

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
February 20, 2019, 4:00 P.M.**

ALL ITEMS ARE ON THE CONSENT AGENDA

I. ROLL CALL

II. ELECTION OF OFFICERS 2019

III. REVIEW OF SUMMARY – December 19, 2018, January 16, 2019 p. 2

IV. PETITIONS

- 1) 17-TV-99, **2615 E. Defkist Street**, Ann Krielkamp. Previously heard July 19, 2017, March 21, 2018 and January 16, 2019. Request for an extension of time to complete repairs. p. 6
- 2) 18-TV-60, **1900 S. Oakdale Drive W**, Douglas Cook (ASHH, LLC). Previously heard June 29, 2018, July 18, 2018 and November 28, 2018. Request for an extension of time to complete repairs. p. 10
- 3) 19-TV-06, **2010 E. Arden Drive**, David Canfield. Request for an extension of time to complete repairs. p. 17
- 4) 19-TV-07, **919 W. 2nd Street**, Tempo Properties (Yukon Properties, LLC). Request for an extension of time to complete repairs. p. 27
- 5) 19-AA-08, **312 E. 8th Street**, CS Rental properties, LLC. Request for relief for an administrative decision. p. 35
- 6) 19-TV-09, **1521 W. Isaac Drive**, Tailwind Bloomington, LLC. Request for an extension of time to complete repairs. p. 43

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 DECEMBER 19, 2018 SUMMARY

MEMBERS PRESENT: Nicholas Carder, Elizabeth Gallman, Nikki Gastineau, Diana Powell-Opata

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

GUESTS PRESENT: Laura Eckart (Echo Park Bloomington), Hetal Patel (Stallion Investments, LLC)

Meeting start time 4:00 PM.

I. REVIEW OF SUMMARY

Powell-Opata made a motion to approve the minutes for October 17, 2018 and November 28, 2018. Carder seconded. Motion passed, 4-0.

II. CONSENT AGENDA

18-TV-97, **35212 N. Stoneycrest Road**, Abraham Aslami. Request for an extension of time to complete repairs. Staff recommendation to grant request with an April 19, 2019 deadline to call and schedule re-inspection.

18-TV-98, **3506-3508 S. Burks Court**, Jamar Properties (Kelley Young). Request for an extension of time to complete repairs. Staff recommendation to grant request with a December 28, 2018 deadline for furnace documentation on Units 3506 & 3508 and a deadline of February 19, 2019 for all other violations to call and schedule re-inspection.

18-TV-99, **1600 W. 8th Street**, Prodigy Real Estate (DAJA). Request for an extension of time to complete repairs. This petition was withdrawn.

18-RV-100, **613 S. Walnut Street**, H.A.N.D. (Susan & Allen Dunn). Request for rescission of a variance. Staff recommendation to grant the rescission.

18-TV-101, **120 S. Kingston Drive Apt. 37D**, Ilona Janosi (Distinct Management). Request for an extension of time to complete repairs. Staff recommendation to grant request with a December 31, 2018 deadline to complete removal/rearrangement of possessions to allow access to doors, windows and appliances in the kitchen and call to schedule re-inspection.

18-TV-103, **619 N. Morton Street**, Zach Boyer (Cedarview Management). Request for an extension of time to complete repairs. This petition was withdrawn.

18-TV-104, **606 E. University Street**, Rebecca Mahan. Request for an extension of time to complete repairs. Staff recommendation to grant request with a December 31, 2018 deadline to call and schedule re-inspection.

18-TV-105, **1315 S. Washington Street**, Mark Combs (ELK Properties). Request for an extension of time to complete repairs. Staff recommendation to grant request with a May 19, 2019 deadline to call and schedule re-inspection.

18-TV-107, **3100 E. Braeside Drive**, The Legacy Group (Scott May). Request for an extension of time to complete repairs. Staff recommendation to grant request with a January 04, 2019 deadline to call and schedule re-inspection.

18-RV-108, **900 W. 3rd Street**, H.A.N.D. (Sara Gardner). Request for rescission of a variance. Staff recommendation to grant the rescission.

18-RV-109, **301 S. Fairview Street**, H.A.N.D. (Simon Ladd). Request for rescission of a variance. Staff recommendation to grant the rescission.

Approved.

III. PETITIONS

18-TV-102, **1306-1308 S. Walnut Street**, Stallion Investments, LLC. Petitioner, Hetal Patel, was present to request an extension of time to complete repairs. Staff recommendation to grant the request with a January 30, 2019 deadline to call and schedule re-inspection. Carder made motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 4-0.

18-TV-106, **2780 S. Walnut Street Pike**, Laura Eckart (Echo Park Bloomington, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a March

19, 2019 deadline to call and schedule re-inspection. Gallman made motion to grant the request per staff recommendation. Carder seconded. Motion passed, 4-0.

IV. **GENERAL DISCUSSION**

None.

V. **PUBLIC COMMENT**

None.

VI. **ADJOURNMENT**

Gastineau made motion to adjourn. Carder seconded. Motion unanimously passed. Meeting adjourned at 4:10 PM.

B.H.Q.A. MEETING OF JANUARY 16, 2019

SUMMARY

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

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

GUESTS PRESENT: Mike Avila (Signature Realty), Charisse Ellsworth (Green Acres Urban Farm), Ann Kreilkamp (Green Acres Urban Farm), Timothy Roberts (BH Arbors Indy, LLC)

Meeting start time 4:05 PM.

I. REVIEW OF SUMMARY

None presented.

II. CONSENT AGENDA

19-TV-01, **1150 S. Clarizz Boulevard**, Lisa Pierson (CASA Student Housing, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant request with a February 28, 2019 deadline to call and schedule re-inspection.

19-TV-03, **2315 S. Rockport Road Apt. C**, Dorothy Apartment Rentals. Request for an extension of time to complete repairs. This item was withdrawn.

19-TV-04, **3532 N. Kingsley Drive**, Tom Hall. Request for an extension of time to complete repairs. Staff recommendation to grant request with a May 31, 2019 deadline to call and schedule re-inspection.

19-TV-05, **712 E. Hunter Avenue**, Choice Realty & Management (Richard Pollert). Request for an extension of time to complete repairs. Staff recommendation to grant request with a May 01, 2019 deadline to call and schedule re-inspection.

Approved.

III. PETITIONS

17-TV-99, **2615 E. Defkist Street**, Ann Kreilkamp. Previously heard July 19, 2017 and March 21, 2018. Petitioner, Ann Kreilkamp, and her agent, Charisse Ellsworth, were present to request an extension of time to complete repairs. Staff recommendation to deny the request and immediately schedule inspection to bring property into compliance. Gastineau made motion to deny request per staff recommendation with January 31, 2019 deadline which if met the city would vacate the court decision against property. Hamilton seconded. Motion failed, 2-2 (Dockendorf, Powell-Opata voted no.) Gastineau made motion to deny request per staff recommendation and schedule inspection immediately to bring property in compliance by January 21, 2019. Hamilton seconded. A friendly amendment made to make the date January 22, 2019. Amendment accepted. Motion passed, 4-0.

18-TV-25, **1501 S. Arbors Lane**, Timothy Roberts (BH Arbors Indy, LLC). Previously heard March 21, 2018 and June 20, 2018. The petitioner, Timothy Roberts, was present to request an extension of time to complete repairs. Staff recommendation to grant request with a March 16, 2019 deadline to call and schedule re-inspection. Hamilton made motion to grant the request per staff recommendation with an April 16, 2019 deadline to call and schedule re-inspection. Dockendorf seconded. Motion passed, 4-0.

19-TV-02, **1206 S. College Mall Road**, Mike Avila (Yuanna Zheng). The petitioner, Mike Avila, was present to request an extension of time to complete repairs. Staff recommendation to grant request with a May 31, 2019 deadline to call and schedule re-inspection. Dockendorf made motion to grant the request per staff recommendation. Gastineau seconded. Motion passed, 4-0.

IV. GENERAL DISCUSSION

None.

V. **PUBLIC COMMENT**
None.

VI. **ADJOURNMENT**
Gastineau made motion to adjourn. Carder seconded. Motion unanimously passed. Meeting adjourned at 5:03 PM.



City of Bloomington
H.A.N.D.

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

Meeting Date: February 20th, 2019

Petition Type: An extension of time to for exterior paint.

Petition Number: 17-TV-99 (Old Business)

Address: 2615 E. Dekist Street.

Petitioner: Ann Krielkamp

Inspector: Kenny Liford

Staff Report: March 2nd, 2017 Completed Cycle Inspection Report
June 5th, 2017 BHQA App Received
October 19th, 2017 Remaining violations report sent.
November 17th, No show for re-inspection
December 20th, 2017 Legal Started
January 2nd, 2018 BHQA App received (Old Business)
May 1st, 2018 Updated legal
October 18th, 2018 Lawsuit filed
December 3rd, 2018 Motion for default judgement filed
December 7th, 2018 Re-inspection (Violations remain)
December 10th, 2018 BHQA app received (Old business)
January 16, 2019 BHQA denied extension of time
January 18, 2019 Appeal meeting with Councilmember Dave Rollo to grant an extension of time
January 22, 2019 BHQA application received (Old business)

On January 18, HAND Director met with Councilmember Dave Rollo concerning the above property. Councilmember Rollo in behave of the property is asking the board to allow the property owner additional time to determine regarding the painting of the garage. The Owner has agreed to make the decision by February 1 if she will tear down the existing garage and rebuild. If the decision is made not to rebuild, the Owner has requested an extension of time to complete exterior painting to the existing garage by April 1.

Staff recommendation: Grant the request.

Conditions: Have all exterior painting completed and a re-inspection scheduled by the deadline listed below.

Compliance Deadline: April 1st, 2019 To call and schedule re-inspection for the exterior paint.

Attachments: Cycle report, BHQA Appeal



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

Property Address: 2615 E DeKIST ST
Petitioner's Name: ANN KREILKAMP
Address: 134 N. OVER HILL DR.
City: BLOOMINGTON State: IN Zip Code: 47408
Phone Number: 812-606-9563 Email Address: arkcrone@gmail.com
Property Owner's Name: ANN KREILKAMP
Address: 134 N. OVER HILL DR.
City: BLM TN State: IN Zip Code: 47408
Phone Number: 812-606-9563 Email Address: arkcrone@gmail.com
Occupants: Andreas Tonnides, Justin Stahl, Gabrielle Price

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 17-TV-99

SEE REVERSE

(COB Business)

July 19, 2017

MARCH 21, 2018

JAN, 16, 2019



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

7677

Owner(s)

Ann R. Kreilkamp
134 N. Overhill Drive
Bloomington, IN 47408

Prop. Location: 2615 E Dekist ST

Number of Units/Structures: 1/1

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

Date Inspected: 03/01/2017

Primary Heat Source: Gas

Property Zoning: RC

Number of Stories: 1

Inspector: Kenneth Liford

Foundation Type: Crawl Space

Attic Access: No

Accessory Structure: Shed/Gazebo

Monroe County Assessor's records indicate this structure was built in 1956.
There were no requirements for emergency egress at the time of construction.

INTERIOR

Entry

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)

Living Room (23x14-3), Family Room off Kitchen (18x11-2), Laundry/Bath, Furnace closet

No violations noted.

Kitchen

Repair the ignitors so the range burners to function as intended. BMC 16.04.060(c)

Loft

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

Hall Bath

Replace/Repair the missing knob for bathtub. BMC 16.04.060(c)

Northeast Bedroom (11-4x8-9)

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

Existing Egress:

Height: 20.5 inches

Width: 32 inches

Sill Height: 36 inches

Openable Area: 4.56 sq. ft.

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

Southeast Bedroom (12-5x9-1)

No violations noted.

Existing Egress:

Height: 20.5 inches

Width: 32 inches

Sill Height: 36 inches

Openable Area: 4.56 sq. ft.

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

EXTERIOR

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

Remove and properly dispose of any unusable yard waste/brush pile. BMC 16.04.040(d)

Repair or replace damaged or deteriorating roofing on garage/shed. 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)

Remove or cap old drain pipe in yard on east side of house. 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)

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: February 20, 2019

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
October 24, 2018 BHQA App received
January 11, 2019 BHQA App received

Property manager has requested additional time to complete repairs. They have secured a contractor and the work has been started. Due to the inclement weather as of late they are requesting until 03/31/2019 to complete all the decks.

Staff recommendation: Grant the request for an extension of time with a new compliance date.

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: April 30, 2019 to call and schedule a re-inspection for all the exterior decks.

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**

RECEIVED
JAN 11 2019

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: hlddenhillspm@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

OLD
BUSINESS

JUN 29, 2018
JULY 18, 2018
NOV, 28, 2018
MS

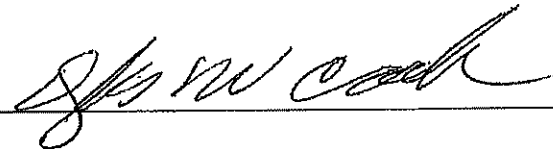
In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. 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 - Hidden Hills at Oakdale has been granted an extension of time to complete balcony repairs relevant to the above named inspection. On November 28, 2018 we were granted an extension by the Board until 2/28/19 to complete these repairs. A contractor has been secured to make these repairs to the decks/balconies, but has advised us that in perfect weather conditions he can only expect to get 3 to 4 done per day and we have in excess of 100 to get repaired in accordance to City guidelines and engineer specifications.

We would like to request an extension of time to get the requested repairs completed. The contractor has notified us he would need until 3/31/2019 to get the work completed.

Signature (Required):



Name (Print): Doug Cook

Date: 1/10/19

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. 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

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

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: February 20, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-06

Address: 2010 E. Arden Drive

Petitioner: David E. Canfield

Inspector: Jo Stong

Staff Report: September 7, 2018: Conducted cycle inspection
September 21, 2018: Mailed inspection report
November 30, 2018: Tenant scheduled reinspection
December 21, 2018: Conducted reinspection; violations remain
December 28, 2018: Sent RV
January 2, 2018: Received appeal

During a cycle inspection of the above property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were noted, including a roof deck on the lower level of the split-level property that was in need of repair or replacement. The roof can be accessed by sliding glass doors in the kitchen. The roof was tarped, actively leaking and unusable at the inspection. The petitioner is requesting an extension of time of two months to complete repairs to the deck.

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: April 20, 2018

Attachments: Remaining Violations report, photos, appeal



RECEIVED

JAN 02 2019

BY:

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

Property Address: 2010 E-Ardm Drive, Bloomington, IN 47406

Petitioner's Name: David E. Canfield

Address: 3052 N. Ramble Rd. West,

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-522-2250 Email Address: DavidCanfield@gmail.com

Property Owner's Name: David E. Canfield

Address: Same as above

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: Nigel North + family

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 varlarice (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

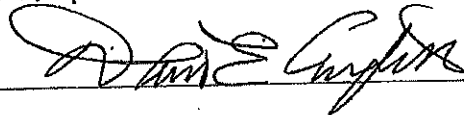
Petition Number 19-TV-06

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.

There was a tarp in place on the deck of this property, it being there to prevent leaks from rain/snow from coming into the room directly below it. At the HANT inspection in Nov, 2018, I was required to remove the tarp. This was done, as well as filler material being put into place to prevent further leakage — and done before the HANT reinspection by Jo Spang on 12/21/18. However, there was no time and weather possibility to put into place the top layer to permit use of the deck by the tenants (who, in any case, would NOT use the deck until Spring). I am requesting an extension for a couple months in hopes of getting enough warmer & sunny days to complete the repair/ replacement.

Signature (required):



Name (please print):

DAVID E. CHAFFIELD

Date:

1/2/19

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



**City Of Bloomington
Housing and Neighborhood Development**

DEC 28 2018

REMAINING VIOLATION INSPECTION REPORT

10565

Owner

Canfield Properties Llc, C/O David Canfield
3052 N Ramble Rd W
Bloomington, IN 47408

Agent

BMI Properties LLC
P.O. Box 5543
Bloomington, IN 47407

Prop. Location: 2010 E Arden DR

Number of Units/Structures: 1/1

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

Date Inspected: 09/07/2018

Primary Heat Source: Gas

Property Zoning: RS

Number of Stories: 2

Inspector: Jo Stong

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.

City Hall

Email: hand@bloomington.in.gov
Neighborhood Division (812) 349-3421

401 N Morton St

<https://bloomington.in.gov/haud>
Housing Division (812) 349-3401

Bloomington, IN 47404

Rental Inspection (812) 349-3420
Fax (812) 349-3582

EXTERIOR:

Deck:

Properly repair the roof and deck in a workmanlike manner. The deck has been tarped and the tarp is torn. The deck is leaking. 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: February 20th, 2019

Petition Type: An extension of time to complete flooring repairs.

Petition Number: 19-TV-07

Address: 919 W. 2nd St.

Petitioner: Jonathan Rix (Tempo Properties)

Inspector: Kenny Liford

Staff Report: November 16th, 2018 Completed Cycle Inspection Report
January 7th, 2019 BHQA application received

Owner has requested an extension of time to complete repairs to the flooring.

Staff recommendation: Grant the request.

Compliance Deadline: February 28th, 2019 For life safety and all other repairs.
April 8th, 2019 To call and schedule re-inspection for the flooring.

Attachments: Cycle report, BHQA Appeal, Petitioners 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: 919 W. 2nd Street Bloomington IN

Petitioner's Name: Jonathan Rix (Tempo Properties)

Address: 213 S. Rogers St.

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 336-2026

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: 812-332-5694

E-mail Address: Yukonpropertieslu@gmail.com

Occupants: Bld 1: 4units/2bedrooms/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 months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-07

KL

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.	Properly repair or replace loose, damaged or missing floor covering
2.	Due to the extensive repair such a repairs need more time than allotted, to gather bids, set up repairs.
3.	3 Months

Signature (Required):

Jonathan Rix

Name (Print): Jonathan Rix (Maintenance Coordinator)

Date: 1/7/19

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

NOV 30 2018

RENTAL INSPECTION INFORMATION

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

RE: 919 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 **JAN 30 2019** 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: Tempo Properties, Inc C/O Dave Thornbury; P.O. Box 5727, Bloomington, IN 47402

City Hall
Email: hand@bloomington.in.gov
Neighborhood Division (812) 349-3421

401 N Morton St
<https://bloomington.in.gov/hand>
Housing Division (812) 349-3401

Bloomington, IN 47404
Rental Inspection (812) 349-3420
Fax (812) 349-3582



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

976

Owner(s)

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: 919 W 2nd ST
Number of Units/Structures: 4/1
Units/Bedrooms/Max # of Occupants: Bld 1: 4/2/5

Date Inspected: 11/14/2018
Primary Heat Source: Electric
Property Zoning: MD
Number of Stories: 1

Inspector: Kenny Liford
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1899.
There were no requirements for emergency egress at the time of construction.

INTERIOR

#4

Entry

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

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

Properly secure the threshold in the exterior doorway. BMC 16.04.060(b)

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

Living room (17 x 11), Kitchen (8 x 15), Bath
No violations noted.

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

West Bedroom/Bath (17 x 12): This room has a door to the exterior for emergency egress. Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

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

East Bedroom (10 x 11)

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

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

Existing Egress Window Measurements:

Height: 20 inches

Width: 33 inches

Sill Height: 34 inches

Openable Area: 4.58 sq. ft.

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

#3

Living Room (21 x 12)

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

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

Kitchen (8 ½ x 6), Bath, North Bedroom (12 x 11)

No violations noted.

Existing Egress Window Measurements:

Height: 20 inches

Width: 28 ½ inches

Sill Height: 35 inches

Openable Area: 3.95 sq. ft.

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

South Bedroom (11 x 12)

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

Existing Egress Window Measurements:

Height: 20 inches

Width: 33 inches

Sill Height: 35 inches

Openable Area: 4.58 sq. ft.

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

#1Living Room (15 x 17), Kitchen (12 x 6), Bath

No violations noted.

Front Bedroom (8 x 13)

No violations noted.

Existing Egress Window Measurements:

Height: 19.25 inches

Width: 32 inches

Sill Height: 34.5 inches

Openable Area: 4.27 sq. ft.

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

Rear Bedroom (11 x 13)

No violations noted.

Existing Egress Window Measurements:

Height: 20 inches

Width: 33 inches

Sill Height: 35 inches

Openable Area: 4.58 sq. ft.

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

BMC-16.04.400 (b)

#2Living Room (14 x 14)

No violations noted.

Kitchen (14 x 6)

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

Hallway

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

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

Hall Bath

No violations noted.

Front Bedroom (12 x 11): Same window as Rear Bedroom.

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

Rear Bedroom (15 x 11)

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

Existing Egress Window Measurements:

Height: 20 inches

Width: 33 inches

Sill Height: 35 inches

Openable Area: 4.58 sq. ft.

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

BMC-16.04.400 (b)

EXTERIOR

Repair any/all window screens. 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)

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

Replace the rotten window sill outside of unit #3. BMC 16.04.050(a)

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 Relief from an Administrative Decision

Meeting Date: February 20, 2019

Petition Type: Relief from an administrative decision

Variance Request: Reinstatement of 5 year permit

Petition Number: 19-AA-08

Address: 312 E 8th Street

Petitioner: Catherine E. Steele for CS Rental Properties LLC

Inspector: Mike Arnold, John Hewett

Staff Report: November 27, 2018 Cycle Inspection completed, no violations.
December 6, 2018 Report sent with billing statement.
January 9, 2019 Past Due Billing sent.
January 14, 2019 Received payment in HAND Office.
January 15, 2019 Received Appeal and fee.

Staff recommendation: Grant the relief from administrative decision.

Conditions: Reinstate the 5 year permit.

Compliance Deadline: none

Attachments: Appeal form, Petitioner's documentation of lost payment.



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
JAN 15 2019
BY:

Property Address: 312 EAST 9TH STREET

Petitioner's Name: CATHERINE E. STEELE FOR CS RENTAL PROPERTIES, LLC

Address: 1100 S. HIGH STREET

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: (812) 336-7001 Email Address: cesteele@sbcglobal.net

Property Owner's Name: CS RENTAL PROPERTIES, LLC

Address: 1100 S. HIGH STREET

City: BLOOMINGTON State: IN Zip Code: 47401

Phone Number: (812) 336-7001 Email Address: cesteele@sbcglobal.net

Occupants: EAST UNIT: MCKENZIE BROOKS
MACKENZIE KNAGS WEST UNIT: KINSEY ALLEN
KAYLA FOX

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)

☒ E) Other

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 19-AA-08

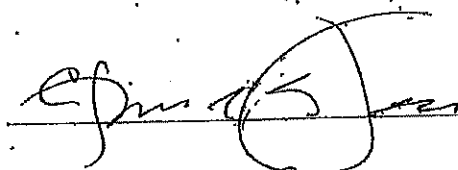
SEE REVERSE

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

1. TIMELINE OF EVENTS
2. OCCUPANCY PERMIT HISTORY AT 312 E. 8TH ST
3. STOP PAYMENT ORDER FOR CHECK #1135 TO HAND
IN AMOUNT OF \$90; ISSUED DEC. 10, 2018
4. COPY OF CS RENTAL PROPERTIES, LLC CHECK REGISTRY
SHOWING DETAILS OF WHEN CHECK #1135 WAS
ISSUED.
5. FILE COPY OF BILL PAID 12/10/18
6. COPY OF PAST DUE STATEMENT RECEIVED 1/11/19

Signature (required):



Name (please print):

CATHERINE E. STEELE

Date:

JANUARY 15, 2019

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.

CS Rental Properties, LLC

Timeline of Events

DATE: January 15, 2019

REGUARDING: Occupancy Permit 312 East 8th Street
Request that a five year Occupancy Permit be granted.

On Friday, January 11, 2019, CS Rental Properties, LLC was notified via mail that the HAND Office had not received payment for the Occupancy Permit at 312 East 8th Street. This came as a surprise to the company since a check in the amount of \$90 was issued and mailed to HAND on December 10, 2018 (well before the January 6, 2019 payment due deadline).

On Monday, January 14, 2019, Catherine E Steele of CS Rental Properties, LLC went to the hand office to discuss this matter. She was told that HAND would not be able to issue CS Rental Properties, LLC their customary five year permit for this property since the payment was not received by the deadline. Ms. Steele was told that the only option for appealing this was to make a formal written appeal to the Board of Housing Quality Appeals. That is why CS Rental Properties, LLC comes before you today.

Here are the details of what occurred to bring CS Rental Properties, LLC before you today.

November 27, 2018 – Catherine E. Steele of CS Rental Properties, LLC met inspector Mike Arnold at 312 East 8th Street for the Occupancy Permit inspection. No violations were found.

December 7, 2018 – HAND issued and mailed the Occupancy Permit billing statement to CS Rental Properties, LLC.

December 9, 2018 – CS Rental Properties, LLC received the Occupancy Permit billing statement.

December 10, 2018 – CS Rental Properties issued check #1135 in the amount of \$90 to HAND for the Occupancy Permit. The envelope containing the billing statement and check was placed in the company mail box for pick up by the post office on December 11, 2018.

December 11, 2018 – The envelope containing the billing statement and check was picked up by the post office when the daily mail was delivered.

CS Rental Properties, LLC was no longer in control of what happens to this envelope containing the billing statement and check to HAND. The company believes that they have complied with the Occupancy Permit billing deadline and will be issued a five year permit.

January 9, 2019 – HAND issues and mails a past due notice to CS Rental Properties, LLC for failure to pay the Occupancy Permit fee of \$90 by the January 6, 2019 deadline (continued on next page).

1100 South High Street • Bloomington, IN 47401 • (812)336-7001

January 11, 2019 – CS Rental Properties, LLC receives a past due notice from HAND. Knowing that the company paid this bill in a timely manner, Catherine E. Steele looked at the company check registry and the company bills paid file for a record of the payment. Both were found and indicated that check #1135 in the amount of \$90 was issued to HAND on December 10, 2018. Catherine E. Steele also went online to the company's bank account to see if the check had cleared the bank. The check had not been submitted to the bank for payment.

January 14, 2019 – CS Rental Properties, LLC went to the HAND office to discuss the matter. HAND will only issue a three year permit upon payment of the fee. CS Rental Properties, LLC paid the \$90 fee and was issued a three year permit. HAND gives Catherine E. Steele the appeal application and information needed to make an appeal to receive a five year permit.

Catherine E. Steele went to the company's bank and requested that a stop payment order be issued for check #1135 to HAND in the amount of \$90 (stop payment order attached).

January 15, 2019 – CS Rental Properties, LLC files an appeal with the Board of Housing Quality Appeals requesting that a five year Occupancy Permit be issued in place of the three year Occupancy Permit.

CS Rental Properties, LLC

Occupancy Permit History 312 East 8th Street

The property is purchased October 22, 1983. The property has an existing Occupancy Permit

May 1985 — The property is gutted and remodeled.

November 7, 1985 — A new three year Occupancy Permit is issued

June 23, 1989 — A new four year Occupancy Permit is issued

August 16, 1993 — A new five year Occupancy Permit is issued

November 25, 1998 — A new five year Occupancy Permit is issued

October 27, 2003 — A new five year Occupancy Permit is issued

November 10, 2008 — A new five year Occupancy Permit is issued

December 19, 2013 — A new five year Occupancy Permit is issued

November 27, 2018 — A new five year Occupancy Permit should have been issued; however, the check was lost in the holiday mail. A new three year Occupancy Permit was issued

As the Housing Quality Board of Appeals can clearly see, I have maintained a five year Occupancy Permit at 312 East 8th Street since 1993.

1100 South High Street • Bloomington, IN 47401 • (812)336-7001

SERVICE CONFIRMATION

01/14/2019

CATHERINE E STEELE DBA CS RENTAL
PROPERTIES LLC**EASY WAYS
TO ACCESS
YOUR ACCOUNT****CONTACT INFORMATION****Name**☐ CATHERINE E STEELE DBA CS RENTAL PROPERTIES LLC**Business E-Mail Address**☐ catesteele@aol.com**Business Primary Address**☐ 1100 S HIGH ST
BLOOMINGTON, IN 47401
USA**Address Details**☐ 1100 S HIGH ST
BLOOMINGTON, IN 47401
USA**Accounts Using this Address**BusinessSelect Checking ending in 6177
ATM/Debit Card ending in 0497**Telephone Numbers**☐ Primary #
☐ Secondary #
☐ Cellular #
☐ Fax #
☐ International #(812) 336-7001.
No Secondary Phone Number on file
No Cellular Phone Number on file
No Fax Number on file
No International Phone Number on file**WHAT WE DID FOR YOU TODAY****Service Transaction**☐ We placed a Stop Payment on your Check# 1135 in the amount of \$90.00, effective 01/14/2019. We will deduct the \$0 fee for the Stop Payment from your account ending in 6177 today. Please note, checks or automatic payments presented before the stop payment takes effect may be paid.**ACCESS YOUR ACCOUNT FROM VIRTUALLY ANYWHERE, ANYTIME—MOBILE, ONLINE,
DEBIT CARD, ATMs, OR STOP BY YOUR BRANCH**

SCOTT L MITCHELL

Eastland Third St

(812) 331-4408

Questions? Visit www.Chase.com or call (800) 242-7338.Deposit products provided by JPMorgan Chase Bank, N.A. Member FDIC
Lending products provided by JPMorgan Chase Bank, N.A.
Credit cards issued by Chase Bank USA, N.A.**CHASE**

DC	Debit Card	ATM	Teller Withdrawal	AD	Automatic Deposit	AP	Automatic Payment	GP	Online Bill Pay
NUMBER OR CODE	DATE	TRANSACTION DESCRIPTION				PAYMENT, FEE WITHDRAWAL (-)	✓	FEE	DEPOSIT, CREDIT (+)
	11/1	RENT					✓		7730.00
		105-1105 312-120							
1126	10/23	RICK PATRICK TREE CARE				150	✓		
		105 TREE SERVICES 1125 VOL							
	10/25	DEPOSIT					✓		620
		FROM 5D 312 W 2019/20							
1127	10/25	McCAIN ROOFING, LLC				120.00	✓		
		105 SHED TRAP							
	10/26	DEPOSIT					✓		1200
		105 5D 2019/20							
1128	10/26	McCAIN ROOFING				330	✓		
		105 SHED ROOF REPAIR							
1129	11/1	CATHERINE STEELE				5000	✓		
		105 1050 PMT							
1130	11/8	OLIVER LAWN				315	✓		
		105 1255 312-60							
1131	11/15	GRB				119	✓		
		105 1050 PMT							
1132	11/26	SCOTT'S PEST CONTROL				125	✓		
		312 GENTLE PESTS							
	12/3	RENT					✓		2730
		105-1105 312E 1545							
1133	12/5	C STEELE				5000	✓		
		OWNER PAYMENT							
1134	12/10	GRB				200	✓		
		105-68 312 132 GUNTER							
1135	12/10	HAND				90			
		312 OCC. PERMIT							
	1/4	RENT							2215
	2019	105-1105 312E 1030							

▲
LIFT TO OPEN



4

City of Bloomington
H.A.N.D.

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

Meeting Date: 20 February 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-09

Address: 323-455 S Westplex Ave

Petitioner: Tailwind Bloomington LLC

Inspector: Michael Arnold, Jo Stong, Dee Wills

Staff Report:

10 April 2018	New Cycle Scheduled
29 June 2018	Cycle Recheduled
28 July 2018	Cycle Inspection (partial)
06 August 2018	Sent Report
10 September 2018	Schedule Reinspection
13 September 2018	Cycle Inspection (partial)
21 September 2018	Rescheduled Reinspection
01 October 2018	Mailed Report
29 October 2018	Reinspection
08 November 2018	Scheduled Cycle final 48 units
11 December 2018	Cycle Inspection final 48 units/Reinspection for initial cycle inspections
12 December 2018	Remaining Violations Report for first two cycle inspections
16 January 2019	Received Extension of Time Application
24 January 2019	Agent scheduled reinspection

The initial inspection was conducted on 28 July 2018 for 72 units. On 13 September 2018 a cycle inspection was conducted for 19 units. On 30 October 2018 a reinspection was completed. On 11 December 2018 the remaining units had a cycle inspection and outstanding issues from the earlier inspections were reinspected. No reinspection has been completed for the Cycle from 11 December 2018. No documentation has been received indicating the elevators are approved for use.

Staff Recommendation: Grant the extension of time

Conditions: Provide documentation the elevators have been approved for use

Compliance Deadline: 01 May 2019

Attachments: Application, Remaining Violations Report



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

RECEIVED
JAN 1 2009

BY:

Property Address: 1521 Isaac Dr

Petitioner's Name: Tailwind Bloomington, LLC

Address: 1521 Isaac Dr

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

Phone Number: 8122709820 **E-mail Address:** Info@ethosbloomington.com

Owner's Name: Tailwind Bloomington, LLC

Address: 530 S Front St, Ste #100

City: Mankato **State:** Minnesota **Zip Code:** 56001

Phone Number: 5073221200 **E-mail Address:** Info@thetailwindgroup.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.

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: 19-TV-09

DW, JS, MA

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. We are requesting additional time to finish three elevators (two in Building 1, one in Building 3) at the Ethos Apartments complex. The reason the extension is needed is we still have not been able to make contact with the elevator contractor (Schindler) regarding the completion date or timeline. Tailwind Bloomington closed on this property on December 21st, 2018. Since then, we have been working to get updated on what items still need to be completed. The previous ownership group and construction company (Gilliatte) have been struggling to get in contact with Schindler regarding completion.

It is our goal to make contact with Schindler, sign a contract, and get the elevators finished as soon as possible. It is hard to guess on a timeline of how long the extension is needed, as right now, it's dependent on Schindler actually responding. Up to this point, they have ignored multiple phone calls and emails.

At a minimum, we would need the extension until 5/1.

Signature (Required):



Name (Print): Brandon Smith

Date: 1-9-2019

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

DEC 12 2018

Patterson Pointe Ventures, Llc
Po Box 669
Bloomington, IN 47402

RE: 323 S Westplex AVE

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 **FEB 10 2019** 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: Tim Tichenor: 7701 S. Zikes Rd, Bloomington, IN 47401

City Hall
Email: hand@bloomington.in.gov
Neighborhood Division (812) 349-3421

401 N Morton St
<https://bloomington.in.gov/hand>
Housing Division (812) 349-3401

Bloomington, IN 47404
Rental Inspection (812) 349-3420
Fax (812) 349-3582



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

10784

Owner(s)

Patterson Pointe Ventures, Llc
Po. Box 669
Bloomington, IN 47402

Agent

Tim Tichenor
7701 S. Zikes Rd
Bloomington, IN 47401

Prop. Location: 323 S Westplex AVE

Number of Units/Structures: 178/5

Units/Bedrooms/Max # of Occupants: Bld 1: Bld Bldg 1: 6/Bff/5 28/1/5 15/2/5 18/3/5 39/4/5, Bld Bldg 2:
10/2/5 8/3/5 9/4/5, Bld Bldg 3: 4/1/5 9/2/5 7/3/5, Bld Bldg 4: 8/2/5 4/3/5 6/4/5, Bld Bldg 5: 7/4/5

Date Inspected: 12/11/2018
Primary Heat Source: Electric
Property Zoning: PUD
Number of Stories: 4

Inspector: Stong/ Arnold/ Wills
Foundation Type: Other
Attic Access: No
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 2018.
Minimum requirements for emergency egress windows at the time of construction:

Openable area required: 5.0 sq. ft. grade floor windows; 5.7 all other floors

Clear width required: 20"

Clear height required: 24"

Maximum Allowable Sill Height: 44" above finished floor

Existing Egress Window Measurements (single-hung):

Height: 33 inches

Width: 27 inches

Sill Height: 26 inches

Openable Area: 6.18 sq. ft.

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

**Note: These structures are fully-sprinklered and meet the exception for minimum egress requirements
as outlined in IBC sec. 1026.1 (2012 IBC)**

City Hall

Email: hand@bloomington.in.gov
Neighborhood Division (812) 349-3421

401 N Morton St

<https://bloomington.in.gov/hand>
Housing Division (812) 349-3401

Bloomington, IN 47404

Rental Inspection (812) 349-3420
Fax (812) 349-3582

INTERIOR

All units were vacant at the time of inspection.

General Violation:

Complete the installation of all elevators. BMC 16.04.060(c)

BUILDING 1:

First Level:

Unit 1139

Kitchen

Install a cover plate on the open junction box. BMC 16.04.060(b) (below the breaker box).

Unit 1141, Unit 1149

No violations noted.

Unit 1143

Bathroom (bedroom adjacent to kitchen)

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

Unit 1145

Kitchen

Properly repair and surface coat the hole in the wall. BMC 16.04.060(a) (In cabinet above microwave adjacent to the outlet).

Unit 1147

Kitchen

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

Unit 1151

Left Bathroom

Replace non-functioning or incorrectly wired GFCI receptacle(s), per Indiana Electric Code requirements. BMC 16.04.020 (IEC 210.8) and BMC 16.04.060(b)

Laundry Closet

Clothes dryer exhaust shall be exhausted to the exterior of the structure and not recirculated to any space. Properly repair the existing system, or install a ventilation system that exhausts to the exterior of the structure. BMC 16.04.060(c)

SECOND LEVEL:

Unit 1225, Unit 1227, Unit 1229, Unit 1231, Unit 1233, Unit 1235, Unit 1239, Unit 1241, Unit 1245

No violations noted.

1243

Kitchen

Complete the installation of the dishwasher. BMC 16.04.060(c)

Common Hallway:

Properly repair/ replace the emergency lighting so that it functions as intended. BMC 16.04.060(b)
(Between Units 1249 & 1247 and Units 1251 & 1249)

THIRD LEVEL:

Unit 1325

Kitchen

Complete the installation of the appliances. BMC 16.04.060(c)

Unit 1327

Kitchen

Complete the installation of the appliances. BMC 16.04.060(c)

Unit 1329

Bathroom

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

Unit 1331

Kitchen

Complete the installation of the appliances. BMC 16.04.060(c)

Balcony

Secure the handrail so it is capable of withstanding normally imposed loads. BMC 16.04.050(b)

Unit 1333

Laundry Closet

Complete the installation of the washer and dryer. BMC 16.04.060©

Unit 1335, Unit 1337, Unit 1339, Unit 1341, Unit 13436, Unit 1345, Unit 1347, Unit 1351

No violations noted.

Unit 1349

Living Room

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

Common Hallway:

Properly repair/ replace the emergency lighting so that it functions as intended. BMC 16.04.060(b)
(Adjacent to Unit 1337)

FOURTH LEVEL:

**Unit 1425, Unit 1427, Unit 1429, Unit 1431, Unit 1435, Unit 1439, Unit 1441, Unit 1443, Unit 1445,
Unit 1447, Unit 1449, Unit 1451**

No violations noted.

Unit 1433

Center Right Bedroom

Properly repair the window to completely close and latch so that it functions as intended. BMC 16.04.060(b).

Unit 1437

Kitchen

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

NW Bedroom

Repair the window so that it opens with ease and to function as intended. BMC 16.04.060(b)

Common Hallway:

Properly repair/ replace the emergency lighting so that it functions as intended. BMC 16.04.060(b)
(Between Unit 1435 & Unit 1433)

EXTERIOR

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

11/3/19 No rental permit shall be issued until all Monroe County Building Inspections have been completed and Certificate of Occupancy has been issued. Please provide this office with copies of Certificate of Occupancy.

Required documentation

11/3/19 Provide documentation of the fire suppression/fire alarm systems annual inspection as required by the Indiana Fire Prevention Code. BMC 16.01.060(f)

Required documentation

Provide documentation that the elevator has been tested and approved for use. BMC 16.01.060(f)

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.