

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL McCLOSKEY CONFERENCE ROOM  
November 10, 2010  
4:00 P.M.**

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I. ROLL CALL

II. OLD BUSINESS

**703 W. Gourley Pike**, Colonial Crest, 10-TV-68. Request an extension of time to complete repairs. Previously heard July 14, 2010.

III. NEW BUSINESS

**320 W. Dodds Street**, Susan Zabriskie, 10-AA-96. Request relief from an administrative decision concerning designation as rental property.

**121 N. Glenwood Avenue West**, Baker Sammander, 10-TV-97. Request an extension of time to complete repairs.

**1000 S. Basswood North Circle**, Basswood Apartments, 10-TV-98. Request an extension of time to complete repairs.

**204 N. Walnut Street**, Mallory Hawes, LLC, 10-TV-99. Request an extension of time to complete repairs.

**2567-71 S. Addisyn Lane**, Trina Starnes, 10-TV-100. Request an extension of time to complete repairs.

**718 W. Dodds Street**, Vicky Holdman, 10-V-101. Request a modification or exception to the Housing Property Maintenance Code concerning bedroom size.

**2470 S. Brittany Lane**, R. Michael Peek, 10-TV-102. Request an extension of time to complete repairs.

**1202 N. Lincoln Street**, HAND, 10-RV-103. Request to rescind a variance.

**113-113 ½ S. Grant Street**, Fortune Properties, 10-TV-104. Request an extension of time to complete repairs.

**320 S. Washington Street**, Middle Way House, Inc., 10-TV-105. Request an extension of time to complete repairs.

**504 E. 9<sup>th</sup> Street**, Terry & Janice Elkins, 10-TV-106. Request an extension of time to complete repairs.

**508 E. 14<sup>th</sup> Street**, Terry & Janice Elkins, 10-TV-107. Request an extension of time to complete repairs.

**1912 E. 3<sup>rd</sup> Street**, Gi-Chae Lee, 10-AA-108. Request relief from an administrative decision concerning designation as rental property.

**422 W. Northlane Drive**, Action Property Management, 10-TV-109. Request an extension of time to complete repairs.

**117 N. Fairview Street**, Tom Gallagher, 10-TV-110. Request an extension of time to complete repairs.

**2582, 2590, 2595, 2598 & 2602 S. Addisyn Lane**, Blackwell Rentals, 10-TV-111. Request an extension of time to complete repairs.

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IV. **GENERAL DISCUSSION**

VI. **PUBLIC COMMENT**

VII. **ADJOURNMENT**



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 10, 2010

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-68

Address: 703 W. Gourley Pike

Petitioner: Gale Ray

Inspector: Robert Hoole

Staff Report:      March 23, 2010      Cycle inspection report mailed  
                              May 25, 2010      Appeal filed  
                              July 14, 2010      Extension of time granted  
                              July 23, 2010      Reinspection  
                              September 3, 2010      Reinspection  
                              October 12, 2010      Second appeal filed  
                              October 18, 2010      Reinspection

During the cycle inspection numerous repairs were cited, including the replacement of dozens of electrical service entrance conductors as well as extensive structural work. The petitioner initially requested a 30 day extension of time. After a discussion with the maintenance supervisor they chose to request a 90 day extension. On July 14, 2010 BHQA granted an extension of time with a deadline of October 14, 2010. On October 12, 2010 the petitioner filed an appeal requesting additional time. A reinspection conducted October 18, 2010 found that much work has not been completed or has been improperly executed.

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.

22

Compliance Deadline: The ground conductor for electrical service at unit 189 shall be properly reconnected and reinspected no later than November 17, 2010.  
All other items shall be completed and reinspected no later than January 25, 2011

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Attachments: Remaining violations report, appeal form

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

Petitioner's Name: Colonial Crest

Petitioner's Address & Phone Number: 703 W. Howley PK

Owner's Name: Copper Beech Townhomes

Owner's Address & Phone Number: 2590 Park Centre Blvd Suite 200

Address of Property: 703 W. Howley PK

Occupant(s) Name(s): \_\_\_\_\_

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

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

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Gale Ray

Name (print): Gale Ray

10-TV-68

Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request).



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

(Please write a brief narrative in the space provided below. 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.)

getting bids on removing brick & resurfacing  
the area. Will need to remove electrical boxes  
in a temporary status while we do the work.  
Should have this project started within 2 wks  
This is for Building "M" in the report.

Signature:

*Arlene Ray*

Date:

*10/12/10*



**City of Bloomington**  
**Housing and Neighborhood Development**

Remaining Violations Report  
Reinspected 9/3/2010 and 10/18/2010

416

OWNERS

=====

COPPER BEACH TOWNHOME COMMUNITIES  
P.O. BOX 79  
BOALSBURG, PA 16827

AGENT

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RAY, GALE  
703 W. GOURLEY PIKE (OFFICE)  
BLOOMINGTON IN 47404

Prop. Location: 703 W GOURLEY PIKE

Date Inspected: 01/25/2010

Inspectors: Robert Hoole

Primary Heat Source: Electric

Property Zoning: RH

Number of Stories: 2

Number of Units/Structures: 208/15

Number of Bedrooms: 1,2,3

Max # of Occupants: 2,4,5

Foundation Type: Slab

Attic Access: Yes

Accessory Structure:

VARIANCE

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

**REINSPECTION REQUIRED**

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code 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 Section 16.12.100 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:**

Trim trees in contact with the building adjacent to the following units: 25, 24, 1. PM-302.4.1

Replace the deteriorated service entrance cable **feeding the service panels** of the following units: 86, 85, 84, 83, 89, 98, 92, 91, 22, 21, 20, 19, 18, 13, 12. PM-605.1

**NOTE: The service entrance conductors must be replaced. It is not acceptable to wrap the existing conductors.**

Secure the loose electrical weatherhead of unit 8. PM-605.1

Replace the damaged air conditioner electrical disconnect for unit 189. PM-605.1

**NOTE: The disconnect has been repaired but now the ground wire for the service has been disconnected. Properly reconnect the ground conductor.**

During the previous cycle inspection a report from a licensed structural engineer was required. That report is included with this report as an attachment. It appears that the recommendations for assessing and repairing structural issues in building M were not completed. In order to renew the rental occupancy permit for this property it is necessary to either complete the recommendations of the previous report or provide a new report from a licensed structural engineer stating that further work is not recommended. PM-303.8, PM-303.6

Significant bowing of the exterior wall and settling of the walkway has occurred at the east end of the building containing unit 98. Properly repair the wall to eliminate bowing and repair walkways to be level and flush with the lowest course of brick on the building, or provide a report from a licensed structural engineer recommending alternatives to these repairs. PM-303.8, PM-303.6

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)



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 10, 2010  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from the requirement to register as a rental  
Petition Number: 10-AA-96  
Address: 320 W. Dodds Street  
Petitioner: Susan Zabriskie Revocable Trust

Prior to the expiration of the rental permit, the owner of the trust notified HAND that this property is now included in a trust and the beneficiaries of that trust are the occupant's children. Ms. Zabriskie still resides in the property and would like it removed from the rental inspection program. Utilities are in the name of Ms. Zabriskie and it appears from water usage that one person is residing in the property.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This agreement shall remain in force so long as Ms. Zabriskie resides in the property. This property will be pull dated for 2013 to check residency.

Compliance Deadline: None

Attachments: Appeal form, letter from petitioner



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

Petitioner's Name: SUSAN ZABRISKIE 327-5947 (cell)  
 332-6903 (H)

Petitioner's Address & Phone Number: 809 S. MADISON ST 47403

Owner's Name: SUSAN ZABRISKIE REVOCABLE TRUST

Owner's Address & Phone Number: 809 S. MADISON ST CITY 47403

Address of Property: 320 W. DODDS ST CITY 47403

Occupant(s) Name(s): CHRISTIAN ZABRISKIE

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Susan B. Zabriskie

Name (print): SUSAN B. ZABRISKIE

10-AA-96  
 Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request).



Application for Appeal  
To The  
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P.O. Box 100  
Bloomington, IN 47402  
812-349-3420

(Please write a brief narrative in the space provided below. 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.)

BOTH PROPERTIES LISTED ON REVERSE ARE  
OWNED BY THE TRUST. I AM LIVING IN 809 S. MADISON;  
MY SON CHRISTIAN (BENEFICIARY ON TRUST) IS  
LIVING IN 320 W. DODDS. I AM ASKING  
THAT 320 W DODDS BE REMOVED FROM  
THE RENTAL SYSTEM.

Thumps!

Signature: James B. Gabruskie Date: 9/17/10



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 10, 2010  
Petition Type: An extension of time to complete repairs  
Petition Number: 10-TV-97  
Address: 121 N. Glenwood W.  
Petitioner: Baker Sammander  
Inspector: Robert Hoole  
Staff Report: August 30, 2010 Cycle inspection report mailed  
September 21, 2010 Appeal filed

During the cycle inspection report it was noted that the egress windows did not meet the requirements in place at the time of installation. The windows were installed at some point after April 2, 2001. The petitioner is seeking an extension of time so that he can complete the process of securing a variance from the State of Indiana.

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: December 10, 2010

Attachments: Application for Appeal



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

Petitioner's Name: Baker A. Sammander

Petitioner's Address & Phone Number: 3660 Longview Ave. Bogn IN 47408-331-8535

Owner's Name: The Same

Owner's Address & Phone Number: The Same

Address of Property: 121 N. Glenwood West

Occupant(s) Name(s): Non-Occupied

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

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

Identify the variance type that you are requesting from the following list and attach the required information.

- A. An extension of time to complete repairs. (Petition type: TV)
  - ↳ Specify the items that need the extension of time to complete - *Applied to the State, requesting a variance*
  - ↳ Explain why the extension is needed. *Due to cut of date, beyond October 31st. it takes more time to be -*
  - ↳ Specify the time requested *Consider a Variance from the State*
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
- C. Relief from an administration decision. (Petition type: AA)
- D. Rescind a variance. (Petition type: RV)
  - ↳ Detail the existing variance
  - ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Baker A. Sammander

Name (print): Baker A. Sammander

10-TV-97  
 Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request).



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

(Please write a brief narrative in the space provided below. 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 property (121 N. Glenwood ~~W.~~ W.) is built in  
1963 and the jurisdiction of the City of Bloomington. And all violations  
which was noted by the City inspector, Mr. Robert Hous is already corrected  
and Complied by the Code. The only item needed to be taking is to obtain a Variance  
from the State, that I requested a Variance for an egress window.  
So, I don't know how long is going to take consideration a Variance as such,  
by the State? Also, a few minor items is left to be corrected, so,  
I need the time extension beyond Oct. 30th. Thank you for your consideration.

Sincerely,

Signature: Bala A. Sammander

Date: 9/15/10



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

9466

OWNERS

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SAMMANDER, BAKER A.  
3660 LONGVIEW AVE.  
BLOOMINGTON, IN 47408

Prop. Location: 121 N GLENWOOD AVE W	Number of Units/Structures: 1 / 1
Date Inspected: 08/23/2010	Number of Bedrooms: 5
Inspectors: Robert Hoole	Max # of Occupants: 3
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RS	Attic Access: No
Number of Stories: 1	Accessory Structure:

**INTERIOR**

Entry hallway

Repair the deadbolt to function as intended. PM-303.15

Living room (15 x 14)

Properly ground the electrical receptacles on the north wall, the west wall, and the south end of the east wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Dining room (9 x 10)

Properly ground the electrical receptacle on the east end of the north wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Kitchen (7 x 14)

Provide GFCI protection at all receptacles serving countertop locations. PM-605.2

Hallway

No violations noted.

Bath

No violations noted.

Northeast bedroom (9 x 10)

Properly ground the electrical receptacles in this room. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered after 2001:

Openable area required:	5.00 sq. ft.	Existing area:	2.64 sq. ft.
Clear width required:	20"	Existing width:	12 ½ "
Clear height required:	22"	Existing height:	30 ½ "
Maximum sill height:	44" above finished floor	Existing sill:	48"

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-16.02.040 (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.

Southeast bedroom (15 x 13)

Properly ground the electrical receptacles on the west wall and the east wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered after 2001:

Openable area required:	5.00 sq. ft.	Existing area:	4.09 sq. ft.
Clear width required:	20"	Existing width:	19 "
Clear height required:	22"	Existing height:	31 "
Maximum sill height:	44" above finished floor	Existing sill:	46"

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-16.02.040 (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.

West bedroom / bath (14 x 11)

Repair the GFCI receptacle in the bath to function as intended. PM-605.2

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered after 2001:

Openable area required:	5.00 sq. ft.	Existing area:	3.42 sq. ft.
Clear width required:	20"	Existing width:	17 "
Clear height required:	22"	Existing height:	29 "
Maximum sill height:	44" above finished floor	Existing sill:	47"

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-16.02.040 (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.

Basement hallway

No violations noted.

Basement family room (24 x 15)

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

Basement west bedroom (10 ½ x 11)

**Existing Egress Window Measurements:**

**Height: 33 inches**  
**Width: 21 inches**  
**Sill Height: 43 inches**  
**Openable Area: 4.81 sq. ft.**

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

Basement bath

No violations noted.

Basement east bedroom (12 x 16)

**Existing Egress Window Measurements:**

**Height: 33 inches**  
**Width: 26 inches**  
**Sill Height: 43 inches**  
**Openable Area: 5.95 sq. ft.**

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

Attached garage

Provide GFCI protection at all receptacles with the exception of the ceiling receptacle powering the garage door opener. PM-605.2

Eliminate all unused openings in service panel/junction box, by installing approved rigid knockout blanks. PM-604.3

Provide a complete directory of all service panels and circuits. PM-605.1

Utility 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

PM-603.1

Eliminate the leak from the bathtub drain above this room. PM-504.1

Properly seal the opening in the drainpipe adjacent to the washer drain. PM-504.1

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Enclose all wiring connections in approved junction boxes with covers installed. PM-605.1

### **EXTERIOR**

Provide GFCI protection at all exterior receptacles. PM-605.2

Replace the broken weatherproof cover on the receptacle adjacent to the air conditioner condensing unit. PM-605.1

### **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)



**City of Bloomington  
Housing and Neighborhood Development**

OCT 01 2010

Remaining Violations Report  
Reinspected 9/27/2010

9466

OWNERS

=====

SAMMANDER, BAKER A.  
3660 LONGVIEW AVE.  
BLOOMINGTON, IN 47408

Prop. Location: 121 N GLENWOOD AVE W  
Date Inspected: 08/23/2010  
Inspectors: Robert Hoole  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 1

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 5  
Max # of Occupants: 3  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure:

**REINSPECTION REQUIRED**

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code 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 Section 16.12.100 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.

## INTERIOR

### Northeast bedroom (9 x 10)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered after 2001:

Openable area required:	5.00 sq. ft.	Existing area:	2.64 sq. ft.
Clear width required:	20"	Existing width:	12 ½ "
Clear height required:	22"	Existing height:	30 ½ "
Maximum sill height:	44" above finished floor	Existing sill:	48"

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-16.02.040 (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.

### Southeast bedroom (15 x 13)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered after 2001:

Openable area required:	5.00 sq. ft.	Existing area:	4.09 sq. ft.
Clear width required:	20"	Existing width:	19 "
Clear height required:	22"	Existing height:	31 "
Maximum sill height:	44" above finished floor	Existing sill:	46"

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-16.02.040 (b).

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West bedroom / bath (14 x 11)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling altered after 2001:

Openable area required:	5.00 sq. ft.	Existing area:	3.42 sq. ft.
Clear width required:	20"	Existing width:	17 "
Clear height required:	22"	Existing height:	29 "
Maximum sill height:	44" above finished floor	Existing sill:	47"

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-16.02.040 (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.

Basement family room (24 x 15)

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

**NOTE: At the reinspection the owner indicated that although the fireplace has been inspected and found to be in good working order, a cap has been placed over the chimney. Remove the cap, or permanently and visibly seal the fireplace to prevent use.**

Utility room

Eliminate the leak from the bathtub drain above this room. PM-504.1

Properly seal the opening in the drainpipe adjacent to the washer drain. PM-504.1

**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)



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 10, 2010

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-98

Address: 1000 S. Basswood Cr.

Petitioner: Basswood Apts.

Inspector: Mosier/Person

Staff Report: It was noted during the cycle inspection that several buildings have missing shingles, fascia boards and trim. Repair or replacement of deteriorated or loose handrails on second level balconies was required. Some structural repairs of balconies on the 2<sup>nd</sup> level were also cited along with the removal of dead trees, in addition to the interior violations. The petitioner is requesting an extension of time to complete these repairs.

26 July 2010 – Cycle inspection conducted.  
22 September 2010 – Received BHQA Appeal

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: December 31, 2010.

Attachments: Cycle Report, Application for Appeal



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

Petitioner's Name: Basswood Apts.

Petitioner's Address & Phone Number: 1000 Basswood Circle 47403

Owner's Name: Scott H. May

Owner's Address & Phone Number: 1000 Basswood Circle 47403

Address of Property: 1000 Basswood Circle

Occupant(s) Name(s): \_\_\_\_\_

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: \_\_\_\_\_

Name (print): \_\_\_\_\_

(Will be assigned by BHQA)  
 10-TV-98  
 Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

We would just like to request an extension to make repairs. We are working with contractors schedules for exterior brick repairs. I would request a 30 day extension. Thank you.

Signature:

Alesia C. Harnic  
Property Manager  
812-393-9123

Date:

9-16-10



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

4493

OWNERS

MAY, SCOTT G.  
701 SUMMITVIEW PLACE  
BLOOMINGTON, IN 47401

AGENT

BASSWOOD, LLC  
1000 BASSWOOD CIRCLE  
BLOOMINGTON IN 47403

Prop. Location: 1000 S BASSWOOD CIR  
Date Inspected: 07/26/2010  
Inspectors: Mosier/Person  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Number of Units/Structures: 240 / 10  
Number of Bedrooms: 1 & 2  
Max # of Occupants: 2 & 4  
Foundation Type: Slab  
Attic Access: Yes  
Accessory Structure: Maint. Garage

**NOTE:**

- 🏠 Room dimensions are in the file or listed on the previous cycle inspection report.
- 🏠 Only Units/Rooms with violations shall be listed on this report.

**GENERAL STATEMENTS:**

Egress window dimensions are as follows:

**Existing Egress Window Measurements: Single hung: Const. Yr. - 1990**

**Height: 26 inches**

**Width: 32 inches**

**Sill Height: 24 inches**

**Openable Area: 5.77 sq. ft.**

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

**GENERAL STATEMENTS** – (Continued)

Properly label electrical service/meter disconnects with corresponding unit numbers. PM-701.2

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2

Repair all A/C quick disconnect couplings at base of quick disconnect box. PM-605.1

**INTERIOR:**

**BLDG # 1**

**Unit 1434**

**Bathroom:**

Repair or replace exhaust fan so that it functions as intended, loud. PM-603.1

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

**Unit 1436**

**Living Room:**

Repair the broken handle on the sliding glass door. PM-303.15

**Unit 1446**

**Balcony:**

Replace the deteriorated siding on the wall of the storage shed. PM-303.6

**Unit 1442**

**Bathroom:**

Determine the source and eliminate the water leak, under the sink. PM-504.1

**Unit 1416**

**Hallway:**

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

**Laundry Closet:**

Connect the dryer exhaust so that it vents to the exterior of the building envelope. PM-403.5

**Unit 1430**

**Kitchen:**

Repair the garbage disposal to function as intended, stuck. PM-603.1

**Unit 1424**

**Kitchen:**

Mount the fire extinguisher on the wall. A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

**Unit 1406**

**Bathroom:**

Properly repair the sink drain to function as intended, slow. PM-504.1

**Unit 1412**

**Bathroom:**

Properly repair the sink drain to function as intended, slow. PM-504.1

**Unit 1410**

**Living Room:**

Repair the sliding glass door to open easily. PM-303.15

**Kitchen:**

Mount the fire extinguisher on the wall. A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

**Unit 1408**

**Bathroom:**

Determine the source and eliminate the water leak, under the sink. PM-504.1

**BLDG # 3**

**Unit 1300**

**Hall Bath:**

Determine the source and eliminate the water leak, under the sink. PM-504.1

**Unit 1304**

**Master Bath:**

Replace the defective GFCI, won't trip. PM-605.1

**Unit 1306**

**Master Bath:**

Properly repair the sink drain to function as intended, slow. PM-504.1

**Unit 1310**

**Bathroom:**

Determine the source and eliminate the water leak, under the sink. PM-504.1

**Unit 1308**

**Bathroom:**

Clean and service the exhaust fan so that it functions as intended. PM-603.1

**Water Heater Closet:**

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

**Unit 1312**

**Kitchen:**

Replace the defective GFCI to the left of the sink. PM-605.1

**Common Hallway:**

Replace the damaged interior door on the second level, west end of hallway. PM-304.6

**Unit 1322**

**Bathroom:**

Replace the loud exhaust fan. PM-603.1

Secure the toilet to its mountings. PM-504.1

**2nd Bedroom:**

Replace the damaged door. PM-304.6

**Unit 1320**

**Balcony:**

Secure the handrail so it is capable of withstanding normally imposed loads. PM-303.12 (exterior) & PM-304.5 (interior)

**Bathroom:**

Properly repair the toilet not to run constantly. PM-504.1

**Unit 1318**

**Living Room:**

Replace the missing protective cover for the light fixture. PM-605.1

**Kitchen:**

Tighten both of the loose GFCI receptacles, to the left and right of the sink. PM-605.1

1<sup>st</sup> Bedroom:

Replace the defective receptacle on the north wall. PM-605.1

**Unit 1316**

1<sup>st</sup> Bedroom:

Repair the window to unlatch properly, latches are stiff, difficult to open. PM-303.13.2

**Unit 1326**

Hallway:

Repair/replace the worn carpet. PM-304.3

Water Heater Closet:

Re-attach the loose vent cover on the door. PM-304.6

Master Bath:

Properly repair the sink drain to function as intended, slow. PM-504.1

Hall bath:

Properly repair the sink drain to function as intended, slow. PM-504.1

**Unit 1324**

Kitchen:

Replace the defective GFCI to the right of the sink, won't trip. PM-605.1

Hall Bath:

Repair/replace the loud exhaust fan. PM-603.1

Properly repair or replace loose, curled, damaged, or missing floor covering. PM-304.4

**Unit 1330**

Kitchen:

Replace the defective GFCI to the right of the sink, won't trip. PM-605.1

**BLDG # 7**

**UNIT 1105 – TENANT VIOLATION – HOUSEKEEPING**

Every occupant of a structure or part thereof shall keep that structure or part thereof which the tenant occupies, controls or uses in a clean and sanitary condition. PM-304.1.

**TENANT VIOLATION:**

- ☞ Reduce the amount of clutter to an average and manageable amount for a single adult. PM-304.1
- ☞ A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the exterior. Remove clutter that is obstructing access to all ingress & egress areas in a manner that will provide a minimum 36 inch wide path of travel. PM-702.1

- ☞ Provide clear and unobstructed access to all cooking, cleaning, and or sanitary facilities and fixtures. This includes but is not limited to kitchen sink and surrounding area, cooking facilities, and bathroom or sanitary fixtures/areas. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. PM-504.1
- ☞ Tenant(s) must remove or rearrange items in a manner that allows the inspector access to all items and areas subject to inspection in regards to the City of Bloomington Property Maintenance Code. This includes but is not limited to all windows, doors, electrical receptacles and appliances, mechanical appliances, plumbing facilities, and attic/basement areas. PM-104.4
- ☞ Clean and sanitize entire unit. PM-304.1

Remove all stains splattered on walls, pick up clutter, sweep and mop floors, clean and sanitize carpet extensively.

Kitchen:

Repair the loose faucet handle. PM-504.1

Water Heater Closet:

Replace the missing doorknob. PM-304.6

Master Bedroom:

Replace the damaged trim inside the doorway. PM-304.6

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, south wall. PM-304.3

Unit 1107

Master Bath:

Properly repair the sink to function as intended, slow. PM-504.1

Unit 1103

Living Room:

Repair the sliding glass door to open easily. PM-303.15

Master Bath:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, south wall. PM-304.3

Hall Bath:

Replace the broken light switches. PM-605.1

Properly repair the sink to function as intended, slow. PM-504.1

Unit 1117 – Electricity is turned off at the time of cycle inspection, will check at re-inspection.  
No other violations cited.

**Unit 1119**

**Master Bath:**

Tighten the loose GFCI receptacle. PM-605.1

**Unit 1115**

**Balcony:**

Secure the handrail so it is capable of withstanding normally imposed loads. PM-303.12 (exterior) & PM-304.5 (interior)

Repair the floor of balcony, hand drive the nails that are sticking up. PM-303.10

**Unit 1117**

**Living Room:**

Repair the sliding glass door to open easily. PM-303.15

**Kitchen:**

Replace the discharged fire extinguisher. PM-704.3

**Unit 1127**

**Bath:**

Properly repair the sink to function as intended, slow. PM-504.1

**UNIT 1129**

**Living Room:**

Repair the sliding glass door to open easily. PM-303.15

**Unit 1123**

Finish the turn over of unit, will check at re-inspection.

**Unit 1133**

**Balcony:**

Secure the handrail so it is capable of withstanding normally imposed loads. PM-303.12 (exterior) & PM-304.5 (interior)

**Kitchen:**

Replace the discharged fire extinguisher. PM-704.3

**Unit 1135**

**Balcony:**

Secure the handrail so it is capable of withstanding normally imposed loads. PM-303.12 (exterior) & PM-304.5 (interior)

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. PM-303.13, PM-303.13.2

**Unit 1151**

Bath:

Properly repair the sink to function as intended, slow. PM-504.1

**Unit 1143**

Bath:

Repair/replace the loud exhaust fan. PM-603.1

**Unit 1141**

1<sup>st</sup> Bedroom:

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

**Unit 1157**

Balcony:

Secure the handrail so it is capable of withstanding normally imposed loads. PM-303.12 (exterior) & PM-304.5 (interior)

Bath:

Replace the missing sink stopper assembly. PM-504.1

**Unit 1153**

Balcony:

Secure the handrail so it is capable of withstanding normally imposed loads. PM-303.12 (exterior) & PM-304.5 (interior)

Living Room:

Repair the sliding glass door to open easily. PM-303.15

**BLDG 10**

**Unit 947**

2<sup>nd</sup> Bedroom:

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

**Unit 945**

Kitchen:

Replace the discharged fire extinguisher. PM-704.3

**Unit 951**

**Kitchen:**

Replace the discharged fire extinguisher. PM-704.3

**Unit 943**

**1<sup>st</sup> Bedroom:**

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Unit 941**

**Kitchen:**

Replace the discharged fire extinguisher. PM-704.3

**Unit 959**

**Kitchen:**

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress**. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

**2<sup>nd</sup> Bedroom:**

Replace the missing receptacle cover plate on the south wall. PM-605.1

**Unit 957**

**Balcony:**

Secure the handrail so it is capable of withstanding normally imposed loads. PM-303.12 (exterior) & PM-304.5 (interior)

**1<sup>st</sup> Bedroom:**

Repair/replace the worn carpet. PM-304.3

**2<sup>nd</sup> Bedroom:**

Repair/replace the worn carpet. PM-304.3

**Unit 955**

**Balcony:**

Replace the deteriorated flooring. PM-304.4

**Unit 953**

**Balcony:**

Replace the deteriorated wood for the handrail. PM-303.12

**Kitchen:**

Repair/replace the non functioning garbage disposal, and install a romax connector at base of garbage disposal. PM-504.1

**Unit 933 – TENANT VIOLATION- HOUSEKEEPING**

Every occupant of a structure or part thereof shall keep that structure or part thereof which the tenant occupies, controls or uses in a clean and sanitary condition. PM-304.1.

**TENANT VIOLATION:**

- ☞ Reduce the amount of clutter to an average and manageable amount for a single adult. PM-304.1
- ☞ A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the exterior. Remove clutter that is obstructing access to all ingress & egress areas in a manner that will provide a minimum 36 inch wide path of travel. PM-702.1
- ☞ Provide clear and unobstructed access to all cooking, cleaning, and or sanitary facilities and fixtures. This includes but is not limited to kitchen sink and surrounding area, cooking facilities, and bathroom or sanitary fixtures/areas. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. PM-504.1
- ☞ Tenant(s) must remove or rearrange items in a manner that allows the inspector access to all items and areas subject to inspection in regards to the City of Bloomington Property Maintenance Code. This includes but is not limited to all windows, doors, electrical receptacles and appliances, mechanical appliances, plumbing facilities, and attic/basement areas. PM-104.4
- ☞ Clean and sanitize entire unit. PM-304.1

Remove all clutter, clean and sanitize carpet extensively.

**Unit 935**

**Hallway:**

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

**Kitchen:**

Replace the discharged fire extinguisher. PM-704.3

**BLDG # 2**

**Unit 1401** – No Access, dog: Will check at re-inspection.

**Unit 1403**

**Kitchen:**

Replace the discharged fire extinguisher. PM-704.3

**Upper Level Common Hallway:**

Repair the damaged door on the east end of hallway. PM-304.6

**Unit 1415**

**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. PM-303.13, PM-303.13.2

**Unit 1423**

**Bathroom:**

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, adjacent to tub. PM-304.3

**Unit 1425**

**Bathroom:**

Repair or replace exhaust fan so that it functions as intended. PM-603.1

**Unit 1427**

**Bedroom:**

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

**Unit 1429**

**Bathroom:**

Repair or replace exhaust fan so that it functions as intended. PM-603.1

**Unit 1431**

**Kitchen:**

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress**. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

**Unit 1433**

**Bedroom:**

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Bathroom:**

Replace the defective GFCI receptacle. PM-605.1

**Hallway:**

Provide operating power to smoke detector. PM-704.1

**BLDG # 4**

**Unit 1333**

**Bedroom:**

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Unit 1337 – TENANT VIOLATION – HOUSEKEEPING**

**TENANT VIOLATION:**

- ☞ Reduce the amount of clutter to an average and manageable amount for a single adult. PM-304.1
- ☞ A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the exterior. Remove clutter that is obstructing access to all ingress & egress areas in a manner that will provide a minimum 36 inch wide path of travel. PM-702.1
- ☞ Provide clear and unobstructed access to all cooking, cleaning, and or sanitary facilities and fixtures. This includes but is not limited to kitchen sink and surrounding area, cooking facilities, and bathroom or sanitary fixtures/areas. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. PM-504.1
- ☞ Tenant(s) must remove or rearrange items in a manner that allows the inspector access to all items and areas subject to inspection in regards to the City of Bloomington Property Maintenance Code. This includes but is not limited to all windows, doors, electrical receptacles and appliances, mechanical appliances, plumbing facilities, and attic/basement areas. PM-104.4
- ☞ Clean and sanitize entire unit. PM-304.1

**Bedroom:**

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

**Unit 1341**

**Kitchen:**

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

**Unit 1349**

**1<sup>st</sup> Bedroom:**

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

**2<sup>nd</sup> Bedroom:**

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

### Unit 1351

#### Kitchen:

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress**. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

#### 1<sup>st</sup> Bedroom:

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

#### 2<sup>nd</sup> Bedroom:

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

### Unit 1353

#### Kitchen:

Repair/replace the defective garbage disposal. PM-504.1

### Unit 1369

#### Bathroom:

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

Replace the defective GFCI receptacle. PM-605.1

### BLDG # 5

#### Unit 1301

#### Kitchen:

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress**. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

#### Hallway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

#### Bedroom:

Replace the damaged door. PM-304.6

### Unit 1307

#### Furnace Closet:

Thoroughly clean and service the furnace and closet. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. PM-603.1

**Unit 1313**

**Kitchen:**

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

Repair/replace the defective garbage disposal. PM-504.1

**Unit 1309**

**Kitchen:**

Repair the clogged garbage disposal. PM-504.1

**Unit 1317**

**Master Bedroom:**

Replace the missing protective cover for the light fixture. PM-605.1

**Unit 1319**

**Kitchen:**

Secure the cabinets to the wall, separation. PM-304.3

**Bedroom:**

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

**Unit 1331**

**Kitchen:**

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress**. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

**Hallway:**

Provide operating power to smoke detector. PM-704.1

**Master Bedroom:**

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Unit 1329**

**Kitchen:**

Fire extinguisher mounted too high. A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress**. The securing mechanism must be no more than **5 feet above the floor, at the clasp**. PM-704.3.

**Master Bedroom:**

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

**BLDG # 6**

**Unit 1203**

**Kitchen:**

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

**Unit 1209**

**Hallway:**

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

**Unit 1219**

**Kitchen:**

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Repair/replace the non functioning garbage disposal. PM-504.1

**Unit 1217**

Once the interior painting is complete all light globes, cover plates and switch plates shall be reinstalled. PM-605.1

**Kitchen:**

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

**Unit 1213**

No Access, will check at re-inspection.

**Unit 1231**

Finish the turn over of unit, will check at re-inspection.

**Unit 1225**

**Kitchen:**

Repair/replace the non functioning garbage disposal. PM-504.1

**Unit 1227**

**Kitchen:**

Repair/replace the non functioning garbage disposal. PM-504.1

**Unit 1233**

**Kitchen:**

Repair/replace the non functioning garbage disposal. PM-504.1

**Hallway:**

Repair/replace the worn carpet. PM-304.3

**Unit 1249**

**Kitchen:**

Provide operating power to smoke detector. PM-704.1

**Unit 1255**

**Master Bedroom Closet:**

Repair the drywall above the doorway. PM-304.3

**Unit 1257**

**Hallway:**

Replace the missing protective cover for the light fixture. PM-605.1

**BLDG # 9**

**Unit 920**

**Kitchen:**

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

**Unit 916**

**Master Bedroom:**

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Unit 900**

No Access, will check at re-inspection.

**Unit 906**

**Kitchen:**

Repair/replace the non functioning garbage disposal. PM-504.1

**Unit 914**

**Kitchen:**

Repair/replace the non functioning garbage disposal. PM-504.1

**Unit 932**

**Kitchen:**

Repair/replace the non functioning garbage disposal. PM-504.1

**Unit 944**

**Hallway:**

Repair or replace existing smoke detector in a manner so that it functions as intended. PM-704.1

**Unit 940**

**Kitchen:**

Repair/replace the non functioning garbage disposal. PM-504.1

**Bedroom:**

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Unit 909**

**Hall Bath:**

Repair the toilet not to run constantly. PM-504.1

**Unit 915 – TENANT VIOLATION - HOUSEKEEPING**

Every occupant of a structure or part thereof shall keep that structure or part thereof which the tenant occupies, controls or uses in a clean and sanitary condition. PM-304.1.

**TENANT VIOLATION:**

- ☞ Reduce the amount of clutter to an average and manageable amount for a single adult. PM-304.1
- ☞ A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the exterior. Remove clutter that is obstructing access to all ingress & egress areas in a manner that will provide a minimum 36 inch wide path of travel. PM-702.1
- ☞ Provide clear and unobstructed access to all cooking, cleaning, and or sanitary facilities and fixtures. This includes but is not limited to kitchen sink and surrounding area, cooking facilities, and bathroom or sanitary fixtures/areas. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. PM-504.1
- ☞ Tenant(s) must remove or rearrange items in a manner that allows the inspector access to all items and areas subject to inspection in regards to the City of Bloomington Property Maintenance Code. This includes but is not limited to all windows, doors, electrical receptacles and appliances, mechanical appliances, plumbing facilities, and attic/basement areas. PM-104.4
- ☞ Clean and sanitize entire unit. PM-304.1

Clean entire carpet extensively, deodorize, and sanitize apartment.

**Water Heater Closet:**

Repair/replace the inoperable water heater to function as intended. PM-504.1

**Unit 913**

**Master Bedroom:**

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Unit 931**

**Bathroom:**

Remove the old caulking and install new caulking around the tub. PM-504.1

**Unit 900**

No access, will check at re-inspection.

**BLDG # 8**

**Unit 1047**

**Master Bedroom:**

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

**Unit 1045**

**1<sup>st</sup> Bedroom:**

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Replace the damaged door, holes. PM-304.6

**Unit 1049**

**Bathroom:**

Properly repair sink drain to function as intended, slow. PM-504.1

**Unit 1041**

Finish turn – over of unit. Will check at re-inspection.

**Unit 1057**

**Bathroom:**

Replace the defective exhaust fan, sticks. PM-603.1

**Unit 1055**

**Balcony:**

Replace the split band board on the balcony. PM-303.4

Secure the handrail so it is capable of withstanding normally imposed loads. PM-303.12 (exterior) & PM-304.5 (interior)

**Bathroom:**

Properly repair the sink faucet to eliminate the constant dripping. PM-504.1

**Unit 1053**

**Balcony:**

Replace the split band board on the balcony. PM-303.4

**Kitchen:**

Tighten the loose GFCI receptacle. PM-605.1

**Unit 1027**

**Bathroom:**

Replace the loud exhaust fan. PM-603.1

**Unit 1031**

**Bathroom:**

Replace the defective GFCI, won't trip. PM-605.1

**Unit 1023**

**Kitchen:**

Repair the garbage disposal to function as intended, stuck. PM-504.1

**Utility Closet:**

Replace the torn dryer vent hose. PM-403.5

**Unit 1021**

**Kitchen:**

Tighten the loose sink faucet. PM-504.1

**Unit 1033**

**Balcony:**

Replace the deteriorated handrail. PM-303.12

Replace the deteriorated flooring. PM-304.4

**Unit 1007**

**Hall Bath:**

Replace the loud exhaust fan. PM-603.1

**Unit 1009**

**Master Bedroom**

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. PM-102.3 & PM-702.4

**Master Bath:**

Properly repair the faucet to eliminate the constant dripping. PM-504.1

**Unit 1001**

**Hall Bath:**

Properly repair the faucet to eliminate the constant dripping. PM-504.1

**Unit 1019**

**Hallway:**

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

**Unit 1013:**

Finish turn over.

**Unit 1015**

Finish turn over.

**EXTERIOR:**

All trees on premise shall be in good health and pose no danger to persons or building. Remove the dead trees adjacent to **BLDG. 6**, one on the north end and one on the south end of structure. PM-302.4.1

Replace the missing shingles on the roof of **BLDG # 10**. PM-303.7

Replace the missing fascia trim on the west end of **BLDG. # 8**. PM-303.7

Replace the missing siding near the electrical meters, west end of **BLDG. # 8**. PM-303.6

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)



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 10, 2010  
Petition Type: An extension of time to complete repairs  
Petition Number: 10-TV-99  
Address: 204 N. Walnut Street  
Petitioner: Mallory Hawes LLC – Chris Hawes  
Inspector: Maria McCormick  
Staff Report: Cycle Inspection August 20, 2010

At the cycle it was noted that the loft portions in Apts. A & C are being used as bedroom. There is no emergency egress in the lofts. There is hatch access to the attic/roof however these have been coved with plywood. It has been noted since this property was registered as a rental (1987) that the loft areas were not approved for sleeping purposes ore bedrooms. The owners have requested an extension of time to determine if they may use this area as bedrooms.

Staff recommendation: Deny the extension of time and discontinue use of the loft areas for sleeping purposes.

Conditions: The lofts areas must be brought into compliance 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: November 12, 2010

Attachments: Application for Appeal, Cycle Report

A



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

RECEIVED  
SEP 29 2010

BY: .....

Petitioner's Name: Malory Hawes LLC, Chris Hawes

Petitioner's Address & Phone Number: 1533 Arbors Ln.

Owner's Name: Malory Hawes LLC, Chris Hawes

Owner's Address & Phone Number: (310) 601 6996

Address of Property: 204 N. Walnut St.

Occupant(s) Name(s): ~~Blank~~ Call Cash Brown, manager 219 2027

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Handwritten Signature]

Name (print): Chris Hawes

10-TV-99  
Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request).



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

(Please write a brief narrative in the space provided below. 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.)

extension for sorting out building  
code and Hand code conflicts

Signature:

A handwritten signature in black ink, appearing to be "J. A. [unclear]".

Date:

9/28/10



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

1410

OWNERS

MALLORY HAWES LLC  
1533 ARBORS LANE  
BLOOMINGTON, IN 47401

Prop. Location: 204 N WALNUT ST  
Date Inspected: 08/20/2010  
Inspectors: Maria McCormick  
Primary Heat Source: Electric  
Property Zoning: CD  
Number of Stories: 2

Number of Units/Structures: 3 / 1  
Number of Bedrooms: 1/2  
Max # of Occupants: 2/3  
Foundation Type: Slab  
Attic Access: No  
Accessory Structure: None

VARIANCE

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

INTERIOR:

Common Hall/Stairs:

Repair or replace the non-functioning electrical receptacle on the north wall. PM-605.1

Every common hallway shall be lighted at all times with at least 60-watt a standard incandescent light bulbs for each 200 square feet of floor area or equivalent illumination, provided the spacing between lights shall not be grater than 30 feet. PM-402.2

Apt. A –

Bathroom; Kitchen 11-8 x 12; Dining Area 7-9 x 10-6; Living Area/Bedroom 12- x 19-6:

No violations noted.

Loft Area 12-3 x 13-3 – TENANT VIOLATION:

Remove all bedding from this area; this is not approved as a sleeping area, no egress. PM-701.1 & PM-701.2

Apt. B –

Entry; Bathroom:

No violations noted.

Kitchen:

A minimum 1A 10BC classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

Living Room 13-2 x 16-9:

Every window shall be capable of being easily opened and held in position by its own hardware. Repair the north window to stay open and the south window to fit properly so that the sash does not pop-out of the frame when opening and closing the window. PM-303.13.2

North Bedroom 13-11 x 10-11:

All basement and ground floor windows and all upper windows adjacent to porch roofs, decks or other accessible exterior elements shall be capable of latching securely. Install a locking mechanism to the south window. PM-303.13.2

Existing Egress Window Measurements:

Height: 34 inches

Width: 30 inches

Sill Height: 29 ½ inches

Openable Area: 7.08 sq. ft.

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

South Bedroom 13-9 x 13-1:

No violations noted.

Existing Egress Window Measurements:

Height: 34 inches

Width: 30 inches

Sill Height: 29 ½ inches

Openable Area: 7.08 sq. ft.

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

Apt. C –

Entry; Bathroom; Kitchen:

No violations noted.

Living Room/Dining Room/Bedroom 23-6 x 18-3:

Every window shall be capable of being easily opened and held in position by its own hardware. Repair the middle window so that it can be closed. PM-303.13.2

Loft Area 10-2 x 13-10 – TENANT VIOLATION:

Remove all bedding from this area; this is not approved as a sleeping area, no egress. PM-701.1 & PM-701.2

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

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**

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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 16.12.080 (b)



City of Bloomington  
H.A.N.D.

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

Meeting Date: 10 November 2010  
Petition Type: An extension of time to complete repairs  
Petition Number: 10-TV-111  
Address: 2567-2571 S. Addisyn Ln.  
Petitioner: Trina Starnes  
Inspector: Sean Person  
Staff Report: August 6, 2010 - Conducted Cycle Inspection  
August 29, 2010 – Received BHQA Appeal

During the cycle inspection it was noted that egress windows did not meet size requirements in place at the time of construction in 2006. The petitioner is seeking an extension of time to secure a variance from the State of Indiana to allow the windows to remain as they are.

Openable area required:	5.7 sq. ft.	Existing area:	5.49 sq. ft.
Clear width required:	20 "	Existing width:	33 1/2 "
Clear height required:	22 "	Existing height:	23 5/8 "
Maximum sill height:	44 " above finished floor	Existing sill:	27 "

Staff recommendation: Grant 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. **This extension of time applies only to egress window issues.**

Compliance Deadline: January 15, 2011

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

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

Petitioner's Name: Trina Starnes

Petitioner's Address & Phone Number: 6398 S Shields Ridge Rd. Bloomington  
IN 47402

Owner's Name: Trina Starnes (812) 369-8086

Owner's Address & Phone Number: same as above

Address of Property: 2567 & 2571 Addisyn

Occupant(s) Name(s): April Cannon ↖ Angie Mischler

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- A. An extension of time to complete repairs. (Petition type: TV) *I sent variance application on 9/27/2010*
  - ↳ Specify the items that need the extension of time to complete
  - ↳ Explain why the extension is needed
  - ↳ Specify the time requested
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
  - ↳ Specify the code reference number you are appealing
  - ↳ Detail why you are requesting the variance
  - ↳ Specify the modifications and or alterations you are suggesting
- C. Relief from an administration decision. (Petition type: AA)
  - ↳ Specify the decision being appealed and the relief you are seeking
- D. Rescind a variance. (Petition type: RV)
  - ↳ Detail the existing variance
  - ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Trina Starnes

Name (print): Trina Starnes

(Will be assigned by BHQA)  
 10-TV-100  
 Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

I have sent a variance application  
requesting 5 windows that  
don't meet code by .21 square  
feet be allowed. This is an  
existing building that passed  
inspection in 2006 and has  
been occupied since

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



City of Bloomington  
Housing and Neighborhood Development

**RENTAL PERMIT INFORMATION**

AUG 24 2010

Trina Starnes  
6398 S. Shields Ridge Road  
Bloomington, IN 47401

Property Location: 2567-2571 S. Addisyn Lane

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by ~~September 2010~~ **OCT 24 2010** to schedule a reinspection. 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 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. 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.

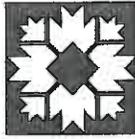
If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc:



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

8380

OWNERS

STARNES, TRINA  
6398 S. SHIELDS RIDGE ROAD  
BLOOMINGTON, IN 47401

Prop. Location: 2567/2571 S ADDISYN LN  
Date Inspected: 08/06/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Number of Units/Structures: 2/1  
Number of Bedrooms: 3/2  
Max # of Occupants: 5  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

2567

INTERIOR

Living Room (15-8 x 15-0)

No violations noted.

Kitchen (13-7 x 11-9)

No violations noted.

Back Porch

No violations noted.

Upper Level

Bedroom W (11-2 x 11-7)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sqft	Existing area: 5.49 sqft.
Clear width required: 20"	Existing width: 33 ½"
Clear height required: 22"	Existing height: 23 5/8"
Maximum Sill Height: above floor 44"	Existing sill: 27"

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-16.02.040 (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.

**Bedroom C (12-0 x 9-0)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sqft	Existing area: 5.49 sqft.
Clear width required: 20"	Existing width: 33 ½"
Clear height required: 22"	Existing height: 23 5/8"
Maximum Sill Height: above floor 44"	Existing sill: 27"

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-16.02.040 (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.

**Bedroom E (10-7 x 10-6)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sqft	Existing area: 5.49 sqft.
Clear width required: 20"	Existing width: 33 ½"
Clear height required: 22"	Existing height: 23 5/8"
Maximum Sill Height: above floor 44"	Existing sill: 27"

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-16.02.040 (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**

No violations noted.

**Lower Level**

**Family Room (10-0 x 10-9)**

Note: This room does not meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

**Bathroom**

No violations noted.

**Garage**

No violations noted.

**2571**

**INTERIOR**

**Living Room (15-8 x 15-0)**

No violations noted.

**Kitchen (13-7 x 11-9)**

No violations noted.

**Back Porch**

No violations noted.

**Upper Level**

**Bedroom W (11-2 x 11-7)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sqft	Existing area: 5.49 sqft.
Clear width required: 20"	Existing width: 33 1/2"
Clear height required: 22"	Existing height: 23 5/8"
Maximum Sill Height: above floor 44"	Existing sill: 27"

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-16.02.040 (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.

**Bedroom E (10-7 x 10-6)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sqft	Existing area: 5.49 sqft.
Clear width required: 20"	Existing width: 33 ½
Clear height required: 22"	Existing height: 23 5/8
Maximum Sill Height: above floor 44"	Existing sill: 27"

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-16.02.040 (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**

No violations noted.

**Lower Level**

**Family Room (10-0 x 10-9)**

Note: This room does not meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

**Bathroom**

No violations noted.

**Garage**

No violations noted.

**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 16.12.080 (b)~~



City of Bloomington  
H.A.N.D.

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

Meeting Date: 10 November 2010  
Petition Type: A modification or exception to the Housing Property Maintenance Code.  
Petition Number: 10-V-101  
Address: 718 W. Dodds  
Petitioner: Vicky Holdeman  
Inspector: Sean Person  
Staff Report: August 14, 2010 - Conducted Cycle Inspection  
September 30, 2010 – Received BHQA Appeal

It was noted during the cycle inspection that the center bedroom did not meet the safety requirements for a sleeping room. The room measurements are as follows: (91" x 91") + (25" x 43 ½") = 65.00 square feet.

Staff recommendation: Grant

Conditions: Install single and multiple-station, hard wired smoke alarms shall be installed in the following locations and in accordance with following criteria: PM-102.3, PM-102.8, & PM-704.2

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. Radio frequency interconnection is allowable.

5. Install smoke detector(s) in an approved 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.
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.
8. Smoke detection shall be maintained in manner so that it functions as intended and is in compliance with the aforementioned installation requirements.
9. Should the structure ever be determined to be in a state of non-compliance with the abovementioned conditions the variance may be rescinded at the discretion of the code official.

Compliance Deadline:            January 1, 2011

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



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  
OCT 1 2010

BY:.....

Property Address: 718 W. Dodds, Bloomington, IN 47403

Petitioner's Name: Vicky Holdeman

Address: 4891 Briar Gate Dr

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 323-0974

E-mail Address: billholdeman@remax.net

Owner's Name: Vicky Holdeman

Address: 4891 Briar Gate Dr

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 812-323-0974

E-mail Address: billholdeman@remax.net

Occupants: Vacant at this time

**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:** A modification or exception to the Housing Property Maintenance Code. (Petition Type: V)

**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)

10-V-101

Petition Number: \_\_\_\_\_

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 are requesting a modification or exception to the Housing Property Maintenance Code. (Petition Type V)  
1. The Code reference number that we are appealing is PM 404.4.1 concerning bedroom size.  
2. City of Bloomington Housing Code requires a minimum of 70 s.f. for a bedroom. Our unit has over 70 s.f. if we take out the closet, but only 65 s.f. with the existing closet. This mobile home was built in 1996 and meets HUD requirements for a 3 bedroom mobile home. The bedroom in question has direct access to the hallway and was designed and built as a bedroom. It is very adequate for a child's bedroom. The size (not including the closet) is 91" x 91" plus 25" x 43-1/2". It meets all the other minimum room width requirements, access requirements, and water closet accessibility requirements. Minimum square footage is the only requirement it does not meet per Bloomington Housing Code requirements.  
3. We would like to be able to use this room as a legal bedroom without any modification or alteration such as removing the closet to increase the floor space.

Signature (Required): Vicky Holdeman

Name (Print): Vicky Holdeman Date: 9/29/10

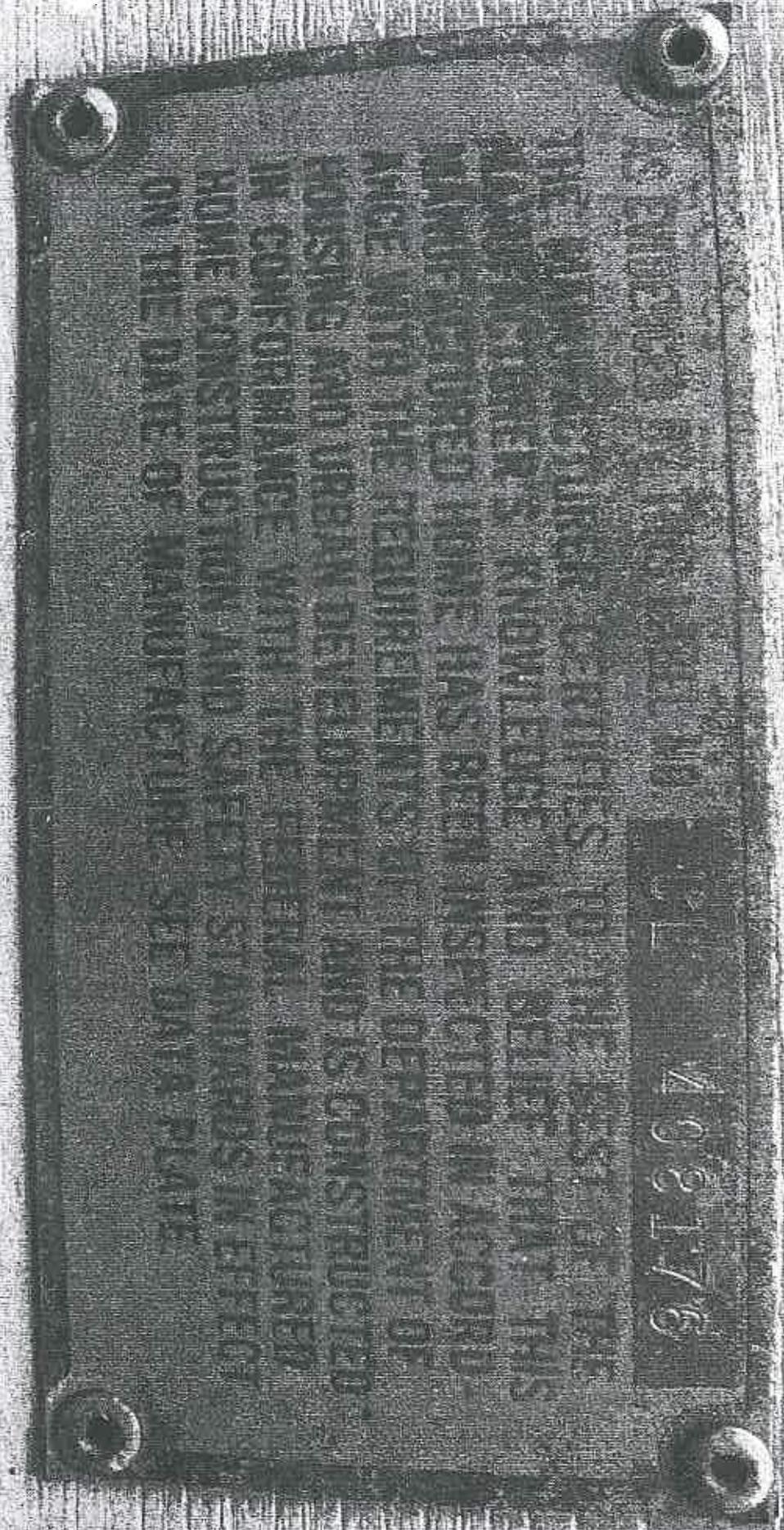
**Important information regarding this application format:**

- 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.



## COMPARISON OF BUILDING CODES FOR SINGLE FAMILY HOMES HUD CODE VS. 2006 IRC CODE

DESIGN ELEMENT	HUD MANUFACTURED HOUSING STANDARDS	2006 IRC - INTERNATIONAL RESIDENTIAL CODE
<b>STRUCTURAL DESIGN (cont.)</b>		
	15 PSF (min) depends on design zone	10-15 lbs. (90 mph) Depending on bldg. component
Wind load (horizontal)	3280.305	Table R 301.2 (2)
	9 PSF (min) Depends on design zone	10-15 lbs. (90 mph) Depending on bldg. component
Wind load (vertical)	3280.305	Table R 301.2 (2)
	40 PSF	40 PSF (min) Dwelling area, 30 PSF (min) for Sleeping area
Floor live load	3280.305 (g)	Table R 301.5
	5 PSF	Construct walls per
Horizontal load on interior walls	3280.305 (f) (2)	Ch. 6
	Engineered and tested	Engineered only
Roof trusses		R 802.10.2
<b>LOAD DEFLECTION</b>		
	L/240 Span (max)	L/360 Span (max)
Floors	3280.305	Table R 502.3.1 (1 & 2)
	L/180 Span (max)	L/240 Span (max)
Roof and ceiling	3280.305	Table R 802.5.1(2)
	L/180 Span (max)	Construct walls per
Walls	3280.305	Ch. 6
	Engineered	Engineering not required if using conventional light framing method
Plans and specifications	3280.303 (B)	R 106.1 (exception)
<b>ARCHITECTURAL DESIGN BUILDING PLANNING Minimum Room Sizes</b>		
	150 square feet	120 square feet
One living area	3280.109 (a)	R 304.1
	70 square feet	70 square feet
Double bedroom	3280.109.2	R 304.2
	50 square feet	70 square feet
Single bedroom	3280.109.2	R 304.2
	5 ft (min)	7 ft (min)
Room width	3280.110	R 304.3
	7 ft 0 in (min) (exceptions)	7 ft (min)
Room height	3280.104	R 305.1



498175

THE NATIONAL ARCHIVES  
COLLECTIONS  
SERIALS  
SECTION  
1000 PENNSYLVANIA AVENUE  
WASHINGTON, D.C. 20540



City of Bloomington  
Housing and Neighborhood Development

**RENTAL PERMIT INFORMATION**

SEP 20 2010

William Holdeman  
4891 Briar Gate Drive  
Bloomington, IN 47404

Property Location: 718 W. Dodds Street

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **NOV 20 2010** to schedule a reinspection. 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 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. 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 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:



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

8432

OWNERS

HOLDEMAN, WILLIAM M.  
4891 BRIAR GATE DRIVE  
BLOOMINGTON, IN 47404

Prop. Location: 718 W DODDS ST  
Date Inspected: 09/14/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: RC  
Number of Stories: 1

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Other  
Attic Access: No  
Accessory Structure: None

INTERIOR

Bedroom S (11-9 x 10-6)

Existing Egress Window Measurements: Mobile Home

Height: 23 inches  
Width: 25 inches  
Sill Height: 18 inches  
Openable Area: 3.99 sq. ft.

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

Hallway Laundry

No violations noted.

Bathroom

No violations noted.

Kitchen (10-9 x 8-11)

The smoke detector in this room was not functioning properly. A smoke detector shall be installed, repaired, or re-wired in a manner that meets the following criteria: 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. Radio frequency interconnection is allowable. PM-704.1

Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. PM-704.1

**Living Room (14-2 x 12-0)**

No violations noted.

**Hallway**

The smoke detector in this room was not functioning properly. A smoke detector shall be installed, repaired, or re-wired in a manner that meets the following criteria: 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. Radio frequency interconnection is allowable.

Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. PM-704.1

**Room (91" x 91" + "25 x 43 1/2")**

NOTE: This room does NOT meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

**Existing Egress Window Measurements: Mobile Home**

Height: 23 inches  
Width: 25 inches  
Sill Height: 18 inches  
Openable Area: 3.99 sq. ft.

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

**Bedroom N (9-11 x 10-7)**

**Existing Egress Window Measurements: Mobile Home**

Height: 23 inches  
Width: 25 inches  
Sill Height: 18 inches  
Openable Area: 3.99 sq. ft.

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

**EXTERIOR**

No violations noted.

**OTHER REQUIREMENTS**

Required documentation:

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

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City of Bloomington  
H.A.N.D.

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

Meeting Date: 10 November 2010

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-102

Address: 2470 S. Brittany Ln.

Petitioner: R. Michael Peek

Inspector: Michael Arnold

Staff Report: 30 June 2010 Cycle Inspection  
07 July 2010 Sent Report  
03 September 2010 Reinspection Scheduled  
14 September 2010 Reinspection Completed  
17 September 2010 Sent Remaining Violations Report

During the cycle inspection it was noted that the upper level middle bedroom window did not meet minimum emergency egress requirements for a sleeping room at the time the structure was built. **This unit was constructed in 1982.** Required and actual measurements are as follows:

<b>Openable area required:</b>	<b>4.75 sq. ft.</b>	<b>Existing area:</b>	<b>3.95 sq. ft.</b>
Clear width required:	18"	Existing width:	34"
<b>Clear height required:</b>	<b>24"</b>	<b>Existing height:</b>	<b>16.75"</b>
Max. sill height allowed:	48" above finished floor	Existing sill:	43.5" aff

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.

A

Compliance Deadline: 10 January 2011

Attachments: Application, Remaining Violations Report

---



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

RECEIVED  
 SEP 9 2010

Petitioner's Name: R. Michael Peck

Petitioner's Address & Phone Number: 899 S. College Mall Rd #385 47409

Owner's Name: R. Michael Peck

Owner's Address & Phone Number: 899 S. College Mall Rd #385 B-ton 47409

Address of Property: 2470 Brittany Lane

Occupant(s) Name(s): Linda Eneanuoh

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

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

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: R. Michael Peck

Name (print): R. Michael Peck

10-TV-102  
 Petition Number:

(Please use the reverse side for further explanation and/or request).



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

Please write a brief narrative in the space provided below. 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.)

I need more time so I can get a variance from the State. I think 90 days should be enough. All other repairs are completed.

Signature: R. M. [unclear] Date: 9/30/10

## Remaining Violations Report

62

## OWNERS

=====

PEEK, R. MICHAEL  
 3316 ROLLING OAK DRIVE  
 BLOOMINGTON, IN 47401

## AGENT

=====

PEEK & ASSOCIATES  
 899 S. COLLEGE MALL ROAD #385  
 BLOOMINGTON IN 47401

Prop. Location: 2470 S BRITTANY LN  
 Date Inspected: 06/30/2010  
 Inspectors: Mike Arnold  
 Primary Heat Source: Electric  
 Property Zoning: RM  
 Number of Stories: 2

Number of Units/Structures: 1 / 1  
 Number of Bedrooms: 3  
 Max # of Occupants: 5  
 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 Housing-Property Maintenance Code 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 Section 16.12.100 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.

**Interior:****Upper Levels:****Middle Bedroom (9-5 x 7-10):**

This window does not meet minimum egress requirements for a Multi-Unit dwelling:

<b>Openable area required:</b>	<b>4.75 sq. ft.</b>	<b>Existing area:</b>	<b>3.95 sq. ft.</b>
Clear width required:	18"	Existing width:	34 "
<b>Clear height required:</b>	<b>24"</b>	<b>Existing height:</b>	<b>16.75"</b>
Max. sill height allowed:	48" above finished floor	Existing sill:	43.5" aff

The egress window does not meet the minimum code requirements for the time the structure was built. **For that reason, the City cannot issue a rental permit until either the window is altered/repaired to stay open at a minimum 24" high 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. PM-702.4**

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.



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 10, 2010

Petition Type: Rescind a Variance

Petition Number: 10-RV-103

Address: 1202 N. Lincoln Street

Petitioner: HAND

Inspector: Maria McCormick

Staff Report: A second bathroom has been added to this property. Therefore the pass thru variance for apt. #1 is no longer necessary.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: None

*Handwritten initials*



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

Petitioner's Name: HAND

Petitioner's Address & Phone Number: \_\_\_\_\_

Owner's Name: Don + Virginia Hanna

Owner's Address & Phone Number: 1301 S. Brooks Bloomington, IN 47401

Address of Property: 1202 N. Lincoln St.

Occupant(s) Name(s): \_\_\_\_\_

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

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

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: *Maria McCormick*

Name (print): Maria McCormick

(Will be assigned by BHQA)  
10-RV-103  
Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

This variance is no longer need since a second bathroom  
has been added to the property in ~~unit~~ unit 1.

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "D. [unclear]".

Date: \_\_\_\_\_

9-28-2010



City of Bloomington  
H.A.N.D.

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

Meeting Date: 10 November 2010

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-104

Address: 113-113½ S. Grant St.

Petitioner: Fortune Properties

Inspector: Michael Arnold

Staff Report: 19 July 2010            Cycle Inspection  
                  22 July 2010            Sent Inspection Report  
                  07 October 2010           Received Appeal

During the cycle inspection it was noted that the sleeping room egress windows did not meet the minimum requirements at the time of construction. **The Apartments were constructed in 2001.** The actual and required measurements are as follows:

<b>Openable area required:</b>	<b>5.70 sq. ft.</b>	<b>Existing area:</b>	<b>4.81 sq. ft.</b>
Clear width required:	20"	Existing width:	31.5"
<b>Clear height required:</b>	<b>24"</b>	<b>Existing height:</b>	<b>22"</b>
Maximum sill height:	44" above finished floor	Existing sill:	29"

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: 10 February 2011

Attachments: Application for Appeal, Inspection Report



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

RECEIVED  
 OCT 27 2010

Petitioner's Name: FORTUNE properties BY: \_\_\_\_\_

Petitioner's Address & Phone Number: P.O. Box 1601, Blgt, Ind, 47402

Owner's Name: U.S. ASSETS LLC 323-8562

Owner's Address & Phone Number: U.S. ASSETS LLC, 113 S. Grant St.

Address of Property: 113 S. Grant St - VIP Studios apt

Occupant(s) Name(s): tenant

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Handwritten Signature]

Name (print): J. B. NAWU

10-TV-104  
 Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request).



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

(Please write a brief narrative in the space provided below. 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.)

I AM seeking state variance  
from Dept of Homeland Security for  
egress windows. I AM requesting extension  
a 90 days from meeting date  
of 11-10-10.

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "J. A. ...".

Date: \_\_\_\_\_

10/7/10

## Cycle Report

6703

## OWNERS

=====

FORTUNE PROPERTIES, INC.  
PO BOX 1601  
BLOOMINGTON, IN 47402

## AGENT

=====

NORBU, JIGME  
PO BOX 1601  
BLOOMINGTON IN 47402

Prop. Location: 113-113½ S GRANT ST	Number of Units/Structures: 2 / 1
Date Inspected: 07/19/2010	Number of Bedrooms: 3 each
Inspectors: Mike Arnold	Max # of Occupants: 3/5
Primary Heat Source: Electric	Foundation Type: Other
Property Zoning: CD	Attic Access: No
Number of Stories: 2	Accessory Structure: none

**Note: This report is for Unit 113 only.**

**Interior:****Unit 113:****Living Room (13-5 x 12-10), Kitchen (8-0 x 8-0), Bathroom, Utility Room:**

No violations noted

**NE Bedroom (12-2 x 9-7), NW Bedroom (11-5 x 9-10), SE Bedroom (10-2 x 9-6):**

The window does not meet minimum egress requirements for a **class I/multi-unit structure** built in **2002**:

<b>Openable area required:</b>	<b>5.7 sq. ft.</b>	<b>Existing area:</b>	<b>4.81 sq. ft.</b>
Clear width required:	20"	Existing width:	31.5"
<b>Clear height required:</b>	<b>24"</b>	<b>Existing height:</b>	<b>22"</b>
Maximum sill height:	44" aff *	Existing sill:	29" aff*

\*aff – above finished floor

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot 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. PM-702.4

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.

**Required Documentation:**

**A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspections or a \$25.00 fine will be levied. BMC16.12.050 (d).**

**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**

Thoroughly clean and service the furnace. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. PM-603.1

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)



City of Bloomington  
H.A.N.D.

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

Meeting Date: 10 November 2010

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-105

Address: 320 S. Washington St.

Petitioner: Middle Way House/Cynthia Brubaker

Inspector: Michael Arnold

Staff Report: 20 July 2010 Cycle Inspection report  
08 September 2010 Reinspection  
07 October 2010 Received Extension of Time Appeal

During the reinspection it was noted that the elevator installation was not complete. Middle Way is asking for an extension of time to complete the installation.

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: 10 May 2011

Attachments: Application, Remaining Violations Report

*Handwritten initials*



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

Petitioner's Name: Cynthia Brubaker for Middle way House, Inc.

Petitioner's Address & Phone Number: 320 S. Washington St. Bloomington IN 47401

Owner's Name: same as petitioner 333 7404

Owner's Address & Phone Number: PO Box 95 Bloomington IN 47402

Address of Property: 320 S. Washington St.

Occupant(s) Name(s): not yet occupied

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Cynthia Brubaker

Name (print): Cynthia Brubaker

**10-TV-105**  
 Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)



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

Please write a brief narrative in the space provided below. 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.)

Installation of elevator requires more time to complete. Was not part of original scope of work. City legal determined need for replacement of existing freight elevator in existing historic building to be replaced with new passenger elevator - during construction. Lead time for custom designed elevator in existing shaft was longer than acquiring elevator for new construction. Timing of funding sources also caused delay.

Signature:

Cynthia J. Prater

Date:

9/30/10

## Remaining Violations Report

9420

## OWNERS

=====

MIDDLE WAY HOUSE, INC.  
 P.O. BOX 95  
 BLOOMINGTON, IN 47402

Prop. Location: 320 S WASHINGTON ST	Number of Units/Structures: 8 / 1
Date Inspected: 07/20/2010	Number of Bedrooms: 1 each
Inspectors: Mike Arnold	Max # of Occupants: 2 each
Primary Heat Source: Other	Foundation Type: Slab
Property Zoning: CD	Attic Access: No
Number of Stories: 2	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 Housing-Property Maintenance Code 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 Section 16.12.100 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.

**Interior:****Common Hallway:**

Complete the installation of the elevator. PM-606.1



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 10, 2010

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-106

Address: 504 E. 9<sup>th</sup> Street, Apts. B & C

Petitioner: Sherri Hillenburg

Inspector: Maria McCormick

Staff Report: During the cycle inspection it was noted that the egress windows in the basement bedrooms of 2 units did not meet code at the time of construction. The owners are requesting an extension of time to obtain a variance from the State of Indiana. The owner has also requested that they not be limited to a 3 year permit. If they receive a variance from the state they will be eligible for longer permits, provided that all BHQA and other deadlines are met. Also requested in this appeal is relief from the \$20 BHQA filing fee because there was a previous BHQA variance that was rescinded. This fee is necessary to cover the costs of the legal ads that must be placed prior to the meetings.

Egress window measurements (Year of Construction – 1980):

Openable area required: 4.75 sq. ft.	Existing area: 6.34 sq. ft.
Clear width required: 18 inches	Existing width: 38 inches
Clear height required: 24 inches	Existing height: 24 inches
<b>Maximum Sill Height: 48" above floor</b>	<b>Existing sill: 49" above floor</b>

Staff recommendation: Grant the extension of time. Deny the request to waive the BHQA filing fee.

Conditions: The state variance must be received by HAND 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: December 10, 2010

Attachments: Application for Appeal, Cycle Report



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

RECEIVED  
 OCT 07 2013

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

Petitioner's Name: Sherr Hillberry

Petitioner's Address & Phone Number: 940 N. Walnut St. 339-2859

Owner's Name: Elkins Grandchildren's Trust

Owner's Address & Phone Number: 940 N. Walnut 339-2859

Address of Property: 504 E. 9th St., A-C

Occupant(s) Name(s): \_\_\_\_\_

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: \_\_\_\_\_

Name (print): \_\_\_\_\_

10-TV-106  
 Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

2) An extension of time is needed in order to obtain a variance from the State for a window sill that is 1" too high.

3) We were not notified that the BHQA variance had been recorded.

3) We request that our permit not be reduced, but should remain a 5 year permit.

4) We are requesting a waiver of the \$20 fee since we previously paid for the variance.

Signature: Sherril Hellingberg Date: 10/7/10



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

3063

OWNERS

ELKINS, TERRY L. & JANICE  
940 N. WALNUT ST.  
BLOOMINGTON, IN 47408

Prop. Location: 504 E 9TH ST  
Date Inspected: 08/02/2010  
Inspectors: Maria McCormick  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

Number of Units/Structures: 3 / 1  
Number of Bedrooms: 5  
Max # of Occupants: 5  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

VARIANCE

05/13/1981 Granted a variance for the ceiling height, light and ventilation, with the condition that two smoke detectors be installed, the furnace must be hour-rated, the window must be hinged from the top and open into the room.

INTERIOR:

Apt. A -

Main Level:

Living Room 11-6 x 15-6:  
No violations noted.

Kitchen / Dining Area:

Repair the garbage disposal to function as intended. PM-603.1

Bathroom:

Properly repair, then clean and surface coat damaged or stained ceiling area. PM-304.3

North Bedroom 9-0 x 13-3:

No violations noted.

Existing Egress Window Measurements:

Height: 20 inches

Width: 31 inches

Sill Height: 29 inches

Openable Area: 4.31 sq. ft.

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

South Bedroom 10-0 x 11-7:

No violations noted.

Existing Egress Window Measurements:

Height: 15 ½ inches

Width: 23 inches

Sill Height: 37 inches

Openable Area: 2.48 sq. ft.

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

**Lower Level:**

Laundry Area; Bathroom:

No violations noted.

South Bedroom 11-1 x 8-6; NE Bedroom 7-4 x 15-3; NW Bedroom 7-4 x 15-3:

No violations noted.

Existing Egress Window Measurements:

Height: 30 inches

Width: 28 inches

Sill Height: 46 inches

Openable Area: 5.83 sq. ft.

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

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  
PM-603.1

Apt. B –

**Main Level:**

Kitchen; Half Bathroom; Living Room / Dining Room 22-1 x 13-0:

No violations noted.

**2<sup>nd</sup> Level:**

North Bedroom 10-1 x 11-0; West Bedroom 11-1 x 9-1; South Bedroom 10-1 x 11-0:

No violations noted.

Existing Egress Window Measurements:

Height: 24 inches  
Width: 38 inches  
Sill Height: 26 inches  
Openable Area: 6.34 sq. ft.

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

Bathroom:

No violations noted.

**Basement:**

North Bedroom 9-0 x 10-2; South Bedroom 12-2 x 14-1:

Egress window measurements (Year of Construction – 1980):

Openable area required: 4.75 sq. ft.	Existing area: 6.34 sq. ft.
Clear width required: 18 inches	Existing width: 38 inches
Clear height required: 24 inches	Existing height: 24 inches
Maximum Sill Height: 48" above floor	Existing sill: 49" above floor

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot 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. PM-702.4

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:

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

PM-603.1

Apt. C -

**Note: The power was not on in this unit at the time of inspection. Check all electrical at re-inspection. Any violations found must be complied in the same 60 day deadline.**

**Main Level:**

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. PM-504.1

Half Bathroom:

No violations noted.

Living Room / Dining Room 22-1 x 13-0:

Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**2<sup>nd</sup> Level:**

North Bedroom 10-1 x 11-0; South Bedroom 10-1 x 11-0:

No violations noted.

Existing Egress Window Measurements:

Height: 24 inches

Width: 38 inches  
Sill Height: 26 inches  
Openable Area: 6.34 sq. ft.

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

East Bedroom 11-1 x 9-1:

Replace the missing electrical receptacle cover. PM-605.1

Existing Egress Window Measurements:

Height: 24 inches  
Width: 38 inches  
Sill Height: 26 inches  
Openable Area: 6.34 sq. ft.

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

Bathroom:

Properly repair or replace the damaged and deteriorated drywall above the shower surround.  
PM-304.3

**Basement:**

North Bedroom 9-0 x 10-2; South Bedroom 12-2 x 14-1:

Egress window measurements (Year of Construction – 1980):

Openable area required: 4.75 sq. ft.	Existing area: 6.34 sq. ft.
Clear width required: 18 inches	Existing width: 38 inches
Clear height required: 24 inches	Existing height: 24 inches
Maximum Sill Height: 48" above floor	Existing sill: 49" above floor

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot 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. PM-702.4

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:

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

PM-603.1

**EXTERIOR:**

No violations noted.

---

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 10, 2010

Petition Type: An extension of time to complete repairs

Petition Number: 10-TV-107

Address: 508 E. 14<sup>th</sup> Street Apt. A, B & C

Petitioner: Sherri Hillenburg for Terry Elkins

Inspector: Maria McCormick

Staff Report: During the cycle inspection it was noted that the egress windows in the basement bedrooms of all 3 units did not meet code at the time of construction. The owners are requesting an extension of time to obtain a variance from the State of Indiana. The owner has also requested that they not be limited to a 3 year permit. If they receive a variance from the state they will be eligible for longer permits, provided that all BHQA and other deadlines are met. Also requested in this appeal is relief from the \$20 BHQA filing fee because there was a previous BHQA variance that was rescinded. This fee is necessary to cover the costs of the legal ads that must be placed prior to the meetings.

Egress window measurements (Year of Construction – 1980):

Openable area required: 4.75 sq. ft.	Existing area: 6.34 sq. ft.
Clear width required: 18 inches	Existing width: 38 inches
Clear height required: 24 inches	Existing height: 24 inches
<b>Maximum Sill Height: 48" above floor</b>	<b>Existing sill: 49" above floor</b>

Staff recommendation: Deny the request to waive the BHQA filing fee. Grant the extension of time.

Conditions: The state variance must be received by HAND 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.

A

Compliance Deadline: December 10, 2010

Attachments: Application for Appeal, Cycle Report



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

RECEIVED  
 OCT 07 2010

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

Petitioner's Name: Sherr Hillenburg for Jerry Elkins  
 Petitioner's Address & Phone Number: 940 N. Walnut St., Bldg 339-2859  
 Owner's Name: Jerry Elkins  
 Owner's Address & Phone Number: 940 N. Walnut 339-2859  
 Address of Property: 508 E. 14<sup>th</sup> Street  
 Occupant(s) Name(s): \_\_\_\_\_

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Sherr Hillenburg  
 Name (print): Sherr Hillenburg

10-TV-107  
 Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)



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

(Please write a brief narrative in the space provided below. 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.)

Extension of time is needed in order to obtain a variance from the State for a window sill height that is 1" too high.

2) We were not notified that the BHA variance had been recorded.

3) We request that our permit not be reduced, but should remain at 5 years.

4) We are requesting a waiver of the \$20 fee since we previously paid for the variance.

Signature: Sherr Hillisburg Date: 10/7/10



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

2818

OWNERS

ELKINS, TERRY L. & JANICE  
940 N. WALNUT ST.  
BLOOMINGTON, IN 47408

Prop. Location: 508 E 14TH ST  
Date Inspected: 08/02/2010  
Inspectors: Maria McCormick  
Primary Heat Source: Gas  
Property Zoning: RH  
Number of Stories: 2

Number of Units/Structures: 3 / 1  
Number of Bedrooms: 5  
Max # of Occupants: 5  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

INTERIOR:

Apt. A –

Main Level:

Kitchen; Half Bathroom; Living Room / Dining Room 22-1 x 13-0:  
No violations noted.

2<sup>nd</sup> Level:

North Bedroom 10-1 x 11-0; West Bedroom 11-1 x 9-1; South Bedroom 10-1 x 11-0:  
No violations noted.

Existing Egress Window Measurements:

Height: 24 inches  
Width: 38 inches  
Sill Height: 26 inches  
Openable Area: 6.34 sq. ft.

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

Bathroom:

No violations noted.

**Basement:**

North Bedroom 9-0 x 10-2; South Bedroom 12-2 x 14-1:

Egress window measurements (Year of Construction – 1980):

Openable area required: 4.75 sq. ft.	Existing area: 6.34 sq. ft.
Clear width required: 18 inches	Existing width: 38 inches
Clear height required: 24 inches	Existing height: 24 inches
Maximum Sill Height: 48" above floor	Existing sill: 49" above floor

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot 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. PM-702.4

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:

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

PM-603.1

Hallway:

Replace the missing protective cover for the light fixture. PM-605.1

Provide an approved cover for the box where the cable splitters are located. PM-605.1

Apt. B –

Main Level:

Kitchen; Half Bathroom; Living Room / Dining Room 22-1 x 13-0:

No violations noted.

**2<sup>nd</sup> Level:**

North Bedroom 10-1 x 11-0; West Bedroom 11-1 x 9-1; South Bedroom 10-1 x 11-0:

No violations noted.

Existing Egress Window Measurements:

Height: 24 inches

Width: 38 inches

Sill Height: 26 inches

Openable Area: 6.34 sq. ft.

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

Bathroom:

Seal the top of the shower surround. PM-304.1

**Basement:**

North Bedroom 9-0 x 10-2; South Bedroom 12-2 x 14-1:

Egress window measurements (Year of Construction – 1980):

Openable area required: 4.75 sq. ft.	Existing area: 6.34 sq. ft.
Clear width required: 18 inches	Existing width: 38 inches
Clear height required: 24 inches	Existing height: 24 inches
Maximum Sill Height: 48" above floor	Existing sill: 49" above floor

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot 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. PM-702.4

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.

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

PM-603.1

Bathroom:

No violations noted.

Hallway:

Provide an approved cover for the box where the cable splitters are located. PM-605.1

Apt. C –

**Main Level:**

Kitchen; Half Bathroom; Living Room / Dining Room 22-1 x 13-0:

No violations noted.

**2<sup>nd</sup> Level:**

North Bedroom 10-1 x 11-0; West Bedroom 11-1 x 9-1; South Bedroom 10-1 x 11-0:

No violations noted.

Existing Egress Window Measurements:

Height: 24 inches

Width: 38 inches

Sill Height: 26 inches

Openable Area: 6.34 sq. ft.

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

Bathroom:

No violations noted.

**Basement:**

North Bedroom 9-0 x 10-2; South Bedroom 12-2 x 14-1:

Egress window measurements (Year of Construction – 1980):

Openable area required: 4.75 sq. ft.

Existing area: 6.34 sq. ft.

Clear width required: 18 inches

Existing width: 38 inches

Clear height required: 24 inches

Existing height: 24 inches

Maximum Sill Height: 48" above floor

Existing sill: 49" above floor

The egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City cannot 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. PM-702.4

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:

Seal the top of the shower surround. PM-304.1

Furnace Closet:

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

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

PM-603.1

**EXTERIOR:**

Properly repair the loose step from the parking area to the sidewalk leading to unit A. PM-302.3

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Repair the damaged window screen in the kitchen window of unit C. PM-303.14

Remove and properly dispose of all accumulated or scattered trash on property. PM-302.1

---

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)



City of Bloomington  
H.A.N.D.

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

Meeting Date: November 10, 2010  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from the requirement to register as a rental  
Petition Number: 10-AA-108  
Address: 1912 E. 3<sup>rd</sup> Street  
Petitioner: Korean United Methodist Church

Prior to the expiration of the rental permit, the owner notified HAND that this property is being used by the church as housing for the pastor. Pastor Lee and his family reside in the property and the church would like it removed from the rental inspection program.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This agreement shall remain in force so long as the church continues to use this property as housing for the Pastor and family.

Compliance Deadline: None

Attachments: Appeal form, letter from petitioner



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

RECEIVED  
OCT 11 2010

BY: .....

Petitioner's Name: Gi-Chae Lee

Petitioner's Address & Phone Number: 1912 E. 3rd ST 336-2576  
331-2080

Owner's Name: Korean United Methodist Church

Owner's Address & Phone Number: 1924 E. 3rd ST 331-2080

Address of Property: 1912 E. 3rd ST

Occupant(s) Name(s): Gi-Chae Lee

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Gi-Chae Lee

Name (print): Gi-Chae Lee

10-~~AA~~-108  
Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request).



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

(Please write a brief narrative in the space provided below. 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 house of 1912 E 3<sup>rd</sup> St is a property  
owned by Korean United Methodist church and  
is lived by pastor Gi-Chae Lee's family.  
We request to be exempted from rental  
registration program

Signature: Gi-Chae Lee Date: 10/11/2018



City of Bloomington  
H.A.N.D.

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

Meeting Date: 10 November 2010  
Petition Type: An extension of time to complete repairs  
Petition Number: 10-TV-109  
Address: 422 W. Northlane  
Petitioner: Jim or Max Jacobs c/o Action Property Mgmt. & Realty  
Inspector: Sean Person  
Staff Report: August 10, 2010 - Conducted Cycle Inspection  
October 1, 2010 – Received BHQA Appeal

During the cycle inspection it was noted that egress windows did not meet size requirements in place at the time of construction in 1993. The petitioner is seeking an extension of time to secure a variance from the State of Indiana to allow the windows to remain as they are.

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

Staff recommendation: Grant 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. **This extension of time applies only to egress window issues.**

Compliance Deadline: January 15, 2011

10

Attachments: Cycle 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**

**Property Address:** 422 NORTHLANE DRIVE, BLOOMINGTON, IN 47404

**Petitioner's Name:** JIM OR MAX JACOBS - OWNERS C/O ACTION PROPERTY MGMT. & REALTY

**Address:** C/O 408 WEST 6TH STREET

**City:** BLOOMINGTON **State:** Indiana **Zip Code:** 47404

**Phone Number:** (812) 332-8870 **E-mail Address:** ACTION@BLUEMARBLE.NET

**Owner's Name:** JIM OR MAX JACOBS

**Address:** C/O 508 WEST 17TH STREET

**City:** BLOOMINGTON **State:** Indiana **Zip Code:** 47404

**Phone Number:** 812-332-4533 **E-mail Address:**

**Occupants:** JUSTIN ANDRES, DEVIN BOOK, LEVI LANGLEY

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

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

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

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

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

(Will be assigned by BHQA)

10-TV-109

Petition Number: \_\_\_\_\_

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 NEED AN EXTENSION TO GET A VARIANCE FROM THE STATE LEVEL FOR THE WINDOWS.

Signature (Required): Linda Quillen

Name (Print): LINDA QUILLEN Date: 10/8/10

**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.





City of Bloomington  
Housing and Neighborhood Development

**RENTAL PERMIT INFORMATION**

AUG 24 2010

James Jacobs  
3906 Sugar Lane  
Bloomington, IN 47404

Property Location: 422 W. Northlane Drive

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **OCT 24 2010** to schedule a reinspection. 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 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. 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 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: Action Property Management

JH



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

4668

OWNERS

JACOBS, JAMES R.  
3906 SUGAR LANE  
BLOOMINGTON, IN 47404

AGENT

ACTION PROPERTY MGMT. & REALTY  
408 W. 6TH ST.  
BLOOMINGTON IN 47404

Prop. Location: 422 W NORTHLANE DR  
Date Inspected: 08/10/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Number of Units/Structures: 1/1  
Number of Bedrooms: 3  
Max # of Occupants: 5  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: None

INTERIOR

Living Room (14-3 x 18-8)

Install a smoke detector in an approved 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.  
PM-704.1

Bathroom / Laundry Room

No violations noted.

Kitchen (10-4 x 18-5)

No violations noted.

Upper Level

Hallway

No violations noted.

**Bedroom E (15-3 x 10-10)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1993:

Openable area required: 5.7 sqft.	Existing area: 4.72 sqft.
Clear width required: 20"	Existing width: 34"
Clear height required: 24"	Existing height: 20"
Sill height required: above finished floor 44"	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-16.02.040 (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.

**Bedroom SW (12-10 x 11-0)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1993:

Openable area required: 5.7 sqft.	Existing area: 4.72 sqft.
Clear width required: 20"	Existing width: 34"
Clear height required: 24"	Existing height: 20"
Sill height required: above finished floor 44"	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-16.02.040 (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.

**Bedroom NW (12-6 x 8-11)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1993:

Openable area required: 5.7 sqft.	Existing area: 4.72 sqft.
Clear width required: 20"	Existing width: 34"
Clear height required: 24"	Existing height: 20"

Sill height required: above finished floor 44"

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-16.02.040 (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.

### EXTERIOR

Replace deck boards where nails have failed and boards are loose (front porch). PM-102.3, PM-303.1, PM-303.10, & PM-303.12

### 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)

#### 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**

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)



City of Bloomington  
H.A.N.D.

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

Meeting Date: 10 November 2010  
Petition Type: An extension of time to complete repairs  
Petition Number: 10 TV-110  
Address: 117 N. Fairview St.  
Petitioner: Tom Gallagher  
Inspector: Norman Mosier  
Staff Report: 3 August 2010 - Conducted Cycle Inspection  
13 October 2010 – Received BHQA Appeal

It was noted during the cycle inspection that the roof for the shed was deteriorated almost to the point of collapse. Petitioner is requesting an extension of 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: 10 December 2010

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

*Handwritten initials in blue ink.*



RECEIVED  
OCT 2 2010

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

RECEIVED  
OCT 2 2010

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

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

Petitioner's Name: Thomas G. Gallagher

Petitioner's Address & Phone Number: 107 N. COLLEGE Bldg, IN 47404  
333 - 5252

Owner's Name: SAME

Owner's Address & Phone Number: SAME

Address of Property: 117 N. FAIRVIEW

Occupant(s) Name(s): Freisner + ERWIN

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
  2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- A. An extension of time to complete repairs. (Petition type: TV)
  - ↳ Specify the items that need the extension of time to complete ROOF REPAIR ON SHED
  - ↳ Explain why the extension is needed - MORE EXTENSIVE THAN INITIALLY THOUGHT.
  - ↳ Specify the time requested 39 DAYS - NOV 15TH
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
  - ↳ Specify the code reference number you are appealing
  - ↳ Detail why you are requesting the variance
- C. Relief from an administration decision. (Petition type: AA)
  - ↳ Specify the decision being appealed and the relief you are seeking
- D. Rescinding a variance. (Petition type: RV)
  - ↳ Detail the existing variance
  - ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Handwritten Signature]

Name (print): Thomas G. Gallagher

10-TV-110  
Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request).



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

(Please write a brief narrative in the space provided below. 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.)

- 1) ROOF REPAIR ON SHED
- 2) UPON CLOSE INSPECTION, WORK REQUIRED IS MORE EXTENSIVE THAN THOUGHT
- 3) REQUEST TILL NOV 15<sup>TH</sup> TO COMPLETE REPAIRS

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**City of Bloomington  
Housing and Neighborhood Development**

**Remaining Violations Report**

1322

**OWNERS**

Thomas Gallagher  
107 N. College Ave.  
Bloomington, In. 47404

Prop. Location: 117 N FAIRVIEW ST  
Date Inspected: 08/03/2010  
Inspectors: Norman Mosier  
Primary Heat Source: Other  
Property Zoning: RC  
Number of Stories: 2

Number of Units/Structures: 2 / 1  
Number of Bedrooms: 1 each unit  
Max # of Occupants: 2 each unit  
Foundation Type: Crawl Space  
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 Housing-Property Maintenance Code 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 Section 16.12.100 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.

**NOTE:** Need updated registration form.

**INTERIOR:**

**Apt. 2**

**Living Room 12-3 x 11-5:**

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

**Bedroom 11-3 x 10-9:**

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, west wall, above doorway. PM-304.3

**Existing Egress Window Measurements: Dbl Hung: Const. Yr. - 1920**

**Height: 22.5 inches**

**Width: 22 inches**

**Sill Height: 22.5 inches**

**Openable Area: 3.43 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 window(s) be modified or replaced with a larger window to aid in emergency escape.

**Kitchen:**

Service the expired fire extinguisher. PM-704.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east wall, above doorway. PM-304.3

**Back Porch/Laundry Room:**

No violations noted.

**Upstairs**

**Stairway:**

No violations noted.

**Main Room:**

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

**Bathroom:**

Repair the door to latch properly. PM-304.6

Repair/replace the rattling exhaust fan. PM-605.1

Apt. 1

Living Room 12-1 x 11-3:

Install approved closing device for storm door. PM-102.8 & PM-303.15

Bedroom 10-5 x 9-2:

No violations noted.

**Existing Egress Window Measurements: Dbl Hung pop out: Const. Yr. - 1920**

**Height: 46 inches**

**Width: 22 inches**

**Sill Height: 24 inches**

**Openable Area: 7.02 sq. ft.**

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

Bathroom:

No violations noted.

Kitchen:

Service the expired fire extinguisher. PM-704.3

Back Porch/Laundry Room:

No violations noted.

Crawlspace:

Properly install approved crawlspace entry cover in a manner that is reasonably weather tight and excludes the entrance of rodents. PM-303.6

Shed:

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. PM-303.4 & PM-303.7

Replace the broken window on the southwest corner of structure. PM-303.13

**EXTERIOR:**

Remove all dead limbs from tree, hanging or otherwise, on the NE & NW corners of property. All trees on premise shall be in good health and pose no danger to persons or building. PM-302.4.1

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Remove all limbs and vines from electrical service drop. PM-302.4.1

Mow yard and trim all overgrowth on entire property. It is unlawful for the owner of any lot or tract of ground within the city to allow it to become overgrown with weeds, grass, or noxious plants

beyond the height of 8 inches. Remove and properly dispose of overgrowth of weeds/grass on premises. (BMC 6.06.030) PM-102.3 & PM-302.4

Remove and properly dispose of yard waste/brush pile. PM-102.3 & PM-302.1

Repair the upper hinge on the gate between the shed and the house. PM-302.7.1

**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)

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**

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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 16.12.080 (b)



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

1322

OWNERS

Thomas Gallagher  
107 N. College Ave.  
Bloomington, In. 47404

Prop. Location: 117 N FAIRVIEW ST  
Date Inspected: 08/03/2010  
Inspectors: Norman Mosier  
Primary Heat Source: Other  
Property Zoning: RC  
Number of Stories: 2

Number of Units/Structures: 2 / 1  
Number of Bedrooms: 1 each unit  
Max # of Occupants: 2 each unit  
Foundation Type: Crawl Space  
Attic Access: No  
Accessory Structure: Shed

NOTE: Need updated registration form.

INTERIOR:

Apt. 2

Living Room 12-3 x 11-5:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Bedroom 11-3 x 10-9:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, west wall, above doorway. PM-304.3

**Existing Egress Window Measurements: Dbl Hung: Const. Yr. - 1920**

**Height: 22.5 inches**

**Width: 22 inches**

**Sill Height: 22.5 inches**

**Openable Area: 3.43 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 window(s) be modified or replaced with a larger window to aid in emergency escape.

Kitchen:

Service the expired fire extinguisher. PM-704.3

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east wall, above doorway. PM-304.3

Back Porch/Laundry Room:

No violations noted.

Upstairs

Stairway:

No violations noted.

Main Room:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Bathroom:

Repair the door to latch properly. PM-304.6

Repair/replace the rattling exhaust fan. PM-605.1

Apt. 1

Living Room 12-1 x 11-3:

Install approved closing device for storm door. PM-102.8 & PM-303.15

Bedroom 10-5 x 9-2:

No violations noted.

**Existing Egress Window Measurements: Dbl Hung pop out: Const. Yr. - 1920**

**Height: 46 inches**

**Width: 22 inches**

**Sill Height: 24 inches**

**Openable Area: 7.02 sq. ft.**

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

Bathroom:

No violations noted.

Kitchen:

Service the expired fire extinguisher. PM-704.3

Back Porch/Laundry Room:

No violations noted.

Crawlspace:

Properly install approved crawlspace entry cover in a manner that is reasonably weather tight and excludes the entrance of rodents. PM-303.6

Shed:

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. PM-303.4 & PM-303.7

Replace the broken window on the southwest corner of structure. PM-303.13

**EXTERIOR:**

Remove all dead limbs from tree, hanging or otherwise, on the NE & NW corners of property. All trees on premise shall be in good health and pose no danger to persons or building. PM-302.4.1

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Remove all limbs and vines from electrical service drop. PM-302.4.1

Mow yard and trim all overgrowth on entire property. It is unlawful for the owner of any lot or tract of ground within the city to allow it to become overgrown with weeds, grass, or noxious plants beyond the height of 8 inches. Remove and properly dispose of overgrowth of weeds/grass on premises. (BMC 6.06.030) PM-102.3 & PM-302.4

Remove and properly dispose of yard waste/brush pile. PM-102.3 & PM-302.1

Repair the upper hinge on the gate between the shed and the house. PM-302.7.1

**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)

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**

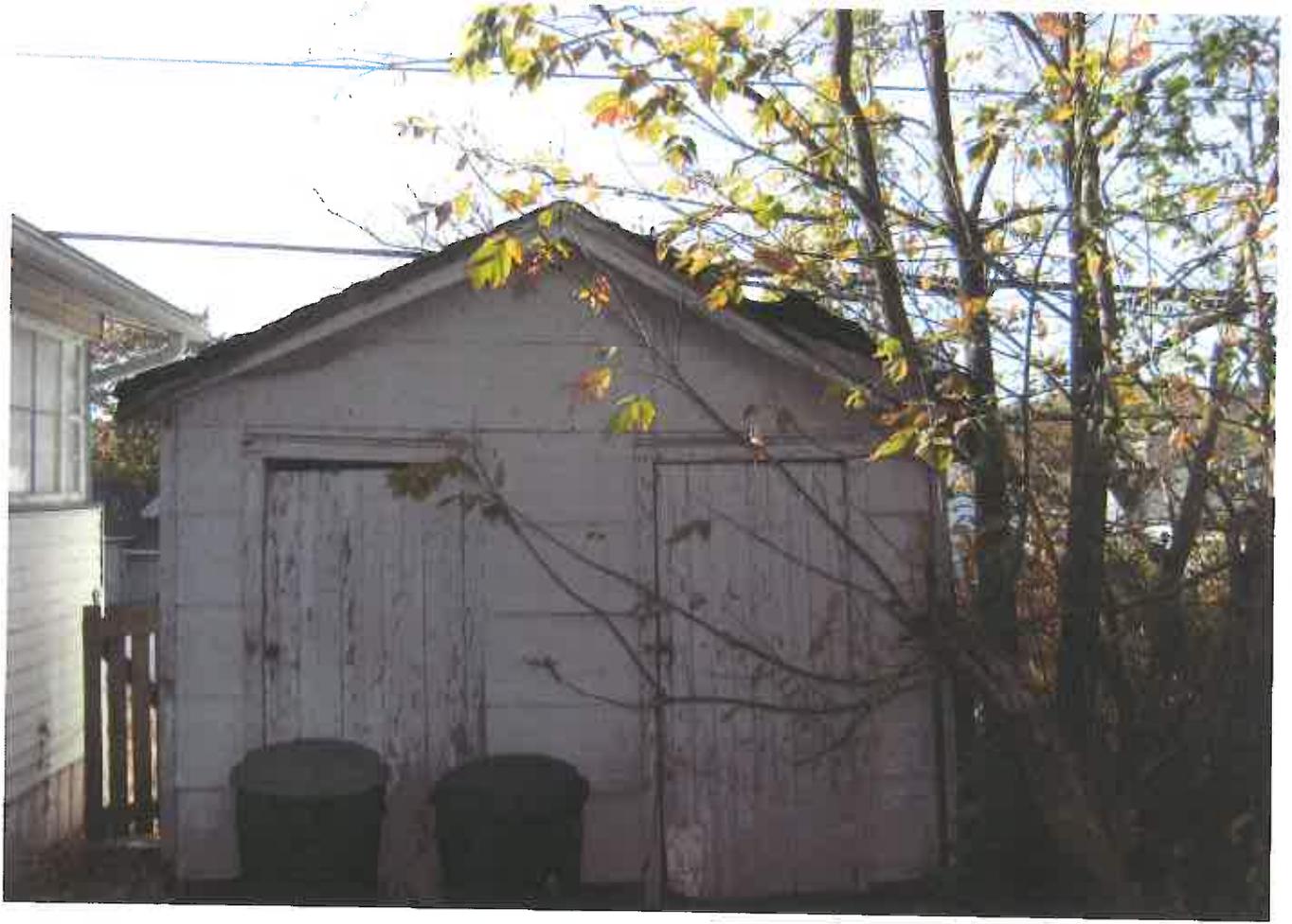
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When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain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

10-19-10

117 N. FAIRVIEW









City of Bloomington  
H.A.N.D.

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

Meeting Date: 10 November 2010  
Petition Type: An extension of time to complete repairs  
Petition Number: 10-TV-111  
Address: 2582, 2590, 2595, 2598, 2602 S. Addisyn Ln.  
Petitioner: Blackwell Rentals Jamie Morris  
Inspector: Sean Person  
Staff Report: August 10, 2010 - Conducted Cycle Inspection  
October 13, 2010 – Received BHQA Appeal

During the cycle inspections it was noted that egress windows did not meet size requirements in place at the time of construction in 2006. The petitioner is seeking an extension of time to secure a variance from the State of Indiana to allow the windows to remain as they are.

Openable area required:	5.7 sq. ft.	Existing area:	5.54 sq. ft.
Clear width required:	20 "	Existing width:	34 "
Clear height required:	22 "	Existing height:	23 1/2 "
Maximum sill height:	44 " above finished floor	Existing sill:	27 1/2 "

Staff recommendation: Grant 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. **This extension of time applies only to egress window issues.**

Compliance Deadline: January 15, 2011

2

Attachments: Cycle 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

RECEIVED
OCT 13 2010

BY:.....

Property Address: 2595, 2582, 2590, 2598 + 2602 S. ADDISYN LANE

Petitioner's Name: JAMIE MORRIS FOR BLACKWELL RENTALS

Address: P.O. BOX 2509

City: BLOOMINGTON State: IN Zip Code: 47402

Phone Number: 812-333-5300 E-mail Address: jamie@blackwellrentals.com

Owner's Name: SHEPWOOD HILLS SOUTH INC.

Address: 606 W. 17TH STREET

City: BLOOMINGTON State: IN Zip Code: 47404

Phone Number: 812-332-0571 E-mail 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.

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

Variance Type: TV

Reminder:

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

(Will be assigned by BHQA)
10-TV-111
Petition Number:

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.

A. AN EXTENSION OF TIME TO COMPLETE REPAIRS (90 DAYS)  
1. WINDOWS  
2. WE ARE APPLYING FOR A STATE VARIANCE  
3. 90 DAYS (FEBRUARY 15, 2011 - 90 DAYS FROM THE DATE ON THE CYCLE INSPECTION REPORT.)

Signature (Required): Jamie Morris

Name (Print): JAMIE MORRIS Date: 10/12/10

**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.





City of Bloomington  
Housing and Neighborhood Development

**RENTAL PERMIT INFORMATION**

SEP 15 2010

Blackwell Rentals  
c/o Jamie Morris  
P.O. Box 2509  
Bloomington, IN 47402

Property Location: 2582 S. Addisyn Lane

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **NOV 15 2010** to schedule a reinspection. 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 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. 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.

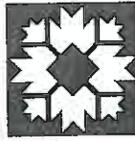
If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc:



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

9476

OWNERS

BLACKWELL RENTALS  
P.O. BOX 2509  
BLOOMINGTON, IN 47402

AGENT

MORRIS, JAMIE L.  
PO BOX 2509  
BLOOMINGTON IN 47402

Prop. Location: 2582 S ADDISYN LN  
Date Inspected: 09/10/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Number of Units/Structures: 1/1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

INTERIOR

Living Room (14-5 x 15-8)

No violations noted.

Kitchen (14-6 x 11-10)

No violations noted.

Bathroom

No violations noted.

Lower Level

Room

NOTE: This room does NOT meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

**Garage**

No violations noted.

**Upper Level**

**Hallway**

No violations noted.

**Bedroom (11-7 x 16-4)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sq. ft.	Existing area: 5.54 sq. ft.
Clear width required: 20 "	Existing width: 34 "
Clear height required: 24 "	Existing height: 23 ½ "
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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-16.02.040 (b).

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**Bedroom (14-2 x 13-0)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

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## EXTERIOR

No violations noted.

## OTHER REQUIREMENTS

### Required documentation:

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

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City of Bloomington  
Housing and Neighborhood Development

OCT 18 2010

Amended Cycle Report

9476

OWNERS

BLACKWELL RENTALS  
P.O. BOX 2509  
BLOOMINGTON, IN 47402

AGENT

MORRIS, JAMIE L.  
PO BOX 2509  
BLOOMINGTON IN 47402

Prop. Location: 2582 S ADDISYN LN  
Date Inspected: 09/10/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

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No violations noted.

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Lower Level

Room

NOTE: This room does NOT meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

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**Upper Level**

**Hallway**

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City of Bloomington  
Housing and Neighborhood Development

**RENTAL PERMIT INFORMATION**

SEP 15 2010

Blackwell Rentals  
c/o Jamie Morris  
P.O. Box 2509  
Bloomington, IN 47402

Property Location: 2590 S. Addisyn Lane

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

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Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc:



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

9477

OWNERS

BLACKWELL RENTALS  
P.O. BOX 2509  
BLOOMINGTON, IN 47402

AGENT

MORRIS, JAMIE L.  
PO BOX 2509  
BLOOMINGTON IN 47402

Prop. Location: 2590 S ADDISYN LN  
Date Inspected: 09/10/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Number of Units/Structures: 1/1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

**INTERIOR**

**Living Room (14-5 x 15-8)**

No violations noted.

**Kitchen (14-6 x 11-10)**

No violations noted.

**Bathroom**

No violations noted.

**Lower Level**

**Room**

NOTE: This room does NOT meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

**Garage**

No violations noted.

**Upper Level**

**Hallway**

No violations noted.

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The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

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## EXTERIOR

No violations noted.

## OTHER REQUIREMENTS

### Required documentation:

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**City of Bloomington  
Housing and Neighborhood Development**

OCT 18 2010

**Amended Cycle Report**

9477

**OWNERS**

**BLACKWELL RENTALS  
P.O. BOX 2509  
BLOOMINGTON, IN 47402**

**AGENT**

**MORRIS, JAMIE L.  
PO BOX 2509  
BLOOMINGTON IN 47402**

Prop. Location: 2590 S ADDISYN LN  
Date Inspected: 09/10/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

**INTERIOR**

**Living Room (14-5 x 15-8)**

No violations noted.

**Kitchen (14-6 x 11-10)**

No violations noted.

**Bathroom**

No violations noted.

**Lower Level**

**Room**

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City of Bloomington  
Housing and Neighborhood Development

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SEP 15 2010

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Property Location: 2595 S. Addisyn Lane

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **NOV 15 2010** to schedule a reinspection. 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 349-3420 and a form will be provided.

This report is issued in accordance with Section PM106.1 and PM106.2 of the Housing-Property Maintenance Code. 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 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:



**City of Bloomington  
Housing and Neighborhood Development**

**Cycle Report**

9478

**OWNERS**

=====  
BLACKWELL RENTALS  
P.O. BOX 2509  
BLOOMINGTON, IN 47402

**AGENT**

=====  
MORRIS, JAMIE L.  
PO BOX 2509  
BLOOMINGTON IN 47402

Prop. Location: 2595 S ADDISYN LN  
Date Inspected: 09/10/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Number of Units/Structures: 1/1  
Number of Bedrooms: 3  
Max # of Occupants: 5  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

**INTERIOR**

**Living Room (13-11 x 12-6)**

No violations noted.

**Kitchen (14-6 x 11-10)**

No violations noted.

**Lower Level**

**Room**

NOTE: This room does NOT meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

**Garage**

No violations noted.

**Upper Level**

**Hallway**

No violations noted.

**Bathroom**

No violations noted.

**Bedroom E (14-5 x 9-7)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sq. ft.	Existing area: 5.54 sq. ft.
Clear width required: 20 "	Existing width: 34 "
Clear height required: 24 "	Existing height: 23 ½ "
Maximum sill height: 44 " above finished floor	Existing sill: 27 ½ "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (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.

**Bedroom C (12-4 x 8-11)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sq. ft.	Existing area: 5.54 sq. ft.
Clear width required: 20 "	Existing width: 34 "
Clear height required: 24 "	Existing height: 23 ½ "
Maximum sill height: 44 " above finished floor	Existing sill: 27 ½ "

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**Bedroom W (11-2 x 14-3)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sq. ft.	Existing area: <b>5.69</b> sq. ft.
Clear width required: 20 "	Existing width: 34 "
Clear height required: 24 "	Existing height: 24½ "
Maximum sill height: 44 " above finished floor	Existing sill: 27 ½ "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

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**EXTERIOR**

No violations noted.

**OTHER REQUIREMENTS**

Required documentation:

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

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**

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)



City of Bloomington  
Housing and Neighborhood Development

OCT 18 2010

Amended Cycle Report

9478

OWNERS

BLACKWELL RENTALS  
P.O. BOX 2509  
BLOOMINGTON, IN 47402

AGENT

MORRIS, JAMIE L.  
PO BOX 2509  
BLOOMINGTON IN 47402

Prop. Location: 2595 S ADDISYN LN  
Date Inspected: 09/10/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Number of Units/Structures: 1/1  
Number of Bedrooms: 3  
Max # of Occupants: 5  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

INTERIOR

Living Room (14-5 x 15-8)

No violations noted.

Kitchen (14-6 x 11-10)

No violations noted.

Bathroom

No violations noted.

Lower Level

Room

NOTE: This room does NOT meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

**Garage**

No violations noted.

**Upper Level**

**Hallway**

No violations noted.

**Bedroom E (14-5 x 9-7)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling structures built in 2006:

Openable area required: 5.7 sq. ft.	Existing area: 5.54 sq. ft.
Clear width required: 20 "	Existing width: 34 "
Clear height required: 22 "	Existing height: 23 ½ "
Maximum sill height: 44 " above finished floor	Existing sill: 27 ½ "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

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**Bedroom C (12-4 x 8-11)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling structures built in 2006:

Openable area required: 5.7 sq. ft.	Existing area: 5.54 sq. ft.
Clear width required: 20 "	Existing width: 34 "
Clear height required: 22 "	Existing height: 23 ½ "
Maximum sill height: 44 " above finished floor	Existing sill: 27 ½ "

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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.

**Bedroom W (12-4 x 8-11)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling structures built in 2006:

Openable area required: 5.7 sq. ft.	Existing area: 5.54 sq. ft.
Clear width required: 20 "	Existing width: 34 "
Clear height required: 22 "	Existing height: 23 ½ "
Maximum sill height: 44 " above finished floor	Existing sill: 27 ½ "

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02,040 (b).

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**EXTERIOR**

No violations noted.

**OTHER REQUIREMENTS**

**Required documentation:**

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

**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**

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)



**City of Bloomington  
Housing and Neighborhood Development**

**RENTAL PERMIT INFORMATION**

SEP 15 2010

Blackwell Rentals  
c/o Jamie Morris  
P.O. Box 2509  
Bloomington, IN 47402

Property Location: 2598 S. Addisyn Lane

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **NOV 15 2010** to schedule a reinspection. 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 349-3420 and a form will be provided.

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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:



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

9469

OWNERS

=====  
BLACKWELL RENTALS  
P.O. BOX 2509  
BLOOMINGTON, IN 47402

AGENT

=====  
MORRIS, JAMIE L.  
PO BOX 2509  
BLOOMINGTON IN 47402

Prop. Location: 2598 S ADDISYN LN  
Date Inspected: 09/10/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Number of Units/Structures: 1/1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

**INTERIOR**

**Living Room (14-5 x 15-8)**

No violations noted.

**Kitchen (14-6 x 11-10)**

No violations noted.

**Bathroom**

No violations noted.

**Lower Level**

**Room**

NOTE: This room does NOT meet the minimum safety requirements for a sleeping room, and may not be used for sleeping purposes.

**Garage**

No violations noted.

**Upper Level**

**Hallway**

No violations noted.

**Bedroom (11-7 x 16-4)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sq. ft.	Existing area: 5.54 sq. ft.
Clear width required: 20 "	Existing width: 34 "
Clear height required: 24 "	Existing height: 23 1/2 "
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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-16.02.040 (b).

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**Bedroom (14-2 x 13-0)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7 sq. ft.	Existing area: 5.54 sq. ft.
Clear width required: 20 "	Existing width: 34 "
Clear height required: 24 "	Existing height: 23 1/2 "
Maximum sill height: 44 " above finished floor	Existing sill: 27 1/2 "

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-16.02.040 (b).

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## EXTERIOR

No violations noted.

## OTHER REQUIREMENTS

### Required documentation:

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

### 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**

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)



City of Bloomington  
Housing and Neighborhood Development

**RENTAL PERMIT INFORMATION**

SEP 15 2010

Blackwell Rentals  
c/o Jamie Morris  
P.O. Box 2509  
Bloomington, IN 47402

Property Location: 2602 S. Addisyn Lane

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **NOV 15 2010** to schedule a reinspection. 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 349-3420 and a form will be provided.

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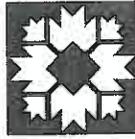
If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

Xc:



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

9468

OWNERS

BLACKWELL RENTALS  
P.O. BOX 2509  
BLOOMINGTON, IN 47402

AGENT

MORRIS, JAMIE L.  
PO BOX 2509  
BLOOMINGTON IN 47402

Prop. Location: 2602 S ADDISYN LN  
Date Inspected: 08/31/2010  
Inspectors: Sean Person  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Number of Units/Structures: 1/1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Basement  
Attic Access:  
Accessory Structure: None

INTERIOR

Living Room (14-5 x 15-8)

No violations noted.

Kitchen (14-6 x 11-10)

No violations noted.

Bathroom

No violations noted.

Lower Level

Garage

No violations noted.

**Room**

Note: This room does not meet the minimum requirements for it to be used as a bedroom.

**Upper Level**

**Bedroom (13-0 x 17-5)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7	sq. ft.	Existing area: 5.54	sq. ft.
Clear width required: 20	"	Existing width: 34	"
Clear height required: 24	"	Existing height: 23 1/2	"
Maximum sill height: 44	" above finished floor	Existing sill: 27	"

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-16.02.040 (b).

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**Bedroom (17-6 x 11-7)**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 2006:

Openable area required: 5.7	sq. ft.	Existing area: 5.54	sq. ft.
Clear width required: 20	"	Existing width: 34	"
Clear height required: 24	"	Existing height: 23 1/2	"
Maximum sill height: 44	" above finished floor	Existing sill: 27	"

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-16.02.040 (b).

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**EXTERIOR**

No violations noted.

### **OTHER REQUIREMENTS**

Required documentation:

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