

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
May 15, 2019, 4:00 P.M.**

ALL ITEMS ARE ON THE CONSENT AGENDA

- I. **ROLL CALL**
- II. **REVIEW OF SUMMARY** – April 17, 2019 (not included)
- III. **PETITIONS**
 - 1) 18-TV-81, **403 E. 3rd Street**, Laurie Miller (Annex of Bloomington). Previously heard September 19, 2018 and April 17, 2019. Item tabled. Request for an extension of time to complete repairs. 2
 - 2) 19-TV-30, **3331 N. Valleyview Drive**, Cream & Crimson Management. Request for an extension of time to complete repairs. 15
 - 3) 19-TV-31, **416 N. Lincoln Street**, Brawley Property Management. Request for an extension of time to complete repairs. 21
 - 4) 19-TV-32, **512 W. Dixie Street**, Stuart Baggerly (Old National Bank Wealth Management). Request for an extension of time to complete repairs. 26
 - 5) 19-AA-33, **1650 W. 8th Street**, Richard McClung. Request for relief from an administrative decision. 31
 - 6) 19-TV-34, **339 S. Lincoln Street**, Mackie Properties (Hoosier Reality, LLC). Request for an extension of time to complete repairs. 34
- 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 or e-mail human.rights@bloomington.in.gov.



City of Bloomington
H.A.N.D.

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

Meeting Date: May 15, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 18-TV-81 (old business)

Address: 403 E. 3rd Street

Petitioner: Laurie Miller

Inspector: Jo Stong

Staff Report: April 16, 2018: Conducted cycle inspection
April 30, 2018: Mailed inspection report
June 29, 2018: Reinspection scheduled by petitioner
August 1, 2018: Conducted reinspection. All but exterior stairs in compliance.
August 17, 2018: Petitioner called, said they are working on stairs now. Drove by, took photos. Petitioner stated that the wall along driveway is separate from the stairs.
August 21, 2018: Mailed Remaining Violations report.
August 22, 2018: Received appeal
September 19, 2018: This Board granted an extension of time until March 19, 2019 to complete repairs.
March 15, 2019: Received 2nd appeal
April 17, 2019: Request tabled until May meeting so that all parties could discuss acceptable solutions.

During a cycle inspection of the above property it was noted that the west exterior staircase was out of plumb by several inches, making it unstable. Efforts have been made to render the staircase and adjacent driveway inaccessible, including a locked chain across the drive and a locked gate at the stairway entry. The stairway construction does appear to be separate from the wall, and top stones have been removed to help with stabilization of the wall.

After the extension of time was granted, the wall and stairs were determined to be in the city right-of-way. The proposed plan for repair is being reviewed by several city departments, delaying the repairs. The petitioner is requesting an additional extension of time of one year to allow all parties to reach agreement on how to proceed.

Staff recommendation: Grant an extension of time.

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

Compliance Deadline: July 15, 2019

Attachments: Cycle report, appeal, 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
MAR 19 2018

Property Address: 403 E 3rd St
Petitioner's Name: Laurie Miller
Address: 328 S Walnut St Ste 6
City: Bloomington State: IN Zip Code: 47401
Phone Number: 812-323-1231 Email Address: laurie.miller@homefinder.org
Property Owner's Name: Annex of Bloomington
Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Email Address: _____
Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 18-TV-81

(OLD BUSINESS)

SEE REVERSE

PREV. Item of 7.19, 2018

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.

Asking for a one year extension to allow city
planning and HAND to agree on necessary
action.

Signature (required): Laurie Miller

Name (please print): Laurie Miller Date: 3/15/10

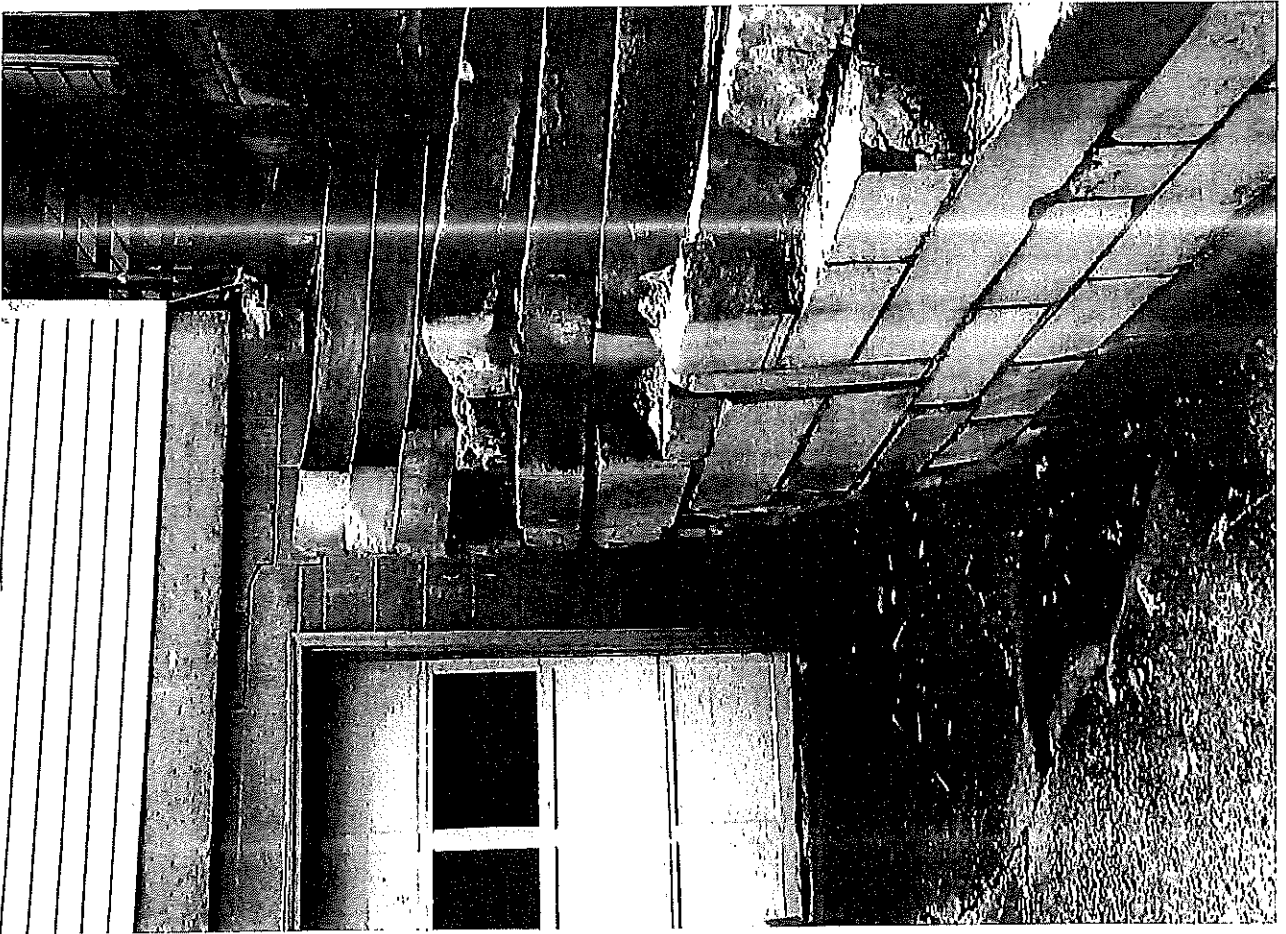
You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed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



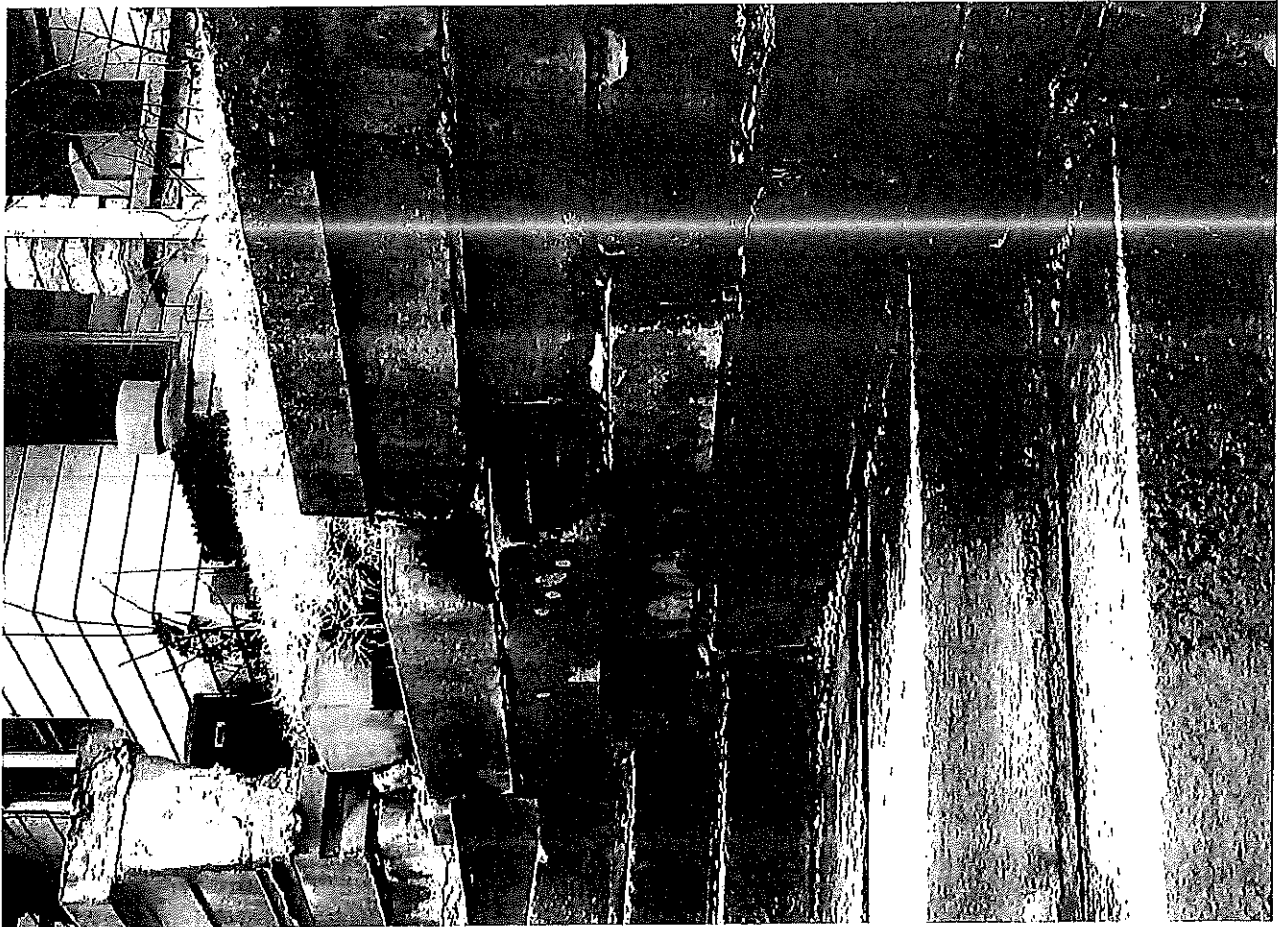
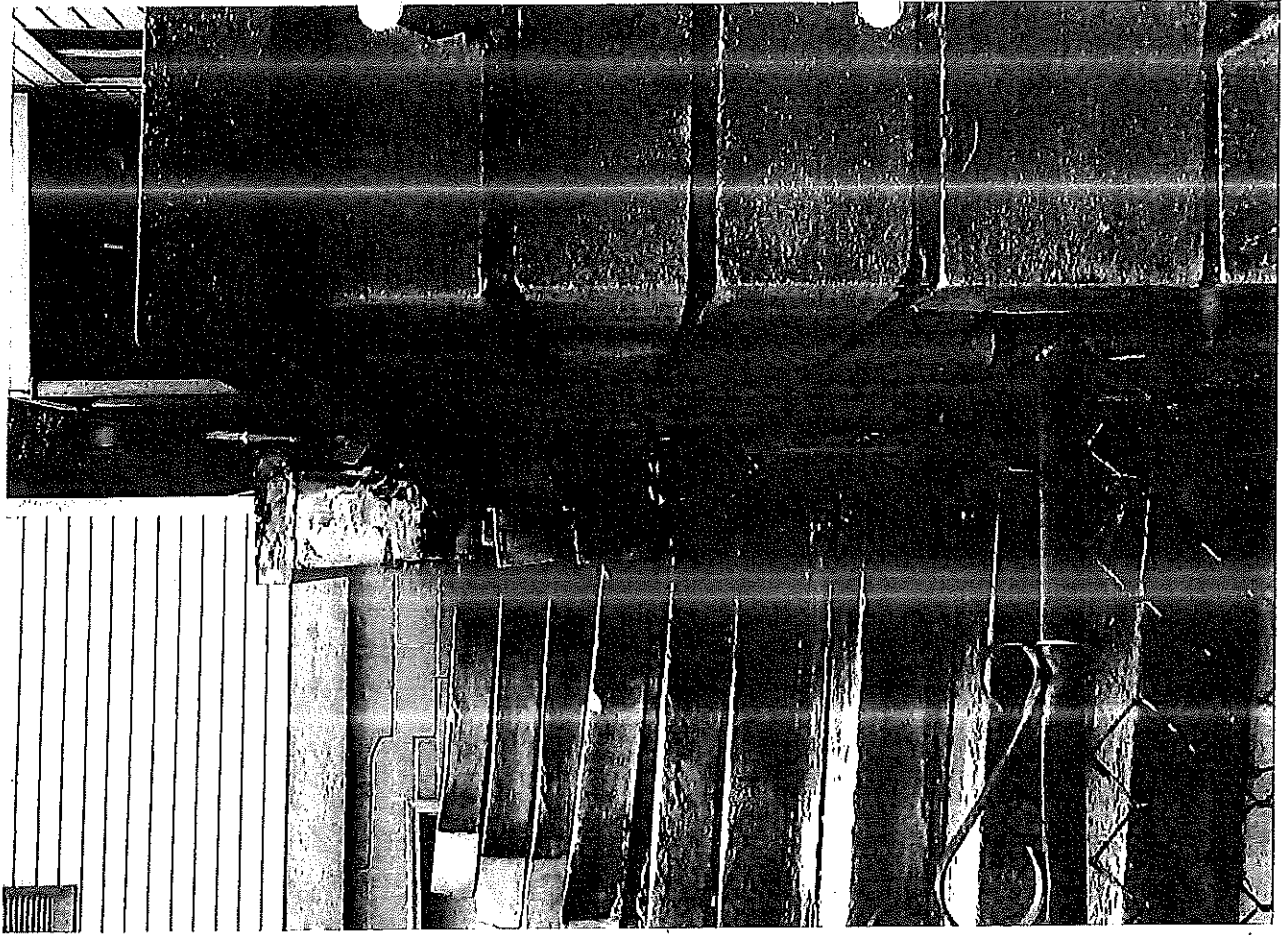
March 18 2019



March 13 2019



March 13 2019



March 13, 2019

March 13 2019





City Of Bloomington
Housing and Neighborhood Development
RENTAL INSPECTION INFORMATION

APR 30 2018

Annex Of Bloomington
409 Massachusetts Ave. Suite 300
Indianapolis, IN 46204

RE: 403 E 3rd 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 29 2018** 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: James R. Management: 328 S. Walnut St. Suite 6, Bloomington, IN 47401



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

2393

Owner

Annex Of Bloomington
409 Massachusetts Ave. Suite 300
Indianapolis, IN 46204

Agent

James R. Management
328 S. Walnut St. Suite 6
Bloomington, IN 47401

Prop. Location: 403 E 3rd ST

Number of Units/Structures: 2/2

Units/Bedrooms/Max # of Occupants: Bld 1: 2/2/5, Bld 2: 1/Eff/5

Date Inspected: 04/16/2018

Primary Heat Source: Gas

Property Zoning: CD

Number of Stories: 2

Inspector: Jo Stong

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: Garage

The main floor of this property was a law office and storage on the previous inspection. This floor is now one unit with two bedrooms. This property now has three approved units.

Monroe County Assessor's records indicate this structure was built in 1927.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

MAIN FLOOR UNIT (vacant at inspection)

West Entry Room (17-5 x 9-4):

No violations noted.

Southeast Bedroom (13-2 x 10-0):

Repair the east-southeast window to stay open. 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 (double-hung):

Height: 23 inches

Width: 26 inches

Sill Height: 27 inches

Openable Area: 4.15 sq. ft.

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

North-South Hallway:

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Living Room (14-3 x 14-2):

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

Replace the missing fireplace mantle. BMC 16.04.060(a)

Repair the brickwork around the fireplace in a workmanlike manner. BMC 16.04.060(a)

Dining Room/Kitchenette (sink in room) (12-4 x 11-7), Northeast Bedroom (11-8 x 9-10):

No violations noted.

Note: Egress window measurements are the same as in the southeast bedroom.

East Entry:

Replace the keyed lock with a single cylinder, thumb-lever lock (or remove the keyed lock). Locks on egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort. BMC 16.04.060(b)

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(c)

Scrape and paint the window sill and frame, and paint or replace the tub surround where the paint is peeling. BMC 16.04.060(a)

East-West Hall:

Scrape and paint the ceiling outside of the kitchen where it is peeling. BMC 16.04.060(a)

Kitchen:

No violations noted.

Office (West-Center Room) 11-7 x 9-11):

No violations noted.

BASEMENT

West Entry Door:

Replace the keyed lock with a single cylinder, thumb-lever lock (or remove the keyed lock). Locks on egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort. BMC 16.04.060(b)

Furnace/Mechanical Room (gas furnace here):

See Other Requirements at the end of the report for required furnace documentation.

Install a smoke detector in an approved location (furnace room is recommended). If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Garage, Main Room:

No violations noted.

SECOND FLOOR UNIT (vacant at inspection)

2nd Floor Unit

Entry Hall:

No violations noted.

Bath:

Replace the broken cover for the light fixture on the ceiling. BMC 16.04.060(c)

Living room (29-6 x 13-0):

Properly secure the loose ceiling tiles

Install a smoke detector in an approved location (outside the south bedroom). If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

South Bedroom (12-7 x 6-9):

Repair the window to stay open and to fit securely in the frame. Every window shall be capable of being easily opened and held in position by its own hardware. BMC 16.04.060(b)

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

Existing Egress Window Measurements:

Height: 22 inches

Width: 23.5 inches

Sill Height: 25 inches

Openable Area: 3.59 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-16.04.020

North Bedroom (14-9 x 11-9):

No violations noted.

Note: Egress window measurements are the same as in the south bedroom.

Hall:

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

Kitchen (11-0 x 10-1):

No violations noted.

EFFICIENCY UNIT ABOVE GARAGE (403 G)

Living Room/Bedroom (23-8 x 15-5):

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

Repair the west window to stay open (top sash falls). Every window shall be capable of being easily opened and held in position by its own hardware. BMC 16.04.060(b)

Bath:

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

Kitchen

Relocate the smoke detector to an approved location (it is too low). If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Mechanical Room (gas furnace here):

See Other Requirements at the end of the report for required furnace documentation.

EXTERIOR:

Properly stabilize the west staircase (it has moved to the north several inches). BMC 16.04.050(b)

Remove the dead tree in the west yard. BMC 16.04.040(e)

Remove all trash and debris from property, especially on the east side of the structures. BMC 16.04.040(d)

OTHER REQUIREMENTS:

Furnace Inspection Documentation

Thoroughly clean and service the furnaces, and inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged.

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

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

one
new

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: May 15, 2019
Petition Type: An extension of time to complete repairs.
Petition Number: 19-TV-30
Address: 3331 N Valleyview Dr.
Petitioner: Josh Alley
Inspector: Matt Swinney
Staff Report: March 13, 2019 Completed Complaint Inspection Report
March 27, 2019 BHQA App received

Owner has requested an extension of time to complete repairs. They are currently in the process of evicting the tenant. Due to the extensive nature of the repairs they are requesting 30 days past the tenants move out. This date is yet to be determined so we will grant 30 days past the original compliance date of April 2, 2019.

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: May 2, 2019 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
MAR 27 2019
BY:

Property Address: 3331 N Valleyview Dr. 47404

Petitioner's Name: Josh Alley

Address: 3732 E Commodore Trail

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: 3175327309

E-mail Address: cream.crimson@gmail.com

Owner's Name: Cream & Crimson Management, LLC

Address: Same as above

City:

State:

Zip Code:

Phone Number:

E-mail Address:

Occupants: Tenants

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

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

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

Variance Type: 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: 19-TV-30

MS

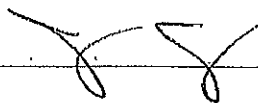
In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.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

Garage walls and ceilings
 Bonus Room HVAC
 Family walls and ceilings
 Flooring

Currently in eviction process with tenant. Unable to correct due to tenant belongings. Request is for 30 days past tenant move out/eviction to correct. Exact time and date is to be determined based on eviction hearing.

Signature (Required):



Name (Print): Josh Alley

Date:

2/28/07 3/27/19

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

MAR 18 2019

Cream & Crimson Management Llc
3732 E. Commodore Trail
Bloomington, IN 47408

RE:NOTICE OF COMPLAINT INSPECTION

Dear Cream & Crimson Management Llc

On 03/12/2019 a complaint inspection was performed at 3331 N Valleyview 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 **APR 01 2019**, 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,



City Of Bloomington
Housing and Neighborhood Development

COMPLAINT INSPECTION REPORT

2132

Owner

Cream & Crimson Management Llc
3732 E. Commodore Trail
Bloomington, IN 47408

Tenant

Dennis Brock
3331 N Valleyview Dr.
Bloomington, IN 47404

Prop. Location: 3331 N Valleyview DR

Number of Units/Structures: 1/1

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

Date Inspected: 03/12/2019

Primary Heat Source: Gas

Property Zoning: RS

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 03/12/2019. 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

Garage

Repair the surface of the ceiling to be free of holes, cracks, mold/mildew and sagging/rotted materials.
BMC 16.04.060(a)

Repair the water damaged/rotted walls. This includes but is not limited to replacing or repairing damaged or deteriorated wall studs, top and bottom plates, ceiling joists, floor and wall covering and structural members. BMC 16.04.060(a),(b)

Upstairs

The area above the garage does not seem to be heated like the rest of the house. Provide appropriate heating for this area. BMC 16.04.060(c)

Family Room 11-10 x 23-7

Repair the water damaged/rotted walls. This includes but is not limited to replacing or repairing damaged or deteriorated wall studs, top and bottom plates, ceiling joists, floor and wall covering and structural members. BMC 16.04.060(a)

Enclose/weatherproof the hole where the a/c unit was. BMC 16.04.060(a)

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

Repair the broken window next to the entry door and replace the missing glazing compound. BMC
16.04.060(a), BMC 16.04.050(a)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: 15 May 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-031

Address: 416 N Lincoln St.

Petitioner: Brawley Property Management

Inspector: Michael Arnold

Staff Report:

27 July 2018	Scheduled Cycle
12 September 2018	No Show
12 September 2018	Re-scheduled Cycle
17 October 2018	Cycle Inspection
01 November 2018	Mailed Cycle Report
17 December 2018	Scheduled Re-inspection
23 January 2019	Reinspection Completed
04 February 2019	Sent Remaining Violations Report
25 March 2019	Start Legal
27 March 2019	Received Extension of Time Application

During the Cycle Inspection there was no access to Unit 3-4. It was noted on the Cycle Inspection that there was no access and that the unit would be required to be in compliance within the 60 day deadline. At reinspection it was noted that the bathroom had deteriorated flooring that needed to be replaced.

Staff recommendation: Grant the Extension of Time to complete the repairs

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

Compliance Deadline: 15 July 2019

Attachments: Application, Remaining Violations Report



RECEIVED
MAR 27 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: 416 N. LINCOLN Street

Petitioner's Name: Brawly Property Mgmt

Address: PO Box 5543

City: Bgh State: IN Zip Code: 47407

Phone Number: _____ Email Address: juhc@brawlyprop.com

Property Owner's Name: BMI Properties LLC

Address: PO Box 5543

City: Bgh State: IN Zip Code: 47407

Phone Number: _____ Email Address: _____

Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY
Petition Number 19-TV-31

SEE REVERSE

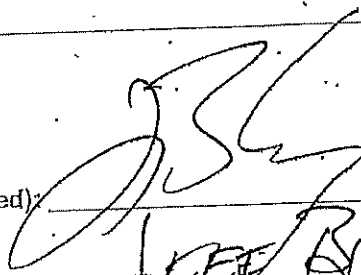
MA

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

- Extension to Repeal Flooring in Unit 3/4

Signature (required):

Name (please print):


JEFF BRAWLEY

Date:

3/26/19

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

REMAINING VIOLATION INSPECTION REPORT

FEB 04 2019

3475

Owner(s)

Bmi Properties Llc
Po Box 5543
Bloomington, IN 47407

Agent

Brawley Property Management
Po Box 5543
Bloomington, IN 47407

Prop. Location: 416 N Lincoln ST
Number of Units/Structures: 7/1
Units/Bedrooms/Max # of Occupants: Bld 1: 6/1/5 1/5/5

Date Inspected: 10/17/2018
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 3

Inspector: Mike Arnold
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/hand>
Housing Division (812) 349-3401

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

Unit 3-4:

Bathroom:

Replace the deteriorated floor covering. BMC 116.04.060(a)

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

Inventory & Damages List

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

BMC 16.03.050(e) and BMC 16.10.030(b)

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



City of Bloomington
H.A.N.D.

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

Meeting Date: 15 May 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-032

Address: 512 W. Dixie St.

Petitioner: Stuart K. Baggerly

Inspector: Michael Arnold

Staff Report:

30 January 2018	Scheduled Cycle
21 February 2018	Re-scheduled Cycle
13 March 2018	Re-scheduled Cycle
29 March 2018	Cycle Inspection
12 April 2018	Mailed Cycle Report
07 June 2018	Scheduled Re-inspection
25 June 2018	Re-scheduled Re-inspection
24 July 2018	Re-scheduled Re-inspection
27 August 2018	Re-scheduled Re-inspection
24 September 2018	No Show for Re-inspection
24 September 2018	Start Legal
25 September 2018	Scheduled Re-inspection
26 October 2018	RE-inspection completed
31 October 2018	Sent Temporary Permit
04 February 2019	Sent Exterior Extension Reminder
28 March 2019	Received Extension of Time Application

During the Cycle Inspection it was noted that there was deteriorated paint on the detached garage. The painting was given a deadline of one year from the date of the Cycle Inspection (29 March 2019).

Staff recommendation: Grant the Extension of Time to complete the repairs

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

Compliance Deadline: 15 May 2019

Attachments: Application, Exterior Extension Reminder



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

RECEIVED
MAR 28 2019
BY:

Property Address: 512 West Dixie Street, Bloomington, Indiana 47403

Petitioner's Name: Stuart K. Baggerly

Address: 512 West Dixie Street, Bloomington, Indiana 47403

City: Bloomington

State: Indiana



Zip Code: 47403

Phone Number: 8123492590

E-mail Address: sbaggerly@co.monroe.in.us

Owner's Name: Old National Bank Wealth Management

Address: 2801 Buick-Cadillac Blvd.

City: Bloomington

State: Indiana



Zip Code: 47404

Phone Number: 812-349-59

E-mail Address: chris.kroll@oldnational.com

Occupants: Stuart K. Baggerly

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: 19-TV-32

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.

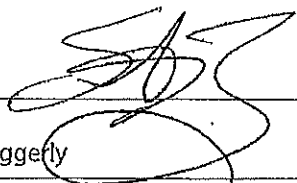
The only item left to be repaired is the painting of the garage door. Since the date of the original inspection the weather on the weekends has either been way too cold or it has been raining. I already have the paint and brushes scraper and masking tape. I do not anticipate this taking more than a few hours, and now that the weather is starting to look more cooperative I would imagine having this done well before the board of appeals meeting on May 15th..

I appreciate your consideration and will make sure this is taken care of.

Thank you,

Stuart K. Baggerly
Occupant of the house.

Signature (Required):



Name (Print): Stuart K. Baggerly

Date:

3-28-19

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

EXTERIOR EXTENSION REMINDER INSPECTION REPORT

FEB 04 2019

1313

Owner(s)

Blaine Apple Irrev. Trust C/O Old National Wealth
2801 E. Buick-Cadillac Blvd.
Bloomington, IN 47401

Prop. Location: 512 W Dixie ST

Number of Units/Structures: 1/1

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

Date Inspected: 03/29/2018

Primary Heat Source: Gas

Property Zoning: RC

Number of Stories: 1

Inspector: Mike Arnold

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: detached garage

This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on 29 March 2019.

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

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.10.030 of the Bloomington Municipal Code.

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

Exterior:

Detached Garage:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a deadline of 29 March 2019).

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
H.A.N.D.

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

Meeting Date: May 15, 2019

Petition Type: Relief from an administrative decision

Variance Request: Relief from the requirement to register and inspect.

Petition Number: 19-AA-33

Address: 1650 W 8th Street

Petitioner: Rick McClung

Inspector: John Hewett

Staff Report: June 16, 2016 HAND Issued permit w/ expiration date of
03/02/2019
March 7, 2019 Note in file states that owner's nephew lives here.
March 15, 2019 HAND emailed reminder of expiration.
March 28, 2019 Received appeal.

The owner has stated that his nephew lives here and pays no rent, requests relief from the need to renew the permit at this time.

Staff recommendation: Grant the relief from administrative decision.

Conditions: This unit will be granted relief from the requirements of Title 16 for as long as the current owner and tenant are still un-changed from the current status. The property status will be checked yearly to verify no changes have been made. If this status changes, the requirements of Title 16 may be re-instated.

Compliance Deadline: none

Attachments: Appeal form



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

RECEIVED
MAR 28 2019

Property Address: 1650 W. 8th
Petitioner's Name: Richard McClung
Address: 2105 E. Arden Dr
City: Bloomington State: IN Zip Code: 47401
Phone Number: 8123697330 Email Address: _____
Property Owner's Name: Richard McClung
Address: 2105 E. Arden Dr
City: Bloomington State: IN Zip Code: 47401
Phone Number: 3697330 Email Address: _____
Occupants: Randy Scaags

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 19-AA-33

SEE REVERSE

JH

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

My Nephew lives in the house no charge.

It's no longer a rental.

Signature (required):

Richard McClung

Name (please print):

Richard McClung

Date:

3-28-19

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
H.A.N.D.

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

Meeting Date: May 15, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-34

Address: 339 S Lincoln ST

Petitioner: Mackie Properties

Inspector: Dee Wills

Staff Report: March 19, 2019 Completed Complaint Inspection with Agent and Tenant
March 20, 2019 Complaint Report sent to Owner/ Agent with deadline of 14 days.
April 02, 2019 Received Application for Appeal

Mackie Properties is requesting an extension of time to complete the repairs of the door for Unit F. In order to properly fix the issue, they will need to repair the slope of the door which involves removal of concrete and re-pouring. Mackie Properties requests an extension of 4 weeks to ensure proper estimates are received and to ensure good weather to be able to complete the repair.

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: June 12, 2019

Attachments: Complaint Report, Application for 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**

RECEIVED
APR 02 2019

Property Address: 339 South Lincoln Street Unit F Bloomington, IN

Petitioner's Name: Mackle Properties

Address: 811 North Walnut Street

City: Bloomington

State: Indiana



Zip Code: 47404

Phone Number: 8122878036

E-mail Address: chendren@macklerentalproperties.com

Owner's Name: Hoosier Realty LLC

Address: PO Box 909

City: Bloomington

State: Indiana



Zip Code: 47402

Phone Number: 8123275955

E-mail Address: rentblgtn@hotmail.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 month's agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-34

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.

Mackie Properties is requesting an extension of time for the repair of the door at 339 S Lincoln Unit F Bloomington, IN. In order to properly fix the issue, we have to fix the slope of the door which involves removal of concrete and re-pouring. We are asking for a 4 week extension to ensure proper estimates are received and to ensure good weather to be able to complete the repair.

Signature (Required): Chelsea Hendren

Name (Print): Chelsea Hendren

Date: 4/2/19

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

MAR 20 2019

Hoosier Reality Llc
P.O. Box 2196
Bloomington, IN 47401

RE:NOTICE OF COMPLAINT INSPECTION

Dear Hoosier Reality Llc

On 03/19/2019 a complaint inspection was performed at 339 S Lincoln ST. 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 **APR 03 2019**, 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:Mackie Properties: P.O. Box 236, Ellettsville, IN 47429



City Of Bloomington
Housing and Neighborhood Development

COMPLAINT INSPECTION REPORT

1244

Owner(s)

Hoosier Reality Llc
P.O. Box 2196
Bloomington, IN 47401

Agent

Mackie Properties
P.O. Box 236
Ellettsville, IN 47429

Prop. Location: 339 S Lincoln ST

Number of Units/Structures: 7/1

Units/Bedrooms/Max # of Occupants: Bld 1: 2/3/5 4/1/5 1/Eff/5

Date Inspected: 03/19/2019

Primary Heat Source: Gas

Property Zoning: CG

Number of Stories: 2

Inspector: Dee Wills

Foundation Type: Slab

Attic Access: Yes

Accessory Structure: none

The following items are the result of a complaint inspection conducted on 03/19/2019. 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.

339 S. Lincoln ST Apt. F

Interior:

Living Area:

Properly square the entry door so that it fits properly within the door frame and so that it functions as intended. 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 seal the threshold at the entry door to prevent water infiltration. BMC 16.04.060(b)

This is the end of this report.