rental permit to three years for this cycle. Staff recommendation was to deny the request. Gastineau made a motion to deny the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request denied.

16-TV-02, **2374 S. Henderson Street**, Muhammad Rana (Yaqoob Rana). The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a January 31, 2016 deadline for smoke detectors and a March 20, 2016 deadline for all other repairs. Gallman made a motion to grant the request with a January 31, 2016 deadline for smoke detectors, all loose electrical receptacles and missing electrical cover plates and a March 20, 2016 deadline for all other repairs. Floyd seconded. Motion passed, 5-0. Request granted.

16-AA-08, **614 S. Lincoln Street**, David Kerber (Kadhim Shaaban). The petitioner was not present to request relief from an administrative decision that limited their rental permit to three years for this cycle. Staff recommendation was to deny the request. Floyd made a motion to deny the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request denied.

16-TV-12, **719 ½ W. 3<sup>rd</sup> Street**, Norman Ladd. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a March 04, 2016 deadline. Gallman made a motion to grant the request with a January 31, 2016 deadline for smoke detectors and furnace violations and a March 04, 2016 deadline for all other repairs. Hamilton seconded. Motion passed, 5-0. Request granted.

16-AA-15, **1205 N. Madison Street**, Diamond Properties, LLC. The petitioner was not present to request relief from an administrative decision that limited their rental permit to three years for this cycle. Staff recommendation was to grant the request and restore permit to five year length for cycle. Hamilton made a motion to grant the request per staff recommendation. Binder seconded. Motion passed, 5-0. Request granted.

16-TV-23, **1205 S. Rogers Street**, Fortune Properties (US Assets, LLC). The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a March 12, 2016 deadline. Gallman made a motion to grant the request with a January 31, 2016 deadline for furnace documentation and a March 12, 2016 deadline for all other repairs. Hamilton seconded. Motion passed, 5-0. Request granted.

16-AA-24, **1016 W. Country Club Drive**, William Avery. The petitioner, William Avery, was present to request relief from an administrative decision that limited his rental permit to three years for this cycle. Staff recommendation was to deny the request. Gastineau made a motion to deny the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request denied.

**IV. GENERAL DISCUSSION**

Floyd made a motion to adopt changes made to by-laws, updating language to reflect current code references. Hamilton seconded. Motion passed, 5-0.

**V. PUBLIC COMMENT**

None.

**VI. ADJOURNMENT**

Floyd made motion to adjourn. Gastineau seconded. Motion unanimously passed. Meeting adjourned at 5:04 PM.



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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

JA



RECEIVED  
FEB 16 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: DW

Property Address: 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 4-5 surprises and I have not been able to do the repairs needed. I want to wrap all window casings in Aluminum and install white Aluminum 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 Willr

Signature (required):

*Mike Beyers*

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: April 20, 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: April 30, 2016 - Smoke Detectors and Life Safety Violations  
June 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)

RECEIVED  
AUG 10 7 2015  
BY \_\_\_\_\_

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

Property Address: 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@crentals.com](mailto:parkdoral@crentals.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@crentals.com](mailto:parkdoral@crentals.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. Coller  
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

Inspector: Norman Mosier

Primary Heat Source: Gas

Foundation Type: Basement

Property Zoning: RH

Attic Access: Yes

Number of Stories: 2

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

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)

---

**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: April 20, 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: April 30, 2016 – For life safety violations.  
June 20, 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. yamsy)

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 (73) 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)

4/5 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)

4/5 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: 20 April 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: 05 May 2016

Attachments: Application



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 April 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: 05 May 2016

Attachments: Application

AM



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 April 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: 05 May 2016

Attachments: Application



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 April 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: 05 May 2016

Attachments: Application





RECEIVED  
01.19.16

Application for Appeal <sup>DAB</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) (110-116) (113-115) & (114-116) PINEWOOD RD

Petitioner's Name: ASHAEL L SUMMITT

Address: 8319 MOCKINGBIRD LANE

City: INDIANAPOLIS State: INDIANA Zip Code: 46256

Phone Number: 317-849-7214 Email Address: \_\_\_\_\_

Property Owner's Name: ASHAEL L. SUMMITT

Address: 8319 MOCKINGBIRD 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 J. 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.

1/14/2010

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)

DATE 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 DONIS SIMS.

SHE HAS BEEN VERY BUSY IN MEETINGS LAST WEEK I WAS OUT THERE TO JOHN HEWETT. 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 OUTLINE 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 SINCE THE  
TENANT MOVED OUT ON JULY 31ST  
GIVING ME TWO MONTHS RENT, THE  
INSIDE AND OUTSIDE HAD BEEN  
TOTALLY TRASHED. THE SUBLEASEE THE  
AGENT MET AND HE HAD TO FORCE  
THEM OUT.

AS OF THIS DATE WE HAVE SPENT  
12,000<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. TERMIKIN  
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

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 MILD 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 BATHROOM 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 BATHROOM 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 DR

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 DR

WE HAVE NOT INSPECTED THIS ONE AS YET.

(5)

BASED ON ALL OF THE ABOVE  
AND, WEATHER CONDITIONS AND  
THE PROBLEM OF GETTING HELP  
ON A TIMELY BASIS, 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: April 20, 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: April 30, 2016 – For Life Safety Violations  
June 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. Straenmeyer Rd.

City: New Palestine State: IN Zip Code: 46163

Phone Number: 317-4307393 Email Address: chasityadk2003@yahoo.com

Property Owner's Name: Jake Flagle

Address: Same

City: Same State: IN 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.

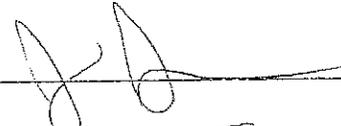
OFFICE USE ONLY  
Petition Number 15-TV-253

SEE REVERSE

OLD BUSINESS

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

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 windows costing around \$1000.00 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 18th 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  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1  
Inspector: Norman Mosier  
Foundation Type: Basement  
Attic Access: No  
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)

<b>401 N Morton St</b>	<b>City Hall</b>	<b>Rental Inspection (812) 349-3420</b>
<b>Bloomington, IN 47404</b>		<b>Neighborhood Division (812)</b>
		<b>349-3421</b>
<b>Fax (812) 349-3582</b>	<b>bloomington.in.gov</b>	<b>Housing Division (812) 349-3401</b>

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: April 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-261(Old Business)

Address: 1705 N Lincoln St.

Petitioner: College Properties

Inspector: John Hewett

Staff Report: August 4, 2015 Cycle Inspection with Maintenance  
 October 8, 2015 Re-inspection with Maintenance  
 October 29, 2015 Received Appeal  
 December 16, 2015 BHQA granted extension until February 15, 2016  
 February 29, 2016 Agent called, they have not received variance.  
 March 1, 2016 Received appeal to consider under old business.

This property was built with windows that do not meet the egress requirement of the Code at time of construction. The petitioner appealing to the State for a variance and requests additional time to go through the process. The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990. The relevant code is the 1998 Indiana Building Code, section: 310.4.

Openable area required:	<b>5.7sq. ft.</b>	Existing area: <b>4.72sq. ft.</b>
Clear width required:	20"	Existing width: 34"
Clear height required:	24"	Existing height: 20"
Maximum sill height:	44" above finished floor	Existing sill: 36"

The petitioner is requesting additional time as they have not received a variance from the State of Indiana.

Staff recommendation: Grant the request.

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

Compliance Deadline: June 19, 2016

Attachments: Cycle Inspection report, Appeal letters

RECEIVED  
2.29.16  
DZB



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: 1705 N. Lincoln Street

Petitioner's Name: Dan Langley

Address: 3503 N. Lakeview #1

City: Chicago State: IL Zip Code: 60657

Phone Number: 312.310.1438 Email Address: dlangley812@hotmail.com

Property Owner's Name: College Properties

Address: 2015 N. Dixon Street

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812.323.0713 Email Address: management@varsity-properties.com

Occupants: Brittany Manion

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.

\*Already pd. in December

OFFICE USE ONLY

Petition Number 15-TV-261

(OLD BUSINESS)

SEE REVERSE

PREVIOUSLY HEARD 12.16.15

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.

We are requesting another extension to obtain a variance from the State.

Multiple horizontal lines for additional text input.

Signature (required): Vaughn Mitchell

Name (please print): Vaughn Mitchell Date: 2/29/16

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  
Housing and Neighborhood Development

Cycle Report

3480

OWNERS

Langley, Daniel  
2440 N. Lakeview #120  
Chicago, IL 60614

AGENT

College Properties  
2015 N. Dunn St.  
Bloomington, IN 47408

Prop. Location: 1705 N Lincoln ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: 1/2/5

Date Inspected: 08/04/2015	Inspectors: John Hewett
Primary Heat Source: Electric	Foundation Type: Slab
Property Zoning: RH	Attic Access: Yes
Number of Stories: 2	Accessory Structure:

The Monroe County Assessors records indicate that this structure was built in 1990. These are the minimum egress requirements.

Clear opening height: 24"

Clear opening width: 20"

Sill height: 44" above finished floor

Openable area: 5.7 sq. ft.

Interior

Living room

12-0 x 16-9

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

Kitchen

12-0 x 8-9

No violations noted.

Bathroom, Laundry

No violations noted.

2<sup>nd</sup> Floor

Back bedroom

13-0 x 10-7

Properly clean the carpet to eliminate the cat feces. BMC 16.04.060(a)

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

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990. The relevant code is the 1998 Indiana Building Code, section 310.4.

Openable area required:	5.7sq. ft.	Existing area:	4.72 sq. ft.
Clear width required:	20"	Existing width:	34"
Clear height required:	24"	Existing height:	20"
Maximum sill height:	44" above finished floor	Existing sill:	36"

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

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

Front bedroom

13-0 x 11-0

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1990. The relevant code is the 1998 Indiana Building Code, section 310.4.

Openable area required:	5.7sq. ft.	Existing area:	4.72 sq. ft.
Clear width required:	20"	Existing width:	34"
Clear height required:	24"	Existing height:	20"
Maximum sill height:	44" above finished floor	Existing sill:	36"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window

is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

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

Bathroom

Repair the tub drain to drain properly, it is slow. BMC 16.04.060(c)

Hallway

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

Exterior

Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction. BMC 16.04.020(3), Indiana Fire Code Sec. 308.3.1 & Sec. 308.3.1.1

Exceptions:

1. One & Two family dwellings
2. Where the buildings & decks are protected by an automatic sprinkler system

Charcoal grills may be stored in these locations. Gas grills may be stored in these locations without the propane tank (Propane tanks shall not be stored in the living space, garage or storage shed).

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

This is the end of this report.



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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: June 20, 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**)

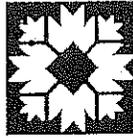
**REMINDER:** A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY  
Petition Number 15-TV-276  
(OLD BUSINESS)

SEE REVERSE

Previously  
12.16.15  
AIM





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: April 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 15-TV-278 (old business)

Address: 2455 E. Tamarack Trail

Petitioner: Edward Pate, Maintenance Director

Inspector: Stong/Swinney/Wills

Staff Report: September 1, 2015: Conducted cycle inspection  
September 15, 2015: Mailed report to owner and agent  
November 17, 2015: Received BHQA appeal, mailed Remaining Violations Report  
December 16, 2015: BHQA granted an extension of time to complete repairs until December 31, 2015 for smoke detector and all other life-safety violations, and until January 30, 2016 for all other violations.  
February 2, 2016: Conducted re-inspection, not all complied  
February 24, 2016: Received second BHQA appeal

During a cycle inspection several violations of Title 16 were found, including some life-safety issues and smoke detector violations. The petitioner is seeking an extension of time to complete repairs, citing paperwork being delivered to the office in Boston, MA and not to them until February 22, 2016. On April 12, 2016 the petitioner stated that he is waiting for a window to be delivered and the supplier says it will be delivered by May 1, 2016.

Staff recommendation: Grant the extension of time.

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

Compliance Deadline: May 19, 2016

Attachments: Remaining Violations report, Appeal

*JK*



RECEIVED  
FEB 24 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: 2455 TAMARACK TRAIL Blgmt 47408

Petitioner's Name: Edward Pate MAINT Director

Address: 2455 TAMARACK TRAIL B

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812 345-1719 Email Address: EPATE@SSSL.COM

Property Owner's Name: Meadowood 5 STAR Retirement

Address: 2455 TAMARACK TRAIL

City: Bgmt State: IN Zip Code: 47408

Phone Number: 812 336-7060 Email Address: \_\_\_\_\_

Occupants: Retirement Community

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-278

(OLD BUSINESS)

SEE REVERSE

previously Dec. 16, 2015

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 Reinspect papers went to our Boston MA office and they were mailed to us received in Boston on the 5th not sent out to us until the 19th & we received it on the 22nd.

Just need a couple weeks to complete all problems.

Signature (required): E. Pate

Name (please print): Edward L. Pate Date: 2/24/16

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

FEB 05 2016

7197

Owner

Five Star Quality Care  
400 Centre Street  
Newton, MA 02458

Agent

G. Randy Hornstein  
2455 Tamarack Trail  
Bloomington, IN 47408

Prop. Location: 2455 E Tamarack Trail

Number of Units/Structures: 185/24

Units/Bedrooms/Max # of Occupants: Bld 1: Bld Bldg 2510: 1/3/5, Bld Bldg 2620: 1/3/5, Bld Bldg 787: 2/3/5, Bld Bldg 940: 2/2/4, Bld Bldg 933: 1/2/4 1/3/5, Bld Bldg 932: 1/3/5, Bld Bldg 931: 7/2/4, Bld Bldg 926: 1/2/4, Bld Bldg 928: 1/3/5, Bld Bldg 901: 2/1/2 6/2/4 1/3/5, Bld Bldg 1001: 1/1/2 3/2/4 2/3/5, Bld Bldg 1012: 3/2/4 1/3/5, Bld Bldg 1013: 1/1/2 4/2/4 2/3/5, Bld Bldg 1026: 4/2/4 2/3/5, Bld Bldg 1041: 1/1/2 1/2/4 1/3/5, Bld Bldg 1047: 1/1/2 5/2/4, Bld Bldg 1046: 1/1/2 4/2/4, Bld Bldg 1162: 6/2/4, Bld Bldg 1151: 6/2/4 2/3/5, Bld Bldg 1130: 3/2/4 1/3/5, Bld Bldg 1113: 1/1/2 6/2/4 1/3/5, Bld Bldg 1128: 3/3/5, Bld Bldg 1101: 1/1/2 5/2/4, Bld Bldg 003: 26/1/2 57/2/4 3/3/5

Date Inspected: 09/01/2015  
Primary Heat Source: Electric/Gas  
Property Zoning: PUD  
Number of Stories: 3

Inspector: Jo Stong/Swinney/Wills  
Foundation Type: Crawl Space/Basement  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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

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

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

*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

### General Statement for all Units

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

### Units with Gas Fire Places, Gas Furnaces

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

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

### Garden Homes

#### E. Juniper Place

##### UNIT 935

##### Living Room

Properly repair the ceiling where the drywall tape is separating. BMC 16.04.060(a)

##### 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)

##### Left Bedroom

Properly repair the window to open with ease and to function as intended. BMC 16.04.060(b)

##### UNIT 915

##### Master Bathroom

Repair the surface of the ceiling to be free of peeling paint and sagging materials above the sink area. BMC 16.04.060(a)

##### UNIT 907

##### Hall Bathroom

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

### E Sassafras Circle

#### UNIT 1020

##### Left Bath

Secure toilet to its mountings. BMC 16.04.060(c)

##### UNIT 1025

Repair all smoke detectors in this unit to be interconnected. IC 22-11-18-3.5

##### UNIT 1026

##### Entire Unit:

Properly install floor covering. BMC 16.04.060(a)

Left Bath:

Secure the loose electrical receptacle. BMC 16.04.060(b)

Right Bath:

Properly install a vanity. BMC 16.04.060(a), (c)

Living Room:

Replace the missing electrical receptacle cover plate. BMC 16.040.060(a)

Kitchen:

Complete the installation of all cabinets, appliances and utilities. BMC 16.04.060(a), (c)

**UNIT 1032**

Right Bath

Properly seal the shower where it meets the floor. BMC 16.04.060(a)

Left Bath

Secure toilet to its mountings. BMC 16.04.060(c)

**UNIT 1031**

Dining Room

Repair the door to function as intended (will not open). BMC 16.04.060 (b)

**UNIT 1049**

Entry

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

Deck

**Properly secure the guardrail on the deck so that it is capable of supporting normally-imposed loads.  
BMC 16.04.050(b)**

**UNIT 1052**

Entire Unit:

Properly install floor covering. BMC 16.04.060(a)

Properly install lighting. BMC 16.04.060(b), (c)

Kitchen:

Complete the installation of all cabinets, appliances and utilities. BMC 16.04.060(a), (c)

Hallway:

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

**E. Linden Dr.**

**UNIT 1101**

**Repair all smoke detectors in this unit to be interconnected. IC 22-11-18-3.5**

**UNIT 1115**

Hall Bathroom

Secure loose electrical receptacle. BMC 16.04.060(b)

**UNIT 1123**

**Water Heater**

TPR valve discharge tube needs to be installed. BMC 16.04.060(c)

**UNIT 1125**

**Service Panel**

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

**UNIT 1127**

**Master Bathroom**

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

**UNIT 1129**

**Kitchen**

Properly complete the installation of all appliances. BMC 16.04.060(c)

**UNIT 1141**

**Master Bathroom**

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

**UNIT 1160**

**Front Bedroom**

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

**Kitchen:**

Complete the installation of all cabinets, appliances and utilities. BMC 16.04.060(a), (c)

**SYCAMORE RIDGE HOUSES**

**UNIT 787**

**Front Bathroom:**

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

**MAIN APARTMENT BUILDING**

**UNIT 104**

**Left Bedroom**

Repair the smoke detectors in this room to be interconnected. IC 22-11-18-3.5

Secure loose electrical receptacle by the door. BMC 16.04.060(b)

**UNIT 106**

**Hallway**

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

**UNIT 110**

Properly cover open slot/s in electrical panel. BMC 16.04.020 and BMC 16.04.060(b)

**Bathroom**

Secure toilet to its mountings. BMC 16.04.060(c)

**UNIT 118**

**Right Bathroom:**

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

**UNIT 133**

**Kitchen**

**Repair the GFCI outlet to function as intended. BMC 16.04.020 (IEC 210.8) and BMC 16.04.060(b)**

**UNIT 136**

**Master Bath:**

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

**UNIT 137**

**Kitchen**

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

**APT BLDG**

**2<sup>nd</sup> FLOOR**

**UNIT 204**

**Left Bath**

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

**UNIT 213**

**Left Bedroom**

Repair the windows to function as intended (to open and close easily and to latch properly). BMC  
16.04.060(b)

**UNIT 216**

**Hallway**

Properly repair the floor so that it is level. This includes but is not limited to replacing or repairing damaged  
or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

**UNIT 222**

**Sunroom**

Properly repair and surface-coat the cracks in the walls. BMC 16.04.060(a)

**UNIT 224**

**Sunroom**

Properly repair and surface-coat the crack in the left wall. BMC 16.04.060(a)

**UNIT 237**

**Right Bath**

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

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

**UNIT 338**

**Right Hallway**

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

**Repair all smoke detectors in this unit to be interconnected. IC 22-11-18-3.5**

**EXTERIOR:**

**General Violation 1 for all buildings/units:**

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

**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: 20 April 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: April 20, 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: December 2, 2015 – conducted Cycle Inspection  
December 30, 2015 – Received BHQA Application  
March 18, 2016 – Conduced Re-inspection

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: April 20, 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



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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: April 20, 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

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: May 2, 2016 To schedule a reinspection  
June 1, 2016 To complete repairs to the common stairwells

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

44



RECEIVED  
JAN 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: 3100 S. Walnut St. Pt.

Petitioner's Name: Katie Flora

Address: 3100 S. Walnut St. Pt.

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-339-3388 Email Address: KFlora@outlook.com

Property Owner's Name: Grandview Care

Address: 1515 S. Osbornby Station Ct.

City: Louisville State: KY Zip Code: 40003

Phone Number: 502-581-1113 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 2013 with the exception of the repairs to our common stairwells. This repair has been started, but will not be completed by 1/9/14. 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: 1/8/14

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



City of Bloomington  
Housing and Neighborhood Development

NOV 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

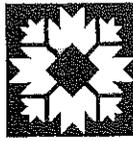
Xc: Flora, Katie

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

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  $\frac{3}{4}$  inches  
Width: 30  $\frac{1}{4}$  inches  
Sill Height: 34  $\frac{1}{2}$  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)

**1<sup>st</sup> 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.

**1<sup>st</sup> 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: April 20, 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. 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: April 20, 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

AW

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: October 20, 2016

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



RECEIVED  
JAN 11 2016

BY: RU

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 Carrigan *agent for Dorothy Dowdy*  
Address: 11711 Morning Grove Dr.  
City: Las Vegas State: NV Zip Code: 89135  
Phone Number: 702-219-2202 Email Address: medsca@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:   
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: April 20, 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

WJ



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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

Wx



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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  
March 16, 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

JK



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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  
March 16, 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



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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: April 29, 2016

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

44



RECEIVED  
01.15.16  
023

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

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**

---

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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

Handwritten initials or mark.



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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. The contractor that was to do the painting was injured and the petitioner is now going to complete the work himself.

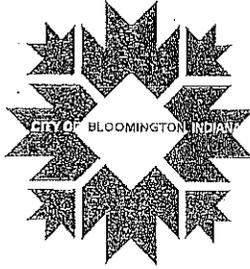
Staff recommendation: Grant the extension

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: May 1, 2016

Attachments: Application for Appeal, Exterior Extension Reminder

*Handwritten initials*



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: Suzriz 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 Hillsdale 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: April 20, 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: June 16, 2016

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

AK



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

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 Smagur  
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 enamel 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  
REC'D  
FVAN. 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)

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401 N Morton St	City Hall	Rental Inspection (812) 349-3420
Bloomington, IN 47404		Neighborhood Division (812) 349-3421
Fax (812) 349-3582	bloomington.in.gov	Housing Division (812) 349-3401

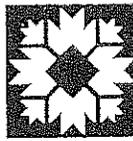
**OTHER REQUIREMENTS:**

**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)

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)

Bathroom:

~~C~~

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

Hallway:

C

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

W Bedroom 17-2 x 10-7:

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

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 <sup>REMOVED</sup> 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 for Extension of Time**

Meeting Date: April 20, 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: April 26, 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: CW

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

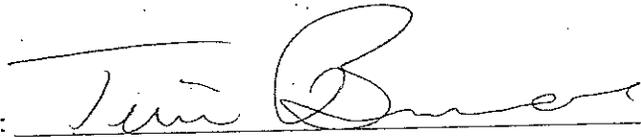
Petition Number 16-TV-46

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):



Name (please print):

TIM BONNER

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

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)**

---

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.

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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

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)**

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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: April 20, 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: April 20, 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

JA



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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 5, 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: April 30, 2016 – For smoke detectors and life safety violations.  
June 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: Blyth State: IN Zip Code: 47461

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.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**

**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.

**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: April 20, 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  
January 25, 2016 – Received 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: April 30, 2016 – For life safety repairs  
June 20, 2016 – For all other repairs

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

RECEIVED  
JAN 25 2016



BY: EU

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: pegasus-properties@gmail.com

Property Owner's Name: Jennifer & Allen Teare

Address: 2799 Crabapple Circle

City: Blyth 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

NM

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  
NM

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: April 20, 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

*Handwritten initials*



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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 20, 2016

Attachments: Petitioner's appeal



RECEIVED  
JAN 28 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)

**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: 20 April 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: April 20, 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



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 April 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. This structure was built in 1925. Please rescind this variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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: April 20, 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  
March 16, 2016: BHQA meeting cancelled due to lack of quorum

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

*Handwritten initials/signature*



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 April 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 Reinspecton  
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 July 2016

Attachments: EE Report, Application

14



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](mailto: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: Ernie 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)

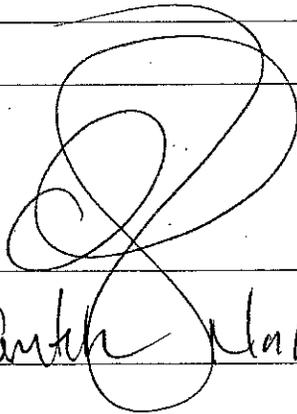
REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

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):

Anita 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: April 20, 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

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 29, 2016

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



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: 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:

C  
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**

C  
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**

C  
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: April 20, 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: April 30, 2016 – For All Life Safety Violations  
June 20, 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  
 P.O. Box 100  
 Bloomington, IN 47402  
 812-349-3420  
 hand@bloomington.in.gov

Property Address: 212 S. Roosevelt St. Bloomington IN 47408

Petitioner's Name: Yaling Huang

Address: P.O. Box 1601

City: Bloomington State: IN Zip Code: 47402

Phone Number: (812) 322-8829 Email Address: F.P.FORRENT@GMAIL.COM

Property Owner's Name: SAME AS ABOVE

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

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

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

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

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

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

Please 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.

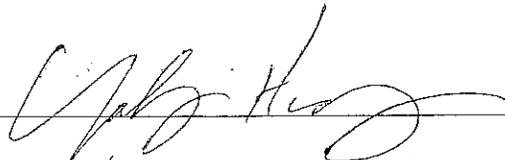
OFFICE USE ONLY  
 Petition Number 16-TV-65

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):



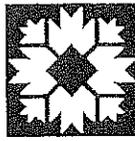
Name (please print):

YALING 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: April 20, 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: 20 April 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-070  
Address: 1612 E. Matlock Rd.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 20 February 2016      Cycle Inspection  
                  17 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 the Rental Occupancy Permit, but will not negatively affect the length of the 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: 20 April 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: 20 June 2016

Attachments: Application, Cycle Inspection



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

DVB

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 Spive 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.

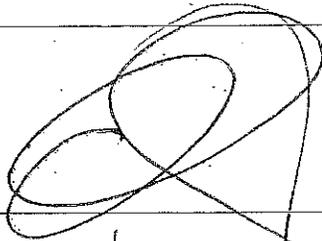
OFFICE USE ONLY  
Petition Number 16-TV-71

SEE REVERSE

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

Need to schedule a new painter

Signature (required):



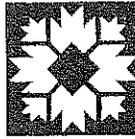
Name (please print):

Gordon 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.** BMC16.03.050 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: 20 April 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-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 to Rescind Variance**

Meeting Date: April 20, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-75  
Address: 211 S. Roosevelt St.  
Petitioner: HAND  
Inspector: Maria McCormick  
Staff Report: October 22, 2015 Completed cycle inspection  
February 19, 2016 BHQA Application Received

This property (built in 1978) 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: April 20, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-76  
Address: 1503 S. Walnut St.  
Petitioner: HAND  
Inspector: Norman Mosier  
Staff Report: February 5, 2016 – Conducted Cycle Inspection  
February 24, 2016 – Received BHQA Appeal

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-77  
Address: 723 S. Park Ave.  
Petitioner: HAND  
Inspector: Norman Mosier  
Staff Report: November 5, 2015 – Conducted Cycle Inspection  
February 24, 2016 – Received BHQA Appeal

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016  
Petition Type: An extension of time to complete repairs.  
Petition Number: 16-TV-78  
Address: 604 W. Allen St.  
Petitioner: Don Miller  
Inspector: Norman Mosier  
Staff Report: January 5, 2016 – Conducted Cycle Inspection  
February 24, 2016 – Received BHQA Appeal

It was noted during the cycle inspection that the flower boxes adjacent to the front porch are failing and the garage door is in disrepair. 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: June 20, 2016

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

RECEIVED  
FEB 24 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: 604 W Allen, BLOOMINGTON

Petitioner's Name: DON MILLER

Address: 12801 LAKEWOOD DR

City: MIDDLETOWN State: IN Zip Code: 47356

Phone Number: 765 430 4778 Email Address: harleydon@gmail.com

Property Owner's Name: DON MILLER

Address: SAME AS ABOVE

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

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

Occupants: CHARLES CULP

**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-78

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.

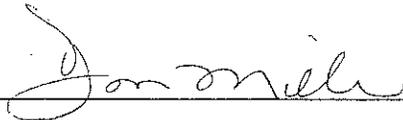
A. REPLACE THE FAILING GARAGE DOOR BMC 16.04.060(a)

THIS IS NOT PART OF RENTAL. SEE ATTACHED SHEET.

B. REPAIR/REPLACE FAILING FLOWER BOXES ADJACENT TO FRONT PORCH BMC 16.04.050 (a)

REQUEST ADDITIONAL TIME (UNTIL MAY 15) TO MAKE NECESSARY REPAIR.

Signature (required):



Name (please print):

DON MILLER

Date:

2/21/16

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 INSPECTION REPORT

10653

Owner(s)

Justin P. Miller  
347 Emerson Ave. W  
West St. Paul, MN 55118

Agent

Choice Realty & Management  
1715 S. Walnut Street  
Bloomington, IN 47401

Prop. Location: 604 W Allen ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/3

Date Inspected: 01/05/2016  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Inspector: Norman Mosier  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: Det. Garage

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

INTERIOR:

MAIN LEVEL

Living Room 15-5 x 12-1, Dining Room 11-9 x 9-6:

No violations noted.

N Bedroom 10-2 x 9-7:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1930

Height: 34 inches

Width: 24 inches

Sill Height: 40 inches

Openable Area: 5.67 sq. ft.

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

Kitchen 10-2 x 10:

No violations noted.

S Bedroom 12-4 x 11-11:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1930

Height: 49 inches

Width: 23.5 inches

Sill Height: 40 inches

Openable Area: 8.00 sq. ft.

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

Closet:

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

Bathroom:

No violations noted.

Laundry Room:

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

**BASEMENT**

Stairway:

Repair the open north wall to enclose the electrical service panel. BMC 16.04.060 (a)

Main 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)

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)

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

**EXTERIOR:**

Repair/replace the failing flower boxes adjacent to the front porch. BMC 16.04.050(a)

**Detached Garage:**

Replace the failing garage door. BMC 16.04.060 (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 for Extension of Time**

Meeting Date: April 20, 2016  
Petition Type: An extension of time to complete repairs.  
Petition Number: 16-TV-79  
Address: 3011 S. Acadia Ct.  
Petitioner: Acadia Ct. Apts., Scott Perez General Manager  
Inspector: Maria McCormick  
Staff Report: 02/23/2016 Completed Complaint Inspection  
02/24/2016 Received Application for Extension of Time

At the complaint inspection it was noted that there was a leak in the bathtub drain causing water damaged to the subfloor and walls behind the tub surround. The petitioner is requesting additional time to complete these repairs as the unit has only one bathroom. The current tenant is scheduled to move out of the apartment at the end of April.

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 10, 2016  
Attachments: Application for Appeal; Complaint Report



RECEIVED  
FEB 24 2016

BY: 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: 3011 ~~3008~~ S. ACADEIA COURT

Petitioner's Name: SCOTT PEREZ GENERAL MANAGER

Address: 3008 ~~3011~~ S. ACADEIA COURT

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: 812-961- Email Address: sperez@elomgmt.com

Property Owner's Name: ELON

Address: 3008 S. ACADEIA COURT

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: 812-961-5464 Email Address: sperez@elomgmt.com

Occupants: 1 (Buckner)

- 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-79

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 LETTER

Signature (required):



Name (please print):

SCOTT PEELER

Date:

2/24/16

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.

Housing & Neighborhood Development,

RECEIVED  
FEB 24 2016  
BY: VH

We are requesting an extension on the 14 days provided to us beginning 2/23/2016 and ending 3/8/2016 for apartment 3011 (3011 S. Acadia Court Bloomington, IN 47401).

In order to complete this we are going to order a new bathtub. Maintenance has determined that pulling out the bathtub is going to damage it as well as walls into the utility room and bedroom of the apartment. The resident is going to be w/out a bathroom during this work. These are custom tubs from Buckeye Parts and according to our District Manager, have taken up to 2-3 weeks (in previous instances) to arrive once ordered.

I have already placed our Purchase Order to get this approved so that we can get the new bathtub. But we want to make sure we have plenty of time as we cannot tear the tub out until we receive the new one. The residents lease does not end until April so this would result in him being w/out a bathtub/shower for an extended period of time.

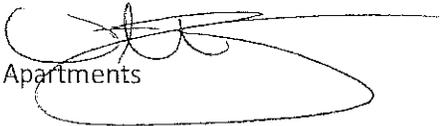
Thank you!

-Scott Perez

General Manager Acadia Court Apartments

812-961-5464

sperez@elonmgmt.com





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

**MAR 11 2016**

Acadia Court Apartments Of Bloomington Ii, Ltd  
333 Eurlle Ouington Blvd. Suite 900  
Uniondale, NY 11553

RE:NOTICE OF COMPLAINT INSPECTION

Dear Acadia Court Apartments Of Bloomington Ii, Ltd

On 02/23/2016 a complaint inspection was performed at 3008 S Acadia CT. During the inspection violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found.

Please correct the violations cited on the enclosed inspection report within fourteen days (14) and call this office no later than **MAR 25 2016**, to schedule the required re-inspection. Our mailing address and telephone number are listed below.

This directive is issued in accordance with Sections BMC 16.03.040 (c) and 16.10.040 (a) of the Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington. You have the right to appeal to the Board of Housing Quality Appeals. If you need more than fourteen (14) days to correct the violations, or if you want to appeal any violation, 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.

Please remember, it is your responsibility to contact the Housing and Neighborhood Development Department to schedule the required re-inspection.

Sincerely,

Housing & Neighborhood Development  
Encl:Inspection Report,  
Xc:Tracy R. Burton: 3008 S. Acadia Court, Bloomington, IN 47401



City Of Bloomington  
Housing and Neighborhood Development

COMPLAINT INSPECTION REPORT

1

Owner(s)

Acadia Court Apartments Of Bloomington Ii, Ltd  
333 Eurle Ovington Blvd. Suite 900  
Uniondale, NY 11553

Agent

Tracy R. Burton  
3008 S. Acadia Court  
Bloomington, IN 47401

Prop. Location: 3008 S Acadia CT

Number of Units/Structures: 199/27

Units/Bedrooms/Max # of Occupants: Bld 1: Bld EXT 1: 1/Eff/5 3/1/5 3/2/5, Bld EXT 2: 4/1/5, Bld EXT 3: 1/Eff/5 7/1/5 1/2/5, Bld EXT 4: 8/1/5, Bld EXT 5: 8/1/5, Bld EXT 6: 2/Eff/5 3/1/5 2/2/5, Bld EXT 7: 2/1/5 2/2/5, Bld EXT 8: 2/Eff/5 1/1/5 1/2/5, Bld EXT 9: 3/1/5 2/2/5, Bld EXT 10: 6/1/5, Bld EXT 11: 6/1/5 2/2/5, Bld EXT 12: 8/1/5, Bld EXT 13: 4/1/5 2/2/5, Bld EXT 14: 4/1/5, Bld EXT 15: 4/Eff/5 4/2/5, Bld INT 1: 4/Eff/5 4/1/5, Bld INT 2: 3/Eff/5 7/1/5 1/2/5, Bld INT 3: 2/Eff/5 7/1/5, Bld INT 4: 5/1/5 1/2/5, Bld INT 5: 1/Eff/5 6/1/5 1/2/5, Bld INT 6: 4/Eff/5 8/1/5, Bld INT 7: 3/Eff/5 6/1/5 1/2/5, Bld INT 8: 3/Eff/5 5/1/5 1/2/5, Bld INT 9: 2/Eff/5 7/1/5, Bld INT 10: 1/Eff/5 4/1/5 1/2/5, Bld INT 11: 3/Eff/5 3/1/5 1/2/5, Bld INT 12: 4/Eff/5 4/1/5

Date Inspected: 02/23/2016  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 1

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

The following items are the result of a complaint inspection conducted on 02/23/2016. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines. If you have questions regarding this report, please contact this office at 349-3420.

Apt. 3011 –

Laundry/Mechanical Room:

Replace all water damaged wall and base board materials. BMC 16.04.060(a)

Bathroom:

The drain to the bathtub has been leaking for some time. There is significant water damage and mold visible on the sub floor and the wall behind the tub. Remove the bathtub and replace all water damaged and molded subfloor and drywall behind and under the tub. Re-inspection by HAND of the area once the tub has been removed is required. BMC 16.04.060(a); (b) & (c)



b  
City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-80

Address: 1832 S. Covey Ln.

Petitioner: Bret Johnson on behalf of Brady Johnson

Inspector: Norm Mosier / John Hewett

Staff Report: February 26, 2016 Home Inspection with owner  
March 1, 2016 Received Appeal for relief from Administrative Decision  
March 14, 2016 Informed petitioner that this issue must be handled by a variance from the State of Indiana  
March 15, 2016 Petitioner amended petition to request an extension of time.

The petitioner is requesting additional time to secure a variance for exception from the State of Indiana for 2008 IFC 1008.1.8 requirement that doors open from the inside without the use of a key.

Staff recommendation: Grant the extension of time

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

Compliance Deadline: July 19, 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  
 3.15.16  
 DRS

**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: 1832 S. Covey Lane, Bloomington, IN 47401

Petitioner's Name: Bret Johnson on behalf of Brady Johnson as Legal Guardian

Address: 103 The Woods

City: Bedford State:IN Zip Code: 47421-9500

Phone Number: 812-797-9102 Email Address: johnsondad@hotmail.com

Property Owner's Name: LifeDesigns

Address: 200 E. Winslow Road

City: Bloomington State:IN Zip Code: 47401

Phone Number: 800-875-9615 Email Address: cfleetwood@lifedesignsinc.org

Occupants: Brady Johnson

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-80

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.

Occupant Brady Johnson suffers from Prader-Willi Syndrome to be hereby referred to as PWS. One of the symptoms of PWS is elopement which Brady has been and continues to be prone to. The original locks on his apartment were switched out to prevent his escape. Prior to switching the locks, Brady was able to flee on multiple occasions. Each incident has been documented with the State and can be available upon requests. With the new locks requiring a key to open the door, Brady has not been successful in escaping. Brady's staff, which he has 24/7 and is required to be at arm's length of Brady at all times, has the key in their possession at all times. This mitigates the risk of escaping due to an emergency such as a fire. Switching out the locks has been proven to keep Brady safe. His elopements endanger him from general safety such as being hit by a car. His pedestrians skills are extremely poor especially when his fleeing is in haste to get away from staff. Many other hazards are at risk such as falling or entering a neighbor's yard or house. The main symptom of PWS is an unsatiated appetite. Brady can literally eat himself to death. His elopements are motivated by getting to a restaurant or store selling food or breaking into a residence. So prevention of his escapes actually preserves his life. Please consider granting us a waiver from removing the deadbolts that we put on in favor of the thumb locks. Documentation from the incident reports or from Brady's behaviorist or even his psychiatrist can be available upon request.

\*\*\*Note, requesting an extension of time to seek a variance from the state.\*\*\*

Signature (required):

*Bret Johnson* 3/15/16

Name (please print): Bret Johnson Date: 03/15/2016

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  
H.A.N.D.

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

Meeting Date: April 20, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-81  
Address: 104 E. Wilson St.  
Petitioner: HAND  
Inspector: Norman Mosier  
Staff Report: February 16, 2016 – Conducted Cycle Inspection

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

AA



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-82  
Address: 631 N. Walnut St.  
Petitioner: HAND  
Inspector: Norman Mosier  
Staff Report: November 15, 2015 – Conducted Cycle Inspection  
February 8, 2016 – Agent scheduled Re-inspection  
March 3, 2016 – Conducted Re-inspection and Received BHQA Appeal

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 a pass through; therefore we are asking the Board to rescind this variance.

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-83  
Address: 104 N. Roosevelt Street  
Petitioner: HAND  
Inspector: Jo Stong

Staff Report: This property was previously granted a variance to the minimum ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height requirement and the Building Code in place at the time of construction (1946) did not address ceiling height; therefore we are asking the Board to rescind the variance.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

*Act*



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-84  
Address: 417 E. 9<sup>th</sup> Street  
Petitioner: HAND  
Inspector: Jo Stong

Staff Report: This property was previously granted variances to the minimum requirements of the Property Maintenance Code for ceiling height and sleeping room space (minimum room size requirements). The Residential Rental and Lodging Establishment Inspection Program does not include minimum ceiling height or sleeping room space requirements, and the Building Code in place at the time of construction (1899) did not address minimum ceiling height or sleeping room space; therefore we are asking the Board to rescind the variances

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

*JS*



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 April 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-085

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

Petitioner: Emily Brown

Inspector: Michael Arnold

Staff Report:

18 December 2015	Cycle Inspection
08 January 2016	Report sent
25 January 2016	Reinspection scheduled
19 February 2016	Reinspection completed
02 March 2016	Mailed RV report
04 March 2016	Received BHQA App
21 March 2016	Drive by for exterior work

During the cycle inspection it was noted that the mortar on the chimney was deteriorating. This work was not completed at the time of the reinspection. Petitioner requested additional time to complete the chimney repair. On 21 March it was noted that the chimney repair and the painting have been completed.

Staff recommendation: Grant the request for additional 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: 20 April 2016

Attachments: Application, Remaining violations report



RECEIVED  
MAR 04 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: \_\_\_\_\_

Property Address: 111 E 16th St

Petitioner's Name: Emily Brown

Address: 213 S Rogers St

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

Phone Number: 812-336-2026 Email Address: emily\_tempproperties@yahoo.com

Property Owner's Name: Karen Haley

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

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

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

Occupants: 2

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

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

**Please circle the petition type that you are requesting:**

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

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

OFFICE USE ONLY  
Petition Number 16-TV-85

SEE REVERSE

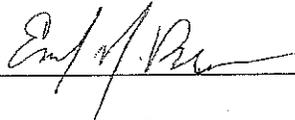
RECEIVED  
MAR 04 2016

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.

As the Property Manager for 111216<sup>th</sup> Street I am requesting a time extension for the Re-point on the mortar joints on the chimney. As part of the process we were waiting for bids to come in. The owner has approved for the work to be done on Wednesday March 9<sup>th</sup> 2016. We request that you please allow us this extra time to complete the work.

Thank you  
Emily Brown

Signature (required):



Name (please print):

Emily Brown

Date:

2/29/16

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  
Housing and Neighborhood Development

REMAINING VIOLATION INSPECTION REPORT

MAR 02 2016

3769

Owner(s)

Mary Karen S. Haley  
4621 Graceland Ave.  
Indianapolis, IN 46208

Agent

Tempo Properties, Inc C/O Dave Thornbury  
P.O. Box 5727  
Bloomington, IN 47402

Prop. Location: 111 E 16th ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/3

Date Inspected: 12/23/2015  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Inspector: Mike Arnold  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: none

**04/18/2007 BHQA granted a variance to the pass through requirement for the southwest and northwest bedrooms.**

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 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.

Exterior:

C  
3/21 Properly tuck point the chimney where mortar is loose, deteriorated or missing. BMC 16.04.050(a)

C  
3/21 Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (**This item has a deadline of 18 December 2016**).

Required Documentation:

C  
3/8 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:



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 April 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-086  
Address: 320 E. 1<sup>st</sup> St.  
Petitioner: HAND  
Inspector: Michael Arnold  
Staff Report: 02 March 2016                      Cycle Inspection  
                  07 March 2016                      BHQA Application

This property was previously granted a variance to the bathroom ventilation and minimum ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include bathroom ventilation and minimum ceiling height requirements and the Building Code in place at the time of construction did not address bathroom ventilation and minimum ceiling height. Please rescind these variances.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016  
Petition Type: An extension of time to complete repairs.  
Petition Number: 16-TV-87  
Address: 549 S. Lincoln St  
Petitioner: Matt Murphy  
Inspector: Dee Wills  
Staff Report: September 21, 2015 Completed Cycle Inspection  
March 09, 2016 Completed Reinspection

The petitioner is requesting an extension of time to finish the remaining repairs. The petitioner has recently purchased this property and is currently remodeling the bathroom and closet area listed in the Cycle Report. He also requests more time to find a qualified mason to finish the basement tuck point work and exterior stair replacement.

Staff recommendation: Grant the extension of time.

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

Compliance Deadline: July 20, 2016

Attachments: Application for Appeal, Remaining Violations Report



RECEIVED  
MAY 3 9 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

Property Address: 549 S. Lincoln St.

Petitioner's Name: Matt Murphy

Address: 1900 E. Ruby Lane

City: Bloom. State: IN Zip Code: 47401

Phone Number: (812) 327-7357 Email Address: mr.murp@gmail.com

Property Owner's Name: same as petitioner

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-87

SEE REVERSE

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

I recently purchased this property and am trying to undo decades of neglect. Though this property has passed previous inspections over the last couple decades I feel that the condition of the upstairs bathroom is unacceptable by my standards and am remodeling it for my current tenants. I would ask for an extension so that I can complete the bathroom remodel. I also have had difficulty scheduling a qualified mason for some minor re-pointing that Dee requested. I need at least another 60-90 days to complete the re-pointing in the basement. My goal is to do quality repairs and remodeling.  
Thanks!

Signature (required):

M. Murphy

Name (please print):

Matt Murphy Date: 3-9-16

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**

1467

Owner(s)

Murphy, Matthew R. & Davis, Lesley  
1900 E. Ruby Lane  
Bloomington, IN 47401

Prop. Location: 549 S Lincoln ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 09/21/2015  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 2

Inspector: Dee Wills  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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

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

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

**INTERIOR**

Bathroom

Properly repair/ replace the deteriorated door frame adjacent to the shower. BMC 16.04.060(a)

Closet

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

Basement

Properly tuck point all missing or defective mortar joints. BMC 16.04.050(a)

**EXTERIOR**

Properly secure the loose front stair tread so that it may function as intended. BMC 16.04.050(a)

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)  
**(the painting violation only, 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.



RECEIVED

MAR 07 2016

BY: 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: 1518 E. ATWATER AVE, BLOOMINGTON, IN 47401

Petitioner's Name: LYNNE CHANG

Address: PO BOX 8062 (4665 E INVERNESS WOODS RD)

City: BLOOMINGTON State: IN Zip Code: 47407

Phone Number: 812-320-0659 Email Address: Lchang@homefinder.org

Property Owner's Name: CEDARWOOD PROPERTIES LLC

Address: - same -

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

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

Occupants: Lily Feldman, Sara Klingseisen, Will Dimond

**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-88

RECEIVED

MAR 07 2016

3Y: Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

I request an extension of time to complete the repairs that concern windows and the sun room south door. These are original to the house (built 1949) and to repair them as requested would not be cost-effective. To improve the property long-term and increase tenant comfort and energy-efficiency, I will instead replace the affected windows. In addition, the sun room south door leads nowhere and will be replaced by a new window. I need time to order the windows (custom sizes) and do not want to install them until the weather warms up, as the house will be exposed to outside air for 1-2 days. I request an extension of time until July 8, 2016.

Signature (required): Lynne Chang

Name (please print): Lynne Chang, Member Date: 2/29/16  
Cedarwood Properties LLC

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



City Of Bloomington  
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

43

Owner(s)

Cedarwood Properties, Llc  
4665 E. Inverness Woods Rd.  
Bloomington, IN 47401

Agent

Chang, Lynne L.  
4665 E. Inverness Woods Rd.  
Bloomington, IN 47401

Prop. Location: 1518 E Atwater AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 01/06/2016  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 2

Inspector: Mike Arnold  
Foundation Type: Basement  
Attic Access: N/A  
Accessory Structure: none

Monroe County records show this structure was built in 1949. There were no minimum emergency egress requirements at the time of construction.

**Interior:**

**Basement:**

No violations noted

**Main Level:**

**Living Room (14-2 x 13-5), Kitchen (11-7 x 10-4), Bathroom, Garage:**

No violations noted

**Dining Room (18-6 x 8-6):**

Repair the broken window. BMC 16.04.060(b) (South wall).

**Bedroom (11-8 x 11-3):**

**Existing Egress:**

**Height:** 47 inches  
**Width:** 22.5 inches  
**Sill Height:** 29.5 inches  
**Openable Area:** 7.37 sq. ft.

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

No violations noted

**Sun Room:**

Repair the south door and the door to the garage door to close and latch securely. BMC 16.04.060(b)

**Upper Level:**

**Stairway:**

Properly repair and surface coat the damage to the top of the door frame and the trim. BMC 16.04.060)

**Bathroom:**

No violations noted

**East Bedroom (17-4 x12-4):**

**Existing Egress:**

**Height:** 47 inches  
**Width:** 22.5 inches  
**Sill Height:** 27 inches  
**Openable Area:** 7.34 sq. ft.

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

Repair the broken window. BMC 16.04.060(b)

**West Bedroom (17-4 x 11-5):**

**Existing Egress:**

**Height:** 47 inches  
**Width:** 22.5 inches  
**Sill Height:** 27 inches  
**Openable Area:** 7.34 sq. ft.

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

No violations noted

**Exterior:**

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

Repair/replace the damaged aluminum siding and trim between the garage doors. BMC 16.04.050(a)

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a deadline of 06 January 2017).

**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)

**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: April 20, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-89  
Address: 415 E. 4<sup>th</sup> Street  
Petitioner: HAND  
Inspector: Dee Wills  
Staff Report: January 04, 2016 Completed Cycle Inspection  
April 08, 2016 Scheduled for Reinspection  
March 07, 2016 Application for Appeal

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016  
Petition Type: Rescind a variance.  
Petition Number: 16-RV-91  
Address: 339 S. Fairview St.  
Petitioner: HAND  
Inspector: Norman Mosier  
Staff Report: March 1, 2016 – Conducted Cycle Inspection  
March 16, 2016 – Received BHQA Appeal

This property was previously granted a variance to the ceiling height and light and ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height and light and ventilation requirement and the Building Code in place at the time of construction did not address ceiling heights and 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: April 20, 2016  
Petition Type: Rescind a variance  
Petition Number: 16-RV-92  
Address: 401 ½ E. 9<sup>th</sup> St./500 N. Grant St.  
Petitioner: HAND  
Inspector: Norman Mosier  
Staff Report: March 1, 2016 – Conducted Cycle Inspection  
March 16, 2016 – Received BHQA Appeal

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-93

Address: 815 N. College Ave.

Petitioner: Pavilion Properties

Inspector: Maria McCormick

Staff Report: The petitioner is requesting an extension of time to complete the repairs to the public sidewalk along N. College Ave. that is the only outstanding item left on the cycle inspection report.

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 15, 2016

Attachments: Application for Appeal; Remaining Violations Report

RECEIVED  
3-02-16

DJB



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: 815 N College Ave

Petitioner's Name: Pavilion Properties

Address: ~~112~~ 112 E 3rd St

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-333-2332 Email Address: amanda@pavprop.com

Property Owner's Name: GMS - Pavilion Properties

Address: 112 E 3rd St

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-333-2332 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.

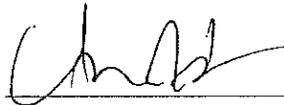
OFFICE USE ONLY <sup>93</sup>  
Petition Number 16-TV-~~88~~

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 we have not been able to  
complete the concrete work on the outside  
of the building requesting an extension.

Signature (required):



Name (please print):

Amanda Hughes

Date:

3-1-16

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

FEB 29 2016

REMAINING VIOLATION INSPECTION REPORT

190

Owner(s)

Gms Enterprises  
112 E. 3rd St.  
Bloomington, IN 47401

Agent

Mark A. Hoffman  
112 E. 3rd St.  
Bloomington, IN 47401

Prop. Location: 815 N College AVE  
Number of Units/Structures: 12/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/1/5 10/2/5

Date Inspected: 10/26/2015  
Primary Heat Source: Gas  
Property Zoning: CD  
Number of Stories: 2

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

**REINSPECTION REQUIRED**

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

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

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

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

*N/M*

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

**EXTERIOR:**

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

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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 for Extension of Time**

Meeting Date: April 20, 2016  
Petition Type: An extension of time to complete repairs.  
Petition Number: 16-TV-94  
Address: 2367 S. Brandon Ct.  
Petitioner: Scott Perez  
Inspector: Norman Mosier  
Staff Report: February 17, 2016 – Conducted Complaint Inspection  
February 25, 2016 – Received BHQA Appeal

Petitioners is requesting an extension of time to complete the repairs for the complaint when the tenant moves out.

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 30, 2016 – For life safety violation.  
June 20, 2016 – For all other repairs.

Attachments: Complaint Inspection Report, BHQA Appeal, Petitioner's letter



RECEIVED  
FEB 25 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: EV

Property Address: 2367 S. BRANDON COURT

Petitioner's Name: SCOTT PAER

Address: 2381 S. BRANDON COURT

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: 812-961-5464 Email Address: elca6683@elcarmgmt.com  
812-961-8897

Property Owner's Name: ELON BRANDON COURT

Address: 2381 S. BRANDON COURT

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: 812-961-8897 Email Address: elca6683@elcarmgmt.com  
812-961-5464

Occupants: 2367 S. BRANDON

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-94

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 LETTER

Signature (required):   
Name (please print): Scott Pacer Date: 2/25/16

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.

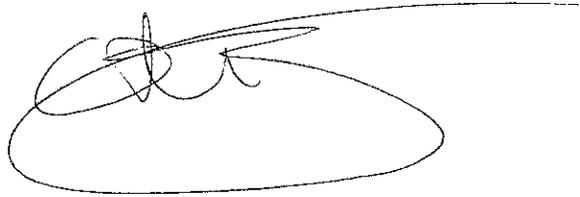
2/25/2016

We are requesting an extension on the HAND inspection for 2367 S. Brandon Court (Bloomington, IN 47401). The residents are moving out soon so we would like to go in and get this resolved once they are out of the apartment.

Thank you for the consideration!

-Scott Perez GM of Acadia Court on behalf of Brandon Court Apartments

812-961-8897

A handwritten signature in black ink, appearing to be 'Scott Perez', written over a large, faint oval shape that serves as a signature line or placeholder.



City Of Bloomington  
Housing and Neighborhood Development  
COMPLAINT INSPECTION REPORT

590

Owner(s)

Acadia Courts Of Bloomington Ii, Ltd  
333 Eurlle Ouington Blvd. Suite 900  
Uniondale, NY 11553

Agent

Tracy R. Burton  
3008 S. Acadia Court  
Bloomington, IN 47401

Prop. Location: 2381 S Brandon CT

Number of Units/Structures: 78/13

Units/Bedrooms/Max # of Occupants: Bld 1: Bld 1: 2/Eff/5 2/1/5 2/2/5, Bld 2: 1/Eff/5 3/1/5 2/2/5, Bld 3:  
2/1/5 2/2/5, Bld 4: 4/1/5 1/2/5, Bld 5: 3/Eff/5 4/1/5 1/2/5, Bld 6: 4/1/5, Bld 7: 6/1/5, Bld 8: 6/1/5, Bld  
9: 7/1/5, Bld 10: 2/1/5 4/2/5, Bld 11: 4/1/5, Bld 12: 2/Eff/5 4/1/5 2/2/5, Bld 13: 8/1/5

Date Inspected: 02/17/2016  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 1

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

The following items are the result of a complaint inspection conducted on 02/17/2016. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines. If you have questions regarding this report, please contact this office at 349-3420.

**UNIT 2367**

Living Room:

Secure the loose and arching receptacle on the south wall adjacent to the entry door.  
BMC 16.04.060 (b)

Attic:

Remove the mold in the attic, clean the areas with a bleach and water solution and paint the area.  
Seal the openings at the plumbing vent stacks coming through ceiling and the south wall to prevent cold air from infiltrating into the attic, mixing with the warm air coming into the attic from the unit.  
BMC 16.04.060 (a)

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016

Petition Type: An extension of time to complete repairs.

Petition Number: 16-TV-95

Address: 120 S. Kingston Dr.

Petitioner: David Bilfeld-Owner/Mick Hix-Agent

Inspector: Swinney/Mosier/Stong

Staff Report: October 15, 2015 – Conducted Cycle Inspection  
January 25, 2016 – Smoke Detector Re-inspection  
March 17, 2016 – Conducted Re-inspection  
March 21, 2016 – Received BHQA Appeal

Petitioner is requesting an extension of time to complete the repairs due to having only one maintenance man.

Staff recommendation: Grant the request.

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

Compliance Deadline: June 20, 2016 – For all repairs.

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



RECEIVED  
13.17.16  
DRB

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: 120 S. Kingston  
Petitioner's Name: David Biltfeld - owner Mick Hix - Manager  
Address: 120 S. Kingston Dr B-13  
City: Bloomington State: IN Zip Code: 47408  
Phone Number: 812-339-0957 Email Address: mick@distinctmanagement.com  
Property Owner's Name: David Biltfeld  
Address: 9556 Franklin Ave  
City: Los Angeles State: CA Zip Code: 90068  
Phone Number: \_\_\_\_\_ Email Address: dbiltfeld@gmail.com  
Occupants: \_\_\_\_\_

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

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

Please circle the petition type that you are requesting:

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

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

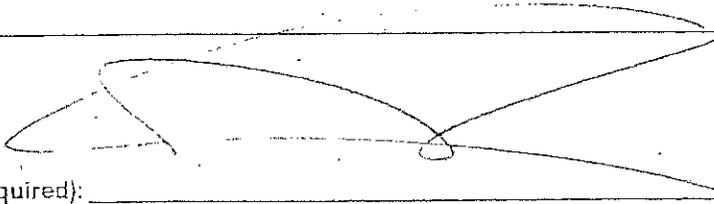
OFFICE USE ONLY  
Petition Number 16-TV-95

SEE REVERSE

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

We need an additional 6-8 weeks to complete items on the inspection form. We only have one maintenance person to complete these items along with his daily responsibilities

Signature (required):



Name (please print):

DAVID BILFELD

Date:

3/17/16

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

**MAR 22 2016**

480

Owner(s)

David Bilfeld  
8556 Franklin Ave.  
Los Angeles, CA 90069

Agent

Mick Hix  
120 S. Kingston Dr. Unit B13  
Bloomington, IN 47408

Prop. Location: 120 S Kingston DR

Number of Units/Structures: 75/6

Units/Bedrooms/Max # of Occupants: Bld 1: Bld A: 2/Eff/5 4/1/5 6/2/5, Bld B: 2/Eff/5 4/1/5 6/2/5, Bld C: 6/1/5 6/2/5, Bld D: 6/1/5 6/2/5, Bld E: 9/1/5 3/3/5, Bld F: 12/1/5 3/3/5

Date Inspected: 10/01/2015  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Inspector: Swinney/Stong/Mosier  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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

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

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

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

12

## INTERIOR

### BLDG A

#### Common Hallway

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

### UNIT 2

#### Living Room

Repair the sliding door to lock and 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)

#### Kitchen

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

Repair the range hood light fixture to function as intended and replace missing fan filter. BMC 16.04.060(b)

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

### UNIT 4

#### Bathroom

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

### UNIT 9

#### Living Room

Repair the sliding door to lock and function as intended. BMC 16.04.060(b)

### UNIT 10

#### Living Room

Repair the sliding door to lock and function as intended. BMC 16.04.060(b)

### UNIT 11

#### Living Room

Repair the sliding door to lock and function as intended. BMC 16.04.060(b)

#### Both Bedrooms

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

### BLDG B

#### Common Hallway

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

### UNIT 14

#### Bathroom

Repair the GFCI outlet to function as intended, (open neutral).  
BMC 16.04.020 (IEC 210.8) and BMC 16.04.060(b)

**UNIT 19**

**Bathroom**

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

**UNIT 20**

**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)

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

**Bathroom**

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

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

**UNIT 21**

**Living Room**

Repair the sliding door to lock and 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)

**UNIT 22**

**Bathroom**

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

**Bedroom**

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound. Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(b)

**UNIT 23**

**Both Bedrooms**

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

**UNIT 24**

**Living Room**

Repair the sliding door to lock and function as intended. BMC 16.04.060(a)

**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)

**Bedroom**

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

**BLDG C**

**UNIT 25**

**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)

Repair/replace the faucet to function as intended. BMC 16.04.060(c)

**UNIT 26**

**Bathroom**

Seal edge of floor covering adjacent to walls and replace missing transition strips. BMC 16.04.060(a)

**UNIT 27**

**Living Room**

Repair the sliding door to lock and function as intended. BMC 16.04.060(b)

**UNIT 28**

**Living Room**

Repair the sliding door to lock and function as intended. BMC 16.04.060(b)

**UNIT 29**

**Living Room**

Repair the sliding door to lock and function as intended. BMC 16.04.060(b)

**UNIT 32**

**Kitchen**

Interior wall under the range hood shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. BMC 16.04.060(a)

**UNIT 33**

**Living Room**

Repair the sliding door to lock and function as intended. BMC 16.04.060(b)

**Bathroom**

Repair the GFCI outlet to function as intended. BMC 16.04.020 (IEC 210.8) and BMC 16.04.060(b)

**UNIT 34**

**Bathroom**

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

**UNIT 35**

**Living Room**

Repair the sliding door to lock and function as intended. BMC 16.04.060(b)

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

**Bedroom 1**

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

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

Replace the missing door strike plate. BMC 16.04.060(a)

Bedroom 2

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

Bathroom

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

**UNIT 36**

Kitchen

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

**Building D**

**Common Hallway**

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

Secure the handrail on the second level so it is capable of withstanding normally imposed loads. BMC 16.04.060(b)

**UNIT 37**

Bathroom

Properly replace the missing sink stopper. BMC 16.04.060(c)

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

**UNIT 38**

Bathroom

Properly clean and surface coat the stained ceiling area. BMC 16.04.060(a)

**UNIT 39**

Bathroom

Replace the missing towel rack. BMC 16.04.060(a)

Properly repair the damaged door casing and frame so that it may function as intended. BMC 16.04.060(a)

Replace the missing strike plate for the entry door. BMC 16.04.060(a)

Kitchen/ Dining Area

Repair or replace lock on exterior sliding door so that it functions as intended. BMC 16.04.060(b)

**UNIT 40**

Right Front Bedroom

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

Bathroom

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

Kitchen/ Dining Area

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

Properly adjust the sliding glass door to open and close with ease so that it may function as intended. BMC 16.043.060(a)

Repair or replace lock on sliding exterior door so that it functions as intended. BMC 16.04.060(b)

### Balcony

Properly secure the loose deck board so that it may function as intended. BMC 16.04.060(a)

### UNIT 41

#### Entry Hall

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

#### Left Front Bedroom

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

#### Bathroom

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

#### Kitchen/ Dining Area

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)

Properly repair/ replace the exterior sliding screen door so that it may function as intended. BMC 16.04.060(a)

### UNIT 42

#### Bathroom

Replace the missing towel rack. BMC 16.04.060(a)

Properly seal the crack adjacent to the bathtub. BMC 16.04.060(a)

#### Right Bedroom

Properly repair the bent window handle so that the window can open and close with ease. BMC 16.04.060(b)

#### Living Room

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

#### Kitchen

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

Repair or replace lock on the sliding exterior door so that it functions as intended. BMC 16.04.060(b)

### UNIT 43

#### Bathroom

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

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

#### Right Bedroom

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

### Living Room

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

### Kitchen

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

Properly seal cracks around the exterior sliding glass door. BMC 16.04.060(a)

Replace the broken handle on the exterior sliding glass door. BMC 16.04.060(a)

## **UNIT 44**

### Entry

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

### Bathroom

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

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

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

### Living Room

Repair or replace lock on exterior sliding glass door so that it functions as intended. BMC 16.04.060(b)

## **UNIT 45**

### Bathroom

Properly replace the missing stopper for the sink drain. BMC 16.04.060(c)

### Kitchen/ Dining Area

Repair/ replace the exterior sliding door screen so that it may function as intended. BMC 16.04.060(a)

Replace damaged or torn sliding door screen(s). BMC 16.04.060(a)

## **UNIT 46**

### Bathroom

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

### Bedroom

Properly repair/ replace the window so that it may open and close with ease. BMC 16.04.060(b)

## **UNIT 47**

### Entry Hallway

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

### Left Bedroom

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

### Right Bedroom

Properly install door knob/lock assembly in a manner so that it functions 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)

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

Kitchen/ Dining Area

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

Repair or replace lock on exterior sliding glass door so that it functions as intended. BMC 16.04.060(b)

**UNIT 48**

Bedroom

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

Kitchen/ Dining Area

Repair or replace lock on exterior door so that it functions as intended. BMC 16.04.060(b)

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

**Building E**

**Common Hallway**

Replace the broken window pane on the second level. BMC 16.04.060(b)

**UNIT 49**

Kitchen

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

Bedroom

Properly repair the windows to open and close with ease. BMC 16.04.060(b)

Repair or replace lock on the window so that it functions as intended. BMC 16.04.060(b)

Bathroom

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

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

Kitchen/ Dining Area

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

Properly seal cracks around the sliding glass door frame. BMC 16.04.060(a)

**UNIT 51**

Kitchen

Properly repair/ replace the exterior sliding glass door so that it may function as intended. BMC 16.04.060(b)

Repair or replace lock on exterior door so that it functions as intended. BMC 16.04.060(b)

Properly repair/ replace the exterior sliding screen door so that it may function as intended. BMC 16.04.060(a)

Replace damaged or torn sliding door screen. BMC 16.04.060(a)

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

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

Bathroom

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

Bedroom

Windows shall be easily and fully openable. BMC 16.04.060(b)

Replace damaged or torn window screen. BMC 16.04.060(a)

Repair or replace lock on window so that it functions as intended. BMC 16.04.060(b)

UNIT 52

Bathroom

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

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

Master Bathroom

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

Living Room, Kitchen

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

Kitchen

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

UNIT 54

Living Room

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

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)

UNIT 55

Kitchen

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

UNIT 56

Bathroom

Replace the missing sink drain stopper so that it may function as intended. BMC 16.04.060(c)

Properly repair/ replace the exterior sliding glass door so that it may function as intended. BMC 16.04.060(b)

**UNIT 57**

Bathroom

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

Balcony

Properly replace the deteriorated boards at the top of the handrail. BMC 16.04.060(a)

**UNIT 58**

Kitchen

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

Balcony

Properly replace the rotting and deteriorated deck boards for the balcony flooring above this unit. BMC 16.04.060(b)

Bathroom

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

**UNIT 59**

Bathroom

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

**UNIT 60**

Hallway

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

**BLDG F**

**Common Hallway**

Properly repair or replace loose, damaged, or missing floor covering at unit 62. BMC 16.04.060(a)

**UNIT 61**

Kitchen

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

Bedroom

Secure loose electrical receptacle. BMC 16.04.060(b)

**UNIT 64**

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)

Repair the kitchen and range hood 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)

**UNIT 66**

**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)

Repair/replace toilet seat to be secure. BMC 16.04.060(c)

**UNIT 69**

**Bedroom**

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

**UNIT 72**

**Living Room**

Repair the sliding door to be weather tight and function as intended. BMC 16.04.060(a)

**UNIT 73**

**Bathroom**

Repair or replace door knob/lock assembly to be secure and so that it functions as intended. BMC 16.04.060(b)

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

**Bedroom**

Replace the cracked/broken window pane. BMC 16.04.060(b)

**UNIT 74**

**Kitchen**

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

**Living Room**

Repair the sliding door to lock and function as intended. BMC 16.04.060(a)

**UNIT 75**

**Living Room**

Repair the sliding door to lock and function as intended. BMC 16.04.060(a)

**Dining Room**

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

**EXTERIOR**

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

Properly repair/ replace the rotting and deteriorated soffit above the balcony at Unit 54. BMC 16.04.050(a)

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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 for Relief from an Administrative Decision**

Meeting Date: April 20, 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 to check status.

**Compliance Deadline:** None.

**Attachments:** Appeal form, Additional Note from the petitioner, Cycle Inspection report



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 Beisner, executor)

Address: 13004 NW 13th St

City: Pembroke Pines State: FL Zip Code: 33028

Phone Number: 954 571 5370 Email Address: ecalumbesner@gmail.com

Occupants: Mike & Susan Powell & children (Jacob<sup>6y</sup>, Meredith<sup>13</sup>, Joshua (6mos))

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

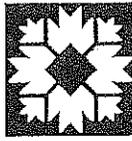
Attn: Board of Housing Appeals  
John Hewett

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.** BMC16.12.040 and 16.10.030(b)

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

This is the end of this report.



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 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: May 1, 2016

Attachments: Application for Appeal; Cycle Inspection Report

*[Handwritten mark]*



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

Property Address: 1124 S. Henderson

Petitioner's Name: Our Cottage Industry LLC [Jon Lawrence & Janice Sorky]

Address: 525 E. Grimes Lane

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-650-2810 Email Address: jonlawrence@gmail.com

Property Owner's Name: Same as above

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

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

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

Occupants: Kristin Bethford, Justin Wade (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.

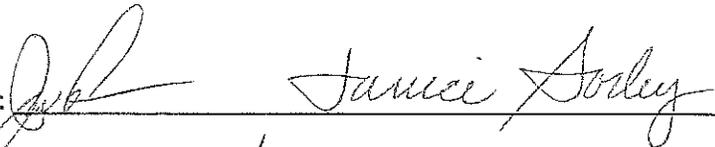
OFFICE USE ONLY

Petition Number 16-AA-43

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 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)

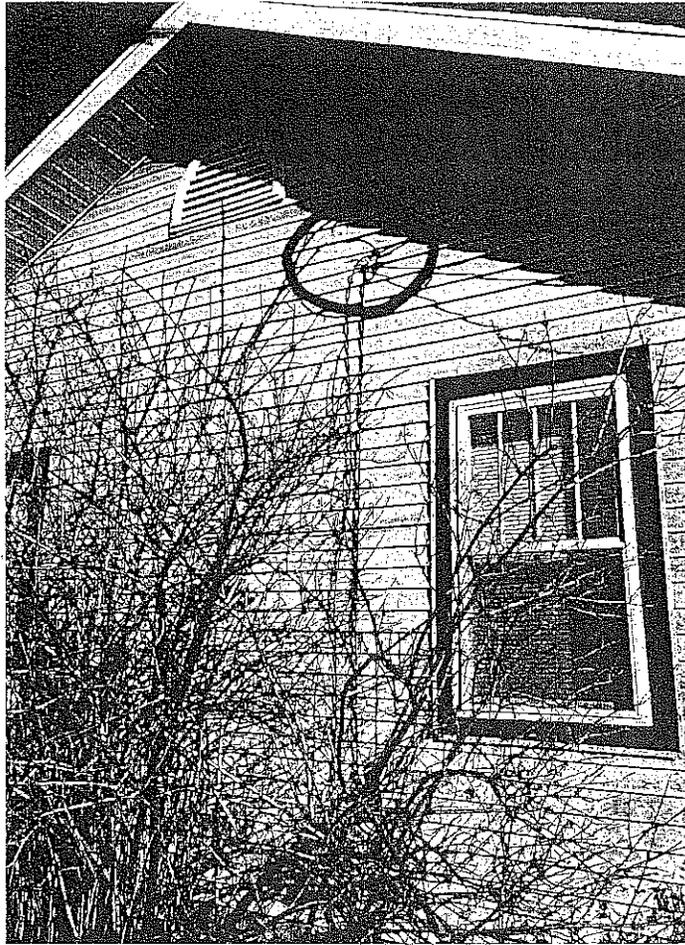
*16.04.050 Exterior Structure. (a) All portions of the exterior of a residential rental unit and its accessory structures shall be maintained in a structurally sound manner, be in good repair and be maintained in accordance with this Title.*

- 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:**

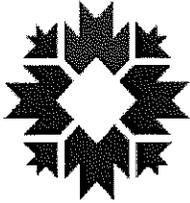
Trim all tree branches away from the siding and roofline to maintain a 3' clearance. BMC 16.04.040(e)

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)

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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, 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: April 20, 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

A handwritten signature or initials in the bottom right corner of the page.

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: 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: hendersoncaptops@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.

[1](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.

[1](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: April 20, 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 had a bid for the work and requested additional time for the repairs to be completed. Upon inspection it was determined that the garage roof is also in need of repair or replacement as well. Additionally another complaint was received from the tenant regarding the patio doors. The owner has asked for the new inspection report to be covered by this extension of time request.

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 08, 2016

Attachments: Petitioner's appeal



RECEIVED  
02.01.16  
D/23

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 ILARIA 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

5/4

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 (pps) 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 temps for shingles. This is all I know this time. Please feel free to call me if you have any questions.

Thank You!

Nodette

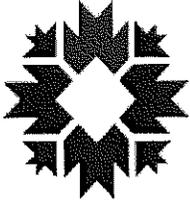
I mailed Ch 15596 20.00 today

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: April 20, 2016

Petition Type: Modification or Exception to the Residential and Lodging Establishment Inspection program

Petition Number: 16-V-60

Address: 2490 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

A handwritten signature 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 it 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 <b>occurring, or has occurred, notice shall be given to the 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, <b>the 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> <ol style="list-style-type: none"> <li>(1) The owner of the residential rental unit;</li> <li>(2) Persons with any <b>possessory interest</b> in the residential rental unit;</li> <li>(3) Any person who, whether as property manager, agent, owner, lessee, <u>tenant</u>, or otherwise <b>who, either individually or in concert with another, causes, maintains, suffers or permits the violation to occur and/or to continue;</b> [...]</li> <li>(5) Persons with any possessory interest in the lodging establishment.</li> </ol>	<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> <ol style="list-style-type: none"> <li>(1) Include a description of the residential rental unit or lodging establishment sufficient for identification;</li> <li>(2) Include a statement of the violation(s) and why the notice is being issued;</li> <li>(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</li> <li>(4) <b>Inform the owner of the residential rental unit or lodging establishment of his right to an appeal;</b></li> </ol>	<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>[...]</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: April 20, 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 additional unrelated adult. The property file will be pulled in one year's time for drive-by to check on status.

Compliance Deadline: none

Attachments: Appeal form



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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:

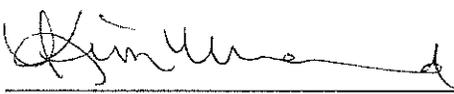
- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- D) Rescind a variance (Petition type RV)

**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

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: April 20, 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 to 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

Property Address: 2633 East Oakhawn 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)
- 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-63

GR # 11277  
2/4/16

SEE REVERSE





City of Bloomington  
H.A.N.D.

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

Meeting Date: April 20, 2016  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from being required to register as a rental.  
Petition Number: 16-AA-73  
Address: 1516 E Matlock Rd.  
Petitioner: Pamela London / Samuel Zivot  
Inspector: John Hewett

**Staff Report:**

This property is currently occupied by the daughter and son of the owner and also 2 other tenants. 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 current tenants; or that she be exempted from the rule that limits the number of occupants to 3 unrelated adults. This rule is established by the "definition of family" in the zoning ordinance, Title 20 of the BMC. The Board of Housing Quality Appeals is not legally able to address the issues concerning Title 20.

Staff recommendation: Deny the request for an exception to the requirement to register as a rental.

Conditions: This unit shall be scheduled and a Cycle Inspection must be conducted, or other action must be taken to remove this property from the jurisdiction of Title 16. The number of tenants must be reduced to not more than three (3) unrelated adults as required by Bloomington Municipal Code.

Compliance Deadline: May 20, 2016

Attachments: Appeal form



RECEIVED  
FEB 19 2016

BY: \_\_\_\_\_

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

**Property Address:** 1516 E. Matlock Road, Bloomington, IN 47408

**Petitioner's Name:** Pamela London/Samuel Zivot

**Address:** 9511 Timber Crest Lane

**City:** Indianapolis

**State:** Indiana



**Zip Code:** 46256

**Phone Number:** 2164060730

**E-mail Address:** pamtobeylondon@gmail.com

**Owner's Name:** As Above

**Address:**

**City:**

**State:**



**Zip Code:**

**Phone Number:**

**E-mail Address:**

**Occupants:** Solomon + Tovah Zivot, Zoe Doebbler, ~~the~~ Jevon Robinson

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

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

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

**Variance Type:** Rescind a variance. (Petition Type: RV)

AA



**Reminder:**

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

(Will be assigned by BHQA)

Petition Number: 16-AA-73

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

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

We have owned the property for 5 years and the purpose of buying the house was for Samuel Zivot to live there while attending IU. We had not intended to use the property as an official rental property. Sam had some friends live with him over the years. He graduated last year and now my twins, Solomon and Tovah Zivot live in the house. They each brought a friend to live there as well. My husband and I (as well as Samuel and another daughter Olivia) stay at the house when we visit.

What I'm looking for is exclusion from being a rental property or at least, exclusion from the 3 unrelated adults rule. I called the HAND office last summer to inquire about the rule and was told that it was OK to have 4 people living in the house because my twins are related and therefore there are still 3 unrelated people. A second call last week said that this wasn't the case. My twins are boy/girl and I'm most comfortable with a living arrangement where there are 2 boys and 2 girls.

If my request can't be accommodated, I'd like to ask that the current living situation stay intact until August 1st so that one of the friends can find a new home for the 16/17 school year.

I appreciate your consideration.

Respectfully,

Pamela London/Samuel Zivot

Signature (Required):

*Pamela London*

Name (Print):

Pamela London

Date:

Feb 17, 2016

**Important information regarding this application format:**

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

Print Form