

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
July 18, 2018, 4:00 P.M.**

ALL ITEMS ARE ON THE CONSENT AGENDA

- I. **ROLL CALL**
- II. **REVIEW OF SUMMARY** – June 20, 2018 p. 2
- III. **PETITIONS**
 - 1) 18-TV-41, **1106 N. Jackson Street**, Christine Kemery (Betty Sturgeon). Previously heard April 18, 2018. Request for an extension of time to complete repairs. p. 4
 - 2) 18-TV-80, **1900 S. Oaklawn Drive West**, Douglas Cook (ASHH, LLC). Previously heard June 20, 2018. Request for an extension of time to complete repairs. p. 11
 - 3) 18-TV-61, **409 E. 9th Street**, Dan Fierst (Roger Fierst). Request for an extension of time to complete repairs. p. 24
 - 4) 18-TV-62, **610 N. Summit Street**, Parker Real Estate Management (Jason & Holli Vencel). Request for an extension of time to complete repairs. p. 30
 - 5) 18-V-64, **1109 W. Gourley Pike**, Julia Ann Carpenter. Request for a modification or an exception to the Housing Property Maintenance code. p. 37
 - 6) 18-TV-65, **421-425 E. Hillside Drive**, Choice Realty & Management (Matt Press). Request for an extension of time to complete repairs. p. 45
- 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.

B.H.Q.A. MEETING OF JUNE 20, 2018

SUMMARY

MEMBERS PRESENT: Eric Dockendorf, Elizabeth Gallman, Nikki Gastineau, Susie Hamilton, Diana Powell-Opata

STAFF PRESENT: Michael Arnold, John Hewett, Kenneth Liford, Norman Mosier, Doris Sims, Jo Stong, Matt Swinney, Dee Wills, Eddie Wright (HAND), Christopher Wheeler (Legal)

GUESTS PRESENT: Doug Cook (1900 S. Oakdale Drive W), Mark Figg (1426 N. Kinser Pike), Diane Henshel (1709 E. Circle Drive), Kurt Kinnaman (530-533 S. Village Court), Tamie Ra (1426 N. Kinser Pike), Timothy Roberts (1501 S. Arbors Lane)

Meeting start time 4:05 PM.

I. REVIEW OF SUMMARY

Hamilton made a motion to approve the minutes for April 18, 2018. Dockendorf seconded. Motion passed, 5-0.

II. CONSENT AGENDA

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. Staff recommendation to grant request with a July 2, 2018 deadline to call and schedule re-inspection.

18-TV-45, **1201 N. Madison Street**, Ted Capsheew. Request for an extension of time to complete repairs. Staff recommendation to grant request with a July 16, 2018 deadline to call and schedule re-inspection.

18-RV-46, **521 E. 7th Street**, H.A.N.D. (GMS Properties). Request for rescission of a variance. Staff recommendation to grant the rescission.

18-RV-47, **607 W. Dixie Street**, H.A.N.D. (PLK Rentals, LLC). Request for rescission of a variance. Staff recommendation to grant the rescission.

18-TV-48, **416 N. Harold Street**, Marcella Bowlen (Peggy McClary). Request for an extension of time to complete repairs. Staff recommendation to grant request with a July 16, 2018 deadline to call and schedule re-inspection.

18-TV-49, **1319 W. Gourley Pike**, Erica Payne. Request for an extension of time to complete repairs. Staff recommendation to grant request with a July 16, 2018 deadline to call and schedule re-inspection.

18-TV-51, **915 W. 2nd Street**, Tempo Properties (Yukon Properties, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant request with a June 29, 2018 deadline to call and schedule re-inspection.

18-TV-52, **409 W. 15th Street**, Jack Forney. Request for an extension of time to complete repairs. Staff recommendation to grant request with a June 29, 2018 deadline to call and schedule re-inspection.

18-TV-53, **530-533 S. Village Court**, Kinnaman Property Group, LLC. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 30, 2018 deadline for all life-safety violations and an August 20, 2018 deadline for all other violations.

18-TV-54, **1203 N. Lincoln Street**, Triple Double, LLC. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an August 30, 2018 deadline for the State Variance and a June 30, 2018 deadline for remaining exterior violations.

18-RV-55, **2395 S. Worthington Lane**, H.A.N.D. (Thomas & Jill Bunger). Request for rescission of a variance. Staff recommendation to grant the rescission.

18-AA-56, **1709 E. Circle Drive**, Diane Henshel. Request for relief from an administrative decision. Staff recommendation to grant the request as long as owned by current owner and occupied by current residents, with yearly monitoring to verify these conditions.

18-TV-57, **103 E. Driscoll Drive**, Jim Gronquist. Request for an extension of time to complete repairs. Staff recommendation to deny the request and immediately schedule re-inspection for all violations.

18-TV-58, **1911-1915 N. Maxine Road**, Ron Yearby. Request for an extension of time to complete repairs. Staff recommendation to grant request with a June 29, 2018 deadline to call and schedule re-inspection.

18-TV-60, **1900 S. Oakdale Drive**, Douglas Cook (ASHH, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant request with a June 29, 2018 deadline to provide documentation, including required repairs from the structural engineer, with a deadline for completion of work to be determined by the Board during the July BHQA meeting.

Approved.

III. PETITIONS

18-TV-25, **1501 S. Arbors Lane**, Arbors Indy, LLC. Previously heard March 21, 2018. Petitioner, Timothy Roberts, was present to request an extension of time to complete repairs. Staff recommendation to grant the request with a September 15, 2018 deadline to complete all repairs and schedule for re-inspection. Hamilton made motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

18-AA-50, **1426 N. Kinser Pike**, Mark Figg. Petitioner, Mark Figg, was present to request relief from an administrative decision limiting the permit to three years. Staff recommendation to deny the request. Gallman made a motion to grant the petitioner's request. Hamilton seconded. Motion passed, 4-1 (Dockendorf voted nay). Request granted.

18-TV-59, **657 N. Meadowlark Lane**, June Russell. Petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a June 30, 2018 deadline. Dockendorf made motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

IV. GENERAL DISCUSSION

None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Gastineau made motion to adjourn. Gallman seconded. Motion unanimously passed. Meeting adjourned at 5:01 PM.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 18, 2018

Petition Type: An extension of time to complete repairs.

Petition Number: 18-TV-41

Address: 1106 N Jackson St.

Petitioner: Chris Kemery

Inspector: Matt Swinney

Staff Report: January 24, 2018 Completed Cycle Inspection Report
March 19, 2018 BHQA App received
April 13, 2018 Reinspection
May 31, 2018 Reinspection
June 4, 2018 BHQA App received

Tenant has requested an extension of time to get the unit in a suitable condition to be inspected. They have requested an additional month.

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 20, 2018 to call and schedule a reinspection.

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



RECEIVED
NOV 21 2018

BY: AK

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: 1106 N Jackson St. Apt. 1

Petitioner's Name: Christine Kemery

Address: 1106 N Jackson St. Apt. 1

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-361-5461 Email Address: not in use

Property Owner's Name: Betty J. Sturgeon

Address: 13776 Carmichael Rd.

City: Bloomfield State: IN Zip Code: 47424

Phone Number: 812-327-2625 Email Address: not known

Occupants: Kemery

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-41

(OLD BUSINESS)

SEE REVERSE

PREVIOUSLY HEARD ⁵ APRIL 18, 2018

MS

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.

Help a 65 year old citizen suffering from psychological and physical disabilities (disability determined by SS in 1998) remain housed on a Section 8 voucher by scheduling re-inspection after about a month.

Your petitioner is able to continue addressing the unacceptably cluttered, etc, interior, in moderate sessions of effort, has occasional practical assistance from friends, and has on hand adequate cleaning and disposal supplies.

Savings to pay for hired work, or to establish a new residence, don't exist because of the very low household income (S.S.I.). A therapist has not been made available ("yet"), four months after applying, with endorsement of a social worker, to provide emotional support and address related mental health issues of long-standing.

Signature (required): Christine Kemery

Name (please print): Christine Kemery Date: 1 June 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.



City Of Bloomington
Housing and Neighborhood Development

RENTAL INSPECTION INFORMATION

JAN 30 2018

Sturgeon, Betty J.
13776 E Carmichael Rd
Bloomfield, IN 47424

RE: 1106 N Jackson 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 **MAR 31 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. 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

989

Owner

Sturgeon, Betty J.
13776 E Carmichael Rd
Bloomfield, IN 47424

Prop. Location: 1106 N Jackson ST
Number of Units/Structures: 3/1
Units/Bedrooms/Max # of Occupants: Bld 1: 2/1/2 1/2/3

Date Inspected: 01/24/2018
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

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

Monroe County records show this structure was built in 1910. There were no minimum emergency egress requirements at the time of construction.

INTERIOR

Unit 1- Tenant Violation

NK 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

Unit 2

Living Room 10-0 x 10-0, Kitchen, Bathroom

No violations noted

Bedroom 12-9 x 12-0

This room has a door to the exterior.
No violations noted

Unit 3:

Kitchen

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

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

Living Room 19-0 x 10-9, Dining Room 9-8 x 7-8, Bathroom

No violations noted

NE Bedroom

No violations noted.

Existing Egress Window Measurements:

Height: 35 inches

Width: 16 inches

Sill Height: 45 inches

Openable Area: 3.89 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.

BMC-16.04.400 (b)

NW Bedroom 10-3 x 9-9

Existing Egress Window Measurements:

Height: 21.5 inches

Width: 27 inches

Sill Height: 19 inches

Openable Area: 4.03 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.

BMC-16.04.400 (b)

EXTERIOR

No violations noted.

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)

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

CS
4/13/18

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: July 18, 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
June 20, 2018 BHQA granted extension to receive engineer report.

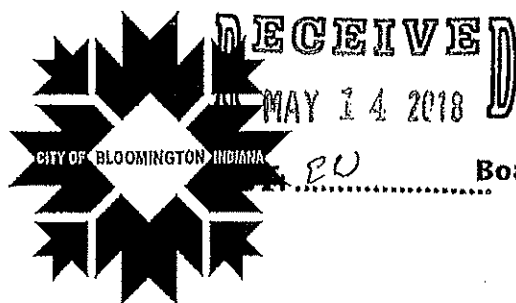
Property manager has requested additional time to complete repairs due to the turn season. The petitioner has received an engineer report that details the repairs required to bring the decks and foundations (listed on the Complaint inspection) up to safe structural standards. The HAND department recommends deadlines as noted below.

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: December 18, 2018 for all decks and the foundations of Buildings Y and Z.

Attachments: Complaint Inspection, BHQA Appeal, Petitioner's Letter, Engineer's 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**

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)

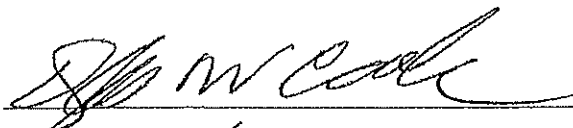
Petition Number: 18-TV-60

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.



KEELER-WEBB ASSOCIATES



Consulting Engineers · Planners · Surveyors

TELEPHONE (317) 574-0140 www.keelerwebb.com

486 Gradle Drive
Carmel, Indiana 46032

RECEIVED
JUN 29 2018

BY: EL

June 28, 2018

Ms. Allyson Smith
Evergreen Real Estate Services, L.L.C.
566 W. Lake Street, Suite 400
Chicago, IL 60661
Sent via e-mail: asmith@evergreenreg.com

Re.: Structural Concerns: Wood Framed Decks / Bldgs. Y and Z Foundations
Hidden Hills Apartment Homes
Bloomington, IN

STRUCTURAL ENGINEERING REPORT

On June 27, 2018, Mr. William Norman, PE, SE, of the consulting engineering firm of Keeler-Webb Associates conducted a visual examination of the structural concerns identified by the City of Bloomington at the Hidden Hills Apartment Homes, which are multi-family dwellings.

Digital images were taken documenting the conditions. These images will remain in our file for future reference as necessary.

The subject buildings are wood framed structures built upon concrete block masonry foundation walls. There are wood deck balconies attached to some of the buildings.

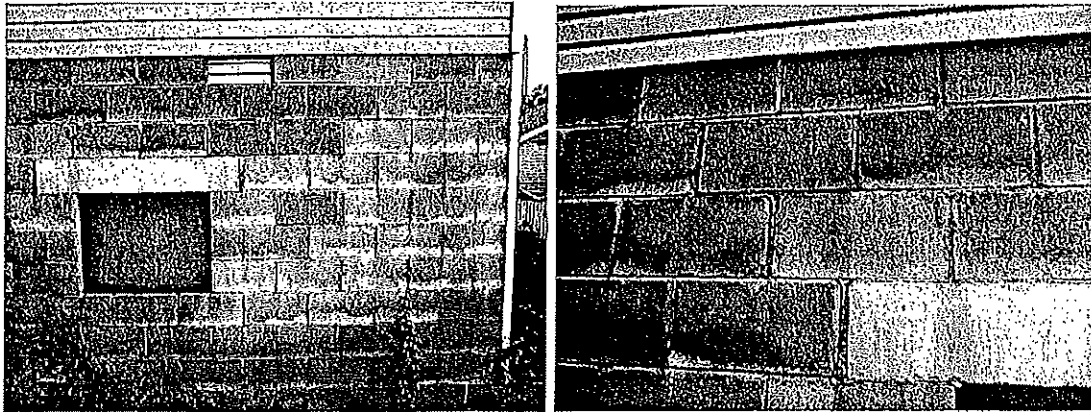
Concerns identified were inspected as follows:

Structural Damages Due to Settling at Buildings Y and Z:

Building Y exhibited evidence of settling as shown by mortar joint separations at the north end. The foundation had settled approximately $\frac{3}{4}$ " but had not rotated to any significant degree and therefore I did not find that this warranted structural support as by underpinning (photos next page).

Our recommendation is to repair (mortar-fill) the mortar joint gaps and they should then be monitored for continued movement. If the cracks or gaps should re-develop, then we should be contacted for further evaluation and underpinning may be necessary.

BUILDING Y NORTH END



BUILDING Z exhibited considerable settling and rotation of the foundations, with buckling development. This has also incurred stresses to the rear decks.

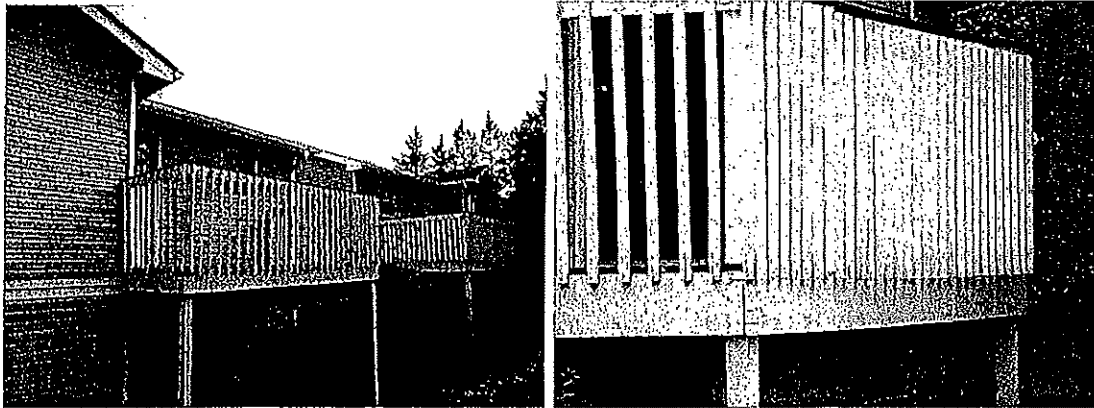


The rear foundation will require underpinning. A plan for this recommended underpinning is attached to this report. A total of (14) piers (min.) will be needed with foundation brackets and (2) additional piers for the two-tiered balcony.

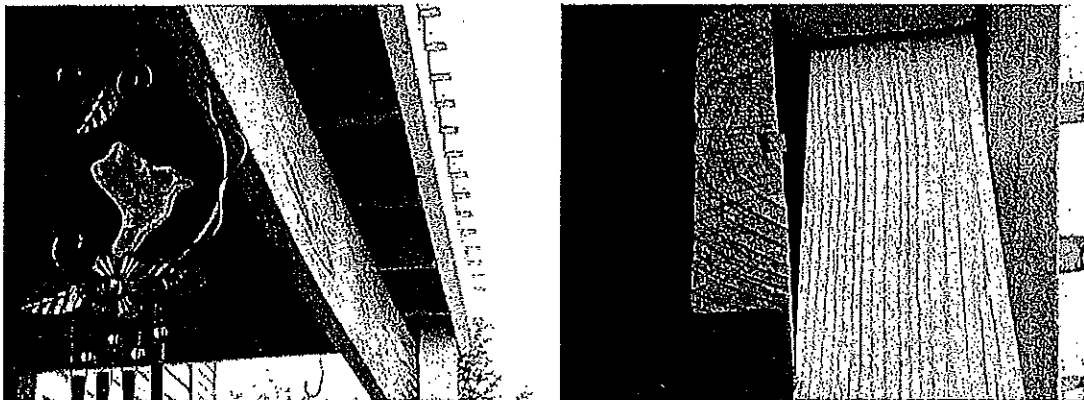
Foundation repair contractors will need to be contacted for pricing and for their expertise for this work as products for underpinning are proprietary, the piers are of different sizes and load ratings, and since they guarantee their foundation work, they may have a different approach. Our recommendations are only a minimum and are based upon smaller capability helical piers with foundation brackets to be installed to the footings (see attached plan for Building Z underpinning). Mortar joint repairs should be conducted after the underpinning is installed.

WOOD DECK BALCONIES

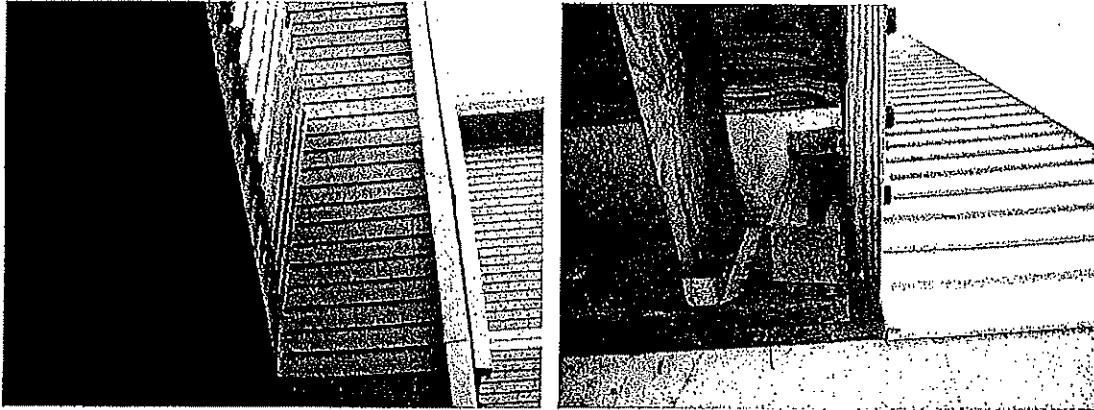
The balconies exhibited several issues in the original design and construction and in the subsequent repairs made. Fortunately, the primary framing of floor joists was adequate, being 2x10 No. 2 grade lumber joists at 16" centers, having spans of ~8 feet. However the headers for these joists were also only a single 2x10 which was inadequate for the spans of typically 12 ft. and these headers are and were deflecting, some deflections being substantial.



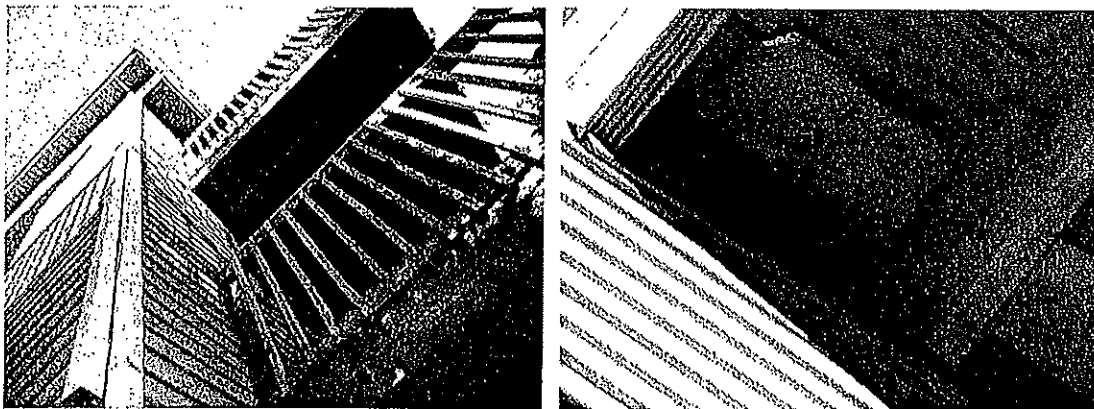
Many of these headers had been supplemented by 2x12 lumber that was poorly attached to the posts and were not attached to the floor joists. Consequently, these header supplements were bowing, not supporting the floors joists, and the connections at the posts were failing (withdrawing).



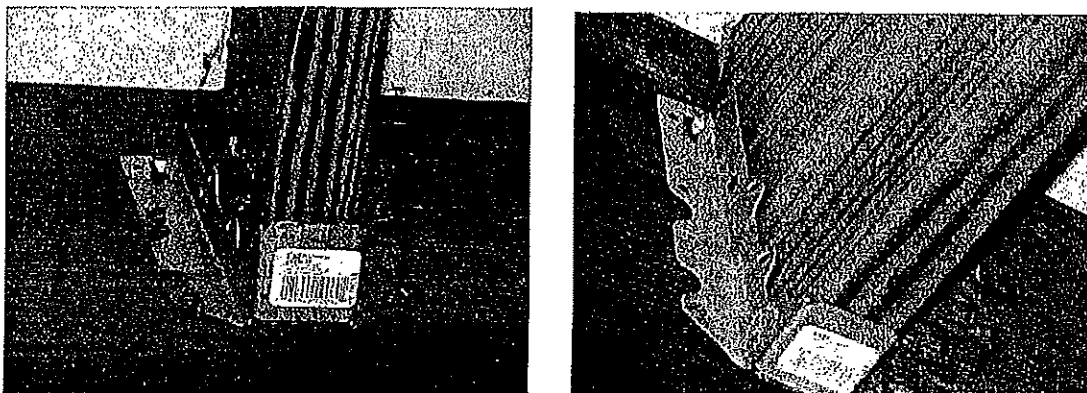
Additionally, the handrails were not secured to the building walls, while relying only upon 4x4 posts that were poorly attached:



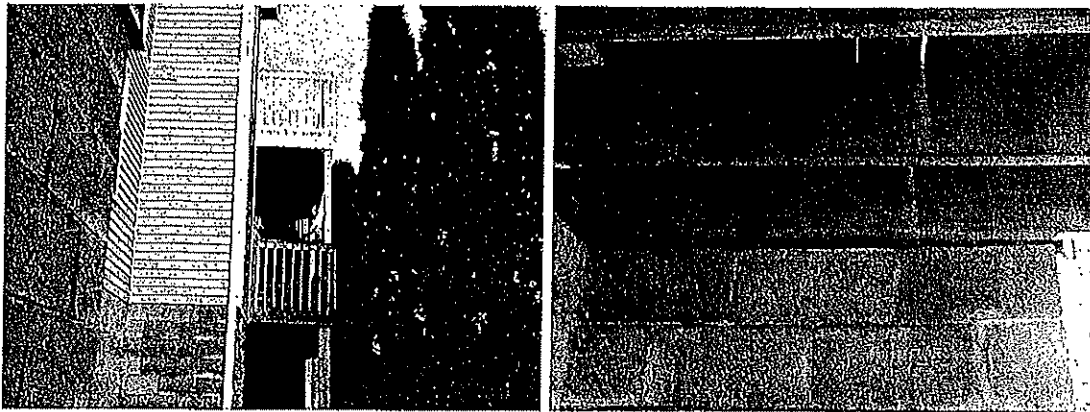
The two-tiered deck of building Z was being pulled from the building causing the header at the wall to detach. The posts had also settled significantly.



Keeler-Webb will provide a series of details for recommended reinforcing and or repairs for these decks, with specifications for fasteners, bolting, and other work that is recommended, including fasteners to address the joist hangers that have not been installed correctly in some locations, with inadequate fasteners or improper fasteners used:



At the double-tier deck it is recommended that a couple of additional piers be installed flush to the post columns so that the decks do not continue to move as a result of the columns settling into the hillside. The foundation contractor should have a steel angle welded to the top of the pier to bolt to the wood post columns (such as by using two 3/4" diameter carriage bolts).

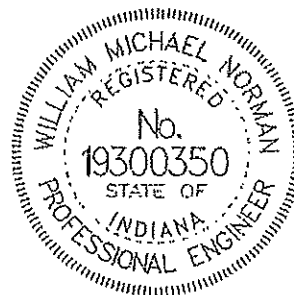


The wood deck balcony framing and connection repairs needed are more involved than originally estimated. Therefore, this will be provided under separate cover.

Respectfully,
KEELER-WEBB ASSOCIATES

Handwritten signature of William M. Norman.

William M. Norman, PE, SE
Registration Number 19300350
State of Indiana



KEELER-WEBB ASSOCIATES
Consulting Engineers-Planners-Surveyors
486 Gradle Drive
Carmel, Indiana 46032
317-574-0140
www.keelerwebb.com

Project HIDDEN HILLS
Subject BLDG. Z UNDERPINNING
Project No. 1806-03B
Date 6-27-18 By WMN Chk. _____
Sheet 1 of 1

RECOMMENDED UNDERPINNING

- HELICAL OR PUSH PIERS MAY BE USED* (1A) TOTAL PIERS FOR BLDG. 2 1/8" MIN. DIA.

NOTE - ACCESS IS LIMITED!

* PIERS ARE TO BE OF
PRE-ENGINEERED DESIGN
INSTALLED IN
ACCORDANCE W/
MANUFACTURER'S PERMITS.

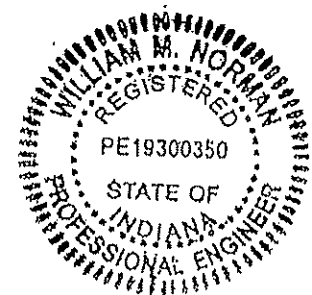
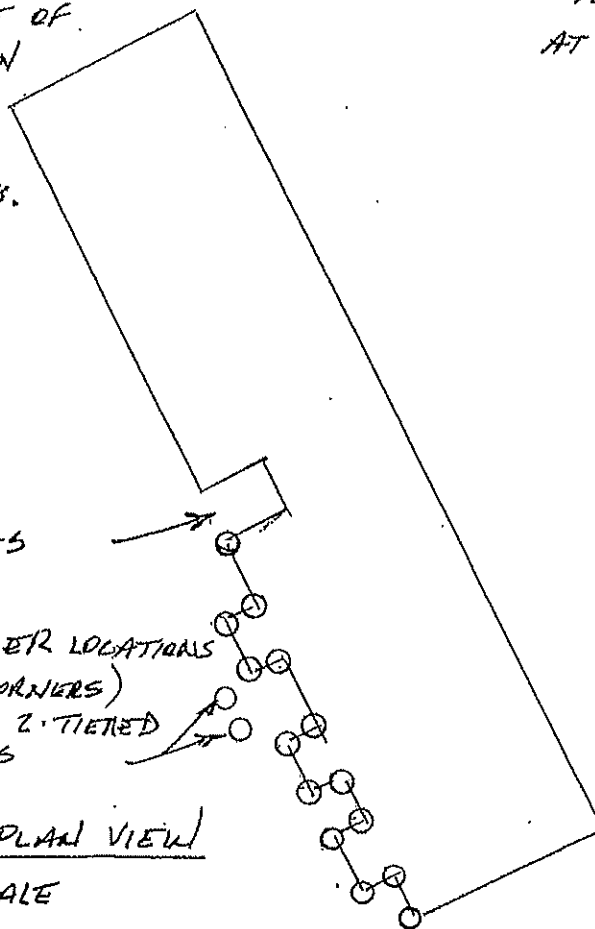
- * TWO ADDL PIERS NEEDED
AT 2-TIERED DECK



LOCATION OF A/C UNITS

- RECOMMENDED PIER LOCATIONS
(ESPECIALLY AT ALL CORNERS)
AND TWO ADDL @ 2-TIERED
BALCONY COLUMNS

BUILDING Z PLAN VIEW
NOT TO SCALE



William M. Norman



City Of Bloomington
Housing & Neighborhood Development

MAY 07 2018

Ashh Llc
566 West Lake Street, Suite 400
Chicago, IL 60661

RE: NOTICE OF COMPLAINT IN SDN

Dear Ashh Llc

On 05/03/2018 a complaint inspection performed at 1900 S Oakdale DR. During the inspection violations of the Residential Rental Unit Lodging Establishment Inspection Program were found.

Please correct the violations cited on closed 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 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 Appeal. If you need more than fourteen (14) days to correct the violations, or if you want to appeal anyway, an appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

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



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





City of Bloomington
H.A.N.D.

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

Meeting Date: 18 July 2018

Petition Type: An extension of time to complete repairs

Petition Number: 18-TV-061

Address: 409 E. 9th St.

Petitioner: Dan Fierst

Inspector: Michael Arnold

Staff Report: 04 January 2018 Cycle Inspection
12 January 2018 Sent Cycle Report
27 March 2018 Sent Remaining Violations Report
13 April 2018 Start Legal
23 May 2018 Received BHQA Extension of Time
Application

Cycle Inspection was conducted on 04 January 2018. The report was sent on 12 January 2018. Remaining Violations report was sent 27 March 2018. 13 April 2018 sent to City Legal. There are several life safety issues which include windows that need to open and one that needs to latch properly. There is also one smoke detector violation.

Staff recommendation: Approve the extension of time

Conditions: Complete all repairs and schedule for re-inspection no later than the deadlines 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: 31 July 2018 for life safety issues
18 August 2018 for all other items

Attachments: Application, Remaining Violations Report

[Handwritten mark]



RECEIVED
MAY 23 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: 409 E 9th
Petitioner's Name: Don First
Address: 214 E Cottage Green
City: IN State: IN Zip Code: 97888
Phone Number: 812-287-0689 Email Address: First@bloomington.in.gov
Property Owner's Name: Don First
Address: 2202 Rethman Ct
City: IN State: IN Zip Code: 97801
Phone Number: 812-287-0086 Email Address: _____
Occupants: 5 - not occupied until Aug 15, 2018

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

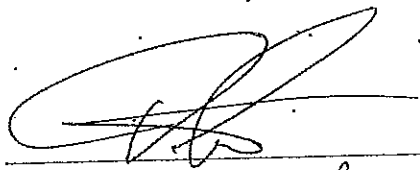
Petition Number 18-TV-61

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.

409 E 9th is under repair this summer. The floor for the first floor had to be rebuilt. This house was the old red cross building that was moved in the early 80s. Once repairs are made I can finish the heavy code issues.

Signature (required):



Name (please print):

Dan First

Date:

May 23, 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.



**City Of Bloomington
Housing and Neighborhood Development**

REMAINING VIOLATION INSPECTION REPORT

MAR 27 2018

3525

Owner(s)

Roger L. Fierst
2202 S. Belhaven Court
Bloomington, IN 47401

Agent

Dan P. Fierst
430 N. Washington Street
Bloomington, IN 47408

Prop. Location: 409 E 9th ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/5/5

Date Inspected: 01/04/2018
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

Inspector: Mike Arnold
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: detached garage

REINSPECTION REQUIRED

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

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

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

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

Interior:**Entry Room:**

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

Repair window to latch securely. BMC 16.04.060(b)

Living Room (18-3 x 13-0):

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

Laundry Room:

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

Bathroom:

Secure the towel bar to the wall. BMC 16.04.060(a)

NE Bedroom (15-0 x 12-2):

Verify window measurements at reinspection

No violations

East Bedroom (12-0 x 10-0):

Verify window measurements at reinspection

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

Upper Level:**South Bedroom (13-2 x 11-2):**

Verify window measurements at reinspection

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

Provide operating power to the smoke detector. IC 22-11-18-3.5

Exterior:

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

Remove the couch or other upholstered furniture from the exterior of the property. BMC 16.04.040(f) (North side of structure).

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)

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: July 18th , 2018
Petition Type: An extension of time to complete repairs.
Petition Number: 18-TV-62
Address: 610 N. Summit
Petitioner: Candi Mullis
Inspector: Kenny Liford
Staff Report: April 11th , 2018 Completed Cycle Inspection Report
May 23rd , 2018 BHQA App received

Owner has requested an extension of time to complete the repairs to the garage due to a delayed purchase date of a occupied buyer.

Staff recommendation: Grant the request.

Conditions: All repairs to the house shall be finished and reinspected in the time frame on the Cycle report. All repairs to the garage shall be completed and a inspection scheduled by November 30th , 2018.

Compliance Deadline: November 30th , 2018 to call and schedule reinspection for the garage.
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

RECEIVED
MAY 23 2018

BY:

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

Property Address: 610 N Summit St

Petitioner's Name: Candi Mullis

Address: 621 N Walnut St/ P.O. Box 1112

City: Bloomington State: In Zip Code: 47404

Phone Number: 812.339.2115 Email Address: cmullis@parkermgt.com

Property Owner's Name: Jason Vencel, Holli Vencel

Address: 505 W Wylie Rd

City: Bloomington State: In Zip Code: 47404

Phone Number: 812.320.0883 Email Address: jason.vencel@e-farmcredit.com

Occupants: Timothy Mitchell, Rebecca Mitchell

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

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

Please check the petition type that you are requesting:

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

OFFICE USE ONLY

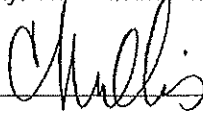
Petition Number 18-TV-62

SEE REVERSE

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

I am asking for an extension of time to complete repairs to the garage at 610 N Summit St. I would like to ask for an extension of time till November 30, 2018. This request is due to a delayed purchase date of an occupied buyer of the property. The current tenants are on purchasing the home after the current lease is up.

Signature (required):



Name (please print): Candi Mullis

Date:

5/21/18

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

RENTAL INSPECTION INFORMATION

APR 23 2018

Jason & Holli Vencel
 505 W Wylie Rd
 Bloomington, IN 47404

RE: 610 N Summit 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 **JUN 22 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. 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: Parker Real Estate Management: P.O. Box 1112, Bloomington, IN 47402



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

7349

Owner(s)

Jason & Holli Vencel
505 W Wylie Rd
Bloomington, IN 47404

Agent

Parker Real Estate Management
P.O. Box 1112
Bloomington, IN 47402

Prop. Location: 610 N Summit ST

Number of Units/Structures: 1/1

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

Date Inspected: 04/10/2018

Primary Heat Source: Gas

Property Zoning: RC

Number of Stories: 1

Inspector: Kenny Liford

Foundation Type: Crawl Space

Attic Access: No

Accessory Structure: Detached garage

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

INTERIOR

Living Room (13-7 x 11-3)

Secure all loose electrical receptacles in this room. BMC 16.04.060(b)

Dining Room (13-8 x 11-2).

Provide operating power to the smoke detector. IC 22-11-18-3.5

Kitchen (11-10 x 11-0)

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

Repair/Replace the old and rotten shelving in the cabinet under the sink. BMC 16.04.060(a)

NE Bedroom (8-11 x 8-11): Same window as Middle Bedroom.

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

Middle Bedroom (11-10 x 7-10)

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

Existing Egress Window Measurements:

Height: 36 inches (both sashes removed)

Width: 26 inches

Sill Height: 44 inches

Openable Area: 6.5 sq. ft.

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

NW Bedroom (11-5 x 11-3)

Secure all loose electrical receptacles in this room. BMC 16.04.060(b)

Existing Egress Window Measurements:

Height: 23 inches

Width: 30.5 inches

Sill Height: 21 inches

Openable Area: 4.9 sq. ft.

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

Bathroom

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

Repair the hole in the wall by the bathtub. BMC 16.04.060(a)

Crawl Space

Properly install approved crawlspace entry cover in a manner that is reasonably weather tight. BMC 16.04.050(a) and (b)

EXTERIOR

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

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

Replace the rotten sill to the window on the south side of the house. BMC 16.04.050(a)

Detached Garage **Note: Repair all following violations or remove Garage. Check with Monroe County Building Department about permit for demolition.**

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

Every door which connects a rental unit with any area exterior to the unit shall have a functioning locking device, door hinge, and door latch and shall be maintained in good condition. Door locks in rental units shall be capable of tightly securing the door and shall be openable from the inside without the use of a key, special knowledge or effort. BMC 16.04.060(a), BMC 16.04.060(b)

Properly repair or replace damaged or deteriorated wallboard. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating wallboard and structural members. BMC 16.04.060(a)

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)

Clean debris from the roof, gutters and downspouts. 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)

Properly reconnect all gutters/downspouts in a manner that reasonably directs water away from the structure. BMC 16.04.050(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)

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 to Rescind Variance**

Meeting Date: July 18, 2018
Petition Type: Variance
Petition Number: 18-V-64
Address: 1109 W. Gourley Pike.
Petitioner: HAND
Inspector: Matt Swinney
Staff Report: June 1, 2017 Cycle Inspection
August 8, 2017 Reinspection
August 31, 2017 Reinspection
April 10, 2018 Exterior Extension Reminder
June 4, 2018 Appeal Filed
June 4, 2018 Site visit with John Hewett

The owner of the property is requesting a variance to the exterior painting requirements of the Bloomington Municipal Code.

After the site visit with John Hewett it is determined that the condition of the most of the siding and other wood surfaces are past the point of weathered. The stain/paint and siding is in very poor condition and in need of reapplication of stain/paint to stop further deterioration of the siding and other wood surfaces on the structure.

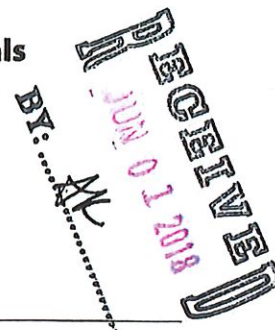
Staff Recommendation: Deny the request for a variance.

Conditions: None

Attachments: Cycle 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: 1109 West Gourley Pike 47404

Petitioner's Name: Julia Ann Carpenter

Address: 2531 North Skyline Drive

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 336-6434

E-mail Address: russell_carpenter_606@comcast.net

Owner's Name: Julia Ann Carpenter cell phone: 812-320-8619

Address: same

City:

State:

Zip Code:

Phone Number:

E-mail Address:

Occupants: one

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-V-64

Check enclosed
4402 \$20.00

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.

I am requesting Petition type V; a modification or an exception regarding the painting of the home, BMC 16.04.050(e). The home is an old home with a modified A frame attached and meant to be very rustic along with the Brown County stone walls, both inside and outside. The faded, aging siding adds to the appeal of the home and my renter prefers this look. Both the front and back doors have been scraped and painted a nice bright red, which gives an inviting appeal to the home. The other requirement; BMC 16.03.030(c) will be satisfied when the permit is issued.

To give you some background on this case, I fell in June 2017 and fractured my pelvis and hip socket. I was being treated by Dr. Licini, an orthopedic surgeon and in the nursing home until December 10, 2017. I fell again on January 19, 2018 and broke the top of the femoral head off and shattered my hip socket in this accident. I am not a candidate for hip surgery, per Dr. Licini. Therefore, I am a 78 year old widow confined to a wheel chair for the rest of my life. I have made many phone calls to painters for estimates, to no avail. I have also made several calls to HAND explaining my limited situation, asking for Matt Swinney to call me and also left messages for Mr. Hewitt, asking for advice, but no returned calls, so it isn't as if I have ignored the report. I will be willing to have my daughter scrape the dried sealer where she can reach from a step ladder and put a clear sealer on those areas. I prefer to have the aged appeal that goes with this type of home. This home is NOT an eyesore, and in a very secluded area on an acre lot, not affecting the property value of anyone else. If you will take the time to review my history of owning this home, you will discover that I have always cooperated in every manner of your inspections and requirements. As I have stated, I am a 78 year old widow, confined to a wheel chair and on a limited income. The rent from this home is part of my income. Thank you, in advance for your time and consideration in this matter. Respectfully Submitted,

Julia Ann Carpenter

Attachment

Signature (Required):

Julia Ann Carpenter

Name (Print):

Julia Ann Carpenter

Date:

5/28/18

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

ATTACHMENT

I feel I need to stress the fact that this home sits on a wooded acre in a very secluded area and is NOT an eyesore or detrimental to the value of any home in the area.

The home is very rustic, intended to look aged with the Brown County stone walls both inside and outside. Very appealing, especially with the new red doors!

I am asking for your consideration to make an exception to painting the home. Thank you, in advance, for your cooperation.

Respectively,

A handwritten signature in cursive script, appearing to read "Ann".

Ann Carpenter



**City Of Bloomington
Housing and Neighborhood Development**

RENTAL PERMIT INFORMATION

JUN 09 2017

Carpenter, Julia Ann
2531 N. Skyline Dr.
Bloomington, IN 47404

Property Location: 1109 W Gourley PIKE

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **AUG 08 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. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

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

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

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

Sincerely,

Housing & Neighborhood Development
Encl: Inspection Report,

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

City Hall
bloomington.in.gov

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



City Of Bloomington
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

7401

Owner

Carpenter, Julia Ann
2531 N. Skyline Dr.
Bloomington, IN 47404

Prop. Location: 1109 W Gourley PIKE
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 06/01/2017
Primary Heat Source: Electric
Property Zoning: BP
Number of Stories: 2

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

Monroe County records show this structure was built prior to 1978. There were no minimum emergency egress requirements at the time of construction.

INTERIOR

Living Room 26-0 x 17-0, Dining Room 14-6 x 10-3, 15-5 x 9-3, Bathroom
No violations noted

Kitchen

NK 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

NW Bedroom 11-0 x 9-0, SW Bedroom 9-6 x 9-2
No violations noted.

Existing Egress Window Measurements:
Height: 40 inches (both sashes removed)
Width: 30 inches
Sill Height: 38 inches
Openable Area: 8.33 sq. ft.

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

Upper Level

Bedroom 17-3 x 12-3

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

Existing Egress Window Measurements:

Height: 37 inches (both sashes removed)

Width: 35 inches

Sill Height: 18 inches

Openable Area: 8.99 sq. ft.

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

EXTERIOR

N/C 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)

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

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

C Properly repair or replace damaged or deteriorated soffit on the back corner of the house (Kitchen 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 and structural members. BMC 16.04.050(a)

OTHER REQUIREMENTS

Tenants and Owners Rights and Responsibilities Summary

C 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

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

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

1109 W Gourley

Jun 4





City of Bloomington
H.A.N.D.

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

Meeting Date: July 18, 2018
Petition Type: An extension of time to complete repairs.
Petition Number: 18-TV-65
Address: 425 E Hillside Dr. #1
Petitioner: Choice Realty and Management
Inspector: Matt Swinney
Staff Report: May 16, 2018 Completed Complaint Inspection Report
June 11, 2018 BHQA App received

Owner has requested an extension of time to complete repairs. They have requested a 60 day extension of time to allow the current tenants to move out. The lease ends on 6/29/18.

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: August 20, 2018 to call and schedule the reinspection.

Attachments: Complaint 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**

RECEIVED
JUN 11 2018
BY: *[Signature]*

Property Address: 425 Hillside #1

Petitioner's Name: Chris Realty & Management

Address: 1715 S. Walnut St

City: Bloomington State: IN ☒ Zip Code: 47401

Phone Number: 812-331-7353 E-mail Address: dena@calchrisrealty.com

Owner's Name: Matt Press

Address: 632 19th St South

City: Arifin State: VA ☒ Zip Code: 22202

Phone Number: 812-331-3228 E-mail Address: mattpress@comcast.net

Occupants: 2 Adults 1 child

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 (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-65

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.

Lease end date for this unit is 6-29-18
 repair to the floor & bedroom need to be
 handled upon the unit being vacant due to
 disruption of the current tenants.
 Requesting for a 60 day extension to complete
 these areas of repair.
 Floor is planned to be replaced in unit &
 drywall repair needed to cut out & fill
 in the area.

Signature (Required): Dena Johnson - Chris Realty + Management

Name (Print): Dena Johnson

Date: 6-7-18

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

JUN 05 2018

Press, Matthew D. - Neighborhood Solutions, Llc
601 W. Dodds Street
Bloomington, IN 47403

RE:NOTICE OF COMPLAINT INSPECTION

Dear Press, Matthew D. - Neighborhood Solutions, Llc

On 05/16/2018 a complaint inspection was performed at 421 E Hillside 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 **JUN 19 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. 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:Choice Realty & Management: 1715 S. Walnut Street, Bloomington, IN 47401



**City Of Bloomington
Housing and Neighborhood Development**

COMPLAINT INSPECTION REPORT

9322

Owner

Press, Matthew D. - Neighborhood Solutions, Llc
601 W. Dodds Street
Bloomington, IN 47403

Tenant

Lakisha Hall
425 E Hillside Dr. Apt 1
Bloomington, IN 47401

Agent

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

Prop. Location: 425 E Hillside DR Apt 1

Number of Units/Structures: 8/2

Units/Bedrooms/Max # of Occupants: Bld 1: Bld A: 4/2/4, Bld B: 4/2/4

Date Inspected: 05/16/2018

Primary Heat Source: Electric

Property Zoning: PUD

Number of Stories: 2

Inspector: Matt Swinney

Foundation Type: Slab

Attic Access: No

Accessory Structure: None

The following items are the result of a complaint inspection conducted on 05/16/2018. 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.

INTERIOR

Kitchen

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

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

Living Room

Replace broken/missing outlet cover plates. BMC 16.04.060(b)

Back Right Bedroom

Replace broken/missing outlet cover plates. BMC 16.04.060(b)

Back Left Bedroom

Eliminate the mold/mildew growth in the corner at the baseboards. BMC 16.04.060(a)

This is the end of this report.

425 E Hillside DR

Rental Complaint: Complaint

Phone Call: Apt. 1: (1) wood panel near kitchen window loose, allowing ant infestation, (2) dishwasher not working b/c of water pressure, dirty water flows back into dish area after use, (3) multiple outlet covers damaged and need replacement and (4) NW corner of apt. (master bedroom) water damage to wall and carpet with potential mold. Sch. inspect. 5/16/18 (WED) @ 2:30 w/MS. Mgmt. notified.

Reported By

Lakisha Hall

Assigned to

Matthew Swirney

301-440-2863