

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL McCLOSKEY CONFERENCE ROOM  
June 20, 2018, 4:00 P.M.**

**ALL ITEMS ARE ON THE CONSENT AGENDA**

**I. ROLL CALL**

**II. REVIEW OF SUMMARY – April 18, 2018** p. 3

**III. PETITIONS**

- 1) 18-TV-14, **1022 W. Meadow Lane**, Peek & Associates (Thais Tai Hubbard). previously heard February 21, 2018 and March 21, 2018. Request for an extension of time to complete repairs. p. 5
- 2) 18-TV-25, **1501 S. Arbors Lane**, Arbors Indy, LLC. Previously heard March 21, 2018. Request for an extension of time to complete repairs. p. 11
- 3) 18-TV-45, **1201 N. Madison Street**, Ted Capshew. Request for an extension of time to complete repairs. p. 35
- 4) 18-RV-46, **521 E. 7<sup>th</sup> Street**, H.A.N.D. (GMS Properties). Request for rescission of a variance. p. 40
- 5) 18-RV-47, **607 W. Dixie Street**, H.A.N.D. (PLK Rentals, LLC). Request for rescission of a variance. p. 41
- 6) 18-TV-48, **416 N. Harold Street**, Marcella Bowlen (Peggy McClary). Request for an extension of time to complete repairs. p. 42
- 7) 18-TV-49, **1319 W. Gourley Pike**, Erica Payne. Request for an extension of time to complete repairs. p. 49
- 8) 18-AA-50, **1426 N. Kinser Pike**, Mark Figg. Request for relief from an administrative decision. p. 58
- 9) 18-TV-51, **915 W. 2<sup>nd</sup> Street**, Tempo Properties (Yukon Properties, LLC). Request for an extension of time to complete repairs. p. 61
- 10) 18-TV-52, **409 W. 15<sup>th</sup> Street**, Jack Forney. Request for an extension of time to complete repairs. p. 69
- 11) 18-TV-53, **530-533 S. Village Court**, Kinnaman Property Group, LLC. Request for an extension of time to complete repairs. p. 76
- 12) 18-TV-54, **1203 N. Lincoln Street**, Triple Double, LLC. Request for an extension of time to complete repairs. p. 86
- 13) 18-RV-55, **2395 S. Worthington Lane**, H.A.N.D. (Thomas & Jill Bunger). Request for rescission of a variance. p. 95

- 14) 18-AA-56, **1709 E. Circle Drive**, Diane Henshel. Request for relief from an administrative decision. p. 96
- 15) 18-TV-57, **103 E. Driscoll Drive**, Jim Gronquist. Request for an extension of time to complete repairs. p. 100
- 16) 18-TV-58, **1911-1915 N. Maxine Road**, Ron Yearby. Request for an extension of time to complete repairs. p. 107
- 17) 18-TV-59, **657 N. Meadowlark Lane**, June Russell. Request for an extension of time to complete repairs. p. 112
- 18) 18-TV-60, **1900 S. Oakdale Drive**, Douglas Cook (ASHH, LLC). Request for an extension of time to complete repairs. p. 118

**IV. GENERAL DISCUSSION**

**V. PUBLIC COMMENT**

**VI. ADJOURNMENT**

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

## **B.H.Q.A. MEETING OF APRIL 18, 2018**

### **SUMMARY**

MEMBERS PRESENT: Nicholas Carder, Eric Dockendorf, Elizabeth Gallman, Diana Powell-Opata

STAFF PRESENT: Michael Arnold, Daniel Bixler, John Hewett, Kenneth Liford, Norman Mosier, Eric Sader, Jo Stong, Matt Swinney, Dee Wills (HAND), Christopher Wheeler (Legal)

GUESTS PRESENT: Ilana Linder (2366 E. Winding Brook Circle, tenant)

Meeting start time 4:09 PM.

#### **I. REVIEW OF SUMMARY**

Gallman made a motion to approve the minutes for March 18, 2018. Powell-Opata seconded. Motion passed, 4-0.

#### **II. CONSENT AGENDA**

18-TV-34, **836-844 S. Henderson Street**, Paul Bender. Request for an extension of time to complete repairs. Staff recommendation to grant request with a June 18, 2018 deadline to call and schedule re-inspection.

18-TV-35, **3100 S. Walnut Street Pike**, Heather Dunagen (Sam Bick). Request for an extension of time to complete repairs. Staff recommendation to deny the request.

18-AA-37, **1207 W. 7<sup>th</sup> Street**, Laryn Clark (Abraham Verdoes). Request for relief from an administrative decision to consider property as a rental. Staff recommendation to grant the extension of time to allow for the sale of the property.

18-TV-38, **901 W. 11<sup>th</sup> Street**, Fiona Taggart. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an April 30, 2018 deadline for all life-safety violations and an August 01, 2018 deadline to provide copy of recorded contract of sale, or bring property into compliance.

18-RV-39, **117 N. Jackson Street**, H.A.N.D. (Dana Morrison). Request for rescission of a variance. Staff recommendation to grant the rescission.

18-RV-40, **907 S. Sheridan Drive**, H.A.N.D. (Joseph Christine, LLC). Request for rescission of a variance. Staff recommendation to grant the rescission.

18-TV-41, **1106 N. Jackson Street**, Chris Kemery (Betty Sturgeon). Request for an extension of time to complete repairs. Staff recommendation to grant request with a May 01, 2018 deadline. Reinspection has been scheduled for April 13, 2018.

18-RV-42, **406 S. Lincoln Street**, H.A.N.D. (Lorrence Green). Request for rescission of a variance. Staff recommendation to grant the rescission.

18-RV-43, **818-820 S. Washington Street**, H.A.N.D. (Deckard Homes & Apartments). Request for rescission of a variance. Staff recommendation to grant the rescission.

18-RV-44, **426 E. Allen Street**, H.A.N.D. (Kristina Seastrom). Request for rescission of a variance. Staff recommendation to grant the rescission.

**Approved.**

#### **III. PETITIONS**

18-TV-36, **2366 E. Winding Brook Circle**, Catherine Brown. Request for an extension of time to complete repairs. Tenant, Ilana Linder, present. Staff recommendation to grant the request with a June 18, 2018 deadline. Gallman made motion to grant the request per staff recommendation with addition that repairs specifically include the garage roof. Dockendorf seconded. Motion passed, 4-0. Request granted.

#### **IV. GENERAL DISCUSSION**

Members were asked their preference for BHQA Retreat. All present stated a preference for meeting after one of the set BHQA meetings.

#### **V. PUBLIC COMMENT**

None.

**VI. ADJOURNMENT**

Carder made motion to adjourn. Dockendorf seconded. Motion unanimously passed. Meeting adjourned at 4:21 PM.



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018

Petition Type: An extension of time to complete repairs

Petition Number: 18-TV-14 (old business)

Address: 1022 W. Meadow Lane

Petitioner: J. Tyson Evans c/o Peek & Associates

Inspector: Jo Stong

Staff Report: October 18, 2017: Conducted cycle inspection  
October 30, 2017: Mailed inspection report  
December 29, 2017: Received appeal  
February 21, 2018: Received furnace documentation.  
February 21, 2018: No quorum for BHQA; moved to March 21 meeting  
March 21, 2018: BHQA granted extension of time, deadline May 15, 2018  
May 15, 2018: Received appeal

During a cycle inspection of the above property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found. The petitioner is requesting an extension of time of 120 additional days to evaluate the trees on the property and have them properly trimmed or removed. The petitioner states that this time of year is a difficult one to properly evaluate the deciduous trees. On the appeal of May 15 the petitioner requested an additional 30 days to complete the tree trimming and tree removal.

Staff recommendation: Grant an extension of time

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

Compliance Deadline: July 2, 2018

Attachments: Cycle report, appeal

AK



TO = HANK, 3115118 - 100 512 549-25 82  
 From = Mark Kleinbauer 812-360-3460 cell

Page 1 of 2



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

RECEIVED  
 MAY 15 2018

BY: .....

Property Address: 1022 W. Meadow Lane existing Petition 18-TV-14

Petitioner's Name: Mark Kleinbauer agent for Tai Hubbard Ower

Address: 899 S. College Mall Road #385

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: (812) 360-3460

E-mail Address: mkleinba@homefinder.org

Owner's Name: Thais Tai Hubbard

Address: 867 S. Garrison Chapel Road

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number:

E-mail Address:

Occupants: Jim Leonard

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)

18-TV-14

Petition Number: OLD BUSINESS

17-TV-81

JUNE 21, 2017

Sept. 20, 2017

Previously Heard

18-TV-14

FEB. 21, 2018 (TADUE)

MARCH 21, 2018

JS

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 respectfully request only 30 more days to have the trees evaluated and trimmed properly. We will remove the dead pine tree in the front yard right away but was awaiting the leaves to come out on the remaining trees before having a proper diagnosis and subsequent trimming. Respectfully, Mark Kleinbauer

Signature (Required):

Name (Print):

*Mark Kleinbauer*

Date: 5/15/18

**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 INSPECTION INFORMATION

OCT 30 2017

Hubbard, Thais Tai  
867 S Garrison Chapel Rd  
Bloomington, IN 47403

RE: 1022 W Meadow LN

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **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 within this 60 day window but no later than **DEC 29 2017** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 812-349-3420 and forms 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 & Neighborhood Development

Encl: Inspection Report,

Xc: Peek & Associates C/O Mark Kleinbauer: 899 S. College Mall Road #385, Bloomington, IN 47401





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

CYCLE INSPECTION REPORT

9455

Owner

Hubbard, Thais Tai  
867 S Garrison Chapel Rd  
Bloomington, IN 47403

Agent

Peek & Associates c/o Mark Kleinbauer  
899 S. College Mall Road #385  
Bloomington, IN 47404

Prop. Location: 1022 W Meadow LN  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 10/18/2017  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 2

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

Monroe County Assessor's records indicate this structure was built in 1966.  
There were no requirements for emergency egress at the time of construction.

**INTERIOR:**

**LOWER LEVEL**

Family Room (22-4 x 12-10), Bath, Garage/Laundry/Mechanical Room (gas furnace here):  
**See Other Requirements at the end of the report for required furnace documentation.**

No other violations noted.

**UPPER LEVEL**

Stairway, Living Room (13-8 x 13-7), Kitchen (10-2 x 9-4), Deck:  
No violations noted.

Southeast Bedroom (9-4 x 8-3), Southwest Bedroom (11-6 x 8-0):  
No violations noted.

Existing Egress Window Measurements (double-hung):

Height: 24 inches  
Width: 34 inches  
Sill Height: 28 ½ inches  
Openable Area: 5.67 sq. ft.

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

Northwest Bedroom (12-9 x 9-3):

No violations noted.

Existing Egress Window Measurements (sliding):

Height: 34 inches

Width: 16 inches

Sill Height: 45 inches

Openable Area: 3.78 sq. ft.

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

**EXTERIOR:**

Provide documentation from a tree professional which addresses the safety and/or health of all trees on the property. Remove all dead trees from property. Trim all dead branches from all trees. All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. BMC 16.04.040(e)

**OTHER REQUIREMENTS:**

**Furnace Inspection Documentation**

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation.

Documentation from a professional HVAC contractor for this service is acceptable and encouraged.

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

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50ppm BMC 16.01.060(f), BMC 16.04.060(b), (c)

**Tenants and Owners Rights and Responsibilities Summary**

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

**Inventory & Damages List**

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

**When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d):** All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner and the agent, the occupant load of the unit, the number of bedrooms, the expiration date of the permit, and any variances that have been granted for the property. BMC 16.03.030(c)

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

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



City of Bloomington  
Housing & Neighborhood Development

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

Meeting Date: June 20, 2018

Petition Type: An extension of time to complete repairs.

Petition Number: 18-TV-25 (Old Business)

Address: 1501 S. Arbors Ln.

Petitioner: Timothy Roberts

Inspector: Norman Mosier

Staff Report: October 19, 2017 – Conducted cycle inspection  
December 28, 2017 – Agent scheduled re-inspection for 02/08/2018  
February 5, 2018 – Received BHQA appeal (March 21 meeting)  
March 20, 2018 – Agent scheduled life safety re-inspection for 04/24/2018  
April 24, 2018 – Conducted life safety inspection (Complied)  
May 3, 2018 – Received June BHQA Appeal under old business. 18-TV-25

Petitioner is requesting an additional extension of time to complete the non-life safety repairs. Owners are refinancing their current loan and are including the cost of repairs in that loan.

Staff recommendation: Grant the request.

Conditions: Complete all repairs and schedule for re-inspection 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, but not limited to, the possibility of fines.

Compliance Deadline: September 15, 2018

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



RECEIVED  
MAY 03 2018

BY: SL

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

Property Address: 1501 S. Arbers Ln Bloomington, IN 47401

Petitioner's Name: Timothy Roberts

Address: 3286 S. Walnut Springs Drive

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-822-1231 Email Address: TRoberts@birgeandheld.com

Property Owner's Name: Arbers Indly LLC

Address: c/o 3286 S. Walnut Springs Drive

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-822-1231 Email Address: TRoberts@birgeandheld.com

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

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 18-TV-25 (OLD)

SEE REVERSE

16-TV-149



Birge & Held  
MULTI-FAMILY ASSET MANAGEMENT

RECEIVED  
MAY 03 2018

BY: CU

Thursday, May 3, 2018

To: City Of Bloomington, IN Housing And Neighborhood Development  
401 N. Morton Street  
Bloomington, IN 47404

Reference: Request for an extension Cycle Report 1501 S. Arbors Lane Bloomington, IN 47401

To Whom It Might Concern:

On the 21<sup>st</sup> of March, 2018, I appeared before the City of Bloomington Board of Housing Quality Appeals, to request an extension for the non-life safety items, flagged on the cycle report listed above. At that time, I informed the board members that the life safety issues would be completed and that has indeed taken place. (Norm Mosier was the inspector that signed off on the work.)

At that time, I informed the board members, that I believed an extension until the last of May, 2018, would be adequate for the completion of the remaining items on the report, and also informed them that if there were any issues with us being able to complete the tasks required, by the new deadline, I would be requesting another extension.

A few days ago, I was informed by my corporate office that the owners of the property, are in the process of refinancing the current loan, and their plan is to include the cost of the remaining repairs, which is nearly \$10,000, in that loan.

Therefore, we are requesting another extension of the deadline for completion, to the 15<sup>th</sup> of September, 2018.

Respectfully submitted this 3<sup>rd</sup> day of May, 2018

Timothy Roberts  
Multi-Site Manager  
Birge and Held Asset Management  
Bloomington, IN Portfolio  
Voice – 812.822.1231  
Fax – 812.822.1231  
E Mail – [Troberts@birgeandheld.com](mailto:Troberts@birgeandheld.com)  
Office Address – 3296 S. Walnut Springs Drive  
Bloomington, IN 47401





City of Bloomington  
H.A.N.D.

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

Meeting Date: March 21, 2018

Petition Type: An extension of time to complete repairs.

Petition Number: 18-TV-25

Address: 1501 S. Arbors

Petitioner: Timothy Roberts

Inspector: Norman Mosier

Staff Report: October 19, 2017 – Conducted Cycle Inspection  
December 28, 2017 – Agent Scheduled Re-inspection for 02/08/2018  
February 5, 2018 – Received BHQA Appeal

Petitioner is requesting an extension of time to complete the repairs due to inclement weather and vendor issues.

Staff recommendation: Grant the request.

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

Compliance Deadline: March 31, 2018 – For all life safety violations  
May 21, 2018 – For all other violations

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



**City Of Bloomington**  
**Housing and Neighborhood Development**  
RENTAL INSPECTION INFORMATION

Andrew Held  
 770 3rd Ave. S.W.  
 Carmel, IN 46032

RE: 1501 S Arbors LN

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **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 within this 60 day window but no later than \_\_\_\_\_ to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms 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 & Neighborhood Development

Encl: Inspection Report,

Xc: Timothy Roberts: 3296 Walnut Springs Dr., Bloomington, IN 47401

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

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

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



**City Of Bloomington**  
**Housing and Neighborhood Development**  
CYCLE INSPECTION REPORT

7062

Owner(s)

Andrew Held  
 770 3rd Ave. S.W.  
 Carmel, IN 46032

Agent

Timothy Roberts  
 3296 Walnut Springs Dr.  
 Bloomington, IN 47401

Prop. Location: 1501 S Arbors LN

Number of Units/Structures: 24/4

Units/Bedrooms/Max # of Occupants: Bld 1: 4/2/3 2/3/3, Bld 2: 4/2/3, Bld 3: 4/2/3 2/3/3, Bld 4: 6/2/3 2/3/3

Date Inspected: 10/19/2017  
 Primary Heat Source: Electric  
 Property Zoning: PUD  
 Number of Stories: 2

Inspector: Norman Mosier  
 Foundation Type: Crawl Space  
 Attic Access: No  
 Accessory Structure: Detached Garages (2)

The Monroe County Assessor's records indicate that this structure was built in 1994.  
 Minimum egress requirements for a multi-family dwelling built at the time of construction.  
 1993 IBC Sec. 1203 (103)  
 Openable area: 5.7 Sq. Ft.  
 Clear height: 24 inches  
 Clear width: 20 inches  
 Sill height: Not more than 44 inches above finished floor.

Room dimensions are as follows:Two Bedroom units

Living Room 19 x 14  
 Kitchen 18 x 18  
 Bathroom  
 ½ Bath (Upper level only)  
 Bedroom 14 x 12  
 Bedroom 10-6 x 10-6

Three Bedroom units

Living Room 15 x 13-6  
 Kitchen 16 x 15  
 Bathroom  
 Bathroom  
 Bedroom 14 x 12  
 Bedroom 11-6 x 10-6  
 Bedroom 11 x 9-6

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

City Hall  
 bloomington.in.gov

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



**Egress window measurements are as follows:**

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1994

Height: 26 inches

Width: 34 inches

Sill Height: 25 inches

Openable Area: 6.14 sq. ft.

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

**GENERAL VIOLATIONS:**

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

**ATTICS:**

Restore the integrity of the draft stop/fire separation wall in the attics of all upper level units. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. BMC 16.04.020

**NOTE:**

Only units and rooms with violations will be listed on this report.

**INTERIOR:****BLDG 1 North Building****1501****Living Room:**

See general violation

Secure the loose door handle on the sliding glass door. BMC 16.04.060 (a)

**1503****W Bedroom:**

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

**Bath/Laundry Room:**

Replace the missing light switch cover plate and the missing knob for switch. BMC 16.04.060 (b)

**E Bedroom:**

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

**Living Room:**

See general violation.

**1505 - Repair all smoke detectors in this unit to be interconnected. 1992 IBC Sec. 1210 (a)****Bathroom:**

Secure the loose and hanging vent on the ceiling. BMC 16.04.060 (a)

**Living Room:** See general violation.

Secure the loose handle on the sliding glass door. BMC 16.04.060 (a)

Furnace Closet:

Repair the wiring splice for the furnace to be inside an approved junction box. BMC 16.04.060 (a)

**1507 - Repair all smoke detectors in this unit to be interconnected. 1992 IBC Sec. 1210 (a)**Living Room: See general violation.

Secure the loose can light ring to the light housing, above the fireplace. BMC 16.04.060 (a)

Kitchen:

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

Bathroom:

Replace the defective GFCI receptacle, won't reset. BMC 16.04.060 (b)

N Bedroom:

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

Bathroom:

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

E Bedroom:

Repair the broken window. BMC 16.04.060(a)

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

**1509 - Repair all smoke detectors in this unit to be interconnected. 1992 IBC Sec. 1210 (a)**Living Room:

See general violation.

S Bedroom:

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. **1992 IBC Sec. 1210 (a)**

Bathroom:

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

Furnace Closet:

Install a filter in the furnace to ensure proper operation. BMC 16.04.060(c)

N Bedroom:

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. **1992 IBC Sec. 1210 (a)**

**1511**Living Room:

See general violation.

Secure the loose handle on the sliding glass door. BMC 16.04.060 (a)

**BLDG 2, 2<sup>nd</sup> Building from north****1513****Living Room:**

See general violation.

**Bathroom:**

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

**1515****Living Room:**

See general violation.

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. **1992 IBC Sec. 1210 (a)**

**E Bedroom:**

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. **1992 IBC Sec. 1210 (a)**

**W Bedroom:**

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. **1992 IBC Sec. 1210 (a)**

**1517****Living Room:**

See general violation.

**1519****Living Room:**

See general violation.

**W Bedroom:**

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. **1992 IBC Sec. 1210 (a)**

**E Bedroom:**

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. **1992 IBC Sec. 1210 (a)**

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. BMC 16.04.020(a)(3), 2014 IFC 1003.6, 1030

Deck:

Replace the defective GFCI receptacle, won't trip. BMC 16.04.050(b)

**BLDG 3****1521**Living Room:

See general violation.

Repair the smoke detector in this room to be interconnected. **1992 IBC Sec. 1210 (a)**

Kitchen/Dining Room:

Repair the north window on the west wall to latch properly. BMC 16.04.060 (a)

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

W Bedroom:

Repair the smoke detector in this room to be interconnected. **1992 IBC Sec. 1210 (a)**

Bathroom:

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

**1523**Living Room:

See general violation.

W Bedroom:

Repair/replace the deteriorated lower window frames on the south window, west wall, at the bottom of upper and lower sashes. BMC 16.04.060 (a)

**1525**Living Room:

See general violation.

Secure the loose handle on the sliding glass door. BMC 16.04.060 (a)

W Bedroom:

Properly ground the electrical receptacle on the east wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. If a GFCI receptacle is installed, label receptacle with the wording "no equipment ground". BMC 16.04.020(a)(5); 2009 IEC Article 406.3(B)

E Bedroom:

Repair the west door to function as intended, door off of lower hinge. BMC 16.04.060 (a)

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

**1527**Living Room:

See general violation.

Kitchen:

Replace the defective GFCI receptacles to the right and left of the sink, won't trip.  
BMC 16.04.060 (b)

N Bedroom:

Repair/replace the damaged door, holes in door, BMC 16.04.060 (a)

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

Bathroom:

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

Replace the GFCI receptacle for the washing machine, won't trip, BMC 16.04.060 (b)

**1529**Living Room:

See general violation.

Kitchen:

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

Bathroom:

Repair the toilet to eliminate unnecessary water use. BMC 16.04.060(c)

Furnace Closet:

Install the missing cover plates on the water heater. BMC 16.04.060 (a)

E Bedroom:

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

**1531**Living Room:

See general violation.

S Bedroom:

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

Bathroom:

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

Laundry Closet:

Replace the defective GFCI receptacle to function as intended, won't trip. BMC 16.04.060 (b)

N Bedroom:

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

Kitchen:

Repair/replace the loud garbage disposal. BMC 16.04.060 (c)

**BLDG 4****1533**Bathroom:

Replace the defective GFCI receptacle , won't trip. BMC 16.04.060 (b)

Living Room:

See general violation.

Kitchen:

Repair/replace the garbage disposal, leaks into the dishwasher. BMC 16.04.060 (c)

Deck:

Repair the sliding glass door to open easily. BMC 16.04.060 (a)

Furnace Closet:

Re-install the doors to function as intended. BMC 16.04.060 (a)

Temperature/pressure relief (TPR) valve discharge tubes:

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

E Bedroom:

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

N Bedroom:

Repair the window screens to fit the frames. BMC 16.04.060 (a)

1535Living Room:

See general violation.

Bathroom:

Secure the loose toilet. BMC 16.04.060 (a)

N Bedroom:

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

1537Bathroom:

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

Laundry Closet:

Secure the loose receptacle for the washing machine. BMC 16.04.060 (b)

1539Furnace Closet:

Repair/replace the right side door, sticks on floor. BMC 16.04.060 (a)

Kitchen:

Replace the defective GFCI receptacle to the right of the stove, won't trip. BMC 16.04.060 (b)

½ Bath:

Replace the defective GFCI receptacle, won't reset. BMC 16.04.060 (b)

**1541 - Repair all smoke detectors in this unit to be interconnected. 1992 IBC Sec. 1210 (a)**

Living Room:

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. 1992 IBC Sec. 1210 (a)

S Bedroom:

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

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. 1992 IBC Sec. 1210 (a)

N Bedroom:

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. 1992 IBC Sec. 1210 (a)

**1543**

Furnace Closet:

Install the cover plates that are setting on the water heater. BMC 16.04.060 (c)

**1545**

Dining Room:

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

Living Room:

See general violation.

S Bedroom:

Secure the loose doorknob on the west door and repair the door to latch properly. BMC 16.04.060 (a)

Bathroom:

Secure the loose toilet. BMC 16.04.060 (a)

E Bedroom:

Properly ground all of the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install 2-pole, ungrounded receptacles, or GFCI receptacles. If GFCI receptacles are installed, label receptacles with the wording "no equipment ground." BMC 16.04.020(a)(5); 2009 IEC Article 406.3(B)

**1547**

Living Room:

See general violation.

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. **1992 IBC Sec. 1210 (a)**

**Bathroom:**

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

**Laundry Closet:**

Replace the defective GFCI receptacle for the washing machine. BMC 16.04.060 (b)

**Furnace Closet:**

Temperature/pressure relief (TPR) valve discharge tubes:

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

**N Bedroom:**

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. **1992 IBC Sec. 1210 (a)**

**Kitchen:**

Secure the loose GFCI receptacle to the right of the sink. BMC 16.04.060 (b)

**EXTERIOR:**

**NORTH GARAGES:**

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

**BLDG. 1, (NORTH BUILDING)**

Repair/replace the deteriorated NE support post for the roof awning adjacent to unit 1501.  
BMC 16.04.050(a)

Repair the hole in the north wall adjacent to the east window, 2<sup>nd</sup> level. BMC 16.04.050(a)

Properly label electrical A/C quick disconnects with corresponding unit numbers.  
BMC 16.04.020, NEC 225.37

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

Repair the hole in the east wall, south of 1<sup>st</sup> deck, 2<sup>nd</sup> level. BMC 16.04.050(a)

Repair/replace the crawlspace entry door to function as intended, first opening from north end, east side of structure. BMC 16.04.050(a)

Repair the hole in the east wall, between the window and the chimney, 2<sup>nd</sup> level, above meters.  
BMC 16.04.050(a)

Repair the hole in the east wall, 2<sup>nd</sup> level adjacent to the SE corner of structure. BMC 16.04.050(a)

Secure the loose A/C quick disconnects on the south wall, east end. BMC 16.04.050(a)



Secure the loose siding on the south wall, 2<sup>nd</sup> level, above A/C quick disconnects. BMC 16.04.050(a)

Repair the hole in the siding on the south wall, 2<sup>nd</sup> level, midway of wall. BMC 16.04.050(a)

Remove the tree adjacent to the foundation and deck on the south side of structure. BMC 16.04.050(a)

Repair the hole in the wall, lower level adjacent to the deck. BMC 16.04.050(a)

Replace the broken foundation vent on the SW corner of structure. BMC 16.04.050(a)

Repair/replace the failing duct work at the SW entry to the crawlspace, look across crawlspace at about a 45 degree angle to the east. BMC 16.04.050(a)

Repair the holes in the west wall, 2<sup>nd</sup> level, south end. BMC 16.04.050(a)

Repair/replace the SW support post for the roof awning adjacent to unit 1507. BMC 16.04.050(a)

Repair the holes in the north wall between units 1507 & 1509, 2<sup>nd</sup> level. BMC 16.04.050(a)

## **BLDG 2**

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

Repair the hole in the west wall, 2<sup>nd</sup> level between windows. BMC 16.04.050(a)

Properly label A/C quick disconnects with corresponding unit numbers.  
BMC 16.04.020 NEC 225.37

Repair the holes in the east wall, 2<sup>nd</sup> level, adjacent to the SE corner of structure. BMC 16.04.050(a)

Repair the holes in the south wall, 2<sup>nd</sup> level, adjacent to the SE corner of structure. BMC 16.04.050(a)

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

Repair the hole in the south wall under the 2<sup>nd</sup> level west window. BMC 16.04.050(a)

## **BLDG 3**

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

Repair the hole in the south wall, 2<sup>nd</sup> level, east end of structure. BMC 16.04.050(a)

Properly label the A/C quick disconnects with corresponding unit numbers.  
BMC 16.04.020 NEC 225.37

Replace the missing dryer vent cover flap, 1<sup>st</sup> vent from east end of structure. BMC 16.04.050(a)

Repair the holes in the north wall, 2<sup>nd</sup> level. BMC 16.04.050(a)

Repair the holes in the east wall, 2<sup>nd</sup> level. BMC 16.04.050(a)

All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. Remove all trees adjacent to the foundation.

BMC 16.04.040(e)

Secure the loose siding above unit 1531, 2<sup>nd</sup> level. BMC 16.04.050(a)

**SOUTH GARAGES:**

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

Reconnect the downspout on the SW corner of structure. BMC 16.04.050(a)

**BLDG 4**

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

Properly label electrical A/C quick disconnects with corresponding unit numbers.  
BMC 16.04.020, NEC 225.37

All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. Remove the trees adjacent to the foundation all around the building. BMC 16.04.040(e)

Repair the hole in the south wall between the 2<sup>nd</sup> & 3<sup>rd</sup> deck from the west. BMC 16.04.050(a)

Repair the hole in the south wall, east of third deck, 2<sup>nd</sup> level. BMC 16.04.050(a)

Replace the cracked porch adjacent to unit 1539, trip hazard. BMC 16.04.050(b)

**OTHER REQUIREMENTS:**

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

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



**City Of Bloomington  
Housing and Neighborhood Development**

**REMAINING VIOLATION INSPECTION REPORT**

7062

**Owner(s)**

Andrew Held  
770 3rd Ave. S.W.  
Carmel, IN 46032

**Agent**

Timothy Roberts  
3296 Walnut Springs Dr.  
Bloomington, IN 47401

Prop. Location: 1501 S Arbors LN

Number of Units/Structures: 24/4

Units/Bedrooms/Max # of Occupants: Bld 1: Bld 1: 4/2/3 2/3/3, Bld 2: 4/2/3, Bld 3: 4/2/3 2/3/3, Bld 4:  
6/2/3 2/3/3

Date Inspected: 10/19/2017  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

Inspector: Norman Mosier  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: Det. Garages

**REINSPECTION REQUIRED**

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

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

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

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

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

City Hall  
bloomington.in.gov

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

**GENERAL VIOLATIONS:**

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

**ATTICS:**

Restore the integrity of the draft stop/fire separation wall in the attics of all upper level units. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. BMC 16.04.020

**INTERIOR:**

**BLDG 1 North Building**

**1501**

**Living Room:**

See general violation

Secure the loose door handle on the sliding glass door. BMC 16.04.060 (a)

**1503**

**W Bedroom:**

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

**E Bedroom:**

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

**Living Room:**

See general violation.

**1505**

**Bathroom:**

Secure the loose and hanging vent on the ceiling. BMC 16.04.060 (a)

**Living Room:** See general violation.

Secure the loose handle on the sliding glass door. BMC 16.04.060 (a)

**1507**

**Living Room:** See general violation.

Secure the loose can light ring to the light housing, above the fireplace. BMC 16.04.060 (a)

**Kitchen:**

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

**N Bedroom:**

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

**Bathroom:**

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

E Bedroom:

Repair the broken window. BMC 16.04.060(a)

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

**1509**

Living Room:

See general violation.

Bathroom:

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

Furnace Closet:

Install a filter in the furnace to ensure proper operation. BMC 16.04.060(c)

**1511**

Living Room:

See general violation.

Secure the loose handle on the sliding glass door. BMC 16.04.060 (a)

**BLDG 2, 2<sup>nd</sup> Building from north**

**1513**

Living Room:

See general violation.

Bathroom:

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

**1515**

Living Room:

See general violation.

**1517**

Living Room:

See general violation.

**1519**

Living Room:

See general violation.

**BLDG 3**

**1521**

Living Room:

See general violation.

Kitchen/Dining Room:

Repair the north window on the west wall to latch properly. BMC 16.04.060 (a)

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

Bathroom:

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

**1523**

**Living Room:**

See general violation.

**W Bedroom:**

Repair/replace the deteriorated lower window frames on the south window, west wall, at the bottom of upper and lower sashes. BMC 16.04.060 (a)

**1525**

**Living Room:**

See general violation.

Secure the loose handle on the sliding glass door. BMC 16.04.060 (a)

**W Bedroom:**

Properly ground the electrical receptacle on the east wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. If a GFCI receptacle is installed, label receptacle with the wording "no equipment ground". BMC16.04.020(a)(5); 2009 IEC Article 406.3(B)

**E Bedroom:**

Repair the west door to function as intended, door off of lower hinge. BMC 16.04.060 (a)

**1527**

**Living Room:**

See general violation.

**N Bedroom:**

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

**Bathroom:**

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

**1529**

**Living Room:**

See general violation.

**Kitchen:**

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

**Bathroom:**

Repair the toilet to eliminate unnecessary water use. BMC 16.04.060(c)

**Furnace Closet:**

Install the missing cover plates on the water heater. BMC 16.04.060 (a)

**E Bedroom:**

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

**1531**

**Living Room:**

See general violation.

Bathroom:

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

Laundry Closet:

Replace the defective GFCI receptacle to function as intended, won't trip. BMC 16.04.060 (b)

Kitchen:

Repair/replace the loud garbage disposal. BMC 16.04.060 (c)

**BLDG 4**

**1533**

Living Room:

See general violation.

Kitchen:

Repair/replace the garbage disposal, leaks into the dishwasher. BMC 16.04.060 (c)

Deck:

Repair the sliding glass door to open easily. BMC 16.04.060 (a)

Furnace Closet:

Re-install the doors to function as intended. BMC 16.04.060 (a)

Temperature/pressure relief (TPR) valve discharge tubes:

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

E Bedroom:

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

N Bedroom:

Repair the window screens to fit the frames. BMC 16.04.060 (a)

**1535**

Living Room:

See general violation.

Bathroom:

Secure the loose toilet. BMC 16.04.060 (a)

**1537**

Bathroom:

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

**1539**

Furnace Closet:

Repair/replace the right side door, sticks on floor. BMC 16.04.060 (a)

**1543**

Furnace Closet:

Install the cover plates that are setting on the water heater. BMC 16.04.060 (c)

**1545**

Dining Room:

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

Living Room:

See general violation.

S Bedroom:

Secure the loose doorknob on the west door and repair the door to latch properly. BMC 16.04.060 (a)

Bathroom:

Secure the loose toilet. BMC 16.04.060 (a)

E Bedroom:

Properly ground all of the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install 2-pole, ungrounded receptacles, or GFCI receptacles. If GFCI receptacles are installed, label receptacles with the wording "no equipment ground." BMC 16.04.020(a)(5); 2009 IEC Article 406.3(B)

**1547**

Living Room:

See general violation.

Bathroom:

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

Furnace Closet:

Temperature/pressure relief (TPR) valve discharge tubes:

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

**EXTERIOR:**

**NORTH GARAGES:**

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

**BLDG. 1, (NORTH BUILDING)**

Repair/replace the deteriorated NE support post for the roof awning adjacent to unit 1501. BMC 16.04.050(a)

Repair the hole in the north wall adjacent to the east window, 2<sup>nd</sup> level. BMC 16.04.050(a)

Properly label electrical A/C quick disconnects with corresponding unit numbers.



BMC 16.04.020, NEC 225.37

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

Repair the hole in the east wall, south of 1<sup>st</sup> deck, 2<sup>nd</sup> level. BMC 16.04.050(a)

Repair/replace the crawlspace entry door to function as intended, first opening from north end, east side of structure. BMC 16.04.050(a)

Repair the hole in the east wall, between the window and the chimney, 2<sup>nd</sup> level, above meters. BMC 16.04.050(a)

Repair the hole in the east wall, 2<sup>nd</sup> level adjacent to the SE corner of structure. BMC 16.04.050(a)

Secure the loose A/C quick disconnects on the south wall, east end. BMC 16.04.050(a)

Secure the loose siding on the south wall, 2<sup>nd</sup> level, above A/C quick disconnects. BMC 16.04.050(a)

Repair the hole in the siding on the south wall, 2<sup>nd</sup> level, midway of wall. BMC 16.04.050(a)

Remove the tree adjacent to the foundation and deck on the south side of structure. BMC 16.04.050(a)

Repair the hole in the wall, lower level adjacent to the deck. BMC 16.04.050(a)

Replace the broken foundation vent on the SW corner of structure. BMC 16.04.050(a)

Repair/replace the failing duct work at the SW entry to the crawlspace, look across crawlspace at about a 45 degree angle to the east. BMC 16.04.050(a)

Repair the holes in the west wall, 2<sup>nd</sup> level, south end. BMC 16.04.050(a)

Repair/replace the SW support post for the roof awning adjacent to unit 1507. BMC 16.04.050(a)

Repair the holes in the north wall between units 1507 & 1509, 2<sup>nd</sup> level. BMC 16.04.050(a)

## **BLDG 2**

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

Repair the hole in the west wall, 2<sup>nd</sup> level between windows. BMC 16.04.050(a)

Properly label A/C quick disconnects with corresponding unit numbers.  
BMC 16.04.020 NEC 225.37

Repair the holes in the east wall, 2<sup>nd</sup> level, adjacent to the SE corner of structure. BMC 16.04.050(a)

Repair the holes in the south wall, 2<sup>nd</sup> level, adjacent to the SE corner of structure. BMC 16.04.050(a)

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

Repair the hole in the south wall under the 2<sup>nd</sup> level west window. BMC 16.04.050(a)

**BLDG 3**

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

Repair the hole in the south wall, 2<sup>nd</sup> level, east end of structure. BMC 16.04.050(a)

Properly label the A/C quick disconnects with corresponding unit numbers.  
BMC 16.04.020 NEC 225.37

Replace the missing dryer vent cover flap, 1<sup>st</sup> vent from east end of structure. BMC 16.04.050(a)

Repair the holes in the north wall, 2<sup>nd</sup> level. BMC 16.04.050(a)

Repair the holes in the east wall, 2<sup>nd</sup> level. BMC 16.04.050(a)

All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. Remove all trees adjacent to the foundation.  
BMC 16.04.040(e)

Secure the loose siding above unit 1531, 2<sup>nd</sup> level. BMC 16.04.050(a)

**SOUTH GARAGES:**

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

Reconnect the downspout on the SW corner of structure. BMC 16.04.050(a)

**BLDG 4**

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

Properly label electrical A/C quick disconnects with corresponding unit numbers.  
BMC 16.04.020, NEC 225.37

All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. Remove the trees adjacent to the foundation all around the building. BMC 16.04.040(e)

Repair the hole in the south wall between the 2<sup>nd</sup> & 3<sup>rd</sup> deck from the west. BMC 16.04.050(a)

Repair the hole in the south wall, east of third deck, 2<sup>nd</sup> level. BMC 16.04.050(a)

**OTHER REQUIREMENTS:**

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 June 2018

Petition Type: An extension of time to complete repairs

Petition Number: 18-TV-045

Address: 1201 N. Madison St.

Petitioner: Theodore Capshew

Inspector: Michael Arnold

Staff Report: 27 December 2017 Scheduled New Cycle  
04 January 2018 Cycle Inspection  
23 January 2018 Mailed Report  
26 March 2018 Received BHQA Application  
16 May 2018 No Quorum

The owner is requesting additional time to complete the repairs. Most of the repairs are on the exterior of the structure. Owner has not completed the repairs due to the cold weather and is requesting additional to complete the repairs.

Staff recommendation: Grant the extension of time to complete the repairs

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

Compliance Deadline: 16 July 2018

Attachments: Cycle Inspection Report



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

**RECEIVED**  
MAR 26 2018

BY: .....

Property Address: 1201 N Madison St, Bloomington, IN 47404

Petitioner's Name: Ted Capshaw

Address: 4415 W Middle Ct

City: Bloomington

State: Indiana



Zip Code: 47403

Phone Number: 8123453557

E-mail Address: tcapshaw@yahoo.com

Owner's Name: Ted Capshaw

Address: 4415 W Middle Ct

City: Bloomington

State: Indiana



Zip Code: 47403

Phone Number: 8123453557

E-mail Address: tcapshaw@yahoo.com

Occupants: Vacant

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

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

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 month's agenda!

(Will be assigned by BHCW)

Petition Number: 18-TV-45

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 administrative decision. (Petition type: AA)**

1. Specify the decision being appealed and the relief you are seeking.

**D. Rescind a variance. (Petition type: RM)**

1. Detail the existing variance.
2. Specify the reason the variance is no longer needed.

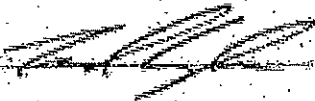
**RECEIVED**  
MAR 26 2018

This property has a variety of outside repairs required, including window glazing. No interior repairs required in the report.

I have not been able to get the repairs effected because of the cold weather.

Assuming the weather cooperates, I should be able to effect the repairs in the next 60 days.

Signature (Required):



Name (Print): Ted Capshaw

Date:

3/24/2018

**Important information regarding this application format:**

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

Print Form



**City Of Bloomington**  
**Housing and Neighborhood Development**  
CYCLE INSPECTION REPORT

10896

Owner(s)

Capshew, Ted A.  
 4415 W Middle Ct  
 Bloomington, IN 47403

Prop. Location: 1201 N Madison ST

Number of Units/Structures: 1/1

Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 01/04/2018

Primary Heat Source: Gas

Property Zoning: RC

Number of Stories: 1

Inspector: Mike Arnold

Foundation Type: Basement

Attic Access: No

Accessory Structure: none

Monroe County records show this structure was built in 1920. There were no minimum emergency egress requirements at the time of construction.

Interior:Basement:

No violations noted

Main Level:Living Room (17-0 x 14-0):

Repair the broken window. BMC 16.04.060(a) (East wall – South window).

Kitchen (17-0 x 13-0), Bathroom, Laundry Room:

No violations noted

NE Bedroom (13-0 x 11-0):Existing Egress:

Height: 23 inches

Width: 32.5 inches

Sill Height: 27 inches

Openable Area: 5.19 sq. ft.

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

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

**NW Bedroom (12-0 x 7-0):****Existing Egress:**

Height: 24 inches  
 Width: 27 inches  
 Sill Height: 27 inches  
 Openable Area: 4.5 sq. ft.

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

No violations noted

**South Bedroom (16-0 x 10-0):****Existing Egress:**

Height: 20.5 inches  
 Width: 20.5 inches  
 Sill Height: 42 inches  
 Openable Area: 2.91 sq. ft.

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

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

**Exterior:**

Replace the deteriorated window sill. BMC 16.04.050(a) (North wall – west window).

Replace the missing aluminum siding corner pieces. BMC 16.04.050(a)

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

Replace the missing downspouts. BMC 16.04.050(a)

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

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20<sup>th</sup>, 2018  
Petition Type: Rescind a variance  
Petition Number: 18-RV-46  
Address: 521 East 7<sup>th</sup> St.  
Petitioner: HAND  
Inspector: Kenny Liford  
Staff Report: February 6<sup>th</sup>, 2018 Cycle Inspection  
March 27<sup>th</sup>, 2018 Appeal Filed

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

*[Handwritten mark]*





City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018  
Petition Type: Rescind a variance  
Petition Number: 18-RV-47  
Address: 607 W. Dixie St.  
Petitioner: HAND  
Inspector: Matt Swinney  
Staff Report: April 6, 2018 Cycle Inspection  
April 11, 2018 Appeal Filed  
May 16, 2018 Meeting cancelled due to no quorum

This property was previously granted a variance to pass through requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a pass through requirement and the Building Code in place at the time of construction did not address pass through requirements; therefore we are asking the Board to rescind this variance. The structure was built in 1927.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018  
Petition Type: An extension of time to complete repairs  
Petition Number: 18-TV-48  
Address: 416 N. Harold Street  
Petitioner: Marci Bowlen  
Inspector: Dee Wills  
Staff Report: January 17, 2018 Completed Cycle Inspection  
April 13, 2018 Received Application for Appeal

The petitioner is requesting an extension of time to complete the repairs to the leaking roof, fascia, soffit and the interior ceiling damage caused by the leak, along with the other cracks in the walls and ceilings. All other repairs have been completed and scheduled for reinspection on 05/03/2018.

Staff recommendation: Grant the extension of time.

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

Compliance Deadline: July 16, 2018

Attachments: Application for Appeal, Remaining Violations Report

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APR 13 2018

Page 1 of 2



**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:** 416 N. Harold St.

**Petitioner's Name:** Marci Bowlen of Bruce Storm Real Estate & Management LLC

**Address:** 322 E. 4th St.

**City:** Bloomington

**State:** Indiana



**Zip Code:** 47408

**Phone Number:** 327-4490

**E-mail Address:** manager@sellingbloomingtonbystorm.com

**Owner's Name:** Peggy McClary

**Address:** 342 Clancy St.

**City:** Helena

**State:** Montana



**Zip Code:** 59601

**Phone Number:** 4064657776

**E-mail Address:** NA

**Occupants:** 5

**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 month's agenda!

(Will be assigned by BHQA)

**Petition Number:** 18-TV-48

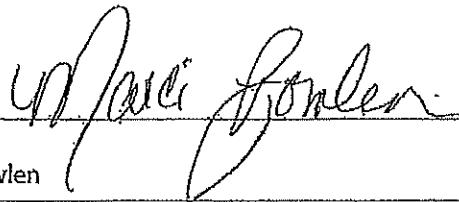
In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.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

Do to all contractors being too busy to get to us we need more time to address the following issues:  
 Repair/Replace damaged/deteriorated soffit/cascia in a manner that seals all openings. (back of structure) BMC 16.04.050 (a) Determine the source and eliminate the water leak at the soffit area (back of structure) BMC 16.04.060 (a) Determine the source and eliminate the water leak at the roof (back of structure) BMC 16.04.060(a) Interior walls shall be free of holes, cracks, peeling paint and or deteriorated drywall/plaster. BMC 16.04.060(a) Note, we need to know if the cracks in the plaster can be caulked and painted or if we need to get a drywall finisher in to refinish the walls. What is acceptable for this problem? It is an old house and plaster walls often have cracks. This is a major job that cannot be done while Tenants are in the house if it requires more than caulk in the cracks. Please allow a fair amount of time after students are out of school to get repairs done and please let us know what is acceptable repairs.

Thank you,  
 Marci Bowlen  
 Bruce Storm  
 Real Estate &  
 Management LLC  
 812-327-4490

Signature (Required):



Name (Print): Marci Bowlen

Date: 4-13-18

**Important information regarding this application format:**

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

Print Form



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

REMAINING VIOLATION INSPECTION REPORT

**APR 23 2018**

3670

Owner(s)

Mcclary, Peggy L.  
342 Clancy Street  
Helena, MT 59601

Agent

Bruce Storm Real Estate  
322 E. 4th St.  
Bloomington, IN 47408

Prop. Location: 416 N Harold ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/5/5

Date Inspected: 01/17/2018  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

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

**REINSPECTION REQUIRED**

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

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

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

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

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

City Hall  
bloomington.in.gov

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

## INTERIOR

### Main Level

#### Living Room (20-0 x 11-0)

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

#### Kitchen (12-0 x 8-0)

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

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

Properly repair/replace & secure ceiling tile. BMC 16.04.060(a)

#### NE Bedroom (11-0 x 10-0)

Determine the source and eliminate the water leak at the ceiling. BMC 16.04.060(a)

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

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

#### East Hall Bathroom

Replace the ungrounded electrical receptacle with a GFCI-protected receptacle(s), per Indiana Electric Code requirements. Label receptacle as no equipment ground. BMC 16.04.020(a)(5); IEC 406.3(D)

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

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

### Upper Level

#### Stairway Area

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

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

#### Bathroom

Repair the hole in the wall around the light switch plate. BMC 16.04.060(b)

Properly secure the loose switch plate. BMC 16.04.060(b)

Secure toilet to its mountings. BMC 16.04.060(c)

Eliminate the mold/mildew growth at the floor adjacent to the bathtub. BMC 16.04.060(a)

Determine the source and eliminate the water leak at the floor adjacent to the bathtub. BMC 16.04.060(a)

### Hallway

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

Properly ground the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install 2-pole, ungrounded receptacles, or GFCI receptacles. If GFCI receptacles are installed, label receptacles with the wording "no equipment ground." BMC 16.04.020(a)(5); 2009 IEC Article 406.3(B)

Properly secure all of the outlet plates. BMC 16.04.060(b)

### NE Bedroom (11-6 x 10-0)

Replace the broken window pane. BMC 16.04.060(a)

### Basement

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. IC 22-11-18-3.5

## EXTERIOR

Repair/ replace the storage box handles at the south side of structure so that it eliminates the entrance of rodents. BMC 16.04.050(a)

Repair/ replace the broken/ deteriorated hinges for the storage box area at the south side of structure. BMC 16.04.050(a)

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

Determine the source and eliminate the water leak at the soffit area. (back of structure) BMC 16.04.060(a)

Determine the source and eliminate the water leak at the roof. (back of structure) BMC 16.04.060(a)

## OTHER REQUIREMENTS

### Furnace Inspection Documentation

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

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

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

### Registration Form

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

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

- **Tenants and Owners Rights and Responsibilities Summary**

A completed copy of the Tenants and Owners Rights and Responsibilities Summary  
BMC 16.03.060(c) and BMC 16.10.030(b)

- **Inventory & Damages List**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement.

BMC 16.03.050(e) and BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner and the agent, the occupant load of the unit, the number of bedrooms, the expiration date of the permit, and any variances that have been granted for the property. BMC 16.03.030(c)

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





City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018

Petition Type: An extension of time to complete repairs

Petition Number: 18-TV-49

Address: 1319 W. Gourley Pike

Petitioner: Erica Payne

Inspector: Norman Mosier

Staff Report: October 23, 2017 – Conducted Cycle Inspection  
December 29, 2017 – Owner Scheduled Re-inspection  
January 31, 2018 – Owner Rescheduled Re-inspection  
February 19, 2018 – Conducted Re-inspection with Owner  
March 7, 2018 – Owner Scheduled Re-inspection  
April 16, 2018 – Received May BHQA Appeal

It was noted during the cycle inspection that some repairs need to be addressed, in the interim the tenants have caused additional damage to the structure. Petitioner is requesting an extension of time to complete the repairs.

Staff recommendation: Grant the request.

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

Compliance Deadline: July 16, 2018

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



RECEIVED  
APR 16 2018

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

Property Address: 1319 W. Gourley Pike, Blgtn, IN 47404

Petitioner's Name: Erica Payne

Address: 935 W. Kirkwood Ave.

City: Blgtn State: IN Zip Code: 47404

Phone Number: 812-391-7158 Email Address: ericapayne@shglobal.net

Property Owner's Name: Erica Payne

Address: 935 W. Kirkwood Ave.

City: Blgtn State: IN Zip Code: 47404

Phone Number: 812-391-7158 Email Address: ericapayne@shglobal.net

Occupants: Blayne Hoff & Patrick Patterson

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

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

Please circle the petition type that you are requesting:

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

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

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

☐ D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY

Petition Number

18-TV-49

SEE REVERSE

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

Choi  
They brought in a dog without my permission and it destroyed the new carpets a Choi

I'm disabled and these tenants are destroying my house and not taking care of it properly.

If I repair it they immediately destroy and delapidate it. They pay their rent in cash but don't keep the place up. I have emailed them numerous times to clean it up and they only complain that the house is "poorly made". I have videos, photos and recorded conversations as evidence to my points. My neighbor Feltz called me complaining of noise @ 2 AM and arguments, slamming doors and marijuana smoking at the residence but she said she didn't want to make a police report for fear of what they might do to her. I have that conversation recorded. I have a move-in video showing what the house w/ tenants and place was immaculate with all new carpet, etc. continued below:

Signature (required):

Erica Payne

Name (please print):

Erica Payne

Date:

4-18-18

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

I'm disabled and this is causing me stress as I don't know what to do for fear of retaliation. If I spend money on a new door, etc. to pass inspection it will be trashed by these tenants I'm certain. The house is destroyed inside and I have pictures and video proof. There are used and empty Jack Daniels whiskey bottles strewn about. The place is basically a flop-house or party-house in my opinion. I don't know what to do. Please help.



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

**REMAINING VIOLATION INSPECTION REPORT**

9397

**Owner(s)**

Payne, Erica  
935 W. Kirkwood Avenue  
Bloomington, IN 47404

Prop. Location: 1319 W Gourley PIKE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 10/23/2017  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 1

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

**REINSPECTION REQUIRED**

This report is a reminder that there are outstanding violations of the Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington. Although you are still within your sixty-day deadline, the following items must be brought into compliance before a rental occupancy permit will be issued.

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 16.03.040 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:**

**Living Room 17-9 x 11:**

Repair/replace the failing entry door, exterior panel coming off. BMC 16.04.060 (a)

**E Bathroom:**

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

---

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

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

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

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

- **Tenants and Owners Rights and Responsibilities Summary**

A completed copy of the Tenants and Owners Rights and Responsibilities Summary  
BMC 16.03.060(c) and BMC 16.10.030(b)

- **Inventory & Damages List**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement.

BMC 16.03.050(e) and BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner and the agent, the occupant load of the unit, the number of bedrooms, the expiration date of the permit, and any variances that have been granted for the property. BMC 16.03.030(c)

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



**City Of Bloomington  
Housing and Neighborhood Development**

**RENTAL INSPECTION INFORMATION**

Payne, Erica  
935 W. Kirkwood Avenue  
Bloomington, IN 47404

RE: 1319 W Gourley PIKE

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **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 within this 60 day window but no later than \_\_\_\_\_ to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms 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 & Neighborhood Development  
Encl:Inspection Report,



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

CYCLE INSPECTION REPORT

9397

Owner(s)

Payne, Erica  
935 W. Kirkwood Avenue  
Bloomington, IN 47404

Prop. Location: 1319 W Gourley PIKE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 10/23/2017  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 1

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

Windows for Modular home are to Manufacturers' specifications.

Existing Egress Window Measurements: Dbl hung; Const. Yr. - 1989  
Height: 26 inches  
Width: 35 inches  
Sill Height: 16 inches  
Openable Area: 6.32 sq. ft.

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

**INTERIOR:**

Laundry Area:

No violations noted.

Furnace Closet:

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

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

Kitchen 11 x 8-7:

No violations noted.

Living Room 17-9 x 11:

Repair/replace the failing entry door, exterior panel coming off. BMC 16.04.060 (a)

E Bedroom 11-8 x 11: See window measurements above.

No violations noted.

E Bathroom:

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

SW Bedroom 9-5 x 8-3: See window measurements above.

No violations noted.

Hallway:

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

Hall Bath:

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

Replace the missing door stop trim. BMC 16.04.060 (a)

Secure the loose toilet. BMC 16.04.060 (a)

NW Bedroom 10-4 x 9-2: See window measurements above.

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

**EXTERIOR:**

Secure the loose siding on the east end of structure. BMC 16.04.050(a)

Crawl/space:

No access.

**OTHER REQUIREMENTS:**

**Registration Form**

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

**Required documentation:**

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

**Required documentation:**

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



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

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



**City of Bloomington  
Housing & Neighborhood Development**

Meeting Date: June 20, 2018

Petition Type: Relief from an administrative decision

Variance Request: Relief from the loss of 5 year permit.

Petition Number: 18-AA-50

Address: 1496 N Kinser Pike

Petitioner: Mark Figg

Inspector: John Hewett

Staff Report:      January 12, 2015      Owner scheduled inspection  
                         March 10, 2015      Cycle Inspection  
                         April 1, 2015      Report sent with a May 31, 2015 deadline  
                         July 13, 2015      Agent scheduled reinspection  
                         August 13, 2015      Reinspection completed, all complied.  
                         September 01, 2015      Sent Billing  
                         September 21, 2015      Received payment, issued 3 year permit.  
                         April 19, 2018      Owner appeals for relief from loss of 5 year permit.  
                         May 16, 2018      BHQA Meeting cancelled, lack of quorum.

Staff recommendation: Deny the relief from administrative decision.

Conditions: The permit shall remain as issued, with an expiration date of August 13, 2018.

Compliance Deadline: none

Attachments: Appeal form

A handwritten signature in black ink, located in the bottom right corner of the page.



**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:** 1426 N Kinser Pike F8 Bloomington IN 47404

**Petitioner's Name:** Mark Figg of Crimson Crossing LLC dba AXIS812 Townhomes

**Address:** 1426 N Kinser Pike F8 Bloomington IN 47404

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

**Phone Number:** (812) 822-0079 **E-mail Address:** info@axis812.com

**Owner's Name:** Mark Figg of Crimson Crossing LLC dba AXIS812 Townhomes

**Address:** 1426 N Kinser Pike F8 Bloomington IN 47404

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

**Phone Number:** 812-822-0079 **E-mail Address:** info@axis812.com

**Occupants:** Multiple Tenants

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

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

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

**Variance Type:** 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)

Petition Number: 18-AA-50

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.

Petition Type V-Title 16 of Bloomington Municipal Code. We are respectfully requesting a variance because should have been issued a 5-year permit instead of a 3-year permit. For some reason the permit was issued as a 3-year and we did not catch it until late last year. I feel as though I am being penalized with a 3-year permit instead of a 5-year permit due to scheduling problems within HAND beyond my control. Please see attached documentation that I could find from scheduling the date on time. Also, below is the timeline. Called HAND on or about May 27, 2015 to schedule inspection (I had until May 31, 2015). Spoke to Eddie. He commented "you have called in plenty of time." Invited my staff by email regarding the schedule and an invite to make sure it was on the calendar. Constant contact letters sent out to residents by email informing them of the inspection date and times. I have included both the letter that was sent through Constant Contact as well as the screen shot showing how many people opened that email. It includes a date and time of when the report was generated. July 8, 2015 and July 12, 2015 reminders sent to tenants. July 13, 2015 - Mark, Angie, Don, Riley and Tamie all waiting for inspectors at Office at 9:00am. Eventually called HAND office and was told by Eddie he would check the file. Then he returned to state that they had other scheduling conflicts and that my inspection had been bumped off the calendar and that I could reschedule. He stated that I would not be penalized since he saw that I had originally called back in May and that I had scheduled it in the time frame need to avoid a penalty. Eddie then rescheduled us for August 13, 2017 and stated he was sending extra inspectors. July 13, 2015 - Letter sent out through Constant Contact to tenants stating we were sorry that HAND was rescheduling. August 13, 2015 - Inspectors arrived to hear Tamie complain about them bumping us in July. Was told by inspectors they never had the first inspection on the schedule. Passed final inspection.

Signature (Required):

*Mark H. Figg*

Name (Print): Mark Figg

Date: 4/19/18

**Important information regarding this application format:**

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

**Print Form**



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018

Petition Type: An extension of time to complete repairs.

Petition Number: 18-TV-52

Address: 915 W 2<sup>nd</sup> St.

Petitioner: Tempo Properties

Inspector: Matt Swinney

Staff Report: February 2, 2018 Completed Cycle Inspection Report  
April 24, 2018 BHQA App received

Owner has requested an extension of time to complete repairs to the exterior doors. They have stated they need more time to secure bids and get the repairs done.

Staff recommendation: Grant the request.

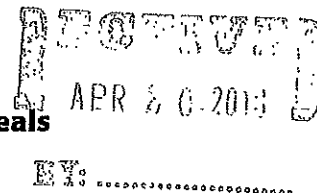
Conditions: Complete all repairs and schedule for re-inspection no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 29, 2018 to call and schedule the reinspection.

Attachments: Cycle Inspection, 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:** 915 W 2nd St. Bloomington IN

**Petitioner's Name:** Jonathan Rix (Tempo Properties)

**Address:** 213 S. Rogers St.

**City:** Bloomington

**State:** Indiana



**Zip Code:** 47404

**Phone Number:** 8123362026

**E-mail Address:** repairs@tempopropertiesinc.com

**Owner's Name:** Yukon Properties, LLC

**Address:** 3690 E. Sterling Ave

**City:** Bloomington

**State:** Indiana



**Zip Code:** 47401

**Phone Number:** 8123325694

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

**Occupants:** 11 Units/ 2 Bedrooms/5 Occupants each

**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 month's agenda!

(Will be assigned by BHQA)

Petition Number: 18-TV-51

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. (Petition type: TV)  
 1. The Rear and Front Entrances need to be repaired.  
 2. Due the extensive repair and multiple parts of such a repair more time is needed, to gather bids, set up repairs.  
 3. 3months

Signature (Required):

*Jonathan Rix* (Temp Properties)

Name (Print):

Jonathan Rix

Date:

4/20/18

**Important information regarding this application format:**

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

Print Form



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

RENTAL INSPECTION INFORMATION

**FEB 23 2018**

Yukon Properties, Llc  
3690 E. Sterling Ave.  
Bloomington, IN 47401

RE: 915 W 2nd ST

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **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 within this 60 day window but no later than **APR 24 2018** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms 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 & Neighborhood Development

Encl: Inspection Report,

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

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

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

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





**City Of Bloomington  
Housing and Neighborhood Development**

**CYCLE INSPECTION REPORT**

4088

Owner

Yukon Properties, Llc  
3690 E. Sterling Ave.  
Bloomington, IN 47401

Agent

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

Prop. Location: 915 W 2nd ST  
Number of Units/Structures: 11/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 11/2/5

Date Inspected: 02/12/2018  
Primary Heat Source: Electric  
Property Zoning: MD  
Number of Stories: 3

Inspector: Matt Swinney  
Foundation Type: Slab  
Attic Access: No  
Accessory Structure: None

**CONDITIONS:** The commercial unit in the building shall not be occupied prior to building and zoning approval.

Monroe County Assessor's records indicate this structure was built in 1991.  
The egress requirements at the time of construction are as follows:

Openable height: 24 inches  
Openable width: 20  
Sill height: Not more than 44 inches above finished floor  
Openable area: 5.7 square feet

Typical Unit (except 16)

Living room 12-0 x 13-4

Dining room 12-0 x 8-2

Kitchen 8-2 x 5-5

1<sup>st</sup> Bedroom 8-9 x 9-2

2<sup>nd</sup> bedroom 12-0 x 11-3

**Egress Window Measurements:**

Existing area: 5.7 sq. ft.  
Existing width: 32.25"  
Existing height: 25.25"  
Existing sill: 23"

## INTERIOR

### Unit #5

No violations noted.

### Unit #6

#### Bathroom

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

#### 1<sup>ST</sup> and 2<sup>nd</sup> Bedroom

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

### Unit #16

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

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. IC 22-11-18-3.5

Existing Egress Window Measurements: Unit 16

Height: 24 inches

Width: 34.25 inches

Sill Height: 33 inches

Openable Area: 5.7 sq. ft.

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

#### Kitchen

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

### Unit #7

No violations noted.

### Unit #8

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

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

#### Bathroom

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

### Unit #9

All residential rental units shall conspicuously display the unit's address number on the front of the unit. BMC 16.04.100

#### Hallway

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

#### Living Room

Repair the broken sliding glass door window. BMC 16.04.060(a)

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

2<sup>nd</sup> Bedroom

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. IC 22-11-18-3.5

Replace the missing protective cover for the light fixture for the bedroom and the walk-in closet. BMC 16.04.060(c)

Bathroom

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

Deck

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

Unit #10

No violations noted.

Unit #11

Bathroom

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

Unit #12

Hallway

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

Bathroom

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

Unit #14

Kitchen

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

Unit #15

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

**EXTERIOR**

Common Hall Entrance

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

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

Properly install approved exterior vent covers on all bathroom/laundry exhausts. BMC 16.04.050(a)

Replace the rotted brick mold on the storage room doors and the windows for unit #16. BMC 16.04.050(a)

#### **OTHER REQUIREMENTS**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner and the agent, the occupant load of the unit, the number of bedrooms, the expiration date of the permit, and any variances that have been granted for the property. BMC 16.03.030(c)

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018  
Petition Type: An extension of time to complete repairs.  
Petition Number: 18-TV-52  
Address: 409 W 15<sup>th</sup> St.  
Petitioner: Jack Forney  
Inspector: Matt Swinney  
Staff Report: May 1, 2017 Completed Cycle Inspection Report  
April 24, 2018 BHQA App received

Owner has requested an extension of time to finish the exterior paint due to inclement weather.

Staff recommendation: Grant the request.

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

Compliance Deadline: June 29, 2018 to call and schedule the reinspection.

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



RECEIVED  
APR 24 2018

BY: JD

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: 409 W. 15<sup>TH</sup> BLOOMINGTON.  
Petitioner's Name: JACK FORNEY  
Address: 512 W. 15<sup>TH</sup>  
City: BLOOMINGTON State: IN Zip Code: 47404  
Phone Number: 812 334 1259 Email Address: mdrforse@gmail.com  
Property Owner's Name: JACK FORNEY  
Address: 512 W. 15<sup>TH</sup>  
City: BLM State: IN Zip Code: 47404  
Phone Number: 812 334 1259 Email Address: \_\_\_\_\_  
Occupants: 2

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 18-TV-52

SEE REVERSE

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Name (please print): \_\_\_\_\_ Date: \_\_\_\_\_

71



**City Of Bloomington  
Housing and Neighborhood Development**

RENTAL PERMIT INFORMATION

**MAY 12 2017**

Forney, Jack L.  
Po Box 943  
Bloomington, IN 47404

Property Location: 409 W 15th ST

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **JUL 11 2017** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

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

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

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

Sincerely,

Housing & Neighborhood Development  
Encl: Inspection Report,

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

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

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





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

CYCLE INSPECTION REPORT

3770

Owner

Forney, Jack L.  
Po Box 943  
Bloomington, IN 47404

Prop. Location: 409 W 15th ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/3

Date Inspected: 05/01/2017  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Inspector: Matt Swinney  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

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

Existing Egress Window Measurements:

Height: 25 inches  
Width: 26 inches  
Sill Height: 29.75 inches  
Openable Area: 4.51 sq. ft.

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

**INTERIOR**

Living Room 14-9 x 12-10

No violations noted.

Dining Room 13-4 x 9-0

Replace broken light switch cover plate by the kitchen. BMC 16.04.060(b)

Kitchen 9-1 x 18-3

Replace missing cabinet drawer faces. BMC 16.04.060(a)

Bathroom

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

Northwest Bedroom 8-9 x 8-10

This room has a door directly to the exterior for egress.

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. IC 22-11-18-3.5

South Bedroom 9 x 11-7

Window measurements are noted above.

No violations noted.

Basement

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new 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. IC 22-11-18-3.5

EXTERIOR

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

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

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

OTHER REQUIREMENTS

Registration Form

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

Tenants and Owners Rights and Responsibilities Summary

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

Inventory Damage List

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

---

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner and the agent, the occupant load of the unit, the number of bedrooms, the expiration date of the permit, and any variances that have been granted for the property. BMC 16.03.030(c)

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018

Petition Type: An extension of time to complete repairs.

Petition Number: 18-TV-53

Address: 530-533 S. Village Ct.

Petitioner: Kurt Kinnaman

Inspector: Norman Mosier

Staff Report: January 8, 2018 – Conducted Cycle Inspection  
March 26, 2018 – Sent Remaining Violations Report, Past 60 Days  
April 24, 2018 – Received BHQA Appeal

Staff recommendation: Grant the request.

Conditions: Complete all repairs and schedule for re-inspection 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, but not limited to, the possibility of fines.

Compliance Deadline: June 30, 2018 – For Life Safety Violations, noted by check marks in report.  
August 20, 2018 – For All Other Violations.

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



**RECEIVED**  
APR 24 2018

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

BY: .....

hand@bloomington.in.gov

Property Address: 530 + 533 Village Ct

Petitioner's Name: Kurt Kinnamen

Address: ~~3044~~ 1082 S Fieldcrest Ct

City: Bloomington State: IN Zip Code: 47403

Phone Number: 812-345-0383 Email Address: Kinnamen property group@gmail.com

Property Owner's Name: Kinnamen Property Group LLC

Address: 3644 E 3rd Street

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-345-0283 Email Address: \_\_\_\_\_

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

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

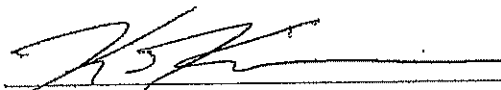
Petition Number 18-TV-53

SEE REVERSE

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

Contractors Schedule / weather that is pushing  
back our schedule for outside repairs. We should  
have no trouble in completing repairs by June 1 2018

Signature (required):



Name (please print):

Kurt Kinnaman

Date:

9/24/18

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



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

REMAINING VIOLATION INSPECTION REPORT

**APR 05 2018**

3833

Owner(s)

Kinnaman Property Group, Llc  
3644 E. 3rd St.  
Bloomington, IN 47401

Prop. Location: 530 S Village CT  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/3/5

Date Inspected: 01/08/2018  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

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

**REINSPECTION REQUIRED**

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

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

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

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

**INTERIOR:**

**UNIT 530**

**MAIN LEVEL**

Living Room 16 x 16, Garage, Laundry Closet, ½ Bath, Water Heater Closet, Furnace Closet (Electric):  
No violations noted.

✓ Hallway:

Repair the smoke detector in this hallway to be interconnected. 1990 IRC Sec. R215.1

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

City Hall  
bloomington.in.gov

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

Kitchen 11 x 5, Dining Room 13 x 9, Deck:

No violations noted.

**2<sup>nd</sup> LEVEL**

Stairway/Hallway:

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

Hall Bath:

Repair/replace the defective exhaust fan to function as intended. BMC 16.04.060 (c)

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

SW Bedroom 13 x 11:

Repair the window to be weather tight, space between upper and lower sash. BMC 16.04.060 (a)

NE Bedroom 12 x 11:

Paint the stained ceiling area, check roof for leaks. BMC 16.04.060 (a)

NW Bedroom 14 x 11:

Paint the stained ceiling area, check roof for leaks. BMC 16.04.060 (a)

**UNIT 533**

Living Room 16 x 16:

Install a door sweep on the storm door. BMC 16.04.060 (a)

Garage/ Laundry Closet, Water Heater Closet, Furnace Closet (Electric), Kitchen 11 x 5,  
Dining Room 13 x 9

No violations noted.

½ Bath:

Repair/replace the damaged door, cover panels broken loose. BMC 16.04.060 (a)

**2<sup>ND</sup> LEVEL**

Stairway/Hallway:

Replace the broken spindle on the half wall in the hallway. BMC 16.04.060 (a)

Hall Bath:

Paint the stained ceiling area, check roof for leaks. BMC 16.04.060 (a)

Secure the loose tub faucet handle. BMC 16.04.060 (a)

✓ NW Bedroom 14 x 11:

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

NE Bedroom 12 x 11:

No violations noted.

S Bedroom 13 x 11:

Paint the stained ceiling area, check roof for leaks. BMC 16.04.060 (a)



**EXTERIOR:**

Remove the mold on the north and east sides of structure. BMC 16.04.050(f)

Repair/replace the front porch patio to be level. BMC 16.04.050(a)

**OTHER REQUIREMENTS:**

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

- **Tenants and Owners Rights and Responsibilities Summary**

A completed copy of the Tenants and Owners Rights and Responsibilities Summary  
BMC 16.03.060(c) and BMC 16.10.030(b)

- **Inventory & Damages List**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement.

BMC 16.03.050(e) and BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner and the agent, the occupant load of the unit, the number of bedrooms, the expiration date of the permit, and any variances that have been granted for the property. BMC 16.03.030(c)

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



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

RENTAL INSPECTION INFORMATION

**JAN 23 2018**

Kinnaman Property Group, Llc  
3644 E. 3rd St.  
Bloomington, IN 47401

RE: 530 S Village CT

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **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 within this 60 day window but no later than **MAR 24 2018** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms 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 & Neighborhood Development  
Encl: Inspection Report,



**City Of Bloomington  
Housing and Neighborhood Development**

**CYCLE INSPECTION REPORT**

3833

**Owner(s)**

Kinnaman Property Group, Llc  
3644 E. 3rd St.  
Bloomington, IN 47401

Prop. Location: 530 S Village CT  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/3/5

Date Inspected: 01/08/2018  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 2

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

The Monroe County Assessor's records indicate that this structure was built in 1992.  
Minimum egress requirements for a one and two family dwelling built at the time of construction.  
Openable area: 4.75 Sq. Ft.  
Clear height: 24 inches  
Clear width: 18 inches  
Sill height: Not more than 44 inches above finished floor.

**NOTE:**

**Existing Egress Window Measurements for structure are as follows:**

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1992  
Height: 24 inches  
Width: 34 inches  
Sill Height: 28 inches  
Openable Area: 5.67 sq. ft.

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

**INTERIOR:**

**UNIT 530**

**MAIN LEVEL**

Living Room 16 x 16, Garage, Laundry Closet, ½ Bath, Water Heater Closet, Furnace Closet (Electric):  
No violations noted.

**Hallway:**

Repair the smoke detector in this hallway to be interconnected. 1990 IRC Sec. R215.1

Kitchen 11 x 5, Dining Room 13 x 9, Deck:

No violations noted.

**2<sup>nd</sup> LEVEL**

Stairway/Hallway:

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

Hall Bath:

Repair/replace the defective exhaust fan to function as intended. BMC 16.04.060 (c)

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

SW Bedroom 13 x 11: See note above.

Repair the window to be weather tight, space between upper and lower sash. BMC 16.04.060 (a)

NE Bedroom 12 x 11: See note above.

Paint the stained ceiling area, check roof for leaks. BMC 16.04.060 (a)

NW Bedroom 14 x 11: See note above.

Paint the stained ceiling area, check roof for leaks. BMC 16.04.060 (a)

**UNIT 533**

Living Room 16 x 16:

Install a door sweep on the storm door. BMC 16.04.060 (a)

Garage/ Laundry Closet, Water Heater Closet, Furnace Closet (Electric), Kitchen 11 x 5,

Dining Room 13 x 9

No violations noted.

½ Bath:

Repair/replace the damaged door, cover panels broken loose. BMC 16.04.060 (a)

**2<sup>ND</sup> LEVEL**

Stairway/Hallway:

Replace the broken spindle on the half wall in the hallway. BMC 16.04.060 (a)

Hall Bath:

Paint the stained ceiling area, check roof for leaks. BMC 16.04.060 (a)

Secure the loose tub faucet handle. BMC 16.04.060 (a)

NW Bedroom 14 x 11: See note above.

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

NE Bedroom 12 x 11: See note above.

No violations noted.

S Bedroom 13 x 11: See note above.

Paint the stained ceiling area, check roof for leaks. BMC 16.04.060 (a)

**EXTERIOR:**

Remove the mold on the north and east sides of structure, BMC 16.04.050(f)

Repair/replace the front porch patio to be level, BMC 16.04.050(a)

**OTHER REQUIREMENTS:**

**Required documentation:**

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

**Required documentation:**

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

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018

Petition Type: An extension of time to complete repairs

Petition Number: 18-TV-54

Address: 1203 N. Lincoln Street

Petitioner: Paul D. Prather II

Inspector: Dee Wills

Staff Report: February 24, 2017 Completed Cycle Report  
May 15, 2017 Remaining Violations Report for no compliance sent  
June 01, 2017 Agent scheduled reinspection for July 19, 2017  
July 19, 2017 Inspector was "No Showed" for reinspection  
July 19, 2017 Agent rescheduled reinspection for August 04, 2017  
August 04, 2017 Completed reinspection. All violations were not  
complied.  
August 04, 2017 Remaining Violations Report for no compliance sent  
August 30, 2017 Agent scheduled reinspection for September 12, 2017  
September 12, 2017 Inspector was "No Showed" for reinspection  
September 13, 2017 City Legal Department Proceedings Started  
October 05, 2017 Reinspection scheduled for October 13, 2017  
October 13, 2017 Completed reinspection. All violations were not  
complied.  
October 16, 2017 Remaining Violations Report for no compliance sent  
November 02, 2017 City Legal Department Updated  
November 15, 2017 Demand Letter sent from City Legal Department to  
owner and agent with November 30, 2017 deadline  
November 30, 2017 City Legal Department Updated  
January 02, 2018 City Legal Department Updated  
February 02, 2018 City Legal Department Updated  
February 22, 2018 Received new Registration Form with new owners  
information.  
March 02, 2018 City Legal Department Updated  
March 19, 2018 City Legal Department Updated  
April 27, 2015 Received Application for Appeal

Petitioner is requesting an extension of time in order to obtain a State Variance for the egress windows that do not meet code at the time of construction. The application was submitted April 27, 2018 to the State of Indiana Fire Prevention and Building Safety Commission. The petitioner is requesting an extension until the request is processed.

Staff recommendation: Grant the extension of time.

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

Compliance Deadline: August 30, 2018 for State Variance  
June 30, 2018 for Remaining Exterior Violations

Attachments: Application for Appeal, City Legal Department Letters,  
Remaining Violations Report



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

**RECEIVED**  
APR 27 2018  
BY: .....

**Property Address:** 1203 N Lincoln St

**Petitioner's Name:** Paul D Prather II

**Address:** 627 N Morton St, Ste 204

**City:** Bloomington

**State:** Indiana



**Zip Code:** 47404

**Phone Number:** 8123301501

**E-mail Address:** paul@sargerentals.com

**Owner's Name:** Triple Double LLC

**Address:** c/o Sarge Rentals; 627 N Morton St, Ste 204

**City:** Bloomington

**State:** Indiana



**Zip Code:** 47404

**Phone Number:** 8123301501

**E-mail Address:** tara@sargerentals.com

**Occupants:** 20 tenants - 5 per unit

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

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

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

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



**Reminder:**

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

(Will be assigned by BHQA)

Petition Number: 18-TV-54



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.

Application submitted 4/27/18 to the State of Indiana, Fire Prevention and Building Safety Commission for the windows that do not meet the Building Code Requirement at the time of construction. Asking for extension until that request is processed.

Signature (Required):



Name (Print): Paul D Prather II

Date:

4-27-18

**Important information regarding this application format:**

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

Print Form

Corporation Counsel  
Philippa M. Guthrie

City Attorney  
Michael M. Rouker



**City of Bloomington  
Legal Department**

Assistant City Attorneys  
Anahit Behjou  
Thomas D. Cameron  
Barbara E. McKinney  
Jacquelyn F. Moore  
Christopher J. Wheeler

November 16, 2017

FILE COPY

Mr. Lance D. Weidner  
2004 W. That Rd.  
Bloomington, Indiana 47403

RE: 1203 N. Lincoln., Bloomington, IN

Dear Mr. Weidner,

Please be advised that the above referenced property is in violation of BMC Title 16 and its Residential Rental Unit and Lodging Establishment Inspection Program. The Title 16 Occupancy Permit for this property expired on **March 13, 2017**. Pursuant to BMC 16.03.030, it is illegal for you to allow this property to be occupied without a valid Title 16 occupancy permit. You cannot receive a renewed occupancy permit until and unless you complete the inspection process.

You must immediately, and **no later than November 30, 2017**, do the following:

1. **Correct all remaining violations noted in the Remaining Violation Report of October 18, 2017; and**
2. **Contact HAND and schedule the property for reinspection.**

Failure to do so, and the City will initiate an ordinance violation lawsuit against you. In that event, the City will seek fines of up to \$2,500.00 per day for each day that the property is and has been out of compliance with Title 16 dating back to **March 13, 2017**. Furthermore, the City may ask that the property be and remain vacated until and unless you bring the same into full compliance.

Your prompt attention to this matter is greatly appreciated.

Sincerely,

Christopher J. Wheeler  
Assistant City Attorney

Enc. Letter to Agent

cc: Doris Sims, Director for the Department of Housing and Neighborhood Development  
Sarge Property Management, Agent

**Corporation Counsel**  
Philippa M. Guthrie

**City Attorney**  
Michael M. Rouker



**City of Bloomington  
Legal Department**

**Assistant City Attorneys**  
Anahit Behjou  
Thomas D. Cameron  
Barbara E. McKinney  
Jacquelyn F. Moore  
Christopher J. Wheeler

November 16, 2017

FILE COPY


Sarge Property Management  
ATTN: Tara  
627 N. Morton St., Suite 204  
Bloomington, IN 47404

RE: 1203 N. Lincoln., Bloomington, IN

Tara,

Enclosed please find a copy of the letter directed to the owner of the above property to which you serve as agent. As agent for this property I appreciate your assistance in seeing these violations corrected and the property brought into full compliance.

Sincerely,

  
Christopher J. Wheeler  
Assistant City Attorney

Enc. Letter to Owner

cc: Doris Sims, Director for the Department of Housing and Neighborhood Development



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

**OCT 18 2017**

REMAINING VIOLATION INSPECTION REPORT

3845

Owner(s)

Weidner, Lance D.  
2004 W. That Road  
Bloomington, IN 47403

Agent

Sarge Property Management, Inc.  
627 N. Morton Street, Suite 204  
Bloomington, IN 47404

Prop. Location: 1203 N Lincoln ST  
Number of Units/Structures: 4/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 4/5/5

Date Inspected: 02/24/2017  
Primary Heat Source: Electric  
Property Zoning: RC  
Number of Stories: 2

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

**REINSPECTION REQUIRED**

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

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

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

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

### **OTHER REQUIREMENTS:**

The emergency egress window does not meet the minimum requirements for a one and two family dwelling/multi-unit structure built in 1994. The relevant code is the 1993 Indiana Residential Code/ Indiana Building Code, section: 1204 (103).

Openable area required: 5.7 sq. ft.  
Clear width required: 20 inches  
Clear height required: 24 inches  
Maximum sill height: 44 inches  
above finished floor

Existing area: 5.04 sq. ft.  
Existing width: 33 inches  
Existing height: 22 inches  
Existing sill: 29 inches

Openable area required: 5.7 sq. ft.  
Clear width required: 20 inches  
Clear height required: 24 inches  
Maximum sill height: 44 inches  
above finished floor

Existing area: 5.94 sq. ft.  
Existing width: 26.34 inches  
Existing height: 32 inches  
Existing sill: 46 inches

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 an egress variance is received from the Indiana Fire Prevention and Building Safety Commission, BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.232.1402.

### **EXTERIOR**

Replace broken or missing spindles in the back handrail/guardrail. BMC 16.04.020, BMC 16.04.050(b)

Properly repair or replace damaged or deteriorated siding in a manner that leaves the structure weather tight. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating siding and structural members. BMC 16.04.050(a)

Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction.

Exceptions:

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

LP gas burners shall not be located on combustible balconies or within 10 feet of combustible construction.

Exception:

1. One and two family dwellings.

2. Where buildings, balconies, and decks are protected by an automatic sprinkler system.

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

BMC 16.04.020(a)(3), Indiana Fire Code Sec. 308.3.1 & Sec. 308.3.1.1

### **OTHER REQUIREMENTS**

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

- **Tenants and Owners Rights and Responsibilities Summary**

A completed copy of the Tenants and Owners Rights and Responsibilities Summary  
BMC 16.03.060(c) and BMC 16.10.030(b)

- **Inventory & Damages List**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement.

BMC 16.03.050(e) and BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner and the agent, the occupant load of the unit, the number of bedrooms, the expiration date of the permit, and any variances that have been granted for the property. BMC 16.03.030(c)



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018  
Petition Type: Rescind a variance.  
Petition Number: 18-RV-55  
Address: 2395 S. Worthington Lane  
Petitioner: HAND  
Inspector: Dee Wills  
Staff Report:

This property was previously granted a variance to the light and ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a light and ventilation requirement and the Building Code in place at the time of construction did not address light and ventilation requirements; therefore we are asking the Board to rescind this variance. The structure was built in 1982.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

JK



**City of Bloomington  
Housing & Neighborhood Development**

Meeting Date: June 20, 2018

Petition Type: Relief from an administrative decision

Variance Request: Relief from the requirement to register this as a rental.

Petition Number: 18-AA-56

Address: 1709 E. Circle Drive

Petitioner: Diane Henshel

Inspector: Mike Arnold/John Hewett

Staff Report: December 03, 2016 Permit expired, several attempts to contact owner  
January 17, 2017 Started legal, letter sent to owner  
March 3, 2017 Cycle inspection scheduled for April 21, 2017  
April 21, 2017 Cycle Inspection  
July 19, 2017 No reinspection scheduled, sent RV report  
August-October Several attempts to contact owner, without success  
October 19, 2017 Demand letter from legal Dept.  
November 3, 2017 Reinspection scheduled for November 13, 2017  
December 1, 2017 Sent 2<sup>nd</sup> RV report  
January-March Several updates to legal.  
April 4, 2018 Filed suit  
May4, 2018 Owner appeals for relief from requirement to schedule inspection.

Staff recommendation: Grant the relief from administrative decision.

Conditions: This property shall not be considered a rental for as long as the current ownership and tenants do not change. If additional tenants occupy this structure or other tenants occupy the structure while the current owners maintain ownership, the requirement to register and inspect shall be enforced. This property shall be monitored on a yearly basis to determine compliance.

Compliance Deadline: none

Attachments: Appeal form

A handwritten signature in black ink, likely of a city official, located in the bottom right corner of the page.





**RECEIVED**  
MAY 04 2018

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

BY: .....

hand@bloomington.in.gov

Property Address: 1709 Circle Dr

Petitioner's Name: Diane Henshel

Address: Box 7241

City: Bloomington State: IN Zip Code: 47407

Phone Number: 812 345 0944 Email Address: dhenshel@gmail.com

Property Owner's Name: Same

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

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

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

Occupants: Artemis Walden (daughter) Eloise Pursell (granddaughter)  
Kyle Pursell (Niece of daughter & father to Eloise)

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

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

Please circle the petition type that you are requesting:

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

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

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

D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY

Petition Number 18-AA-56

SEE REVERSE

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

see attached

Signature (required): Diane Henshel  
Name (please print): Diane Henshel Date: May 4 2018

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

## Appeal to the Board of Housing Quality Appeals

To: The Bloomington Board of Housing Quality Appeals  
From: Diane Henshel, owner, 1709 Circle Drive 47401  
Date: May 4, 2018

I am petitioning for an exception to Title 16 for 1709 Circle Drive for the following reasons:

1. The people living in the house are my daughter, Artemis Walden, her daughter (my grand-daughter), Eloise Pursell, and my daughter's fiancé, Kyle Pursell.
2. I anticipate that they will continue living in the house for the foreseeable future.
3. I have asked them to help pay for the property taxes, but they haven't contributed anything in over 8 months, and probably won't while my granddaughter is in daycare. Therefore, in effect, this is not really a rental property but my daughter's family home.

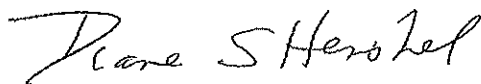
I would like to remove 1709 Circle Drive from the rental list while my daughter and her family live in the house.

In the meantime, I have completed the following at the request of the HAND inspector:

1. Replaced the roof and installed a solar system to help them reduce energy costs.
2. Fixed the faulty wiring in the kitchen, and made sure all the GFIs were working correctly.
3. Replaced the missing CO and smoke detectors in the hallway.

The last item that needed to be addressed was to repaint parts of the back of the house which apparently bubbled after it was painted two years ago, probably due to a change in weather conditions. The weather has not been warm enough to paint outside until very recently. The repair job for the paint on the back of the house is now scheduled for mid-May.

Thank you for your help and your consideration of my petition for an exception to Title 16 for 1709 Circle Drive.



Diane Henshel  
PO Box 7241  
Bloomington, IN 47407



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018

Petition Type: An extension of time to complete repairs.

Petition Number: 18-TV-57

Address: 103 E. Driscoll Dr.

Petitioner: Jim Gronquist

Inspector: Matt Swinney

Staff Report: September 5, 2017 Completed Cycle Inspection Report  
December 11, 2017 Remaining Violations Report sent  
February 6, 2018 Scheduled Reinspection for March 19, 2018  
March 19, 2018 Cancelled Reinspection  
May 9, 2018 BHQA App received

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

Staff recommendation: Deny the request.

Conditions:

Complete all other repairs and schedule for re-inspection no later than the deadline for all other issues stated below, or this case will be turned over to the City of Bloomington Legal Department for further action, including, but not limited to, the possibility of fines.

Compliance Deadline: Immediately call and schedule the reinspection for all violations listed in the cycle report.

Attachments: Remaining Violations report, BHQA Appeal, Petitioner's Letter, Legal Letters



RECEIVED  
MAY 09 2018

BY: .....

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

Property Address: 103 E. DRISCOLL

Petitioner's Name: JIM GRONQUIST

Address: 103 E. DRISCOLL

City: BLOOMINGTON State: IN Zip Code: 47401

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

Property Owner's Name: JIM GRONQUIST

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

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

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

Occupants: GEORGE COFFEY, TY ALSOP

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 18-TV-57

SEE REVERSE

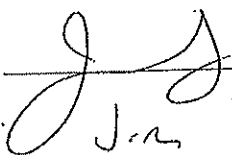
Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance,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

STILL ASSEMBLING \$ to replace roof and

waste line ~ \$30,000

The units themselves are ok in the meantime

Signature (required):



Name (please print):

Jim Granger

Date:

5/9/18

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

Corporation Counsel  
Philippa M. Guthrie

City Attorney  
Michael M. Rouker



**City of Bloomington  
Legal Department**

Assistant City Attorneys  
Anahit Behjou  
Barbara E. McKinney  
Jacquelyn F. Moore  
Christopher J. Wheeler

January 23, 2018

James Gronquist  
P.O. Box 1311  
Bloomington, Indiana 47402

RE: 103 E. Driscoll Dr., Bloomington, IN

Mr. Gronquist,

Please be advised that the above referenced property is in violation of BMC Title 16 and its Residential Rental Unit and Lodging Establishment Inspection Program. The Title 16 Occupancy Permit for this property expired on August 27, 2017. Pursuant to BMC 16.03.030, it is illegal for you to allow this property to be occupied by anyone other than the owner without a valid Title 16 occupancy permit. You cannot receive a renewed occupancy permit until and unless you complete the inspection process.

You must immediately, and no later than February 6, 2018, do the following:

1. Correct all remaining violations noted in the Remaining Violation Report of December 14, 2017; and
2. Contact HAND and schedule the property for reinspection.

Failure to do so, and the City will initiate an ordinance violation lawsuit against you. In that event, the City will seek fines of up to \$2,500.00 per day for each day that the property is and has been out of compliance with Title 16 dating back to August 27, 2017. Furthermore, the City may ask that the property be and remain vacated until and unless you bring the same into full compliance.

Your prompt attention to this matter is greatly appreciated.

Sincerely,

Christopher J. Wheeler  
Assistant City Attorney

cc: Doris Sims, Director for the Department of Housing and Neighborhood Development



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

**DEC 14 2017**

**REMAINING VIOLATION INSPECTION REPORT**

300

Owner

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

Prop. Location: 103 E Driscoll DR  
Number of Units/Structures: 7/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/Eff/5 4/1/5 2/1/5

Date Inspected: 09/05/2017  
Primary Heat Source: Electric  
Property Zoning: CG  
Number of Stories: 2

Inspector: Matt Swinney  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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

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

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

**INTERIOR**

Unit #1

Living Room 16-10 x 15-0

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

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

Kitchen 19-8 x 16-8

Properly secure the cabinet to the right of the stove. BMC 16.04.060(a)

Bathroom

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



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

Bedroom 11-5 x 13-1

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

Unit #2

Living Room

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

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

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

Bedroom

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

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

Unit #3(Vacant)

This entire unit is filled with what appears to be mold. It is a very severe case. This unit requires extensive remediation before it can be reoccupied. Please provide documentation from a licensed professional that the unit has been properly remediated and it is safe to reoccupy. BMC BMC 16.04.060(b)

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

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

Living Room 13-0 x 11-3

No violations noted.

Bedroom 10-3 x 12-8

Repair/replace the window crack to be secure and function as intended. BMC 16.04.060(b)

Kitchen

Reconnect the dryer vent tube. BMC 16.04.060(c)

Unit #4

Living room/ Kitchen 17-9 x 13-10

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

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

Unit #7

Efficiency 13-2 x 26-2

This room has a door to the exterior for emergency egress.

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

Kitchen

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

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

Laundry Closet

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

Bathroom

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

Replace the cracked pedestal sink. BMC 16.04.060(a)

Determine the source and eliminate the water leak. BMC 16.04.060(a)

Living Room

Replace missing outlet cover plate for the a/c plug in. BMC 16.04.060(b)

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

**EXTERIOR**

Properly repair or replace damaged or deteriorated soffit and fascia on the North side in a manner that leaves the structure weather tight. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating soffit, fascia, and structural members. BMC 16.04.050(a)

Replace the missing siding on the North side of the structure. BMC 16.04.050(a)

Repair the gap between the siding and the window on the East side of the structure. BMC 16.04.050(a)

Unit #4

Secure the handrail so it is capable of withstanding normally imposed loads. BMC 16.04.050(b)

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

Unit #7

Repair the gap in the siding next to the entry door and where the vinyl siding meets the aluminum siding. BMC 16.04.050(a)

Secure the deck boards on the deck at the entry door. BMC 16.04.050(b)

Replace/repair deteriorating handrails for stairs and landings. BMC 16.04.050(b)

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018

Petition Type: An extension of time to complete repairs

Petition Number: 18-TV-58

Address: 1911-1915 N. Maxine Road

Petitioner: Ron Yearby

Inspector: Jo Stong

Staff Report: December 8, 2017: Conducted cycle inspection  
December 14, 2017: Mailed inspection report  
February 14, 2018: Mailed Remaining Violations report  
March 2, 2018: Owner was emailed  
March 20, 2018: Owner scheduled reinspection  
April 24, 2018: Conducted reinspection; still outstanding violations  
May 9, 2018: Received appeal

During a cycle inspection of the above property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found, including windows that did not function as intended. The petitioner is requesting an extension of time to complete the repair of the windows, stating the time to order window was longer than expected.

Staff recommendation: Grant an extension of time.

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

Compliance Deadline: June 29, 2018

Attachments: Remaining Violations report, appeal



RECEIVED  
MAY 09 2018

BY: .....

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

Property Address: 1911 & 1915 Maxine Drive Bloomington IN 4742

Petitioner's Name: Ron Yearly

Address: 5788 W Delap Rd

City: Ellettsville State: IN Zip Code: 47428

Phone Number: 812 345 2765 Email Address: ron.yearly@homefinders.org

Property Owner's Name: SAME AS ABOVE

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

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

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

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

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 18-TV-58

SEE REVERSE

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

Window that needed replaced took much longer to order than I anticipated and I wasn't able to complete repair before time of inspection

Signature (required):

*Ronald W Yearby II*

Name (please print):

Ronald W Yearby II

Date:

5/9/18

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



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

REMAINING VIOLATION INSPECTION REPORT

Property was reinspected on April 24, 2018

**MAY 11 2018**

3730

Owner

Ron Yearby  
5788 W. Delap Road  
Ellettsville, IN 47429

Prop. Location: 1915 N Maxine RD  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/2/3

Date Inspected: 12/08/2017  
Primary Heat Source: Gas  
Property Zoning: RS  
Number of Stories: 1

Inspector: Jo Stong  
Foundation Type: Crawl Space  
Attic Access: No  
Accessory Structure: Garage

**REINSPECTION REQUIRED**

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

**1911**

**North Bedroom (13-7 x 10-5):**

Replace the missing window cranks on the casement windows. BMC 16.04.060(b)

**At the reinspection the casement window would not close.** Repair the window to close properly. BMC 16.04.060(b)

**1915**

**North Bedroom (11-8 x 9-6):**

Repair the windows to function as intended (east window will not open; west window has no crank and no gear). BMC 16.04.060(b)

**EXTERIOR:**

Repair the broken window (Unit 1915, Living Room, center east pane). BMC 16.04.050(a)

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

**OTHER REQUIREMENTS:**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner and the agent, the occupant load of the unit, the number of bedrooms, the expiration date of the permit, and any variances that have been granted for the property. BMC 16.03.030(c)

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: 20 June 2018

Petition Type: An extension of time to complete repairs.

Petition Number: 18-TV-059

Address: 657 N. Meadowlark Ln.

Petitioner: June Russell

Inspector: Michael Arnold

Staff Report:

13 October 2017	Cycle Inspection
24 October 2017	Sent Report
21 November 2017	Amended Report to request new registration
08 February 2018	Remaining Violations Report
19 March 2018	Start Legal
03 April 2018	Reinspection Scheduled
03 May 2018	Reinspection not ready (SD complied)
03 May 2018	Reinspection Rescheduled
09 May 2018	Reinspection Cancelled
10 May 2018	Extension of Time Application

A Cycle inspection was conducted on 13 October 2017. The report was returned by USPS. Re-sent to owner's address with request for new registration on 21 November 2018. On 03 May 2018 the tenant stated that the owner thought the reinspection was to be 10 May 2018. Check the items on the Inspection Report and only the smoke detector was in compliance. Owner was not ready for the inspection. 10 May 2018 the owner filed for an extension of time.

Staff recommendation: Grant the request.

Conditions: Complete all repairs and schedule for re-inspection 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, but not limited to, the possibility of fines.



Compliance Deadline: 30 June 2018

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



RECEIVED  
MAY 10 2018

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: 657 N MEADOWLARK

Petitioner's Name: JUNE RUSSELL

Address: 665 N MEADOWLARK

City: BLOOMINGTON State: IN Zip Code: 47408

Phone Number: 812 360 1921 Email Address: /

Property Owner's Name: JUNE RUSSELL

Address: 665 N. MEADOWLARK LN. 40

City: BLOOMINGTON State: IN Zip Code: 47408

Phone Number: 812 360 1921 Email Address: /

Occupants: (1)

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 18-TV-59

SEE REVERSE

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

I AM THE ONLY CARE GIVER  
FOR MY 84 YR OLD MOTHER AND  
HAVE BEEN OUT OF TOWN EVERY  
WEEKEND AND DURING THE WEEK  
HOSPITALS, DRs, HOME HEALTH,  
AND NURSING HOMES I AM  
JUST ONE GUY; MOM'S BETTER  
BUT ITS ON GOING, SORRY  
FOR THE DELAY, WITH  
HOPEFULLY RESOLVE BEFORE  
YOUR MEETING

Signature (required):



Name (please print):

DOUG GUESS

Date:

5-10-18

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



**City Of Bloomington  
Housing and Neighborhood Development**

MAINING VIOLATION INSPECTION REPORT

5945

MAR 01 2018

Prop. Location: 655 N Meadowlark LN  
 Number of Units/Structures: 2/1  
 Units/Bedrooms/Max # of Occupants: Bld 1: 2/2/3

Date Inspected: 10/03/2017	Inspector: Mike Arnold
Primary Heat Source: Gas	Foundation Type: Basement
Property Zoning: RS	Attic Access: Yes
Number of Stories: 1	Accessory Structure: none

**REINSPECTION REQUIRED**

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

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

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

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

**Interior:**

**Unit 657:**

**Kitchen (14-2 x 12-1):**

Repair the range burners to function as intended. BMC 16.04.060(o) (Right side).

**Hallway:**

Provide operating power to the smoke detector, IC 22-11-18-3.5

**Exterior:**

Secure the guardrail and the handrail so they are capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b) (Rear deck).

**Other Requirements:****Furnace Inspection Documentation:**

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

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

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

**Registration Form:**

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

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

- **Tenants and Owners Rights and Responsibilities Summary**

A completed copy of the Tenants and Owners Rights and Responsibilities Summary  
BMC 16.03.060(c) and BMC 16.10.030(b)

- **Inventory & Damages List**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement.

BMC 16.03.050(e) and BMC 16.10.030(b)

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: June 20, 2018

Petition Type: An extension of time to complete repairs.

Petition Number: 18-TV-60

Address: 1900 S Oakdale Dr. W

Petitioner: Doug Cook

Inspector: Matt Swinney

Staff Report: May 3, 2018 Completed Complaint Inspection  
May 4, 2018 Complaint Inspection Report completed by John Hewett  
May 14, 2018 BHQA App received

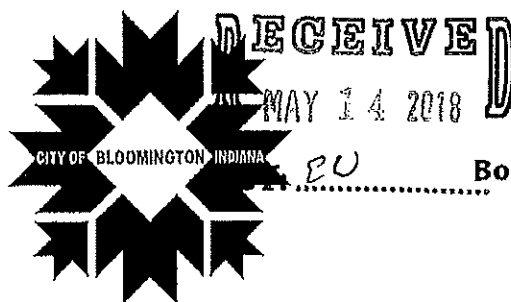
Property manager has requested additional time to complete repairs due to the turn season. Due to the severity of the foundation cracking staff has requested it be inspected by a structural engineer. We have also requested that the structural engineer provide requirements for the support header and fastening schedule for the decks on the units. The foundation and decks are both possible life safety issues. HAND recommends the Board require that the structural engineer be scheduled as soon as possible and the documentation he prepares be provided to HAND when it is received. Once documentation is received and the scope of work is determined, the petition will be returned to the BHQA to set a deadline for the actual work to be completed.

Staff recommendation: Grant the request.

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

Compliance Deadline: June 29, 2018 to provide the documentation, including required repairs, from the structural engineer.  
The deadline for the completion of work will be determined by the Board during the next meeting.

Attachments: Complaint Inspection, BHQA Appeal, Petitioner's Letter, photos



**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:** 1900 S. Oakdale Drive, Bloomington IN 47403

**Petitioner's Name:** Douglas W. Cook - Agent

**Address:** 2201 S. Oakdale Drive

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47403

**Phone Number:** (812) 333-4280

**E-mail Address:** hiddenhillspm@evergreenres.com

**Owner's Name:** ASHH LLC

**Address:** 566 West Lake Street Suite 400

**City:** Chicago

**State:** Illinois

**Zip Code:** 60661

**Phone Number:** 312-324-9400

**E-mail Address:**

**Occupants:** 162 residential units

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

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

**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 month's agenda!

(Will be assigned by BHQA)

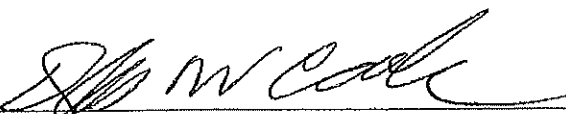
**Petition Number:** 18-TV-60

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.

Complaint Inspection report #5023 - Like many apartment communities in our City, we are in our busy season of "turning" apartments and cannot complete any of the repairs requested in the letter by 5/21/18 and without clarification regarding the stipulation of "providing stamped and signed documentation from a licensed structural engineer", as we were told by the inspectors that all of the repairs could be completed in house. Additionally, on 5/10/18 I called and left a voicemail for Matt Swinney who never returned my call in reference to the inspection results. We would like to request an extension to 8/31/18 to make all of the noted repairs listed in the report due to the busy time of year we are encountering, manpower to complete the tasks and budgetary concerns.

Signature (Required):



Name (Print):

Doug Cook

Date: 5/11/18

Important information regarding this application format:

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

Print Form





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

**MAY 07 2018**

Ashh Llc  
566 West Lake Street, Suite 400  
Chicago, IL 60661

RE:NOTICE OF COMPLAINT INSPECTION

Dear Ashh Llc

On 05/03/2018 a complaint inspection was performed at 1900 S Oakdale DR. During the inspection violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found.

Please correct the violations cited on the enclosed inspection report within fourteen days (14) and call this office no later than **MAY 21 2018**, to schedule the required re-inspection. Our mailing address and telephone number are listed below.

This directive is issued in accordance with Sections BMC 16.03.040 (c) and 16.10.040 (a) of the Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington. You have the right to appeal to the Board of Housing Quality Appeals. If you need more than fourteen (14) days to correct the violations, or if you want to appeal any violation, an appeal form can be found at [www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand). If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

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

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

Sincerely,

Housing & Neighborhood Development

Encl:Inspection Report,

Xc:Douglas W. Cook/ Evergreen Real Estate Services: 2201 S Oakdale Dr, Bloomington, IN 47403

*N/M*



**City Of Bloomington  
Housing and Neighborhood Development**

COMPLAINT INSPECTION REPORT

5023

Owner

Ashh Llc  
566 West Lake Street, Suite 400  
Chicago, IL 60661

Agent

Douglas W. Cook/ Evergreen Real Estate Services  
2201 S Oakdale Dr  
Bloomington, IN 47403

Prop. Location: 1900 S Oakdale DR

Number of Units/Structures: 161/31

Units/Bedrooms/Max # of Occupants: Bld 1: Bld A: 2/4/5 2/3/5 4/2/5, Bld B: 2/4/5 2/3/5 4/2/5, Bld C: 6/3/5, Bld D: 4/2/5, Bld E: 4/3/5, Bld F: 4/3/5, Bld G: 4/2/5, Bld H: 4/2/5, Bld I: 4/2/5, Bld J: 6/3/5, Bld K: 6/3/5, Bld L: 4/3/5 4/2/5, Bld M: 4/3/5 1/4/5, Bld N: 3/3/5 2/4/5, Bld O: 4/3/5, Bld P: 6/3/5, Bld Q: 4/3/5 4/2/5, Bld R: 4/2/5, Bld S: 4/2/5, Bld T: 4/2/5, Bld U: 4/2/5, Bld V: 4/2/5, Bld W: 4/2/5, Bld X: 6/3/5, Bld Y: 5/3/5, Bld Z: 4/3/5 4/2/5, Bld AA: 4/3/5, Bld BB: 4/3/5 4/2/5, Bld CC: 4/3/5 4/2/5, Bld DD: 4/2/5

Date Inspected: 05/03/2018  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2

Inspector: Matt Swinney  
Foundation Type: Crawl Space  
Attic Access: Yes  
Accessory Structure: None

The following items are the result of a complaint inspection conducted on 5/03/2018. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines. If you have questions regarding this report, please contact this office at 349-3420.

**EXTERIOR**

Provide stamped and signed documentation from a licensed structural engineer stating proper repair for the cracked foundation walls for buildings # Y and Z. Complete required repairs to engineer's specifications. BMC 16.01.060(f)

Provide stamped and signed documentation from a licensed structural engineer stating proper support header options and fastening requirements for all wooden decks. Complete required repairs to meet the engineer's specifications. BMC 16.01.060(f)

Make adequate repairs to the fasteners on the newly replaced deck on Building Z. The joist hangers are

inadequately fastened and/or are missing nails/screws. BMC 16.04.050(a)

This is the end of this report.

# 1900 S Oakdale

May 3

