

PUBLIC HEARING

BOARD OF HOUSING QUALITY APPEALS

CITY HALL ALLISON CONFERENCE ROOM 225

In Person / Zoom Virtual Meeting

<https://bloomington.zoom.us/j/84090354059?pwd=mJxCil15kPgJ0iLnIZVKW3s6bUT5qk.1>

Meeting ID 840 9035 4059 Passcode 084395

SEPTEMBER 17, 2024 4:00 P.M.

ALL ITEMS ARE ON THE CONSENT AGENDA

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible to some individuals. If you encounter difficulties accessing material in this packet, please contact Anna Killion-Hanson, at anna.killionhanson@bloomington.in.gov and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

I. ROLL CALL

II. MINUTES – July 16, 2024, August 20, 2024

III. PETITIONS

1) 24-TV-49, 238 N. Smith Road, Springmill / Leesa Fleener (Matthew Ferguson)
Request for an extension of time to complete repairs.

2) 24-TV-50, 114 S. Grant Street, David Colman. Request for an extension of time to complete repairs.

3) 24-TV-51, 730 W. Howe Street, Dave Huber. Request for an extension of time to complete repairs.

4) 24-TV-52, 404 W. Kirkwood Avenue, Shaughnessy Cudmore-Keating (Bloomington Cooperative Living,) Request for an extension of time to complete repairs.

5) 432 S. College Avenue, Roric Fischer (Monroe County Convention Center Building, Corp.) Request for an extension of time to complete repairs.

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.

BOARD of HOUSING QUALITY APPEALS
Meeting: TUESDAY, JUNE 18, 2024, 4:00 PM
ALLISON CONFERENCE RM. 225
SUMMARY

MEMBERS PRESENT: Present: Christina Geels, Christopher Ravenna, Dylan Schutte, George Snyder, Ryan Still (arrived 4:04 PM)

STAFF PRESENT: Present: Michael Arnold, Daniel Bixler, Rob Council, Christina Finley, John Hewett, Anna Killion-Hanson, Jo Stong (HAND),
Virtual: Enedina Kassamanian (Legal)

Meeting start time 4:02 PM.

I. MINUTES

Geels made motion to accept the minutes for the June 18, 2024 meetings. Schutte seconded. Motion passed, 5-0.

II. CONSENT AGENDA

24-TV-42, 3114 S. Eden Drive, Michael Hensinger (Jiarong Yang). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a September 16, 2024 deadline to complete all repairs.

24-TV-43, 1334 S. College Mall Road, Granite Student Living (David Varner). Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 16, 2024 deadline to complete all repairs.

24-TV-44, 505-509 N Walnut Street, Omega Properties. Request for an Extension of time to complete repairs. Staff recommendation to grant the request with a July 30, 2024 deadline to provide documentation of either gas furnace servicing or installation as requested in the cycle report and remaining violations report and s December 18, 2024 deadline to complete repairs and schedule inspection for the window.

24-TV-45, 322 E. 12th Street, Scott Gilbert (Strawberry Fields, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a September 30, 2024 deadline to complete all repairs.

24-TV-46, 511 N. Fess Avenue, Long Real Estate Investments, Dennis Long, General Partner. Request for an extension of time to complete repairs. Staff recommendation to deny the request and schedule an immediate reinspection.

24-TV-47, 2501 S. Rogers Street, Rex Rhea. Request for an extension of time to complete repairs. Staff recommendation to grant the request for an extension of time to complete repairs with an October 01, 2024 deadline.

Approved.

III. PETITIONS

24-TV-36, 1135 W. Pine Meadows Drive, Jules Tam. Petitioner was not present to request an extension of time to complete repairs. Tabled at June 18, 2024 meeting. Staff recommendation to grant the request with a July 25, 2024 deadline for all life safety issues and an August 18, 2024 deadline for all other violations. Geels made motion to grant the request per staff recommendation. Ravenna seconded. Motion passed, 5-0.

GENERAL DISCUSSION

The time and location for future BHQA meetings was raised again. Research needed on Board members' preferences.

IV. PUBLIC COMMENT
None.

V. ADJOURNMENT
Schutte made motion for adjournment. Geels seconded. Motion passed unanimously. Meeting adjourned 4:11 PM.

BOARD of HOUSING QUALITY APPEALS
Meeting: TUESDAY, AUGUST 20, 2024, 4:00 PM
ALLISON CONFERENCE RM. 225
SUMMARY

MEMBERS PRESENT: Present: Christina Geels, Dylan Schutte, George Snyder, Ryan Still
Virtual: Diana Opata Powell

STAFF PRESENT: Present: Michael Arnold, Daniel Bixler, Christina Finley, Chastina Hayes, John Hewett, Anna Killion-Hanson, Jo Stong (HAND), Kelly Murphy (ITS)
Virtual: Enedina Kassamanian (Legal)

GUESTS: Zoom: Sam Dove, Deb Majors (701 E Summit View Place), Dr. Rene Zemp, (701 E Summit View Place)

Meeting start time 4:14 PM.

I. PETITIONS

24-TV-48, 701 E. Summit View Place, Jules Tam. Petitioner was not present to request an extension of time to complete repairs. Tabled at June 18, 2024 meeting. Staff recommendation to grant the request with a July 25, 2024 deadline for all life safety issues and an August 18, 2024 deadline for all other violations. Geels made motion to grant the request per staff recommendation. Schutte seconded. Motion passed, 5-0.

GENERAL DISCUSSION

The time and location for future BHQA meetings was raised again. Research needed on Board members' preferences.

II. PUBLIC COMMENT

None.

III. ADJOURNMENT

Schutte made motion for adjournment. Geels seconded. Motion passed unanimously. Meeting adjourned 4:31 PM.

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

Meeting Date: September 17, 2024

Petition Type: Request for an extension of time to complete repairs

Petition Number: 24-TV-49

Address: 238 N Smith Road

Petitioner: Springmill/Leesa Fleener

Inspector: Chastina Hayes

Staff Report: April 3, 2024 Leesa scheduled cycle inspection
May 23, 2024 Completed cycle inspection with maintenance
June 7, 2024 Mailed cycle inspection report
August 6, 2024 Received BHQA application

The petitioner is requesting an extension of time due to a busy time of the year and being short staffed.

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: October 1, 2024 All remaining violations

Attachments: Cycle Report; BHQA Application



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: 238 N Smith Road Bloomington, IN 47408

Petitioner's Name: Springmill/Leesa Fleener

Address: 3112 E Braeside Drive

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: 8123391400

E-mail Address: legacygroup@woodingtonproperties.com

Owner's Name: Matthew Ferguson

Address: 3000 S Walnut Street Pike #F6

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 8123391400

E-mail Address: legacygroup@woodingtonproperties.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: 24-TV-49

CH

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

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

We are asking for extra times as staffing and our busy time of getting apartments ready for the new tenants have caught up to us. We are almost done with it but need a little more time then the deadline of 8/6/2024. Thank you for the consideration in this matter.

Signature (Required):

Leesa Fleener

Name (Print): Leesa Fleener

Date: 7-31-24

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

CYCLE INSPECTION REPORT

2190

Owner(s)

Matthew Ferguson-Springmill Apartments
300 S Walnut St Pike F6
Bloomington, IN 47401

Agent

The Legacy Group/Leesa Fleener
3112 E Braeside Dr
Bloomington, IN 47408

Prop. Location: 238 N Smith RD

Number of Units/Structures: 36/2

Units/Bedrooms/Max # of Occupants: Bld 1: 12/1/5, Bld 2: 24/1/5

Date Inspected: 05/23/2024

Primary Heat Source: Electric

Property Zoning: RM

Number of Stories: 2

Inspector: Chastina Hayes

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1967.

There were no requirements for emergency egress at the time of construction.

NOTE: Only units with violations will be listed in the body of this report.

Typical Unit:

Living room 10-0 x 14-0

Kitchen 5-0 x 10-0

Hallway, Bathroom,

Bedroom 10-0 x 12-0

Basement units:

Existing Egress Window Measurements:

Height: 13 inches

Width: 30.75 inches

Sill Height: 47.5 inches

Openable Area: 2.77 sq. ft.

Upper levels

Existing Egress Window Measurements:

Height: 21 inches

Width: 30.75 inches

Sill Height: 32 inches

Openable Area: 4.48 sq. ft.

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

INTERIOR:

BUILDING 1:

Unit 1:

Kitchen:

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

Bathroom:

Repair the cabinet base. BMC 16.04.060 (a)

Repair the faucet to eliminate the constant dripping. BMC 16.04.060(c) (Shower)

Unit 2:

Bathroom:

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

Unit 3:

No violations noted.

Main Hallway:

Replace the missing protective cover for the light fixture. BMC 16.04.060(c) (Adjacent to unit 3)

Unit 4:

No violations noted.

Main Hallway:

Replace the missing protective cover for the light fixture. BMC 16.04.060(c) (Adjacent to unit 5)

Unit 5:

Living Room:

Properly seal around the window to prevent water infiltration. (Tenant states it leaks when raining) BMC 16.04.060 (a)

Kitchen:

Repair the hole in the wall under sink cabinet. BMC 16.04.060 (a)

Secure the loose cable clamp where the power supply enters the water heater. BMC 16.04.060(c)

Main Hallway: (North adjacent to unit 5)

Repair the hole at the bottom of the window frame. (Right corner) BMC 16.04.060 (a)

Unit 6:

No violations noted.

Main Hallway:

Replace the missing protective cover for the light fixture. BMC 16.04.060(c) (Adjacent to unit 7)

Unit 7:

Kitchen:

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

Secure the loose door knob on the closet. BMC 16.04.060 (a)

Main Hallway: (Adjacent to unit 8)

Properly remove the mold from the window wall. BMC 16.04.060 (a)

Unit 8, Unit 9, Unit 11:

No violations noted.

Main Hallway:

Replace the missing protective cover for the light fixtures. BMC 16.04.060(c) (Adjacent to units 11 and 12)

Unit 12, Unit 10:

No violations noted.

BUILDING 2:

Unit 13:

Kitchen:

Repair the light fixture to function as intended. (Blinks when turned on) BMC 16.04.060 (c)

Living Room:

Repair the west wall to prevent water infiltration. (Tenant states it leaks when raining) BMC 16.04.060 (a)

Kitchen:

Install a cable clamps where the power supply enters the junction box above the water heater. BMC 16.04.060(c)

Main Hallway: (Adjacent to unit 14)

Repair/replace the water damaged baseboard. BMC 16.04.060 (a)

Unit 14:

Kitchen:

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

Repair the sink faucet to function as intended. (Leaks at base) BMC 16.04.060 (a)

Hallway:

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

Living Room:

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

Unit 17:

Bathroom:

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

Replace the toilet seat so that it functions as intended. (Wrong size) BMC 16.04.060 (a)

Unit 16:

No violations noted.

Unit 17:

Hallway:

Eliminate all unused openings in the electric service panel by installing approved rigid knockout blanks. BMC 16.04.060(b)

Main Hallway: (Adjacent to unit 18):

Replace the missing carpet. BMC 16.04.060 (a)

Unit 18:

No violations noted.

Unit 19:

Hallway:

Eliminate all unused openings in the electric service panel by installing approved rigid knockout blanks. BMC 16.04.060(b)

Unit 20:

Kitchen:

Install a junction box for the wire splice feeding the garbage disposal. BMC 16.04.060 (b)

Bedroom:

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

Bathroom:

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Unit 25:

No violations noted.

Unit 26:

Kitchen:

Secure the loose cabinets. BMC 16.04.060 (a)

Bedroom:

Secure loose electrical receptacle. BMC 16.04.060(b) (Door wall)

Unit 21:

There was no electrical service to this unit/room at the time of the Cycle Inspection. Electrical service shall be restored and all associated items shall be checked at re-inspection. Any violations noted at that time shall have the same 60 day compliance deadline as the remainder of this report. BMC 16.04.060(c)

Unit 28:

Bathroom:

Repair/replace the shower diverter so that it functions as intended. BMC 16.04.060 (a)

Secure the loose bathtub drain cover. BMC 16.04.060 (a)

Unit 22:

No violations noted.

Unit 27:**Kitchen:**

Temperature/pressure relief (TPR) valve discharge tubes:

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

Main Hallway: (Adjacent to unit 23)

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

Unit 23:**Living Room:**

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

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

Kitchen:

Repair/replace the torn vinyl flooring. BMC 16.04.060 (a)

Replace the missing burners on the stove. BMC 16.04.060 (a)

Replace the missing closet door knob. BMC 16.04.060 (a)

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

Living Room:

Repair/replace the thermostat so that it functions as intended. BMC 16.04.060 (a)

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

Repair/replace the torn vinyl flooring. BMC 16.04.060 (a) (At entry door)

Hallway:

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

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

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

Bedroom:

Repair/replace the torn vinyl flooring. BMC 16.04.060 (a)

Bathroom:

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

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Main Hallway: (Adjacent to unit 30)

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

Unit 30:

Bathroom:

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

Hallway:

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

Main Hallway:

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

Unit 24:

Living Room:

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

Kitchen:

Secure the loose cabinet door under the sink. BMC 16.04.060 (a)

Bathroom:

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

Unit 29:**Kitchen:**

Temperature/pressure relief (TPR) valve discharge tubes:

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

Bathroom:

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

Unit 31:**Kitchen Closet:**

Properly remove the mold from the walls. BMC 16.04.060 (a)

Hallway:

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

Bathroom:

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

Unit 32:**Kitchen:**

Repair the faucet to eliminate the constant dripping. BMC 16.04.060(c)

Bedroom:

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Replace the broken electrical cover plate under the window. BMC 16.04.060 (b)

Bathroom:

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

Unit 34:**Bathroom:**

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Secure the loose vinyl flooring at the base of the toilet. BMC 16.04.060 (a)

Unit 33:

No violations noted.

Unit 35:

Kitchen:

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

Unit 36:

Hallway:

Repair the light to function as intended. (Something inside globe) BMC 16.04.060 (a)

Bedroom:

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

EXTERIOR:

BUILDING 2:

Secure the loose shingles on the west side of the structure. BMC 16.04.050 (a)

Label the main electrical shutoff to the units. BMC 16.04.020 IEC 230.70(b)

Replace the broken vent covers on the east side of the structure. (SE adjacent to the meters)
BMC 16.04.050 (a)

Remove the phone cable laying across the sidewalk on the east side south end. BMC 16.04.050
(a)

BUILDING 1:

Label the main electrical shutoff to the units. BMC 16.04.020 IEC 230.70(b)

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

Replace the missing soffit on the south side of the structure. (SW corner above windows) 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.

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

Meeting Date: September 17, 2024

Petition Type: Request for an extension of time to complete repairs

Petition Number: 24-TV-50

Address: 114 S. Grant Street

Petitioner: David Colman

Inspector: Jo Stong

Staff Report: June 9, 2023: Conducted cycle inspection
June 14, 2023: Mailed cycle report
August 25, 2023: Mailed remaining violations report
November 17, 2023: Owner scheduled reinspection
November 30, 2023: Conducted reinspection. All but exterior painting complete
April 16, 2024: Conducted drive-by inspection: Painting not complete
April 26, 2024: Sent exterior extension reminder
June 20, 2024: Conducted drive-by inspection: Painting not complete. Start legal
August 7, 2024: Program manager spoke with owner, who indicated he did not think we could require paint on the whole structure.
August 8, 2024: Received appeal

During a cycle inspection of the above property it was noted that the exterior of the structure had peeling and missing paint. The petitioner is seeking an extension of time to complete the exterior painting.

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 5, 2025

Attachments: Cycle Report; BHQA Application



Page 1 of 2
RECEIVED
AUG. 08 2024

**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: 114 S. Grant St. Bloomington, In. 47408

Petitioner's Name: David J. Colman

Address: 114 S. Grant St.

City: Bloomington

State: Indiana



Zip Code: 47408

Phone Number: 8123221661

E-mail Address: venue.colman@gmail.com

Owner's Name: Same

Address:

City:

State:



Zip Code:

Phone Number:

E-mail Address:

Occupants: #4

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: 24-TV-50

JS

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

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

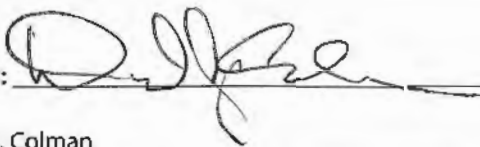
Dear Sirs:

I am requesting a one year extension to repaint my building because while there is some blistering and peeling paint on my building, it does not look bad and is not damaging either the building, or the buildings around the commercial area. I have owned the building for over 40 years, and have come to expect to have to repaint every 6 years or so. This paint job is only 4 years old. I got 2 bids for spot repainting and both were over \$4,000. It makes more sense to wait a year, rather than resort to less expensive vinyl siding, which is less consistent with the age and quality of my building.

I have properly maintained my building in co-operation with Hand for many years, and I feel that this request is consistent with my history.

Thank You
David J. Colman

Signature (Required):



Name (Print): David J. Colman

Date: 9/7/24

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

CYCLE INSPECTION REPORT

534

Owner

Colman, David
114 S. Grant
Bloomington, IN 47401

Prop. Location: 114 S Grant ST
Number of Units/Structures: 4/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/Eff/5 3SR/1/1

Date Inspected: 06/09/2023
Primary Heat Source: Gas
Property Zoning: MD-UV
Number of Stories: 3

Inspector: Stong, Davis
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

Monroe County records show this structure was built before 1970. There were no minimum emergency egress requirements at the time of construction.

INTERIOR:

Common Kitchen (13-8 x 11-3), Common Bath, Southeast Room (15-3 x 9-9):
No violations noted.

Existing Egress Window Measurements (double-hung):
Height: 28 inches
Width: 41 inches
Sill Height: 22 inches
Openable Area: 7.97 sq. ft.

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

Northeast Bedroom (16-11 x 13-7):
No violations noted.

Existing Egress Window Measurements (double-hung):
Height: 31 inches
Width: 29 inches
Sill Height: 29 inches
Openable Area: 6.24 sq. ft.

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

Northwest Bedroom (18-0 x 12-4):

No violations noted.

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

3rd FLOOR

Main Room (15-6 x 8-3) + (13-4 x 11-6). Study, Bath, Attic, Kitchen Area:

No violations noted.

Existing Egress Window Measurements (casement):

Height: 32.25 inches

Width: 20 inches

Sill Height: 22 inches

Openable Area: 4.48 sq. ft.

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

BASEMENT

The basement was not inspected. The basement must be brought into compliance with-in the same 60 day deadline as the remainder of this property. This applies even if the tenants do not have access to this area of the property. BMC 16.03.040

Previous inspection reports indicate that there is a gas furnace in the basement. See Other Requirements at the end of the report for required furnace documentation.

EXTERIOR:

The exterior stairs have been recently rebuilt. Provide documentation from the Monroe County Building Department that the exterior stairs have received a Certificate of Occupancy. BMC 16.01.060(f), BMC 16.04.020(a)(1)

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)

OTHER REQUIREMENTS:

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. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.050(e) and BMC 16.10.030(b)**

Registration Form

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

Furnace Inspection Documentation

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

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

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All residential rental units shall display a current occupancy permit in an accessible location inside said 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.

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

Meeting Date: September 17, 2024

Petition Type: Request for an extension of time to complete repairs

Petition Number: 24-TV-51

Address: 730 W. Howe Street

Petitioner: Dave Huber

Inspector: Jo Stong

Staff Report: April 16, 2024: Cycle inspection conducted.
May 2, 2024: Mailed inspection report.
June 3, 2024: Owner scheduled reinspection
July 3, 2024: Reinspection completed
July 15, 2024: Mailed remaining violations report
August 8, 2024: Received appeal

During a cycle inspection of the above property it was noted that the heat source was a gas furnace, which requires a test for carbon monoxide. The tenants had shut the gas off for the summer. The petitioner is seeking an extension of time to complete repairs until August 24, 2024. An HVAC inspection has been scheduled for August 19, 2024.

Staff recommendation: Grant an extension of time

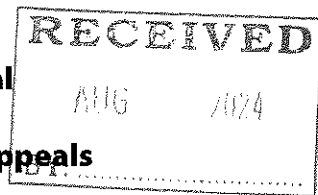
Conditions: Complete all repairs and schedule for re-inspection no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: September 20, 2024

Attachments: Cycle Report; BHQA Application



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: 730 W Howe St 47403

Petitioner's Name: Dave Huber

Address: 905 W 6th St

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 8123614252

E-mail Address: byhuber@gmail.com

Owner's Name: David Huber

Address: 905 W 6th St

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 8123614252

E-mail Address: byhuber@gmail.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: 24-TV-51

No PHYSICAL FILE

JS

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

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

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

1. Specify the items that need the extension of time to complete.

HVAC inspection for carbon monoxide.

2. Explain why the extension is needed.

Previous tenants had turned off the gas, rendering a read-out impossible.

3. Specify the time requested.

Until August 24, HVAC technician is schedule for August 19th.

Signature (Required): David Huber

Name (Print): David Huber Date: 2/28/07

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

MAY 02 2024

Owner

Dave Huber
905 W 6th ST
Bloomington IN 47404

Re: 730 W Howe ST

We have recently completed an inspection at **730 W Howe ST**. Please find the enclosed inspection report which contains important information about the property. All noted violations and recommendations are listed on the enclosed report, please spend some time reviewing this report fully. All violation corrections should be completed no later than **7/1/2024**.

Once violations have been corrected it is your responsibility to call the Housing and Neighborhood Development (HAND) office **no later than 7/1/2024** to schedule a re-inspection. You do have the right to appeal any violation of the Bloomington Municipal Code Title 16 noted on the 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 the interior and exterior violations have been corrected and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles must be in compliance before a permit can be issued. Please be advised that non-compliance by **7/1/2024** may limit the permit period.

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 online at <https://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 made available.

If you have any questions regarding the permit process, you may call 812-349-3420 8:00am-5:00pm, Monday through Friday.

Sincerely,

Housing & Neighborhood Development
Encl: Inspection Report,

CYCLE INSPECTION REPORT

6628

Owner

Dave Huber
905 W. 6th Street
Bloomington, IN 47404

Prop. Location: 730 W Howe ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 04/16/2024
Primary Heat Source: Gas
Property Zoning: R3
Number of Stories: 2

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

Monroe County Assessor's records indicate this structure was built in 2009. These are the minimum requirements for emergency egress windows at the time of construction:

Openable area required: 5.0 sq. ft. ground floor openings
5.7 sq. ft. all others
Clear width required: 20"
Clear height required: 22"
Maximum Allowable Sill Height: 44" above finished floor

INTERIOR:

Living Room (17-0 x 13-0), Dining Room (16-2 x 9-0), Kitchen (16-5 x 9-6), Hall, Half Bath, Laundry:
No violations noted.

Northeast Bedroom (14-2 x 13-2), Northeast Bath, North Entry:
No violations noted.

Existing Egress Window Measurements (single-hung):
Height: 26.5 inches
Width: 32.5 inches
Sill Height: 24 inches
Openable Area: 5.98 sq. ft.

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

JA

2ND FLOOR

North Bedroom (19-3 x 10-3), Deck:

No violations noted.

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

South Bedroom:

Correct the polarity of the electrical receptacles on the east wall. The hot and ground conductors are reversed.
BMC 16.04.060(b)

Replace the broken outlet cover plate. BMC 16.04.060(b)

Secure the loose electrical receptacle. BMC 16.04.060(b)

Ensure that the outlet on the south wall near the east corner is functioning as intended (shows power, but will not power fan). BMC 16.04.060(b)

Existing Egress Window Measurements (single-hung):

Height: 26.5 inches
Width: 33 inches
Sill Height: 25 inches
Openable Area: 6.07 sq. ft.

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

Southeast Bath:

Repair the sink drain to function as intended (drains very slowly). BMC 16.04.060(c)

Properly repair the leak under the sink. BMC 16.04.060(c)

Properly seal tile around tub and replace missing grout. BMC 16.04.060(a)

BASEMENT (gas furnace)

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

Replace the PEX temperature/pressure relief (TPR) valve discharge tube on the water heater with a tube of an approved material (PEX reduces the size of the discharge). BMC 16.04.060(c)

TPR valve discharge tubes:

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

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

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Occupancy Affidavit

Provide a completed copy of the Occupancy Affidavit for this Registered Residential Rental property to the inspector for review. BMC 16.03.025

*Beginning January 1, 2022, Bloomington Municipal Code requires owners of Registered Rental properties to present a completed Occupancy Affidavit for any structures with 4 (four) or fewer units as part of the rental documents. The Ordinance does not require a copy of the Occupancy Affidavit to be kept by the HAND Department, only reviewed.

**Beginning July 1, 2022, a completed copy of the Occupancy Affidavit must be reviewed by the inspector within 60 days of this mailing of the Cycle Report or a \$25.00 fine will be levied. BMC 16.03.025

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. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.050(e) and BMC 16.10.030(b)**

Furnace Inspection Documentation

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

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

When issued, **a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d):** All residential rental units shall display a current occupancy permit in an accessible location inside said 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.

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

Meeting Date: September 17, 2024

Petition Type: Request for an extension of time to complete repairs

Petition Number: 24-TV-52

Address: 404 W Kirkwood Ave

Petitioner: Shaughnessy Cudmore-Keating

Inspector: Rebecca Davis

Staff Report: Cycle Inspection was conducted on May 30, 2024
Reinspection was conducted on August 22, 2024
BHQA Application was received on August 22, 2024
404 W Kirkwood is a cooperative living house dependent on its residents for the completion of the majority of the repairs. In the extension of time appeal it was noted that many of the residents were away for the summer making it difficult to complete all repairs. A large portion of the violations have been corrected and a certified electrician was hired to complete those that were beyond the scope of the residents to accomplish.

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: **Life Safety:** Complete all life safety repairs noted in the Remaining Violations Report and schedule a reinspection by **October 8, 2024**

All Other Repairs: Complete all remaining repairs and schedule a reinspection by **November 15, 2024**

Attachments: Cycle Report; Remaining Violations Report with Life Safety italicized; BHQA Application



**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: 404 West Krikwood Ave

Petitioner's Name: Shaughnessy Cudmore-Keating

Address: 404 West Kirkwood Ave

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

Phone Number: 812 **E-mail Address:** s.c.keating@outlook.com

Owner's Name: 974-1627
Bloomington Cooperative Living

Address: 404 West Krikwood Ave

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

Phone Number: 812 **E-mail Address:** s.c.keating@outlook.com

Occupants: 20
974-1627

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: 24-TV-52

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.

1. Request for an extension of time to complete repairs for the following items:
 Add junction box plate to ceiling in mechanical room. Add junction box cover plate in room 18. Add junction box cover plate in attic (just behind attic hatch). In kitchen: Ground electrical receptacle in island or install GFCI receptacle with "no equipment ground" labeled. Liz and Carsten's room: Hard wire smoke detector (currently hanging with exposed live wires). Fix loose outlet in Gorgo's old room. Kitchen, north sink: Caulk between tile and sink behind sink. Upstairs, north bathroom: Caulk between wall and sink. Add grate in Ash's room. Add grate above door to Doga's room. Add screw to electrical panel Screw in light fixture in JJR
 Flash exposed wood. Install cover on hood vent. Seal foundation with mortar.

2&3. Why the extension is needed and time requested:

I am requesting an extension to November 15th to complete the repairs required by our housing inspection. Middle Earth (the name of our residence) is a housing cooperative that is, in essence, owned and operated by its residents. As such, maintaining and operating the residence is our own responsibility. These responsibilities -- such as making the relevant repairs to pass this inspection -- are delegated among our residents. However, in the summer, many of our residents leave; this summer, this reduced the labour we had available to complete the repairs for the inspection. Hence, we were unable to complete the inspection on time. Now that most of the house has returned, we should be able to complete the remaining items by November 15th. We ask that you grant us an extension until that date.

Signature (Required): 

Name (Print): Shaughnesy Cudmore-Keating **Date:** 08/22/2024

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

CYCLE INSPECTION REPORT

3832

Owner(s)

Bloomington Cooperative Living
P. O. Box 2052
Bloomington, IN 47402

Prop. Location: 404 W Kirkwood AVE
Number of Units/Structures: 18/1
Units/Bedrooms/Max # of Occupants: Bld 1: 18/1/1

Date Inspected: 05/30/2024
Primary Heat Source: Gas
Property Zoning: MD-DE
Number of Stories: 2

Inspector: Rebecca Davis
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

Monroe County Assessor's records indicate that this structure was built in 1900. At that time there were no minimum requirements for emergency egress.

Note: Floor plans and room dimensions are in the file.

Window measurements for all sleeping rooms are as follows.

Existing Egress Window Measurements:

Height: 23 inches
Width: 30 inches
Sill Height: 41 inches
Openable Area: 4.79 sq. ft.

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

INTERIOR

Basement

SE corner Room/ Jam Room:

Complete the installation of the light fixture to the junction box, or eliminate the fixture and install a blank cover on the junction box. BMC 16.04.060(b)

NW Corner:

Install the breaker box covers back onto the two open service panels, and secure the cover which is in place on the third panel. BMC 16.04.060(b)

Hire a certified electrician to complete electric service panel upgrade. BMC 16.04.060(b)

Mechanical Room:

Replace the missing/broken electrical junction box cover plate (ceiling). BMC 16.04.060(b)

Main Level

General Notes: Multiple emergency lights on both floors were not functioning as intended. Please test all and repair or replace the lights so they function as intended. BMC 16.04.060(b)

Install transition strips at intersecting, unfinished edges of floors. BMC 16.04.060(a)

Front Entry Hall:

No violations noted.

Living Room (Chill Room):

Finish the installation of trim around windows the windows. BMC 16.04.060(a)

Activity Room:

See general note on emergency lights.

Repair the wall damage to the right of the double pocket doors. BMC 16.04.060(a)

Common Hallway (with staircase):

No violations noted.

Hallway (outside of the kitchen):

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

See general note on emergency lights.

Kitchen:

Replace the missing/broken electrical junction box cover plate (ceiling). BMC 16.04.060(b)

The smoke detector in this room appears to be more than ten years old and the manufacturer will not guarantee it to provide adequate protection. Install a new smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Properly ground the electrical receptacle (under the counter on the seating side of the peninsula). If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. If a GFCI receptacle is installed, mark receptacle with the wording "no equipment ground". BMC16.04.020(a)(5); 2009 IEC Article 406.3(B)Grounding & 2009 IEC Article 406.3 (D)Replacements

Repair the range burners to function as intended (right stove: back right and center burners, left stove: front right burner). BMC 16.04.060(c)

Repair the drywall above the sink and seal with caulk. BMC 16.04.060(a)

Sleeping Room 1:

No violations noted.

Sleeping Room 2:

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

Sleeping Room 3:

Secure the return vents to the wall. BMC 16.04.060(a)

Existing Egress Window Measurements:

Height: 24 inches

Width: 34 inches

Sill Height: 34 inches

Openable Area: 5.67 sq. ft.

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

Sleeping Room 4:

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

Repair the window to remain fully open using hardware that is part of the window. BMC 16.04.060(b)

Area outside of 4:

No violations noted.

Sleeping Room 5:

No violations noted.

Sleeping Room 6:

No violations noted.

Bathroom outside of 6:

No violations noted.

Sleeping Room 7:

No violations noted.

Sleeping Room 8:

No violations noted.

Sleeping Room 9:

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

Bathroom 2 (north):

Attempt to prevent water from getting on drywall. Dry out and seal corners of the drywall on either side of tub. BMC 16.04.060(a)

Discontinue use of the light with a plug end cord as permanent wiring. Replace with permanent electrical wiring and light installed in an approved manner **if a light fixture is desired/needed in that location**. BMC 16.04.060(b), BMC 16.04.060(c)

Bathroom 3 (east):

No violations noted.

2nd Level

Stair Landing:

See general note on emergency lights.

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

Patch and finish missing drywall along the floor of the hallway. BMC 16.04.060(a)

Common East Hallway:

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

Sleeping Room 10:

Install return grills above the door. BMC 16.04.060(c)

Sleeping Room 11:

No violations noted.

Sleeping Room 12:

No violations noted.

Sleeping Room 13:

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

Sleeping Room 14:

No violations noted.

Sleeping Room 15:

No violations noted.

Sleeping Room 16

No violations noted.

Sleeping Room 17:

No violations noted.

Sleeping Room 18:

Replace the missing/broken electrical junction box cover plate (ceiling). BMC 16.04.060(b)

Sleeping Room 19:

No violations noted.

Sleeping Room 20

No violations noted.

Common Space / Kitty Corner:

See general note on emergency lights.

Clean the heating/air conditioning supply/return grille. BMC 16.04.060(c)

Bathroom 4 (west):

No violations noted.

Bathroom 5 (north):

Properly caulk the countertop where it meets the wall to eliminate water infiltration. BMC 16.04.060(a)

Hallway (outside of bathrooms):

No violations noted.

ATTIC:

Replace the missing/broken electrical junction box cover plate (directly above the hatch). BMC 16.04.060(b)

EXTERIOR

Flash the exposed wood underneath the termination of the roof profile on the west side of the structure to prevent further decay and moisture exposure (halfway up the metal staircase). BMC 16.04.050(a)

Install a cover on the hood vent exhaust pipe on the north side of the structure. BMC 16.04.050(a)

Seal the large opening in the foundation to prevent vermin entry (inside sw corner of structure). BMC 16.04.050(a)

OTHER REQUIREMENTS:

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. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.050(e) and BMC 16.10.030(b)**

Furnace Inspection Documentation

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

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

When issued, **a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d):** All residential rental units shall display a current occupancy permit in an accessible location inside said 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.



REMAINING VIOLATIONS INSPECTION REPORT

3832

Owner(s)

Bloomington Cooperative Living

P. O. Box 2052

Bloomington, IN 47402

Prop. Location: 404 W Kirkwood AVE

Number of Units/Structures: 18/1

Units/Bedrooms/Max # of Occupants: Bld 1: 18/1/1

Date Inspected: 05/30/2024

Primary Heat Source: Gas

Property Zoning: MD-DE

Number of Stories: 2

Inspector: Rebecca Davis

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: None

REINSPECTION REQUIRED

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

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

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

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

INTERIOR

NOTE: All *italicized* violations noted are Life Safety Violations.

Basement

SE corner Room/ Jam Room:

Complete the installation of the light fixture to the junction box, or eliminate the fixture and install a blank cover on the junction box. BMC 16.04.060(b)

Mechanical Room:

Replace the missing/broken electrical junction box cover plate (ceiling). BMC 16.04.060(b)

Main Level

Kitchen:

Properly ground the electrical receptacle (under the counter on the seating side of the peninsula). If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. If a GFCI receptacle is installed, mark receptacle with the wording "no equipment ground". BMC16.04.020(a)(5); 2009 IEC Article 406.3(B)Grounding & 2009 IEC Article 406.3 (D)Replacements

Repair the drywall above the sink and seal with caulk. BMC 16.04.060(a)

Sleeping Room 2:

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

Sleeping Room 3:

Secure the return vents to the wall. BMC 16.04.060(a)

Bathroom 2 (north):

Attempt to prevent water from getting on drywall. Dry out and seal corners of the drywall on either side of tub. BMC 16.04.060(a)

Discontinue use of the light with a plug end cord as permanent wiring. Replace with permanent electrical wiring and light installed in an approved manner if a light fixture is desired/needed in that location. BMC 16.04.060(b), BMC 16.04.060(c)

2nd Level

Sleeping Room 10:

Install return grills above the door. BMC 16.04.060(c)

Sleeping Room 13:

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

Sleeping Room 18:

Replace the missing/broken electrical junction box cover plate (ceiling). BMC 16.04.060(b)

Bathroom 5 (north):

Properly caulk the countertop where it meets the wall to eliminate water infiltration. BMC 16.04.060(a)

ATTIC:

Replace the missing/broken electrical junction box cover plate (directly above the hatch). BMC 16.04.060(b)

EXTERIOR

Flash the exposed wood underneath the termination of the roof profile on the west side of the structure to prevent further decay and moisture exposure (halfway up the metal staircase). BMC 16.04.050(a)

Install a cover on the hood vent exhaust pipe on the north side of the structure. BMC 16.04.050(a)

Seal the large opening in the foundation to prevent vermin entry (inside sw corner of structure). BMC 16.04.050(a)

DOCUMENTATION REQUIRED:

Furnace Inspection Documentation

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

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

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

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

OTHER REQUIREMENTS:

The following documents were not provided to the office or reviewed by the inspector within 60 days of the mailing date on the inspection report, 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. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.050(e) and BMC 16.10.030(b)**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All residential rental units shall display a current occupancy permit in an accessible location inside said 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.

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

Meeting Date: September 17, 2024

Petition Type: Request for an extension of time to complete repairs

Petition Number: 24-TV-53

Address: 432 S. College Ave.

Petitioner: Roric Fischer / PMI Meridian Management

Inspector: Rob Council

Staff Report: March 28, 2024 – Conducted cycle inspection.
April 5, 2024 – Report mailed.
June 11, 2024 – Reinspection completed. Violations remaining.
June 18, 2024 – Remaining violations report mailed.
August 5, 2024 – Reinspection completed. Violations remaining.
August 19, 2024 – Remaining violations report mailed.
August 23, 2024 – Agent delivered BHQA application.

During a cycle inspection of the above property, violations of the Residential Rental Unit and Lodging Establishment Program were found, including the stairway to the second level in unsafe condition.

Petitioner is requesting an extension of time to allow the County (Monroe County Convention Center Bld. Corp.) to decide if the building will be demolished before extensive repairs to the stairway are completed.

Staff recommendation: Deny request for extension and complete repairs/replacement of stairway.

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: October 17, 2024

Attachments: Cycle Report; Remaining Violations Report; BHQA Application



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: 432 S College Avenue, Bloomington, IN

Petitioner's Name: Roric Fischer

Address: 101 W Kirkwood Avenue, Suite 307

City: Bloomington

State: Indiana



Zip Code: 47404

Phone Number: 553-1664

E-mail Address: Roric@pmimeridian.com

Owner's Name: Monroe County Convention Center Building Corp.

Address: 302 S College Avenue

City: Bloomington

State: Indiana



Zip Code: 47403

Phone Number: 360-3681

E-mail Address: tcoppock@bloomingtonconvention.com

Occupants: Edwin Kinser, Tiernan Randall, Amy Ort, Pussy Odom, Matthew Van Dyke, Sherri Norris, Jonathan Madrid, Santos Martinez.

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!

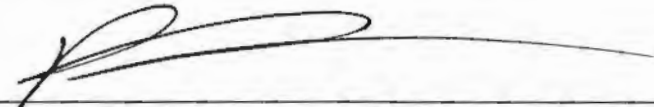
(Will be assigned by BHQA)
Petition Number: 24-TV-53

RC

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.

Hello,
Basically, we are awaiting notice from the county in Septemeber with respect to whether or not this building will soon be razed. We would very much like to know this before replacing the stariway in it's entirety. We are certinally willing to complete the repair work if the building is to be destroyed. As such, we hereby request an extension of time until October 31, 2024 to either repair the stariway there, or have it replaced.
Respectfully,
Roric Fischer

Signature (Required): 

Name (Print): Roric Fischer **Date:** 8/23/2024

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

CYCLE INSPECTION REPORT

204

Owner(s)

Monroe County Convention Center Building Corp.
302 S. College Avenue
Bloomington, IN 47403

Agent

PMI Meridian Management
101 W. Kirkwood Ave.
Bloomington, IN 47404

Prop. Location: 432 S College AVE

Number of Units/Structures: 8/1

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

Date Inspected: 03/28/2024

Primary Heat Source: Other

Property Zoning: MD-DE

Number of Stories: 2

Inspector: Rob Council

Foundation Type: Basement

Attic Access: No

Accessory Structure: none

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

INTERIOR:

BASEMENT:

Determine the source and eliminate the water leak on water heater. BMC 16.04.060(a)

Install appropriate cover on electrical junction box. BMC 16.014.060(b) (**Above fluorescent light**)

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

UNIT 1:

Living Room (14-0 x 13-0):

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

Kitchen:

No violations noted.

Bathroom:

Replace missing access panel cover. BMC 16.04.060(a)

Label GFCI receptacle(s) ungrounded, per Indiana Electric Code requirements. BMC 16.04.020 (IEC 210.8) and BMC 16.04.060(b)

Repair or replace diverter in shower faucet assembly. BMC 16.04.060(a)

Properly secure junction box to wall. BMC 16.04.060(b) (**Adjacent to toilet**)

Bedroom (14-0 x 10-0)

At the time this structure was built there were no requirements for emergency egress for a sleeping room.

No violations noted.

UNIT 6:

Living Area (10-3 x 8-8):

No violations noted.

Sleeping Area (8-1 x 7-0):

At the time this structure was built there were no requirements for emergency egress for a sleeping room.

No violations noted.

Bathroom:

Replace the non-functioning GFCI-protected receptacle with a new GFCI-protected receptacle(s), per Indiana Electric Code requirements. BMC 16.04.020(a)(5); IEC 406.3(D) (**Over sink**)

Kitchen Area:

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

UNIT 2:

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

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

Kitchen:

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

Bathroom:

No violations noted.

West Bedroom (10-0 x 8-0):

At the time this structure was built there were no requirements for emergency egress for a sleeping room.

No violations noted.

East Bedroom (10-0 x 8-0):

At the time this structure was built there were no requirements for emergency egress for a sleeping room.

No violations noted.

UNIT 5:

Living Room (West Room) ((12-0 x 8-0)+(6-0 x 5-0)):

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

Properly repair radiators to function as intended. BMC 16.04.060(c)

Inspector recommends flushing system to remove sediment buildup.

Kitchen:

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

Replace missing burners on stove. BMC 16.04.060(c)

East Bedroom (17-0 x 14-0):

At the time this structure was built there were no requirements for emergency egress for a sleeping room.

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

Properly repair radiators to function as intended. BMC 16.04.060(c)

Inspector recommends flushing system to remove sediment buildup.

Bathroom:

Repair or replace diverter in shower faucet assembly. BMC 16.04.060(a)

South Bedroom (11-0 x 9-0):

This room has a door to the exterior

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

UNIT 4:

West Bedroom (17-0 x 12-0):

This room has a door to the exterior

Repair door to latch securely. BMC 16.04.060(b) **(Missing knob internal components)**

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

Living Room (10-0 x 8-6):

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

Kitchen:

Replace water damaged cabinet floor under sink. BMC 16.04.060(a)

Dining area:

No violations noted.

Bathroom:

No violations noted.

Hallway:

No violations noted.

SE Bedroom (11 x 14-8):

No violations noted.

East Bedroom (14-0 x 12-0)

This room has a door to the exterior

No violations noted.

UNIT 3:

Stairway:

Provide electrical power to the receptacle so that it functions as intended. BMC 16.04.060(c)

Sitting room:

Provide electrical power to the receptacles so that they function as intended. BMC 16.04.060(c)

Replace broken electrical receptacle. BMC 16.04.060(b) **(Under smoke detector)**

Living Room [(15-0 x 7-0)+(7-0 x 6-0):

Replace broken electrical receptacle. BMC 16.04.060(b) (North wall)

Kitchen:

No violations noted.

Bathroom:

No violations noted.

SW Bedroom (12-0 x 7-6):

At the time this structure was built there were no requirements for emergency egress for a sleeping room.

No violations noted.

SE Bedroom (9-0 x 8-0):

Secure loose electrical receptacle. BMC 16.04.060(b) (East wall)

Existing Egress:

Height: 46 inches

Width: 34 inches

Sill Height: 32 inches

Openable Area: 10.86 sq. ft.

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

UNIT 7:

Living Room (15-0 x 7-0):

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

Kitchen:

Bathroom:

Bedroom (16-0 x 10-0):

At the time this structure was built there were no requirements for emergency egress for a sleeping room.

UNIT 8:

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

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

Replace broken electrical receptacle. BMC 16.04.060(b) (**West wall**)

Bathroom

Secure toilet to its mountings. BMC 16.04.060(c)

Repair toilet flapper to function as intended. BMC 16.04.060(c)

Kitchen:

No violations noted

Bedroom (14-0 x 11-0):

At the time this structure was built there were no requirements for emergency egress for a sleeping room.

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

EXTERIOR:

Properly repair rotten window frame on Unit 1. BMC 16.04.050(a)

Replace broken or missing spindles in handrail/guardrail. BMC 16.04.020, BMC 16.04.050(b) and BMC 16.04.060(b) (**Rear staircase**)

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

OTHER REQUIREMENTS:

Inventory Damage List:

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

Duplicate copies of the inventory and damage list shall be retained by all parties. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.050(e) and BMC 16.10.030(b)**

Boiler inspection:

Boiler(s) are to be inspected every twelve months as per Indiana Code. A completed copy of the State of Indiana final Boiler Inspection report stating that the system is functioning as intended must be reviewed by this office before a Rental Occupancy Permit will be issued. BMC 16.04.060(c)

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.