PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
December 20, 2017, 4:00 P.M.

ALL ITEMS ARE ON THE CONSENT AGENDA

I. **ROLL CALL**

II. **REVIEW OF SUMMARY** – November 15, 2017 p.2

III. **PETITIONS**

1) 16-TV-204, **114 S. Grant Street**, David Colman. Previously heard October 19, 2016 and December 21, 2016. Request for an extension of time to complete repairs. p.4

2) 17-TV-126, **1275 N. Maple Street**, Willowbrook Apartments (Matthew Ferguson). Previously heard September 20, 2017. Request for an extension of time to complete repairs. p.8

3) 17-TV-139, **3111 S. Leonard Springs Road**, Julie Cooper (Scott May). Previously heard September 20, 2017. Request for an extension of time to complete repairs. p.21

4) 17-RV-163, **621 W. 12th Street**, H.A.N.D. (Charles & Linda Campbell). Request for rescission of a variance. p.42

5) 17-RV-164, **816 E. 8th Street**, H.A.N.D. (Don Lee & William Burnett). Request for rescission of a variance. p.43

6) 17-RV-165, **315 E. 7th Street**, H.A.N.D. (Stasny & Horn, IGP). Request for rescission of a variance. p.44

7) 17-RV-166, **717 N. Grant Street**, H.A.N.D. (Claire Thompson). Request for rescission of a variance. p.45

8) [WITHDRAWN] 17-TV-167, **508 W. 6th Street**, Woodington Management (Matthew Ferguson). Request for an extension of time to complete repairs.

9) 17-RV-168, **2393 S. Worthington Lane**, H.A.N.D. (Thomas & Jane Bunger). Request for rescission of a variance. p.46

10) 17-AA-169, **420 S. Eastside Drive**, Larry & Kathy Deckard. Request for relief from an administrative decision. p.47

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.

B.H.Q.A. MEETING OF NOVEMBER 15, 2017
SUMMARY

MEMBERS PRESENT: Nicholas Carder (arrived 4:09 PM), Elizabeth Gallman, Nikki Gastineau, Andrew Guenther, Susie Hamilton

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

GUESTS PRESENT: John Hayes, Stacey Hayes (2408 E. 4th Street)

Meeting start time 4:00 PM.

I. REVIEW OF SUMMARY

Guenther made a motion to approve the minutes for October 18, 2017. Gallman seconded. Motion passed, 4-0-1 (Hamilton abstained).

II. CONSENT AGENDA

17-TV-129, **1225 N. Crescent Road**, Nora Dial (Mark Dial). Previously heard September 20, 2017. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a December 15, 2017 deadline to complete all repairs and schedule for re-inspection.
17-TV-155, **306 S. Euclid Street**, Norman Ladd. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a November 30, 2017 deadline to complete all repairs and schedule for re-inspection.
17-TV-156, **455 E. Wylie Farm Road**, Neil Praznik. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a November 29, 2017 deadline to complete all repairs and schedule for re-inspection.
17-TV-157, **1404 W. Arlington Road**, Gerald Rhoade. Request for an extension of time to complete repairs. Item was withdrawn from the agenda.
17-TV-159, **2707 S. Madison Street**, David Kerber (Kadhim Shaaban). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a December 01, 2017 deadline to complete all repairs and schedule for re-inspection.
17-TV-160, **612 S. Park Avenue**, Dennis Williams. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a December 31, 2017 deadline to complete all repairs and schedule for re-inspection.
17-TV-162, **901-903 N. Lindbergh Drive**, Brawley Real Estate & Management (Echo Properties). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a November 30, 2017 deadline to complete all life-safety violation repairs and schedule a re-inspection; and a January 19, 2018 deadline to complete all other violation repairs and schedule a re-inspection.

Approved.

III. PETITIONS

17-AA-161, **2408 E. 4th Street**, John D. Hayes. Petitioners, John and Stacey Hayes, were present to request relief from an administrative decision. Staff recommendation to deny request to approve 5 year permit, rather than 3 year, for the property this cycle. Gastineau made motion to grant the request. Gallman seconded. Motion passed, 5-0. The five-year permit will be reinstated.

17-TV-119, **1422 S. Lincoln Street**, James Gronquist. Previously heard August 16, 2017. Petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to deny the request. Gallman made motion to deny the request per staff recommendation. Gastineau seconded. Motion passed, 5-0. Request denied.

17-RV-158, **314 E. Smith Avenue**, H.A.N.D. (Elizabeth Gallman). Item pulled from Consent Agenda so that Gallman could recuse herself. Staff recommendation to grant the rescission. Guenther made motion to grant rescission of the variance per staff recommendation. Hamilton seconded. Motion passed, 4-0-1 (Gallman abstained). Variance rescinded.

IV. GENERAL DISCUSSION

Brief discussion concerning accessory structures. Gallman asked for a follow-up on the October Board decision concerning 407-407 ½ S. Lincoln Street. Hewett provided details of the present cycle.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Gastineau made motion to adjourn. Carder seconded. Motion unanimously passed. Meeting adjourned at 4:42 PM.

City of Bloomington
H.A.N.D.

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

Meeting Date:	December 20, 2017
Petition Type:	An extension of time to complete repairs.
Petition Number:	16-TV-204 Old Business
Address:	114 S. Grant St.
Petitioner:	David Colman
Inspector:	Maria McCormick, John Hewett

Staff Report:

September 10, 2015	Cycle inspection
January 15, 2016	Re-inspection w/owner, all interior complied
January 28, 2016	Mailed temporary permit
July 13, 2016	Received BHQA appeal to rescind variance
September 9, 2016	Received appeal from Owner for paint
September 21, 2016	BHQA rescinded ceiling height variance
October 19, 2016	BHQA granted extension until 11/15/2016
November 17, 2016	Received appeal under old business
December 21, 2016	BHQA granted extension until June 1, 2017
July 13, 2017	Paint was still not complied
August 31, 2017	Started legal
October 12, 2017	Legal Demand letter sent
October 24, 2017	Received 3rd appeal for extension of time

The petitioner is requesting an extension of time to complete the exterior painting on this structure. The one year deadline expired on September 10, 2016. The petitioner has been granted two extensions with the last one ending on June 1, 2017. To date the exterior painting has not been completed.

Staff recommendation:	Deny the extension.
Conditions:	This case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline:	The compliance date has passed.

Attachments: 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
OCT 24 2017
BY: CW

Property Address: 114 S. Grant St., Bloomington, IN. 47408

Petitioner's Name: David J. Colman

Address: 114 S. Grant St., Bloomington, IN 47408

City: Bloomington **State:** Indiana **Zip Code:** 47408

Phone Number: **E-mail Address:** Venue.Colman@gmail.com

Owner's Name: David & Michelle Colman

Address: 1116 E. 1st. St.

City: Bloomington **State:** Indiana **Zip Code:** 47401

Phone Number: 812-322-1661 **E-mail Address:** venue.colman@gmail.com

Occupants: N/A

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: 16-TV-204

(OLD BUSINESS)

PREVIOUSLY HEARD – OCT. 19, 2016 / DEC. 21, 2016

JH

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

A. An extension of time to complete repairs. (Petition type: TV)
   1. Specify the items that need the extension of time to complete.
   2. Explain why the extension is needed.
   3. Specify the time requested.

B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
   1. Specify the code reference number you are appealing.
   2. Detail why you are requesting the variance.
   3. Specify the modifications and or alterations you are suggesting.

C. Relief from an administration decision. (Petition type: AA)
   1. Specify the decision being appealed and the relief you are seeking.

D. Rescind a variance. (Petition type: RV)
   1. Detail the existing variance.
   2. Specify the reason the variance is no longer needed.

I have owned 114 S. Grant since 1970. It was my law office with student rental on the second and third floor until 2008. In my ownership I have had the building conpletely restored, inside and out. It is an icionic downtown victorial building, which presently houses The Venue Fine Art & Gifts, my son Gabriel's Art Gallery, and student housing on the second and third floors. This is my only rental property. It is 1/2 blook south of the Library, across the alley from Soma. The exterior of the building is about 2/3rds stone and roofing, and 1/3 wood.

In the most recent inspection I was ask to repaint the building. While there was some paint blistereing on the cedar shake parts of the building, I considered appealing, because overall, in my judgment the building still looked good. But I decided to comply. My son Gabriel decided to take on the project, and has completed most of the lower parts of the building. (second Floor and below) He also completed about a third of the upper level when for him, the height became daunting.

At the beginning of this summer, I hired a local painting contractor, John McKlosky, to complete the upper levels. After several delays, starts and stops, John, without notice, abandoned the project. I have contacted several painting contractors to get bids to complete the work. Because of the time of year, several have said they are booked finishing off projects and therefore unavailable.

As of today, while not completed, my building does not look bad. It does not diminish the neighborhood, which is now and will continue to be one big costruction site with the hotel going up within a block, on Kirkwood. The quality and saftey for my tennants is unaffected.

While I will give this matter my best attention, my wife and I are retired and live on a fixed incomes, and on Friday, October 20th, in Indianapolis, I had emergency uriological surgery that in recovery requires that I remain sedintary and not drive for a least 10 days. If I can find an affordable and compitent paint contracor, the painting should be complete within 30 days. If I cannot find a contractor, or if weather becomes an issue, it may have to wait until spring.

Signature (Required): _____

Name (Print): David J Colman **Date:** 10/24/17

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).

2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

City of Bloomington
H.A.N.D.

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

Meeting Date:	December 20, 2017
Petition Type:	An extension of time to complete repairs
Petition Number:	17-TV-126 (Old Business)
Address:	1275 N. Maple ST
Petitioner:	Willowbrook Apartments
Inspector:	Wills/ Swinney
Staff Report:	May 23, 2017 Completed Cycle Inspection July 21, 2017 Received Application for Appeal for September 20, 2017 BHQA meeting August 29, 2017 Agent scheduled reinspection for Smoke Detector and window violations September 19, 2017 Reinspection completed for Smoke Detectors and window violations completed and complied. September 22, 2017 NOBA Letter sent to owner/ agent with first BHQA Deadline of September 30, 2017 for Life Safety Violations. September 26, 2017 Received documentation for fireplaces and one Furnace violation noted. October 05, 2017 Agent scheduled reinspection for remaining Life Safety violations. October 10, 2017 Completed reinspection of remaining Life Safety violations. Not all items were complied. October 19, 2017 Agent called to have all Exterior Life Safety Violations Reinspected. (considered a drive-by check). Maintenance met inspector to re-check few remaining Interior Life Safety Violations as well. Exterior violations were not complied. One Interior Life Safety remains. October 20, 2017 Received 2nd Application for Appeal for remaining Exterior Violations and One Interior Life Safety Violation October 26, 2017 Sent Remaining Violations Report. October 31, 2017 Met maintenance and owner to verify the deck boards were complied properly.

The petitioner has complied all exterior life safety violations. There are still violations that are not complied.

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:	December 30, 2017
Attachments:	Application for Appeal, Remaining Violations Report

RECEIVED

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: 1275 North Maple

Petitioner's Name: Willowbrook Apts

Address: 205 E. 17th St

City: Bloomington **State:** IN **Zip Code:** 47408

Phone Number: 812-333-9201 **E-mail Address:** Wagg1r@hotmail.com

Owner's Name: Matthew Ferguson

Address: 701 E. Summitview Place

City: Bloomington **State:** IN **Zip Code:** 47401

Phone Number: 812-331-2666 **E-mail Address:** Wagg1r@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: A

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: 17-TV-126

(OLD BUSINESS)

DW
MS

PREVIOUSLY HEARD SEPT. 20 2017

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:

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   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.

Need additional time to repair the exterior decks and handrails... We did repairs but Need More time to complete... MIX up on What was considered life safety... granted extra time for other repairs.

Signature (Required): Woodington Mgt / MA Waggoner

Name (Print): Woodington Mgt / MA Waggoner Date: 10/20/17

Important information regarding this application format:

1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).

2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

City Of Bloomington
Housing and Neighborhood Development

REMAINING VIOLATION INSPECTION REPORT

6319

Owner(s)
Matthew W. Ferguson
701 Summitview Place
Bloomington, IN 47401

Agent
Scott May - Woodington Management, Llc
205 E 17th Street
Bloomington, IN 47408

Prop. Location: 1275 N Maple ST
Number of Units/Structures: 56/15
Units/Bedrooms/Max # of Occupants: Bld 1: Bld 1211-1225: 8/2/5 2/2/5, Bld 1231-1245: 8/2/5, Bld 1257-1271: 8/2/5, Bld 1277-1291: 8/2/5, Bld 1297-1311: 8/2/5, Bld 1201: 1/4/5, Bld 1203-1205: 2/4/5, Bld 1207: 1/4/5, Bld 1209: 1/4/5, Bld 1227-1229: 2/4/5, Bld 1255-1273: 2/4/5, Bld 1275: 1/3/5, Bld 1247-1249: 2/2/5, Bld 1293-1295: 2/2/5

Date Inspected: 05/23/2017
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

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

Variance: 06/04/2009 This property has been granted a variance from the Indiana State Fire Safety and Building Safety Commission on June 4, 2009 for the egress requirements. Project Name: WILLOWBROOK APARTMENTS WINDOWS, Variance Number: 09-06-4

REINSPECTION REQUIRED

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

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

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

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

INTERIOR:

Unit 1201
Main Level
Kitchen
Properly repair or replace broken or missing cabinet door. BMC 16.04.060(a)

Upper Level
Left Bedroom
Properly adjust the entry door so that it functions as intended and to open and close with ease. BMC 16.04.060(a)

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

Unit 1203
Main Level
Kitchen
Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

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

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

Right Bedroom
Replace the missing register vent. BMC 16.04.060(c)

Right Bedroom
Replace damaged or torn window screen. BMC 16.04.060(a)

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

Unit 1205
Main Level
Kitchen
Repair garbage disposal to function as intended. BMC 16.04.060(c)

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

Properly adjust the entry door so that it functions as intended and to latch when completely closed. BMC 16.04.060(a)

Upper Level
Bathroom
Repair the hole in the wall. (adjacent to entry door) BMC 16.04.060(a)
Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

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

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

Unit 1207
Main Level
Living Room
Replace damaged or torn window screen(s). BMC 16.04.060(a)

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

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

Bathroom
Repair the hole(s) in the door or replace the door. BMC 16.04.060(a)

Unit 1209
Main Level
Bathroom
Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

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

Unit 1227
Upper Level
Bathroom
Replace the missing sink stopper. BMC 16.04.060(c)

Unit 1229
Main Level
Living Room
Repair the front entry door so that it functions as intended. (drags on the threshold) BMC 16.04.060(a)

Replace damaged or torn window/door screen(s). BMC 16.04.060(a)

Bathroom
Replace the broken toilet seat. BMC 16.04.060(a)

Left Bedroom
Repair or replace closet doors so they function as intended. BMC 16.04.060(a)
Unit 1247
Kitchen
Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

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

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

Unit 1213
Kitchen
Replace the missing exhaust fan unit so that it functions as intended. BMC 16.04.060(c)

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

Deck
Replace broken or missing spindles in handrail/guardrail. BMC 16.04.050(b)
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Unit 1217
Living Room
Scrape and paint interior surfaces where paint is peeling or bare surfaces are exposed. (adjacent to the entry door) BMC 16.04.060(f)

Left Bedroom
Deck
Replace damaged or torn door screen(s). BMC 16.04.060(a)

Unit 1219
Bathroom
Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

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

Unit 1225
Kitchen/ Dining Area
Replace the broken electric panel box door so that it functions as intended. BMC 16.04.060(c)

Right Bedroom
Replace damaged or torn sliding door screen(s). BMC 16.04.060(a)

Unit 1239
Living Room
Repair or replace closet doors so they function as intended. BMC 16.04.060(a)

Bathroom
Repair the sink stopper to functions as intended. BMC 16.04.060(c)

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

Unit 1245
Bathroom
Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

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

Unit 1243
Kitchen
Repair garbage disposal to function as intended. BMC 16.04.060(c)

Common Hall Entrance for 1299 and 1303
Properly repair floor at the entry door. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

1305
Bathroom
Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

1307
Kitchen
Repair the faucet sprayer on the sink to be secure and function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. BMC 16.04.060(c)

Deck
Properly repair or replace damaged or deteriorated deck boards in a manner that leaves the structurally sound and capable of withstanding normally imposed loads. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating deck boards and structural members. BMC 16.04.050(b)

1311
Kitchen
Interior walls under service panel shall be free of holes, cracks, peeling paint and/or deteriorated drywall/plaster. BMC 16.04.060(a)

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

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

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

Common Hall Entrance for 1307 and 1311
Repair/replace the entry door to function as intended and to be weather tight. No gaps shall be visible around the edges. BMC 16.04.060(a)

1309
Kitchen
Repair the light fixture above the sink to function as intended. BMC 16.04.060(c)

Left Bedroom
Repair/replace the damaged closet door to function as intended. BMC 16.04.060(a)

1275
Hall Bathroom
Repair the toilet to eliminate unnecessary water use. BMC 16.04.060(a)

1255
Kitchen Laundry Closet
Temperature/pressure relief (TPR) valve discharge tubes:
- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- shall not have a threaded discharge end
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. BMC 16.04.060(c)

1273
Entry
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)

Deck

Properly repair or replace damaged or deteriorated deck boards in a manner that leaves the structurally sound and capable of withstanding normally imposed loads. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating deck boards and structural members. BMC 16.04.050(b)

Hall Bath

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

Front Bedroom

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

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

Upstairs

Hallway

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

1253

Kitchen

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

1259

Deck

Properly repair or replace damaged or deteriorated deck boards in a manner that leaves the structurally sound and capable of withstanding normally imposed loads. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating deck boards and structural members. BMC 16.04.050(a)

1263

There was no water service to this unit at the time of the Cycle Inspection. Water 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)

Bathroom

Replace missing/broken vanity cabinet door. BMC 16.04.060(a)

1261

Kitchen

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

1281

Hallway

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

1283
Deck
Properly repair or replace damaged or deteriorated deck boards in a manner that leaves the structurally sound and capable of withstanding normally imposed loads. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating deck boards and structural members. BMC 16.04.050(b)

1279
Deck
Properly repair or replace damaged or deteriorated deck boards in a manner that leaves the structurally sound and capable of withstanding normally imposed loads. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating deck boards and structural members. BMC 16.04.050(b)

1277
Bathroom
Interior walls above the shower shall be free of holes, cracks, peeling paint and/or deteriorated drywall/plaster. BMC 16.04.060(a)

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

1285
Properly repair or replace all loose, damaged, or missing floor covering in this unit. BMC 16.04.060(a)

Kitchen
Repair the light fixture above the sink to function as intended. BMC 16.04.060(c)

1287
Deck
Properly repair or replace damaged or deteriorated deck boards in a manner that leaves the structurally sound and capable of withstanding normally imposed loads. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating deck boards and structural members. BMC 16.04.050(b)

1291
Kitchen
Replace the switch for the garbage disposal. BMC 16.04.060(b)

1237
Properly repair or replace all loose, damaged, or missing floor covering in this unit. BMC 16.04.060(a)

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

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

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

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

Replace missing door knob/lock assembly in a manner so that it functions as intended. BMC 16.04.060(a)

EXTERIOR

Exterior General Violations for All Buildings:
Trim all tree branches away from the siding and roofline to maintain a 3' clearance. BMC 16.04.040(e)

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

All other violations:
Properly replace the downspout diverter on the north side of structure for Unit 1201 and north side of Unit 1227. BMC 16.04.050(a)

Remove and properly dispose of all accumulated or scattered trash on property. (Deck at Unit 1205 and Unit 1207) BMC 16.04.040(d)

Properly secure the exterior light fixture in front of Unit 1209. BMC 16.04.050(a)

Secure the handrail so it is capable of withstanding normally imposed loads. (Front of Unit 1229) BMC 16.04.050(b)

Properly secure the loose floor deck boards for Unit 1229 so that they function as intended. BMC 16.04.050(b)

See General Violations for Siding. BMC 16.04.050**(a) All Buildings**

Secure all handrails in the front so they are capable of withstanding normally imposed loads. (adjacent to Unit 1237) BMC 16.04.050(b)

OTHER REQUIREMENTS

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

OTHER REQUIREMENTS

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

This is the end of this report.

City of Bloomington
H.A.N.D.

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

Meeting Date:	December 20, 2017
Petition Type:	An extension of time to complete repairs
Petition Number:	17-TV-139 (Old Business)
Address:	3111 S. Leonard Springs Road
Petitioner:	Julie Cooper
Inspector:	Jo Stong, Dee Wills, Kenny Liford

Staff Report:

June 14, 2017: Conducted cycle inspection
June 28, 2017: Mailed inspection report
August 11, 2017: Received Application for Appeal
September 22, 2017 NOBA Letter sent with 1st BHQA deadline for Life Safety Violations October 04, 2017
2nd BHQA deadline for all other violations November 20, 2017
October 04, 2017 Agent scheduled reinspection for Life Safety Violations for October 12, 2017
October 12, 2017 Reinspection of Life Safety Violations. Life Safety Violations still remain uncomplied.
October 18, 2017 Remaining Violations Report was sent to owner/ agent
November 02, 2017 City Legal Process was started.
November 09, 2017 Agent called office to inquire about City Legal Letter
November 13, 2017 Agent scheduled reinspection of remaining Life Safety Violations for November 20, 2017
November 13, 2017 Received 2nd Application for Appeal for all other violations remaining
November 20, 2017 Reinspection of remaining Life Safety Violations. All Life Safety Violations are Complied.

During a cycle inspection of the above property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were noted. The petitioner is requesting an extension of time to complete all other repairs except for the Life Safety Violations. The petitioner stated she did not realize that there was a 2nd BHQA deadline for the Non-Life Safety violations. The remaining Life Safety Violations has been rescheduled to be inspected on November 20, 2017

Staff recommendation:	Grant the extension of time.
Conditions:	All repairs must be completed and scheduled 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:	February 20, 2017
Attachments:	Application for Appeal, Cycle Report with remaining Life Safety Violations and all other outstanding violations, Legal Letter

Old business

RECEIVED
NOV 13 2017
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: 3111 S LEONARD SPRINGS RD, BLOOMINGTON, IN 47403

Petitioner's Name: JULIE COOPER

Address: 3111 S LEONARD SPRINGS RD, BLOOMINGTON, IN 47403

City: BLOOMINGTON **State:** Indiana **Zip Code:** 47403

Phone Number: (812) 336-5603 **E-mail Address:** woodlandsprings@sbcglobal.net

Owner's Name: Scoot G May

Address: 701 E SUMMITVIEW PLACE

City: BLOOMINGTON **State:** Indiana **Zip Code:** 47403

Phone Number: 812-331-2666 **E-mail Address:** woodlandsprings@sbcglobal.net

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: 17-TV-139

(OLD BUSINESS)

Previously heard 09.20.17 JS, DW, KA

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.

Need extension of time to complete repairs do to the number of turns and getting apartments ready for move ins. 60 days extension is being requested

Signature (Required): Julie Cooper

Name (Print): Julie Cooper **Date:** 11/6/17

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

Print Form

Corporation Counsel
Philippa M. Guthrie

City Attorney
Michael M. Rouker

City of Bloomington
Legal Department

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

FILE COPY

November 7, 2017

Mr. Scott May
701 E. Summitview Place
Bloomington, Indiana 47401

RE: 3111 S. Leonard Springs Rd., Bloomington, IN

Dear Mr. May,

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

You must immediately, and **no later than November 21, 2017**, do the following:

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

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

Your prompt attention to this matter is greatly appreciated.

Sincerely,

Christopher J. Wheeler
Assistant City Attorney

Enc. Letter to Agent

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

Corporation Counsel
Philippa M. Guthrie

City Attorney
Michael M. Rouker

City of Bloomington
Legal Department

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

FILE COPY

November 7, 2017

Mrs. Julie Cooper
3111 S. Leonard Springs Dr.
Bloomington, IN 47403

RE: 3111 S. Leonard Springs Rd., Bloomington, IN

Dear Mrs. Julie Cooper,

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

Sincerely,

Christopher J. Wheeler
Assistant City Attorney

Enc. Letter to Owner

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

City Of Bloomington
Housing and Neighborhood Development

REMAINING VIOLATION INSPECTION REPORT

927

Owner(s)
May, Scott G.
701 E. Summitview Place
Bloomington, IN 47401

Agent
Cooper, Julie
3111 S. Leonard Springs Rd.
Bloomington, IN 47403

Prop. Location: 3111 S Leonard Springs RD
Number of Units/Structures: 118/7
Units/Bedrooms/Max # of Occupants: Bld 1: Bld A: 30/2/5, Bld B: 10/3/5 10/1/5 8/2/5, Bld C: 10/1/5 10/3/5, Bld D: 8/3/5 8/1/5, Bld E: 8/2/5, Bld F: 8/2/5, Bld G: 8/2/5

Date Inspected: 06/14/2017
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 1

Inspector: Kenny Liford, Jo Stong, Dee Wills
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: swimming pool

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.

GENERAL VIOLATIONS

1) Remove all trash, weeds and debris from the egress window wells. BMC 16.04.050(b)
2) 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)

INTERIOR:

BLDG A

Unit A1

Entry:

Repair/replace the storm door. BMC 16.04.060(a)

Living Room:

Repair the window to open and close completely as intended and to be weather tight. BMC 16.04.060(a)

Back Right Bedroom

Repair the window to open and close completely as intended and to be weather tight. BMC 16.04.060(a)

Unit A2

No violations noted.

Unit A3

Left Bedroom:

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

Unit A4

Bathroom:

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

Unit A5

Kitchen:

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

Unit A6

Kitchen:

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

Bathroom:

Secure toilet to its mountings. BMC 16.04.060(c)

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

Unit A7

No violations noted.

Unit A9

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. BMC 16.03.040

Unit A10
Bath:
Properly seal the floor covering to prevent water infiltration. BMC 16.04.060(a)

Unit A11
Bath:
Properly rehang the towel bar. BMC 16.04.060(a)

Unit A15
Bath:
Properly re-caulk around the sink countertop to eliminate water infiltration. BMC 16.04.060(a)

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

Unit A17
Back Right Bedroom
Repair or replace closet doors so they function as intended. BMC 16.04.060(a)

Unit A18 (vacant)
Kitchen:
Repair the light in the range hood to function as intended. BMC 16.04.060(c)

Bath:
Properly repair the wall by the toilet in a workmanlike manner. BMC 16.04.060(a).

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

Unit A 20
No violations noted.

Unit A21
Hallway:
Repair the loose light fixture to function as intended. BMC 16.04.060(c)

Bathroom:
Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

Units A22, A23
No violations noted.

Unit A24
Entry:
Repair or replace the torn carpet. BMC 16.04.060(a)
Kitchen:
Repair the garbage disposal to function as intended (it is jammed). BMC 16.04.060(c)

Properly repair the broken drawer. BMC 16.04.060(a)

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

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

Unit A25
Clean the heating/air conditioning supply/return grille. BMC 16.04.060(c)

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

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

Unit A26
Living Room;
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)

Unit A27
Bath:
Replace the deteriorated gasket around the tub spout. BMC 16.04.060(c)

Right Bedroom:
This room was not accessible at the time of this inspection (tenant was sleeping). This room must be brought into compliance with-in the same 60 day deadline as the remainder of this property. BMC 16.03.040
Window will be measured at the reinspection.

Unit A28
Kitchen:
Repair the stove to function as intended. BMC 16.04.060(c)

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

Unit A29
No violations noted.

Unit A30
Bath:
Properly seal the tub/shower where it meets the floor. BMC 16.04.060(a)

Secure toilet to its mountings. BMC 16.04.060(c)

BLDG B
Unit B1
Bathroom
Repair the surface of the ceiling to be free of cracks, peeling paint and/or sagging materials. BMC 16.04.060(a)

Unit B4
Kitchen:
Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

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

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

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

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

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

Unit B5
Kitchen
Repair garbage disposal to function as intended. BMC 16.04.060(c)

Dining Room
Properly secure/ seal the failing drywall tape at the ceiling so that it functions as intended. BMC 16.04.060(a)

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

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

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

Unit B7
Kitchen:
Repair the garbage disposal to function as intended. BMC 16.04.060(c)

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

Scrape and paint the ceiling where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

Unit B8
Bathroom
Repair the hole in the wall around the GFI. BMC 16.04.060(a)

Unit B14
Front Bedroom
Properly clean and surface coat damaged or stained ceiling area. BMC 16.04.060(a)

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

Unit B15
Bathroom
Seal the top of the shower surround. BMC 16.04.060(a)

Unit B19
Bath:
Properly seal the tub/shower where it meets the floor. BMC 16.04.060(a)

Unit B20, Unit B21
No violations noted.

Unit B22
This unit was not inspected at the time of this inspection, as it was being turned over. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. BMC 16.03.040 .

Unit B23
Living Room
Repair or replace closet doors so they function as intended. BMC 16.04.060(a)

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

Furnace Room
Replace the missing door casing. BMC 16.04.060(a)

Unit B24
Bath:
Properly seal the tub/shower where it meets the floor. BMC 16.04.060(a)

Unit B26
Living Room:
Repair or replace closet doors so they function as intended. BMC 16.04.060(a)

Kitchen:
Repair the loose faucet to function as intended. BMC 16.04.060(c)

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

Bathroom:
Replace the corroded faucet with a new one. BMC 16.04.060(c)

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

Unit B27
Living Room:
Repair the entry door to be weather tight. No gaps shall be visible around the edges. BMC 16.04.060(a)

Unit B28
Repair the light fixture to function as intended. BMC 16.04.060(c)

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

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

Replace the missing hot water tub faucet handle. BMC 16.04.060(c)

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

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

Repair the hole(s) in the door or replace the door. BMC 16.04.060(a)

BLDG C
Unit C1
Kitchen:
Repair the loose faucet to function as intended. BMC 16.04.060(c)

Bathroom:
Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

UnitC2
Living Room:
Repair or replace closet doors so they function as intended. BMC 16.04.060(a)

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

Bathroom:
Secure toilet to its mountings. BMC 16.04.060©

Unit C3
No violations noted.

Unit C4
Entire Unit:
Repair the air conditioning system in this unit to function as intended. BMC 16.04.060(c)

Replace all damaged carpeting in the apartment. BMC 16.04.060(a)

Kitchen:
Repair the left front range burner to function as intended. BMC 16.04.060(c)

Bathroom:
Properly repair the floor and replace the damaged floor covering. BMC 16.04.060(a)

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

Replace the broken towel rack. BMC 16.04.060(a)

Hall:
Scrape and paint the ceiling where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

Unit C5
Kitchen:
Repair the range burners to function as intended. BMC 16.04.060(c)

Repair or replace the leaking faucet. BMC 16.04.060(c)

Mechanical Room:
Replace the stop trim for the door. BMC 16.04.060(a)

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

Properly seal the tub/shower where it meets the floor. BMC 16.04.060(a)

Unit C6
No violations noted.

Unit C8
Kitchen:
Repair the garbage disposal to function as intended. BMC 16.04.060(c)

Unit C9
Kitchen:
Repair the garbage disposal to function as intended. BMC 16.04.060(c)
Properly re-caulk around the countertop to eliminate water infiltration. BMC 16.04.060(a)

Units C10, C11
No violations noted.

Unit C12
Hallway:
Repair the surface of the ceiling to be free of holes, cracks, peeling paint and/or sagging materials. BMC 16.04.060(a)

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

Back Left Bedroom:
Repair the hole in the wall under the window. BMC 16.04.060(a)

Unit C13
Bath:
Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Bedroom:
The window in this room was not accessible and must be checked at the reinspection.

Unit C14
Bath:
Properly seal the tub/shower where it meets the floor. BMC 16.04.060(a)

Unit C15
Kitchen:
Repair the water pressure to the sink faucet (very low). The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks. BMC 16.04.060(c)

Back Right Bedroom
Scrape and paint interior surfaces where paint is peeling or bare surfaces are exposed on the ceiling. BMC 16.04.060(f)

Unit C16
Bath:
Repair the tub faucet to eliminate the constant dripping. BMC 16.04.060(c)

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

Middle Bedroom:
Properly seal around the window to eliminate air infiltration. BMC 16.04.060(a)

Unit C17
This unit was not inspected at the time of this inspection, as it was being turned over. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. BMC 16.03.040

Unit C18
Bath:
Secure the toilet to its mountings. BMC 16.04.060(c)

Unit C19
Middle Bedroom
Repair or replace closet doors so they function as intended. BMC 16.04.060(a)

Unit C20
Living Room:
Repair the closet door adjacent to the entry to function as intended. BMC 16.04.060(a)

Bath:
Scrape and paint the ceiling where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

BLDG D
Unit D1
Kitchen
Repair garbage disposal to function as intended. BMC 16.04.060(c)

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

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

Unit D5
Kitchen
Clean and service the stove exhaust fan so that it functions as intended. BMC 16.04.060(c)

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

Unit D6
Kitchen
Repair garbage disposal to function as intended. BMC 16.04.060(c)

Unit D7
Entry:
Properly repair the screen in the storm door. BMC 16.04.060(a)

Bath:
Properly seal the top of the tub surround. BMC 16.04.060(a)

Unit D8
Kitchen
Repair garbage disposal to function as intended. BMC 16.04.060(c)

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

Replace the missing cabinet handle (above stove). BMC 16.04.060(a)

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

Unit D9
Bathroom
Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

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

Repair the surface of the ceiling and the walls to be free of cracks. BMC 16.04.060(a)

Unit D10
Kitchen:
Repair garbage disposal to function as intended. BMC 16.04.060(c)

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

Units D11, D12
No violations noted.

Unit D13
Kitchen:
Properly level the stove. BMC 16.04.060(c)

Repair the water system in the sink to function as intended. BMC 16.04.060(c)

Unit D15
Bathroom
Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Repair the surface of the ceiling to be free of cracks. BMC 16.04.060(a)

Unit D16
No violations noted.

BLDG E
Unit E1
Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

Unit E2
Right Bedroom:
Properly repair the torn window screen. BMC 16.04.060(a)

Unit E3
Bathroom
Repair the surface of the ceiling above the shower surround to be free of cracks, peeling paint and/or sagging materials. BMC 16.04.060(a)

Unit E4
Bathroom
Replace the missing sink stopper. BMC 16.04.060(c)

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

Unit E5
No violations noted.

Unit E6
Kitchen
Repair garbage disposal to function as intended. BMC 16.04.060(c)

Unit E7
Kitchen:
Repair the right rear range burner to function as intended. BMC 16.04.060(c)

Bath:
Properly re-caulk behind the sink to eliminate water infiltration. BMC 16.04.060(a)

Replace the broken toilet seat. BMC 16.04.060(a)

Unit E8
Bath:
Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

BLDG F
Unit F1
No violations noted.

Unit F2
Replace the missing protective cover for the light fixture. BMC 16.04.060(c)

Scrape and paint the ceiling where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

Bath:
Secure the toilet to its mountings. BMC 16.04.060(c)

Left Bedroom, Right Bedroom
Seal the cracks around the window sill and frame. BMC 16.04.060(a)

Unit F3
Kitchen
Repair garbage disposal to function as intended. BMC 16.04.060(c)

Unit F4
Right Bedroom:
Properly repair the torn window screen. BMC 16.04.060(a)

Unit F5
Kitchen:
Repair the left rear range burner to function as intended. BMC 16.04.060(c)

Right Bedroom:
Properly repair the torn window screen. BMC 16.04.060(a)

Unit F6
Bath:
Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Unit F7
Bathroom
Replace the missing sink stopper. BMC 16.04.060(c)

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

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

Unit F8
Kitchen
Replace the missing protective cover for the light fixture. BMC 16.04.060(c)

BLDG G
Unit G1

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

Properly seal the ceiling around the fan with drywall (remove the spray foam). BMC 16.04.060(a)

Unit G2
Left Bedroom
Seal the cracks at the base of the window sill and frame. BMC 16.04.060(a)

Unit G3
Bathroom
Properly replace the cracked sink basin. BMC 16.04.060(a)

Unit G4
Right Bedroom:
Properly repair or replace the carpet at the entry. BMC 16.04.060(a)

Unit G5
Bathroom
Clean/ service and secure the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Left Bedroom
Repair or replace door knob assembly in a manner so that it functions as intended. BMC 16.04.060(a)
Unit G6
No violations noted.

Unit G7
Living Room
Repair the hole in the ceiling. BMC 16.04.060(a)

Replace damaged or torn storm door screen(s). BMC 16.04.060(a)

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

Unit G8
No violations noted.

EXTERIOR:

BUILDING A

Properly secure loose shingles, and/or replace damaged or missing shingles on structure. BMC 16.04.050(a)

Properly tuck point all missing or defective mortar joints. BMC 16.04.050(a)

Secure guttering to the structure between units #5 and #6. BMC 16.04.050(a)

Replace all rotten wood and seal around the upper level windows. BMC 16.04.050(a)

Mechanical Room
Secure the loose fuse panel cover. BMC 16.04.060(a)

BUILDING B
Properly tuck point all missing or defective mortar joints. BMC 16.04.050(a)

If a residential unit is damaged, mutilated or defaced by marking, carving or graffiti, the owner of said unit shall restore the surface to an approved state of maintenance and repair. BMC 16.04.050(g)

Mechanical Room
No violations noted.

BUILDING C
Properly secure loose shingles, and/or replace damaged or missing shingles on structure. BMC 16.04.050(a)

Replace all damaged shutters. BMC 16.04.050(a)

If a residential unit is damaged, mutilated or defaced by marking, carving or graffiti, the owner of said unit shall restore the surface to an approved state of maintenance and repair. BMC 16.04.050(g)

Replace any rotten wood around windows to be weather tight. BMC 16.04.050(c)

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

Mechanical Room
Cap or remove all unused copper lines. BMC 16.04.060(c)

BUILDING D
Mechanical Room
Determine the source and eliminate the water leak under the units. BMC 16.04.060(a)

BUILDING E
Properly secure loose shingles, and/or replace damaged or missing shingles on structure. BMC 16.04.050(a)

Properly tuck point all missing or defective mortar joints. BMC 16.04.050(a)

Replace any rotten wood around windows to be weather tight. BMC 16.04.050(c)

Repair the J-channel between units #1 and #3. BMC 16.04.050(a)

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

Mechanical Room
No violations noted.

BUILDING F
Properly secure loose shingles, and/or replace damaged or missing shingles on structure. BMC 16.04.050(a)

Properly tuck point all missing or defective mortar joints. BMC 16.04.050(a)

Repair the J-channel between units #5 and #7. BMC 16.04.050(a)

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

Mechanical Room
No violations noted.

BUILDING G
Properly tuck point all missing or defective mortar joints. BMC 16.04.050(a)

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

Mechanical Room
Properly secure the cover for the fuse panel. BMC 16.04.060(a)

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

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 to Rescind Variance

Meeting Date:	20 December 2017
Petition Type:	Rescind a variance
Petition Number:	17-RV-163
Address:	621 W. 12th St.
Petitioner:	HAND
Inspector:	Michael Arnold

Staff Report:		
	04 August 2017	Cycle Inspection
	18 August 2017	Sent Report
	12 October 2017	Reinspection
	27 October 2017	BHQA Application
	27 October 2017	BHQA Report written

This property was previously granted a variance to the minimum ceiling height requirement of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height requirement and the Building Code in place at the time of construction did not address minimum ceiling height; therefore we are asking the Board to rescind this variance. This structure was built in -- 1899.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date:	December 20th, 2017
Petition Type:	Rescind a variance
Petition Number:	17-RV-164
Address:	816-820 East 8th Street.
Petitioner:	HAND
Inspector:	Kenny Liford
Staff Report:	October 24th, 2017 Cycle Inspection October 30th, 2017 Appeal Filed

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

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date:	December 20, 2017
Petition Type:	Rescind a variance.
Petition Number:	17-RV-165
Address:	315 E. 7th Street
Petitioner:	HAND
Inspector:	John Hewett

Staff Report:	December 21, 2016	Cycle inspection conducted
	February 23, 2017	Mailed report
	May 9, 2017	Re-inspected, All but paint complied
	October 23, 2017	Paint complied
	October 31, 2017	Appeal received

This property was previously granted a variance to the bath/shower requirements of the Property Maintenance Code. This requirement stated that a bath or shower room must be on the same level as the bedrooms. The Residential Rental and Lodging Establishment Inspection Program does not include this requirement and the Building Code in place at the time of construction did not address this issue; therefore we are asking the Board to rescind this variance. This structure was built before 1940.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date:	December 20th, 2017	
Petition Type:	Rescind a variance	
Petition Number:	17-RV-166	
Address:	717 North Grant Street.	
Petitioner:	HAND	
Inspector:	Kenny Liford	
Staff Report:	October 1st, 2017	Cycle Inspection
	October 2nd, 2017	Appeal Filed

This property was previously granted a variance to the ceiling height requirement of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a minimum ceiling height requirement and the Building Code in place at the time of construction did not address minimum ceiling height requirements; therefore we are asking the Board to rescind this variance. The structure was built in 1940.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date:	December 20, 2017
Petition Type:	Rescind a variance.
Petition Number:	17-RV-168
Address:	2393 S. Worthington Lane
Petitioner:	HAND
Inspector:	Dee Wills
Staff Report:	October 23, 2017 Completed Cycle Inspection November 07, 2017 Application for Appeal

This property was previously granted a variance to the light and ventilation requirement of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a light and ventilation requirement and the Indiana State Fire Prevention and Building Safety Commission has stated that they will no longer hear requests for variances to the Building Codes on structures built prior to 1986; therefore we are asking the Board to rescind this variance. This structure was built in 1982.

Staff Recommendation: Rescind the variance.

Conditions: None

Attachments: None

City of Bloomington
H.A.N.D.

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

Meeting Date:	December 20, 2017
Petition Type:	Relief from an administrative decision
Variance Request:	Relief from the requirement to register this as a rental.
Petition Number:	17-AA-169
Address:	420 S Eastside Drive
Petitioner:	Kathy Deckard
Inspector:	John Hewett

Staff Report:	March 30, 2017	Permit expired, Owner states this is not a rental.
	October 6, 2017	Drive by, appears occupied.
	October 11, 2017	Sent Notice to Schedule Cycle inspection.
	October 30, 2017	Owner states property is occupied by her son and daughter in law. Started legal.
	November 7, 2017	Legal letter sent.
	November 14, 2017	Owner schedules inspection.
	November 14, 2017	Owner appeals for relief from requirement to schedule inspection.

Staff recommendation: Grant the relief from administrative decision.

Conditions: This property shall not be considered a rental for as long as the current ownership and tenants do not change. If additional tenants occupy this structure or other tenants occupy the structure while the current owners maintain ownership, the requirement to register and inspect shall be enforced. This property shall be monitored on a yearly basis to determine compliance.

Compliance Deadline: none

Attachments: Appeal form

RECEIVED
NOV 14 2017
BY: CW

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: 420 S. Eastside Dr.

Petitioner's Name: Larry and Kathy Deckard

Address: 1813 E. Arden Dr.

City: Bloomington **State:** IN **Zip Code:** 47401

Phone Number: 812-330-8627 **Email Address:** Kathydeckard@sbcglobal.net

Property Owner's Name: Larry and Kathy Deckard

Address: 1813 E. Arden Dr.

City: Bloomington **State:** IN **Zip Code:** 47401

Phone Number: 812-330-8627 **Email Address:** Kathydeckard@sbcglobal.net

Occupants: Adam and Nikki Deckard

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 Housing Property Maintenance Code (Petition type **V**)

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

D) Rescind a variance (Petition type **RV**)

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

OFFICE USE ONLY
Petition Number 17-AA-169

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.

We are allowing our son and daughter-in-law to live here while they search for a new house of their own to purchase. They are trying to find one which meets the strict VA mortgage standards.

Our intention is to sell this property as soon as they move out. It will not become a rental again.

Signature (required): Larry W. Deckard and Kathy J. Deckard

Name (please print): Larry W. Deckard and Kathy J. Deckard **Date:** 11/14/17

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.