

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
July 17, 2019, 4:00 P.M.**

ALL ITEMS ARE ON THE CONSENT AGENDA

I. ROLL CALL

II. REVIEW OF SUMMARY – April 17, 2019, May 19, 2019

III. PETITIONS

- 1) 18-TV-85, **702 S. Washington Street**, Andrew Wenner. Previously heard October 17, 2018. Request for an extension of time to complete repairs.
- 2) 19-TV-18, **1530 W. Arlington Road**, Mike Beyers. Previously heard March 20, 2019. Request for an extension of time to complete repairs.
- 3) 19-TV-31, **416 N. Lincoln Street**, Brawley Property Management. Previously heard May 19, 2019. Request for an extension of time to complete repairs.
- 4) 19-TV-35, **613 E. Moody Drive**, Kevin Spicer. Request for an extension of time to complete repairs.
- 5) 19-TV-36, **3508 E. Park Lane**, Salvador Espinosa. Request for an extension of time to complete repairs.
- 6) 19-TV-37, **3442 N. Valleyview Drive**, Brent Liescheidt. Request for an extension of time to complete repairs.
- 7) 19-TV-39, **1383-1385 W. Allen Street**, Willow Condos, LLC. Request for an extension of time to complete repairs.
- 8) 19-AA-40, **900 W. 3rd Street**, Sara Gardner. Request for relief from an administrative decision.
- 9) 19-TV-43, **213 S. Jefferson Street**, 57UB, LLC. Request for an extension of time to complete repairs.
- 10) 19-TV-44, **150 E. Kennedy Court**, Willow Condos, LLC. Request for an extension of time to complete repairs.
- 11) 19-AA-45, **3900 E. Stonegate Drive**, H.A.N.D. Request for relief from an administrative decision.
- 12) 19-AA-46, **2303 S. Brown Avenue**, Terri McDaniel. Request for relief from an administrative decision.
- 13) 19-TV-47, **231 N. Adams Street**, Crystal Sullivan. Request for an extension of time to complete repairs.

- 14) 19-TV-48, **3801 E. Morningside Drive**, The Legacy Group (Scott May). Request for an extension of time to complete repairs.
- 15) 19-TV-49, **2512 S. Milton Drive**, Sally Nicholson. Request for an extension of time to complete repairs.
- 16) 19-TV-50, **609 E. University Street**, Choice Realty & Mgmt., (Raymond Kahn). Request for an extension of time to complete repairs.
- 17) 19-TV-51, **1125 S. Rogers Street**, Michael Korus. Request for an extension of time to complete repairs.
- 18) 19-TV-52, **1410 W. 15th Street**, William McKee. Request for an extension of time to complete repairs.
- 19) 19-RV-53, **208 S. Jefferson Street**, H.A.N.D. (Steve Larocca). Request for rescission of a variance.
- 20) 19-TV-54, **427 E. 12th Street**, Stasny & Horn, IGP. Request for an extension of time to complete repairs.
- 21) 19-TV-56, **2602 S. Rockport Road**, Americans Home 4 Rent. Request for an extension of time to complete repairs.
- 22) 19-TV-57, **2000 E. Atwater Avenue**, Kelly Jones (College Rentals, Inc). Request for an extension of time to complete repairs.
- 23) 19-TV-57, **940 N. Jackson Street**, Reynard Cross. 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](tel:812-349-3429) or e-mail human.rights@bloomington.in.gov.

B.H.Q.A. MEETING OF APRIL 17, 2019

SUMMARY

MEMBERS PRESENT: Nicholas Carder, Eric Dockendorf (arrived 4:02, left 5:05), Elizabeth Gallman, Nikki Gastineau, , Susie Hamilton, Diana Powell-Opata (arrived 4:04), Dominic Thompson

STAFF PRESENT: Daniel Bixler, John Hewett, Kenneth Liford, Norman Mosier, Doris Sims, Jo Stong, Matthew Swinney, Dee Wills (HAND)

GUESTS PRESENT: Hannah Beltre (The Arch Bloomington), Amanda Eads (Regency Multifamily Consolidated Residential), Marc Haggarty (1020 W. 7th Street), Kyle Lepore (Regency Multifamily Consolidated Residential) Laurie Miller (The Annex Group), Adam Reddy (The Annex Group), Chris Sparks (The Arch Bloomington)

Meeting start time 4:00 PM.

I. REVIEW OF SUMMARY

Thompson made a motion to approve the minutes for February 20, 2019 and March 20, 2019. Hamilton seconded. Motion passed, 5-0 (Dockendorf, Powell-Opata not present).

II. CONSENT AGENDA

19-TV-07, **919 W. 2nd Street**, Tempo Properties, Inc. (Yukon Properties). Previously heard February 20, 2019. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a May 06, 2019 deadline to call and schedule re-inspection for the header and the sliding glass door.

19-TV-20, **415 S. Dunn Street**, Olympus Properties (Acacia Investments). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a July 31, 2019 deadline to call and schedule re-inspection.

19-TV-22, **1377 W. Allen Street Apts. E3, E5, E6**, Tempo Properties, Inc. (The Willow Condos, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a May 01, 2019 deadline for life-safety violations (including the smoke detector in E-3), and a June 17, 2019 deadline to call and schedule for all other violations.

19-TV-23, **1375 W. Allen Street Apt. F3**, Tempo Properties, Inc. (The Willow Condos, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 17, 2019 deadline to call and schedule re-inspection.

19-RV-24, **417 S. Jordan Avenue**, H.A.N.D. (David & Lisa Kamen). Request for rescission of a variance. Staff recommendation to grant the rescission.

19-TV-25, **2820-2820 ½ E. 10th Street**, Bloomington Restorations, Inc. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 17, 2019 deadline to call and schedule re-inspection.

19-TV-27, **2998 S. Sare Road**, Donna Beams (Kent & Donna Beams). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a July 17, 2019 deadline to call and schedule re-inspection.

Approved.

III. PETITIONS

18-TV-81, **403 E. 3rd Street**, Laurie Miller (Annex of Bloomington). Previously heard September 19, 2018. Laurie Miller and Adam Reedy (The Annex Group) were present to request an extension of time to complete repairs. Staff recommendation to grant the request with a May 31, 2019 deadline to call and schedule for all violations. Gastineau made motion to table until next month. Hamilton seconded. Motion passed, 7-0.

19-AA-19, **3400 S. Sare Road**, Amanda Eads (Regency Multifamily Consolidated Residential). Previously heard March 20, 2019. Item tabled. Petitioners, Amanda Eads and Kyle Lepore, were present to request relief from an administrative decision concerning the issuance of a three year permit. Staff recommendation to deny the request, the permit standing as issued with expiration date of December 27, 2021. Carder made motion to deny the request per staff recommendation. Gallman

seconded. Motion passed 6-1 (Thompson nay).

19-TV-21, **1813 E. Wexley Road**, Katherine Johnson (James P. Johnson). The petitioner was not present to request an extension of time to complete repairs. Staff recommendation to grant the request with a June 17, 2019 deadline for the window violations, and all other violations must be immediately scheduled for reinspection. Gallman made motion to grant the request per staff recommendation. Thompson seconded. Motion passed, 6-1 (Opata-Powell nay).

19-TV-26, **703 W. Gourley Pike**, Hannah Beltre (Harrison Street Realty). Petitioners, Hannah Beltre and Chris Sparks (The Arch Bloomington) were present to request an extension of time to complete repairs. Staff recommendation to grant the request with an April 24, 2019 deadline for all life-safety violations, and a July 15, 2019 deadline to call and schedule for all other violations. Thompson made motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 7-0.

19-TV-28, **1020 W. 7th Street**, Marc Haggerty (Gerald P. Haggerty). The petitioner, Marc Haggerty, was present to request an extension of time to complete repairs. Staff recommendation to grant the request with an April 30, 2019 deadline for all life-safety violations, and a June 17, 2019 deadline to call and schedule for all other violations. Hamilton made motion to grant the request per staff recommendation. Dockendorf seconded. Motion passed, 7-0.

19-TV-29, **836 W. 6th Street**, Yaling Huang. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation to grant the request with a June 11, 2019 deadline for all violations. Thompson made motion to deny the request. Dockendorf seconded. Motion passed, 7-0.

IV. GENERAL DISCUSSION

None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Gastineau made motion to adjourn. Thompson seconded. Motion unanimously passed. Meeting adjourned at 5:08 PM.

B.H.Q.A. MEETING OF MAY 15, 2019

SUMMARY

MEMBERS PRESENT: Nicholas Carder, Elizabeth Gallman, Nikki Gastineau, Dominic Thompson

STAFF PRESENT: Michael Arnold, Daniel Bixler, John Hewett, Norman Mosier, Jo Stong, Matthew Swinney (HAND) Chris Wheeler (Legal)

GUESTS PRESENT: Laurie Miller, Adam Reedy (The Annex Group)

Meeting start time 4:00 PM.

I. REVIEW OF SUMMARY

No summary to review.

II. CONSENT AGENDA

19-TV-30, **3331 N. Valleyview Drive**, Cream & Crimson Management. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a May 02, 2019 deadline to call and schedule re-inspection.

19-AA-33, **1650 W. 8th Street**, Richard McClung. Request for relief from an administrative decision. Staff recommendation to grant the request with the condition the current owner and tenant are unchanged from current status. The property will be checked annually for compliance. If status changes, Title 16 may be re-instated.

19-TV-34, **339 S. Lincoln Street**, Mackie Properties (Hoosier Reality, LLC). Request for an extension of time to complete repairs. Staff recommendation to grant the request with a June 12, 2019 deadline to call and schedule re-inspection.

Approved.

III. PETITIONS

18-TV-81, **403 E. 3rd Street**, Laurie Miller (Annex of Bloomington). Previously heard September 19, 2018 and April 17, 2019. Item tabled. Laurie Miller and Adam Reedy (The Annex Group) were present to request an extension of time to complete repairs. Staff recommendation to grant the request with a July 15, 2019 deadline to call and schedule for re-inspection. Carder made motion to grant the request per staff recommendation with an August 15, 2019 deadline to call and schedule for re-inspection. Thompson seconded. Motion passed, 4-0.

19-TV-31, **416 N. Lincoln Street**, Brawley Property Management. Petitioners were not present to request an extension of time to complete repairs. Staff recommendation to grant the request with a July 15, 2019 deadline to call and schedule for re-inspection. Carder made motion to grant the request per staff recommendation. Gallman seconded. Motion failed, 3-1 (Thompson nay). Carder made motion to table to July 17, 2019 meeting. Thompson seconded. Motion passed, 4-0. Item table.

19-TV-32, **512 W. Dixie Street**, Stuart Baggerly (Old National Bank Wealth Management). Petitioner not present to request an extension of time to complete repairs. Staff recommendation to grant the request with a May 15, 2019 deadline to call and schedule for re-inspection. Thompson made motion to grant request per staff recommendation. Gallman seconded. Motion passed, 4-0.

IV. GENERAL DISCUSSION

Discussion about time needed to complete repairs and potential for exploitation.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Gastineau made motion to adjourn. Thompson seconded. Motion unanimously passed. Meeting adjourned at 4:25 PM.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 18-TV-85 (old business)

Address: 702 S. Washington St

Petitioner: Charles Andrew Wenner

Inspector: Dee Wills

Staff Report: **May 18, 2018** Completed Cycle Inspection
May 31, 2018 Cycle Report sent to owner and agent.
July 24, 2018 Re-inspection was scheduled for August 23, 2018
July 26, 2018 Re-inspection was re-scheduled for September 20, 2018
August 16, 2018 Tenant of property called HAND office to state the house was "unlivable". Tenant was advised to give owner 2 weeks to resolve the issues before filing a complaint.
September 06, 2018 Tenant of property called HAND office to state that nothing had been repaired, and scheduled a Complaint Inspection for September 07, 2018
September 07, 2018 Completed Complaint Inspection. All violations valid.
September 07, 2018 Complaint Inspection Report sent to owner and agent
September 20, 2018 Inspector was "No Showed" at the scheduled re-inspection
September 21, 2018 Received Application for Appeal
October 17, 2018 BHQA Request for an extension of time was denied and a deadline of October 18, 2018 to schedule a re-inspection of all remaining violations was required.
October 26, 2018 Legal was started
November 01, 2018 Legal demand letter was sent to owner with a compliance date of November 15, 2018
November 08, 2018 Owner scheduled re-inspection for December 03, 2018

A handwritten signature is located at the bottom right of the page.

December 03, 2018 Completed Re-Inspection with Maintenance of Violations for Cycle inspection and Complaint inspection.. All violations were not complied. Property is currently vacant

December 04, 2018 Sent Remaining Violations Report to owner and agent for Cycle and Complaint inspections.

December 10, 2018 Owner scheduled Re-Inspection for December 28, 2018

December 19, 2018 Owner called HAND office to reschedule the re-inspection. Owner hung up on staff before scheduled. Did not call back.

December 28, 2018 Inspector was "No Showed" at the scheduled re-inspection. Property is still vacant at this time.

January 03, 2019 Owner scheduled Re-Inspection for January 31, 2019

January 10, 2019 Owner requested another re-schedule for the re-inspection. Owner was told by HAND that he could re-schedule, but the property had to remain vacant

January 10, 2019 Maintenance (John) rescheduled the re-inspection for March 20, 2019

March 20, 2019 "Tenants" who are helping with repairs, answered door. They stated that they thought the reinspection was on March 28, 2019, so the property was not ready for re-inspection at this time. This was a "No Show"

March 20, 2019 Update to the Legal Department

March 25, 2019 Owner was sent email stating that the re-inspection was Re-scheduled for April 24, 2019

April 18, 2019 Owner called and left voice mail to HAND stating that he Wanted to re-schedule the re-inspection for late May. Voice mail was sent to the Assistant Director of HAND. Owner also stated that he had tenants and used the property as an Air-BNB at times, since his last contact.

April 18, 2019 Owner called HAND and talked with staff member. Owner Canceled re-inspection for April 24, 2019 and said he was sending another Application for Appeal

April 24, 2019 Received Application for Appeal

The petitioner is requesting an extension of time to complete the Remaining repairs. The petitioner is asking for the extension to extend until late May.

Staff recommendation: Deny the request for the extension of time.

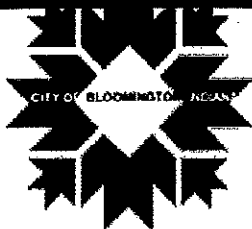
Conditions: Complete all repairs and schedule for re-inspection no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 22, 2019

Attachments: Application for Appeal, E-Mail Correspondence,
Remaining Violations Report, Legal Department Letters

04:57 Fri 19 Apr

86%



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

RECEIVED
APR 23 2019

BY:

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

Property Address: 702 sth Washington st Bloomington, Indiana, 47401

Petitioner's Name: Charles Andrew Wenner

Address: USA AS ABOVE. UK : c/o Broadbottom Hall, Bostock rd, SK146AH, UK

City: **State:** **Zip Code:**

Usa 18123187855

UK 011447786107999

Phone Number: **Email Address:** WENNERCANDREW1@GMAIL.COM

Property Owner's Name: Charles Andrew Wenner

Address: As above

City: **State:** **Zip Code:**

Phone Number: **Email Address:**

Occupants: Currently none

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

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

Please check the petition type that you are requesting:

YES

☒ An extension of time to complete repairs (Petition type TV)

☐ A modification or exception to the Residential Rental Unit and Lodging Establishment Inspection Program (Petition type V)

☐ Relief from an administrative decision (Petition type AA)

☐ Rescind a variance (Petition type RV)

OFFICE USE ONLY

Petition Number

18-TV-85

(OLD BUSINESS)

OCT. 17, 2018

DW

04:59 Fri 19 Apr

86%

**SEE REVERSE**

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

Signature (required):

Charles Andrew Wenner

Name (please print):

Date:

April 20, 2019

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





Daniel Bixler <bixlerd@bloomington.in.gov>

702 S. Washington Street H.A.N.D. re-inspection date

1 message

Daniel Bixler <bixlerd@bloomington.in.gov>

Mon, Mar 25, 2019 at 10:17 AM

To: wennercandrew1@gmail.com, sherwoodassociates@sbcglobal.net

Cc: Daniel Bixler <bixlerd@bloomington.in.gov>, Eric Sader <sadere@bloomington.in.gov>, Dee Wills <willsd@bloomington.in.gov>

Per the Assistant Director of H.A.N.D., Eric Sader, I have scheduled the date for re-inspection of 702 S. Washington Street for Wednesday, April 24, 2019 at 10:30 AM EDT. The inspector going out on this re-inspection will be Dee Wills.



Daniel Bixler <bixlerd@bloomington.in.gov>

Re: March 27 th vs 19 th? Yr mail mch 25 th. new date end of april

1 message

CHARLES ANDREW WENNER <wennercandrew1@gmail.com>

Mon, Mar 25, 2019 at 9:33 AM

To: CHARLES ANDREW WENNER <wennercandrew1@gmail.com>, Eric Sader <sadere@bloomington.in.gov>, Johnny Becker <aaasmallengine@yahoo.com>, Kristin Greer <raeof_sunshine@icloud.com>, Sherwood & Associates <sherwoodassociates@sbcglobal.net>, "bixlerd@bloomington.in.gov" <bixlerd@bloomington.in.gov>, "willsd@bloomington.in.gov" <willsd@bloomington.in.gov>

Mr Sader , cc all

All i can tell you is that somehow NOONE was aware of this inspection on mch 20 th . In all honesty. John Becker told me March 27th. I therefore believed that. Noone had emailed me or anyone including Ron Sherwood with this date. I seriously did not have a clue about any other planned date. Kristin Greer also who is managing the repairs currently was not advised. Clearly it would be extremely helpful to all concerned if DWills could from now on please EMAIL everyone copied in to this message THREE DAYS before the inspection is due to happen, so there can be NO possible misunderstanding in the future.

We are already incurring heavy costs in not having the house rented out for 7 months, plus very actively doing all kinds of major repairs costing thousands, paying the mortgage too of course, so frankly to get billed for a so called " no show" which somehow noone actually knew about on top of all that seems really just too much! Sorry for any trouble or inconvenience incurred. Communication see s to becat fault

The work is progressing. The rear roof section is being done. All of the other items are now dealt with Im told. If we could crave your indulgence in these circs, and not be billed a no show fee, all would be deeply grateful. We will make sure it doesnt happen again especially if we get hat reminder email three days before the event. Pls let me know.
I PROMISE that if Dan Bixler will be so kind as to give us a date towards the end of April we WILL beready!, I look forward to his email .

Kind regards and thanks fr yr trouble

Andre Wenner

On Mon, 25 Mar 2019 at 12:59, Eric Sader <sadere@bloomington.in.gov> wrote:
Mr. Wenner:

Inspector Dee Wills arrived at 702 S. Washington Street March 20 as she was directed by the file. I confirmed what was written into the hard file. Administrative staffer Eddie Wright at the front desk recorded the scheduled date at the time of scheduling. Rental Inspection Program Manager John Hewett is noted as the one having scheduled the reinspection January 10, 2019.

I have copied in Rental Specialist Daniel Bixler who can reschedule the property for April. Although generally scheduling must occur by phone, I am authorizing Daniel this time to email you the date and time in this instance via this thread based on your circumstances, but staff will not be able to email parties three days in advance of the scheduled date. That function is not currently automated and the numbers our department processes would not be manageable with our current staff to do

so. Such a reminder system would be great in a subsequent software enhancement. However, his initial email should serve as clear and sufficient record.

Please respond to Daniel promptly confirming receipt of the newly scheduled date and time so we can mark it as confirmed.

Best,
Eric Sader

Eric A. Sader, JD, MSW, LSW
Assistant Director, Housing and Neighborhood Development
City of Bloomington, Indiana
401 N. Morton Street, Suite 130, Bloomington, IN 47404
sader@bloomington.in.gov, 812-349-3430 x3577, 812-349-3582 (fax)

On Wed, Mar 20, 2019 at 9:56 PM charles andrew Wenner <andrewwenner@gmail.com> wrote:

Dear Mr Sader, cc DWills, John B , Kristin, Ron Sherwood

How come DWills showed up on the 19 th of March to inspect?

I had been advised that the date we had been assigned for our next inspection was march 27 th. We have in fact been working hard towards that date and while the job is coming along, with new trusses shortly being fitted to support the rear roof section to replace those needing replacement, new decking , new rubber. Etc. We COULD USE A LITTLE EXTRA TIME still because there has been so much wet weather.

So I am asking Can we have your next available date in April? Please email me and all concerned with the new date.

How there could have been any confusion on this inspection date COMPLETELY escapes me. NOONE at any time that I am aware has breathed a word about the 19 th of March as being the day of the inspection. This would seem to be a complete confusion on the part of D Wills?

Seriously. Noone had any idea at all .

I WAS advised the 27 th of March.

I therefore can only conclude that the error was on DeeWills side?

Could DWills in future please EMAIL me and John Becker & Kristin at least three days in advance next time to ensure avoidance of confusion and that noone wastes further time in future?

: Thankyou for your help I looking forward to your news on this,

Yours sincerely,

Andrew Wenner



City Of Bloomington
Housing and Neighborhood Development

REMAINING VIOLATION INSPECTION REPORT

5914

DEC 10 2018

Owner(s)

Wenner, Charles Andrew
C/O Broadbottom Hall Bostock Road
Broadbottom Hyde, UK SK126AH

Agent

Ron Sherwood
Po Box 66
Bloomington, IN 47402

Prop. Location: 702 S Washington ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/4/3

Date Inspected: 05/18/2018
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspector: Dee Wills
Foundation Type: Basement
Attic Access: No
Accessory Structure: Garage

REINSPECTION REQUIRED

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

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

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

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

INTERIOR

Living Room (15-9 x 13-5)

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

SE (Front) Bedroom (13-4 x 13-4)

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

Repair the entry door to completely latch closed so that it functions as intended. BMC 16.04.060(a)

Closet (SE Bedroom)

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

Bathroom Closet

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

Dining Room (12-3 x 11-7)

Repair/ replace the broken transom glass above the doorway leading into the kitchen area. BMC 16.04.060(b)

S Center Bedroom (9-9 x 8-2)

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

Hallway

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

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

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

NW Bedroom (11-3 x 9)

Note: A door leading directly to the exterior serves as the emergency egress for this sleeping room.

Properly repair/ replace the broken entry door frame. BMC 16.04.060(a)

Replace the missing striker plate for the entry door. BMC 16.04.060(a)

Replace/repair the window locking mechanism for the west window. BMC 16.04.060(b)

Properly repair/ replace the emergency egress door to open and close with ease so that it functions as intended. BMC 16.04.060(b)

SW Bedroom (15-6 x 15-4)

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

South Bathroom

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

Repair the entry door to completely close so that it functions as intended. BMC 16.04.060(a)

Properly repair floor (no grout between some tiles; no subfloor). This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

Enclosed Back Porch

Determine the source and eliminate the water leak from the ceiling area. BMC 16.04.060(a)

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

Replace all missing trim boards and baseboards. BMC 16.04.060(a)

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

EXTERIOR

Replace and secure all loose and deteriorated deck flooring for the front porch. BMC 16.04.050(a)

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

Secure the handrail so it is capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

Remove the vines that are growing on the structure. BMC 16.04.050(a)

Properly repair or replace damaged or deteriorated siding in a manner that leaves the structure weather tight. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating siding and structural members. BMC 16.04.050(a)

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

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

Determine the source and eliminate the water leak for the roof. BMC 16.04.050(a)

This is the end of this report

The following items are the result of a previous complaint inspection on 09/07/2018 If these violations have been repaired please schedule a re-inspection as soon as possible. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines.

INTERIOR

Basement

Install a cover to properly enclose the fuse panel. BMC 16.04.060(b)

Properly install sink in a manner that secures it to the wall and allows it to support normally imposed loads. (Not a 2x4) BMC 16.04.060(a)

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

This is the end of this report.

Corporation Counsel
Philippa M. Guthrie

City Attorney
Michael M. Rouker



**City of Bloomington
Legal Department**

Assistant City Attorneys

Larry Allen
Anahit Behjou
Barbara E. McKinney
Jacquelyn F. Moore
Christopher J. Wheeler

November 1, 2018

Charles Andrew Wenner
C/O Broadbottom Hall Bostock Road
Broadbottom Hyde, UK SK126AH

NOTICE OF VIOLATION
RE: 702 S. Washington St., Bloomington, IN

Mr. Wenner,

This property is in violation of the Bloomington Municipal Code Title 16 ("BMC") regarding a confirmed Tenant Complaint at the above address. Numerous violations, including life safety issues, remain uncorrected, all in violation of BMC 16.01.030(a), BMC 16.04.030, and BMC 16.04.060. You have been on notice from the City to correct these remaining violations since September 10, 2018. You must immediately, and *no later than November 15, 2018*:

1. Correct all remaining violations noted in the September 10, 2018, Complaint Inspection Report; and
2. Contact HAND and schedule the property for re-inspection.

Failure to do so and the City will issue fines up to \$2,500.00 per day, per violation, for each day that you have been and continue to be in violation of BMC Title 16. Furthermore, the City may initiate legal proceedings against you before the Monroe Circuit Court for compliance of Title 16 and enforcement of said fines. The City may also seek an Order to vacate this property until such time as you prove to the Court that this rental property is in full compliance with BMC Title 16.

Your prompt attention to this matter is greatly appreciated.

If you have any questions or concerns, you may feel free to please contact me at 812-349-3549.

Very truly yours,

Christopher J. Wheeler
Assistant City Attorney

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

Corporation Counsel
Philippa M. Guthrie

City Attorney
Michael M. Rouker



**City of Bloomington
Legal Department**

Assistant City Attorneys

Larry Allen
Anahit Behjou
Barbara E. McKinney
Jacquelyn F. Moore
Christopher J. Wheeler

November 1, 2018

Ron Sherwood
P.O. Box 66
Bloomington, IN 47402

NOTICE OF VIOLATION
RE: 702 S. Washington St., Bloomington, IN

Mr. Sherwood,

Enclosed please find a letter directed to Mr. Wenner regarding the ongoing Title 16 violations at the above rental property. Please immediately, and *no later than November 15, 2018*,

1. Correct all remaining violations noted in the Complaint Inspection Report issued on September 10, 2018; and
2. Contact HAND and schedule the property for re-inspection.

Failure to do so will result in additional legal action taken against your client. Thank you very kindly for your prompt attention to this matter.

Sincerely,

Christopher J. Wheeler
Asst. City Attorney
City of Bloomington

Cc: Doris Sims, Director, Housing and Neighborhood Development
Owner
Tenant

Corporation Counsel
Philippa M. Guthrie

City Attorney
Michael M. Rouker



**City of Bloomington
Legal Department**

Assistant City Attorneys
Larry Allen
Anahit Behjou
Barbara E. McKinney
Jacquelyn F. Moore
Christopher J. Wheeler

November 1, 2018

Maria Tiwari
702 S. Washington St.
Bloomington, IN 47401

RE: 702 S. Washington St., Bloomington, IN

Dear Ms. Tiwari,

Enclosed will you please find copies of the notices I directed to both your landlord and your landlord's agent regarding their failure to comply with HAND direction regarding your tenant complaint filed back in September of this year.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher J. Wheeler", followed by a horizontal line.

Christopher J. Wheeler
Asst. City Attorney
City of Bloomington

Cc: Doris Sims, Director, Housing and Neighborhood Development
Owner
Agent



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-18 (Old business)

Address: 1530 W. Arlington Rd.

Petitioner: Mike Byers

Inspector: Norman Mosier

Staff Report: November 29, 2018 – Conducted cycle inspection
February 12, 2019 – Sent remaining violations report
February 13, 2019 – Received BHQA appeal
April 3, 2019 – Conducted courtesy inspection for life safety violations
May 30, 2019 – Received 2nd BHQA appeal under old business
June 3, 2019 – Sent Remaining violations report

Petitioner is requesting an extension of time to complete the repairs due to health conditions for owner and spouse.

Staff recommendation: Grant the request.

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

Compliance Deadline: September 17, 2019

Attachments: Cycle Report, Remaining violations report, March BHQA Appeal, Remaining Violations report, Petitioner's Letter, June BHQA Appeal



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

Property Address: 1530 W. Arlington Road

Petitioner's Name: Mike Beyers

Address: 1516 W. Arlington Road

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-369-8371 Email Address: M.P. Beyers@yahoo.com

Property Owner's Name: Mike Beyers

Address: 1516 W. Arlington Road

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-369-8371 Email Address: MPBeyers@yahoo.com

Occupants: 2

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 19-TV-18
OLD

SEE REVERSE

NM
PREVIOUSLY HEARD 3/20/19

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.

Good Health for me and my wife

Signature (required):

Mike Beyers

Name (please print):

Mike Beyers

Date:

5/30/19

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



**City Of Bloomington
Housing and Neighborhood Development**

REMAINING VIOLATION INSPECTION REPORT

FEB 13 2019

7489

Owner(s)

Michael P. Beyers
1516 Arlington Road
Bloomington, IN 47404

Prop. Location: 1530 W Arlington RD
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/1/3

Date Inspected: 11/29/2018
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspector: Norman Mosier
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1930.
There are no minimum requirements for emergency egress at the time of construction.

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

MAIN LEVEL

Living Room 19-0 x 11-0:

Repair the storm door to latch properly. BMC 16.04.060 (a)

Kitchen 13-6 x 10-2:

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)

Bathroom:

Repair the door to latch properly. BMC 16.04.060 (a)

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

Bedroom 11-8 x 11-4:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1930

Height: 41.5 inches

Width: 21.5 inches

Sill Height: 28 inches

Openable Area: 6.20 sq. ft.

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

Enclosed Back Porch 15-5 x 5-5:

No violations noted.

BASEMENT – Documentation presented, 0 supply.

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:

All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. Remove tree adjacent to the foundation at SW corner. BMC 16.04.040(e)

Properly tuck point all missing or defective mortar joints on the NE corner of structure.
BMC 16.04.050(a)

Repair/replace deteriorated basement window south side of structure, east end.
BMC 16.04.050(a)

Remove dead limb adjacent to driveway. BMC 16.04.050(a)

OTHER REQUIREMENTS:

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b):
All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit.
The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

This is the end of this report.



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

7489

Owner(s)

Michael P. Beyers
1516 Arlington Road
Bloomington, IN 47404

Prop. Location: 1530 W Arlington RD
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/1/3

Date Inspected: 11/29/2018
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspector: Norman Mosier
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1930.
There are no minimum requirements for emergency egress at the time of construction.

INTERIOR

MAIN LEVEL

Living Room 19-0 x 11-0:

Repair the storm door to latch properly. BMC 16.04.060 (a)

Kitchen 13-6 x 10-2:

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)

Bathroom:

Repair the door to latch properly. BMC 16.04.060 (a)

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

City Hall

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

401 N Morton St

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

Bloomington, IN 47404

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

Bedroom 11-8 x 11-4:

No violations noted.

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1930

Height: 41.5 inches

Width: 21.5 inches

Sill Height: 28 inches

Openable Area: 6.20 sq. ft.

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

Enclosed Back Porch 15-5 x 5-5:

No violations noted.

BASEMENT – Documentation presented 0 supply.

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:

All residential rental unit premises which contain trees shall maintain the trees in good health so that they pose no danger to persons or property. Remove tree adjacent to the foundation at SW corner. BMC 16.04.040(e)

Properly tuck point all missing or defective mortar joints on the NE corner of structure.
BMC 16.04.050(a)

Repair/replace deteriorated basement window south side of structure, east end.
BMC 16.04.050(a)

Remove dead limb adjacent to driveway. BMC 16.04.050(a)

OTHER REQUIREMENTS:

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b):
All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit.
The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

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: 17 July 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-031

Address: 416 N Lincoln St.

Petitioner: Brawley Property Management

Inspector: Michael Arnold

Staff Report:

27 July 2018	Scheduled Cycle
12 September 2018	No Show
12 September 2018	Re-scheduled Cycle
17 October 2018	Cycle Inspection
01 November 2018	Mailed Cycle Report
17 December 2018	Scheduled Re-inspection
23 January 2019	Reinspection Completed
04 February 2019	Sent Remaining Violations Report
25 March 2019	Start Legal
27 March 2019	Received Extension of Time Application
15 May 2019	Tabled by the Board
19 June 2019	BHQA Meeting Cancelled

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

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

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

Compliance Deadline: 15 August 2019

Attachments: Application, Remaining Violations Report



RECEIVED
MAR 27 2019

BY:

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

Property Address: 416 N. LINCOLN Street

Petitioner's Name: Brawly Property Mgmt

Address: PO Box 5543

City: Bgh State: IN Zip Code: 47407

Phone Number: _____ Email Address: justin@brawlymgmt.com

Property Owner's Name: BMI Properties LLC

Address: PO Box 5543

City: Bgh State: IN Zip Code: 47407

Phone Number: _____ Email Address: _____

Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 19-TV-31

SEE REVERSE

MA

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

- Extension to Repave Flooring in Unit 3/4

Signature (required):

Name (please print):

JEFF BRAWLEY

Date:

3/26/19

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



City Of Bloomington
Housing and Neighborhood Development

REMAINING VIOLATION INSPECTION REPORT

FEB 04 2019

3475

Owner(s)

Bmi Properties Llc
Po Box 5543
Bloomington, IN 47407

Agent

Brawley Property Management
Po Box 5543
Bloomington, IN 47407

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

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

Inspector: Mike Arnold
Foundation Type: Basement
Attic Access: No
Accessory Structure: NONE

REINSPECTION REQUIRED

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

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

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

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

Unit 3-4:

Bathroom:

Replace the deteriorated floor covering. BMC 116.04.060(a)

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

Inventory & Damages List

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

BMC 16.03.050(e) and BMC 16.10.030(b)

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



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-35

Address: 613 E. Moody Dr.

Petitioner: Choice Realty and Mgmt.

Inspector: Norman Mosier

Staff Report: January 23, 2019 – Conducted Cycle Inspection
April 22, 2019 – Received BHQA Appeal and Scheduled Re-inspection
for 04/26/2019 @ 3:30

It was noted during the cycle inspection that the north window sill on the west side of structure is deteriorated and needs to be replaced, Petitioner is requesting an extension of time to replace all of the windows.

Staff recommendation: Grant the request.

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

Compliance Deadline: September 17, 2019

Attachments: Cycle Report, Remaining Violations Report, BHQA Appeal, Petitioner's Letter

5/5



RECEIVED
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: 613 E Moody Drive

Petitioner's Name: Choice Realty & Management

Address: 1715 S Walnut St

City: Bloomington

State: Indiana



Zip Code: 47401

Phone Number: 8123317353

E-mail Address: dena@callchoicerealty.com

Owner's Name: Kevin Spicer

Address: 1155 College Mall Rd Suite C

City: Bloomington

State: Indiana



Zip Code: 47401

Phone Number: 8123273122

E-mail Address: Kspicer@c21scheetz.com

Occupants: 3

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-35

NM

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.

Owner has planned to replace all the windows at the unit when tenants move out at the end of May.
 window issue was noted on inspection.
 Requesting a 60 day extension for this work after tenants move out.

Signature (Required):

Dena Dobson - Chive Realty Management

Name (Print): Dena Dobson

Date:

4/19/19

Important information regarding this application format:

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

Print Form



City Of Bloomington
Housing and Neighborhood Development
RENTAL INSPECTION INFORMATION

Spicer Rentals
237 E. Winslow Road
Bloomington, IN 47401

RE: 613 E Moody DR

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than _____ to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development
Encl: Inspection Report,
Xc: Choice Realty & Management: 1715 S. Walnut Street, Bloomington, IN 47401



City Of Bloomington
Housing and Neighborhood Development
CYCLE INSPECTION REPORT

4159

Owner(s)

Spicer Rentals
237 E. Winslow Road
Bloomington, IN 47401

Agent

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

Prop. Location: 613 E Moody DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 01/23/2019
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspector: Norman Mosier
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

Monroe County records show this structure was built in 1950. There were no minimum emergency egress requirements at the time of construction.

INTERIOR:

LOWER LEVEL:

Stairway:

No violations noted.

Main Room 26 x 10-7:

No violations noted.

Utility Room:

Fueled equipment, including but not limited to **motorcycles**, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operated or repaired within a building.
BMC 16.04.020(a)(3) (2014 IFC 313.1, 313.2)

Secure the loose and hanging ceiling vent to the ceiling. BMC 16.04.060 (a)

Properly ground the electrical receptacle for the freezer. 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

Furnace Closet: – **Gas furnace, see other requirements.**

Fueled equipment, including but not limited to motorcycles, mopeds, **lawn-care equipment** and portable cooking equipment, shall not be stored, operated or repaired within a building.

BMC 16.04.020(a)(3) (2014 IFC 313.1, 313.2)

Maintain minimum clearances from combustibles:

- Fuel-fired appliances: 36" clearance from combustible storage
- Single-wall vent connectors: 1" clearance from Flow Guard Gold CPVC
6" clearance for other combustibles
- Double-wall vent connectors: 1" clearance for all combustibles
- Draft hood: 6" clearance for all combustibles

BMC 16.04.060(c)

Secure the loose doorknob. BMC 16.04.060 (a)

Bathroom:

No violations noted.

NW Bedroom 11 x 10-11:

Rearrange furniture in a manner that does not block or hinder access to emergency egress window.
(TV in window) BMC 16.04.020(a)(3), 2014 IFC 1003.6, 1030

Existing Egress: Slider: Const. yr. - 1950

Height: 30 inches

Width: 26 inches

Sill Height: 15 inches

Openable Area: 5.41 sq. ft.

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

MAIN LEVEL:

Living Room 14-8 x 11-4:

No violations noted.

Kitchen 13-3 x 11-10:

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 right rear burner to light as intended. BMC 16.04.060(c)

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

Bathroom:

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

NW Bedroom 12-0 x 11-7:

No violations noted.

Existing Egress: Dbl hung pop out: Const. Yr. 1950

Height: 24.25 inches

Width: 26.5 inches

Sill Height: 28.75 inches

Openable Area: 4.46 sq. ft.

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

SW Bedroom 11-10 x 11-7: Same window as NW bedroom.

No violations noted.

Attic:

Not Accessible.

EXTERIOR:

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

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)
(This violation has a one-year deadline from the date of the Cycle Inspection.)

Replace the deteriorated window sill on north window, west side of structure. BMC 16.04.050(a)

Repair/replace sagging gutter on the SE corner of structure. BMC 16.04.050(a)

Secure the loose handrails on the deck, handrails for steps and the east handrail. BMC 16.04.050(b)

Replace the warped deck boards on the deck. BMC 16.04.050(a)

OTHER REQUIREMENTS:

Furnace Inspection Documentation

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

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

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

This is the end of this report.



**City Of Bloomington
Housing and Neighborhood Development**

REMAINING VIOLATION INSPECTION REPORT

4159

Owner(s)

Spicer Rentals
237 E. Winslow Road
Bloomington, IN 47401

Agent

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

Prop. Location: 613 E Moody DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 01/23/2019
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspector: Norman Mosier
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

Monroe County records show this structure was built in 1950. There were no minimum emergency egress requirements at the time of construction.

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:

LOWER LEVEL:

Stairway:

No violations noted.

Main Room 26 x 10-7:

No violations noted.

Utility Room:

Fueled equipment, including but not limited to **motorcycles**, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operated or repaired within a building.

BMC 16.04.020(a)(3) (2014 IFC 313.1, 313.2)

Secure the loose and hanging ceiling vent to the ceiling. BMC 16.04.060 (a)

Properly ground the electrical receptacle for the freezer. 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". BMC 16.04.020(a)(5); 2009 IEC Article 406.3(B) Grounding & 2009 IEC Article 406.3 (D) Replacements

Furnace Closet: – Gas furnace, see other requirements.

Fueled equipment, including but not limited to motorcycles, mopeds, **lawn-care equipment** and portable cooking equipment, shall not be stored, operated or repaired within a building.

BMC 16.04.020(a)(3) (2014 IFC 313.1, 313.2)

Maintain minimum clearances from combustibles:

- Fuel-fired appliances: 36" clearance from combustible storage
- Single-wall vent connectors: 1" clearance from Flow Guard Gold CPVC
6" clearance for other combustibles
- Double-wall vent connectors: 1" clearance for all combustibles
- Draft hood: 6" clearance for all combustibles

BMC 16.04.060(c)

Secure the loose doorknob. BMC 16.04.060 (a)

Bathroom:

No violations noted.

NW Bedroom 11 x 10-11:

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. (TV in window) BMC 16.04.020(a)(3), 2014 IFC 1003.6, 1030

Existing Egress: Slider: Const. yr. - 1950

Height: 30 inches

Width: 26 inches

Sill Height: 15 inches

Openable Area: 5.41 sq. ft.

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

MAIN LEVEL:

Living Room 14-8 x 11-4:

No violations noted.

Kitchen 13-3 x 11-10:

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 right rear burner to light as intended. BMC 16.04.060(c)

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

Bathroom:

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

NW Bedroom 12-0 x 11-7:

No violations noted.

Existing Egress: Dbl hung pop out: Const. Yr. 1950

Height: 24.25 inches

Width: 26.5 inches

Sill Height: 28.75 inches

Openable Area: 4.46 sq. ft.

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

SW Bedroom 11-10 x 11-7: Same window as NW bedroom.

No violations noted.

Attic:

Not Accessible.

EXTERIOR:

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

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)
(This violation has a one-year deadline from the date of the Cycle Inspection.)

Replace the deteriorated window sill on north window, west side of structure. BMC 16.04.050(a)

Repair/replace sagging gutter on the SE corner of structure. BMC 16.04.050(a)

Secure the loose handrails on the deck, handrails for steps and the east handrail. BMC 16.04.050(b)

Replace the warped deck boards on the deck. BMC 16.04.050(a)

OTHER REQUIREMENTS:

Furnace Inspection Documentation

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

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

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

This is the end of this report.



City Of Bloomington
Housing and Neighborhood Development

REMAINING VIOLATION INSPECTION REPORT

4159

Owner(s)

Spicer Rentals
237 E. Winslow Road
Bloomington, IN 47401

Agent

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

Prop. Location: 613 E Moody DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 01/23/2019
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspector: Norman Mosier
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

Monroe County records show this structure was built in 1950. There were no minimum emergency egress requirements at the time of construction.

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.

EXTERIOR:

Replace the deteriorated window sill on north window, west side of structure. BMC 16.04.050(a)

OTHER REQUIREMENTS:

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17th, 2019

Petition Type: An extension of time to complete repairs.

Petition Number: 19-TV-36

Address: 3508 E. Park Ln.

Petitioner: Salvador Espinosa c/o Mark Kleinbauer (Agent)

Inspector: Kenny Liford

Staff Report: February 13th, 2019 Completed Cycle Inspection Report
April 22nd, 2019 BHQA application received
June BHQA meeting cancelled due to no quorum.

Owner has requested an extension of time to complete repairs.

Staff recommendation: Grant the request.

Conditions: Have all repairs to the house completed and a re-inspection scheduled by the deadline listed below.

Compliance Deadline: August 19th, 2019 To call and schedule re-inspection for all repairs.

Attachments: Cycle report, BHQA Appeal



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

RECEIVED
APR 22 2019
BY:

Property Address: 3508 E. Park Lane

Petitioner's Name: Salvador Espinosa c/o Mark Kleinbauer Agent

Address: 885 S. College Mall Road #385

City: Bloomington

State: Indiana



Zip Code: 47401

Phone Number: 8123603460

E-mail Address: mkleinba@homefinder.org

Owner's Name: Salvador Espinosa

Address: 8215 Hillendale Drive

City: Diego

State: California



Zip Code: 92120

Phone Number: 619-929-1182

E-mail Address: salvador.espinosa@hotmail.com

Occupants: Elizabeth and Doug Kramer

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that month's agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-36

KL

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

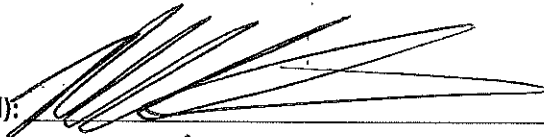
- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: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

We need more time to complete the repairs, specifically the remodelling of the lower level bathroom. We had a contractor lined up but who then failed to show up and we are having trouble finding a suitable contractor willing and able to competently complete the repairs. Please give us a least a month to finalize.

Thanks for your consideration,

Mark

Signature (Required):



Name (Print):

Mark Kleinbauer

Date:

4/19/19

Important information regarding this application format:

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

Print Form



City Of Bloomington
Housing and Neighborhood Development

RENTAL INSPECTION INFORMATION

FEB 21 2019

Espinosa, Salvador
 8215 Hillandale Dr.
 San Diego, CA 92120

RE: 3508 E Park LN

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **APR 22 2019** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,
 Housing & Neighborhood Development
 Encl: Inspection Report,
 Xc: Peek & Associates C/O Mark Kleinbauer: 899 S. College Mall Road #385, Bloomington, IN 47401

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

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

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



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

7338

Owner(s)

Espinosa, Salvador
8215 Hillandale Dr.
San Diego, CA 92120

Agent

Peek & Associates C/O Mark Kleinbauer
899 S. College Mall Road #385
Bloomington, IN 47401

Prop. Location: 3508 E Park LN
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 02/12/2019
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

Inspector: Kenny Liford
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

Monroe County Assessor's records indicate that this structure was built in 1960.
There are no minimum requirements for emergency egress at the time of construction.

INTERIOR

Main Floor

Living Room (19-10 x 12-8), Kitchen/ Dining Room (18-0 x 11-8)
No violations noted.

Garage/ Attic

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

Lower LevelStairs

Replace the missing smoke detector. 1C22-11-18-3.5

City Hall

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

401 N Morton St

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

Bloomington, IN 47404

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

Lower Level (Continued)Family Room (16-2 x 21-2), Office (11-6 x 8-1)

No violations noted.

Bathroom

Complete the installation of the plumbing and all associated fixtures and their bases/cabinets where applicable. These items will be checked for compliance with the Bloomington Municipal Code at reinspection and have the same 60 day compliance deadline as the remainder of this property. BMC 16.04.060(a)

Crawl Space

No violations noted.

Upper Level**Bathroom**

Replace non-functioning or incorrectly wired GFCI receptacle(s) (**Not ground and wont trip**), per Indiana Electric Code requirements. BMC 16.04.020 (IEC 210.8) and BMC 16.04.060(b)

Replace all damaged or missing tile(s) in the bathtub/shower surround. BMC 16.04.060(a)

Replace the missing trim around the window. BMC 16.04.060(a)

NE Bedroom (11-8 x 10-6), South Bedroom (13-4 x 12-8)

No violations noted.

Existing Egress Window Measurements:**Height: 20.25 inches****Width: 41.50inches****Sill Height: 36 inches****Openable Area: 5.83 sq. ft.**

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

NW Bedroom (10-8 x 10-4)

No violations noted.

Existing Egress Window Measurements:**Height: 20.25 inches****Width: 33.50 inches****Sill Height: 44.75 inches****Openable Area: 4.71sq. ft.**

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

Hallway

No violations noted.

EXTERIOR

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019
Petition Type: An extension of time to complete repairs.
Petition Number: 19-TV-37
Address: 3442 N. Valleyview Dr.
Petitioner: Brent Liescheidt
Inspector: Norman Mosier
Staff Report: February 8, 2019 – Conducted Cycle Inspection
April 22, 2019 – Received BHQA Appeal

The Petitioner is requesting an extension of time to complete the repairs due to not understanding the timelines of the Housing and Neighborhood Development's Rental Program.

Staff Recommendation: Grant the request.

Conditions: Complete all repairs and schedule for re-inspection no later than the deadlines stated below, or this case will be turned over to the City of Bloomington Legal Department for further action, including, but not limited to, the possibility of fines.

Compliance Deadline: July 28, 2019 - For all life-safety violations
September 17, 2019 - For all other violations

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

256



RECEIVED
APR 22 2019

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: 3442 N Valleyview Drive

Petitioner's Name: Brent Liescheidt

Address: 484 Crestview Drive

City: Dallas

State: Georgia



Zip Code: 30157

Phone Number: 7035870255

E-mail Address: Brentliescheidt@yahoo.com

Owner's Name: Brent Liescheidt

Address: 484 Crestview Drive

City: Dallas

State: Georgia



Zip Code: 30157

Phone Number: 7035870255

E-mail Address: Brentliescheidt@yahoo.com

Occupants: David & Sarah Mitchell

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-37

NM

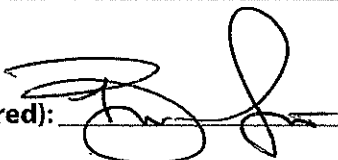
In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.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

My appologies, as I did not respond to the initial receiving of the report in time. I had set the report off to the side once received, and didn't know there was a apecific timeline for repairs to be made. This is the first property I've owned in Bloomington, and was unaware of the requirements to own a rental property in Bloomington. I have a maintainance company (DS Maintanance) coming out by the end of the week to provide me an estimate of costs to repair all issues. I will then have them work as soon as they are available to repair all items identified in the inspection. I do not know how long it will to complete the work required, but I would think I can get a reinspection sheduled in aproximately 30 days, May 15, 2019.

Signature (Required):



Name (Print): Brent Liescheidt

Date: 4/15/19

Important information regarding this application format:

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

Print Form



City Of Bloomington
Housing and Neighborhood Development
CYCLE INSPECTION REPORT

5406

Owner(s)

Brent Liescheidt
484 Crestview Dr
Dallas, GA 30157

Agent

David Mitchell
3442 N Valleyview Dr
Bloomington, IN 47402

Prop. Location: 3442 N Valleyview DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 02/08/2019
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspector: Norman Mosier
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1965.
There were no requirements for emergency egress at the time of construction.

GENERAL VIOLATION:

Repair the lateral system to function as intended, backs up into the basement when used. BMC 16.04.060 (a)

INTERIOR:

Living Room 14 x 13-10:

Repair the front entry storm door to fit the door jamb and latch properly. BMC 16.04.060(a)

Properly ground the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install 2-pole, ungrounded receptacles, or GFCI receptacles. If GFCI receptacles are installed, label receptacles with the wording "no equipment ground." BMC 16.04.020(a)(5); 2009 IEC Article 406.3(B) Grounding & 2009 IEC Article 406.3 (D)Replacements

✓ Kitchen 14 x 9-4:

Repair the east window to lock as intended, missing lock. BMC 16.04.060 (b)

Repair the rear entry storm door closing device to function as intended and repair the door to latch properly.
BMC 16.04.050(a)

Bath:

Replace the damaged east and west doors and repair the doors to latch properly. BMC 16.04.060 (a)

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

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

Hall:

No violations noted.

Northwest Bedroom 10-3 x 8-9:

Interior walls shall be free of **holes**, cracks, peeling paint and/or deteriorated drywall/plaster, south wall behind the door. BMC 16.04.060(a)

Existing Egress Window Measurements (double-hung; both sashes removable):

Height: 49 ½ inches

Width: 31 ½ inches

Sill Height: 30 inches

Openable Area: 10.83 sq. ft.

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

✓ Southwest Bedroom 12 x 9-6: Same window as NW Bedroom.

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

Southeast Bedroom 12 x 9-10:

No violations noted.

Existing Egress Window Measurements: **Slider**

Height: 34 inches

Width: 16 ¼ inches

Sill Height: 45 inches

Openable Area: 3.84 sq. ft.

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

BASEMENT See general violation.

Stairway:

No violations noted.

Mechanical Room: Gas furnace located here, see other requirements.

No violations noted.

North Room:

This room cannot be used for sleeping purposes, used as bedroom – no egress.

Remove the bed from the basement.

✓ Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

✓ Secure the loose receptacle on the south wall adjacent to base of stairway. BMC 16.04.060 (b)

Repair the broken condensation drain furnace drain to go to the drain. BMC 16.04.060 (c)

Repair the lighting on the west wall to function as intended, some fixtures don't work. BMC 16.04.060 (a).

Bath:

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

Laundry Room:

See general violation.

Southwest Room:

Properly tuck point the cracks in the south and west walls. BMC 16.04.050(a)

✓ Install the missing cover plate on the junction box in the ceiling, live wires exposed. BMC 16.04.060 (b)

EXTERIOR:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)
(This violation has a one-year deadline from the date of the Cycle Inspection.)

Remove all of the trash, brush piles, mattresses, and debris from property. BMC 16.04.050(a)

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

Deck:

No violations noted.

OTHER REQUIREMENTS

Furnace Inspection Documentation

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

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

Tenants and Owners Rights and Responsibilities Summary

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector **within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC 16.03.060(c) and BMC 16.10.030(b)

Inventory & Damages List

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs.

Petition Number: 19-TV-39

Address: 1385 W Allen St. A1

Petitioner: Tempo Properties

Inspector: Matt Swinney

Staff Report: May 14, 2018 Completed Cycle Inspection Report
April 26, 2019 BHQA App received
June 19, 2019 Meeting cancelled due to no Quorum

Tempo Properties has requested an extension of time to complete window repairs to 1383 W Allen St B5, and 1385 W Allen St A1 and A4. They have the windows on order and are waiting for them to arrive.

Staff recommendation: Grant the request.

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

Compliance Deadline: July 30, 2019 to call and schedule the reinspection.

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



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

Property Address: 1385 W Allen St, unit A1

Petitioner's Name: TEMPO PROPERTIES

Address: 213 S Rogers St

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

Phone Number: 812-336-2026 **E-mail Address:** info@tempopropertiesinc.com

Owner's Name: Willow Condos, LLC

Address: 213 S Rogers St

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

Phone Number: 812-336-2026 **E-mail Address:** info@tempopropertiesinc.com

Occupants: Brian & Cheryl Armstrong - 2

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: Window replacement

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that month's agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-39

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.

Window replacements needed - glass
on order!

Signature (Required): Alyssa Gilliland

Name (Print): Alyssa Gilliland

Date: 4/26/19

Important information regarding this application format:

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

Print Form



City Of Bloomington
Housing and Neighborhood Development

MAY 31 2018

RENTAL INSPECTION INFORMATION

John Jacobs
505 N Walnut Street
Bloomington, IN 47404

RE: 1385 W Allen ST UNIT A1

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **JUL 30 2018** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report,

Xc: Nextwave Apartment Homes: 505 N. Walnut St., Bloomington, IN 47404

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

City Hall
bloomington.in.gov

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

AA



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

4176

Owner

John Jacobs.
505 N Walnut Street
Bloomington, IN 47404

Agent

Nextwave Apartment Homes
505 N. Walnut St.
Bloomington, IN 47404

Prop. Location: 1385 W Allen ST UNIT A1
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 05/14/2018
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 1

Inspector: Matt Swinney
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

Monroe County Assessor's records indicate that this structure was built in 1994. These are the minimum requirements for emergency egress for structures built between 1993 – 1998:

Clear Height: 24"
Clear Width: 20"
Openable Area: 5.7 sq. ft.
Sill Height: 44" above the floor

Existing Egress Window Measurements:

Height: 24 inches
Width: 35 inches
Sill Height: 28 inches
Openable Area: 5.83 sq. ft.

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

INTERIOR

Living Room 15-2 x 16-0

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

Kitchen 10-1 x 10-5

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)

Mechanical Closet

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

Bathroom

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

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

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

Hallway

Replace missing door knob/lock assembly for the closet door. BMC 16.04.060(b)

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

Front Bedroom 12-4 x 11-8/Half Bath

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

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

Left Rear Bedroom 10-5 x 10-3

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

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

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

Right Rear Bedroom 9-9 x 11-5

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

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

Attic

No violations noted.

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

Furnace Inspection Documentation

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

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

Tenants and Owners Rights and Responsibilities Summary

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector **within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC 16.03.060(c) and BMC 16.10.030(b)

Inventory Damage List

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs.

Petition Number: 19-TV-39

Address: 1385 W Allen St. A4

Petitioner: Tempo Properties

Inspector: Matt Swinney

Staff Report: May 14, 2018 Completed Cycle Inspection Report
April 26, 2019 BHQA App received
June 19, 2019 Meeting cancelled due to no Quorum

Tempo Properties has requested an extension of time to complete window repairs to 1383 W Allen St B5, and 1385 W Allen St A1 and A4. They have the windows on order and are waiting for them to arrive.

Staff recommendation: Grant the request.

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

Compliance Deadline: July 30, 2019 to call and schedule the reinspection.

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



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

Property Address: 1385 W allen St unit A4

Petitioner's Name: Tempo properties

Address: 213 S Rogers St

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

Phone Number: 812-336-2026 **E-mail Address:** info@tempopropertiesinc.com

Owner's Name: Willow Condos, LLC

Address: 213 S Rogers St

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

Phone Number: 812-336-2026 **E-mail Address:** info@tempopropertiesinc.com

Occupants: 2 - Adrian Zaragoza & Fernando 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: Window replacement

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-39

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.

Window Replacement needed - glass on order

Signature (Required):

Tina Ship

Name (Print):

Alyssa Gilliland

Date:

4/26/19

Important information regarding this application format:

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

Print Form



**City Of Bloomington
Housing and Neighborhood Development**

RENTAL INSPECTION INFORMATION

MAY 31 2018

John Jacobs
505 N Walnut Street
Bloomington, IN 47404

RE: 1385 W Allen ST UNIT A4

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **JUL 30 2018** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report,

Xc: Nextwave Apartment Homes: 505 N. Walnut St., Bloomington, IN 47404

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

City Hall

bloomington.in.gov

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



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

5872

Owner

John Jacobs
505 N Walnut Street
Bloomington, IN 47404

Agent

Nextwave Apartment Homes
505 N. Walnut St.
Bloomington, IN 47404

Prop. Location: 1385 W Allen ST UNIT A4
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 05/14/2018
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 2

Inspector: Matt Swinney
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

Monroe County Assessor's records indicate that this structure was built in 1994. These are the minimum requirements for emergency egress for structures built between 1993 – 1998:

Clear Height: 24"
Clear Width: 20"
Openable Area: 5.7 sq. ft.
Sill Height: 44" above the floor

Existing Egress Window Measurements:

Height: 24 inches
Width: 35 inches
Sill Height: 28 inches
Openable Area: 5.83 sq. ft.

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

INTERIOR

Living Room 13-0 x 15-7

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

Half Bathroom

No violations noted.

Kitchen

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

Laundry Closet

Repair the door missing top pin. BMC 16.04.060(a)

Upstairs

Stairway

Install missing handrail so it is capable of withstanding normally imposed loads. BMC 16.04.060(b)

Front Bedroom 15-7 x 10-8

No violations noted.

Bathroom

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

Hallway

No violations noted.

Right Rear Bedroom 10-1 x 9-0

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

Left Rear Bedroom 9-8 x 8-9:

Repair the broken window. BMC 16.04.060(a)

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

Attic

No violations noted.

EXTERIOR

Properly repair or replace melted, damaged, or deteriorated siding above the front porch roof in a manner that leaves the structure weather tight and excludes the entrance of rodents. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating siding and structural members. BMC 16.04.050(a)

OTHER REQUIREMENTS

Furnace Inspection Documentation

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

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs.

Petition Number: 19-TV-39

Address: 1383 W Allen St. B5

Petitioner: Tempo Properties

Inspector: Matt Swinney

Staff Report: May 14, 2018 Completed Cycle Inspection Report
April 26, 2019 BHQA App received
June 19, 2019 Meeting cancelled due to no Quorum

Tempo Properties has requested an extension of time to complete window repairs to 1383 W Allen St B5, and 1385 W Allen St A1 and A4. They have the windows on order and are waiting for them to arrive.

Staff recommendation: Grant the request.

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

Compliance Deadline: July 30, 2019 to call and schedule the reinspection.

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



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

Property Address: 1383 W Allen St unit B5

Petitioner's Name: TEMPO properties

Address: 213 S Rogers St

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

Phone Number: 812-336-2026 **E-mail Address:** info@tempopropertiesinc.com

Owner's Name: Willow condos, LLC

Address: 213 S Rogers St

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

Phone Number: 812-336-2026 **E-mail Address:** info@tempopropertiesinc.com

Occupants: 1 - Tera Caster

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: Window replacement 

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-39

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.

Window replacement - glass in order

Signature (Required):

Alysa Billand

Name (Print):

Alysa Billand

Date:

4/26/19

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

Print Form



City Of Bloomington
Housing and Neighborhood Development

MAY 31 2018

RENTAL INSPECTION INFORMATION

John Jacobs
505 N Walnut Street
Bloomington, IN 47404

RE: 1383 W Allen ST UNIT B5

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **JUL 30 2018** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report,

Xc: Nextwave Apartment Homes: 505 N. Walnut St., Bloomington, IN 47404

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

City Hall
bloomington.in.gov

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

AA



City Of Bloomington
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

5867

Owner

John Jacobs
505 N Walnut Street
Bloomington, IN 47404

Agent

Nextwave Apartment Homes
505 N. Walnut St.
Bloomington, IN 47404

Prop. Location: 1383 W Allen ST UNIT B5
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 05/14/2018
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 2

Inspector: Matt Swinney
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: None

Monroe County Assessor's records indicate that this structure was built in 1994. These are the minimum requirements for emergency egress for structures built between 1993 – 1998:

Clear Height: 24"
Clear Width: 20"
Openable Area: 5.7 sq. ft.
Sill Height: 44" above the floor

Existing Egress Window Measurements:

Height: 24 inches
Width: 35 inches
Sill Height: 28 inches
Openable Area: 5.83 sq. ft.

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

INTERIOR

Living Room 13-0 x 15-7

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

½ Bath, Kitchen

No violations noted.

Laundry Closet

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

Upstairs

Front Bedroom 15-7 x 10-8

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

Bathroom

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

Hallway, Right Rear Bedroom 10-1 x 9-0, Left Rear Bedroom 9-8 x 8-9 Attic

No violations noted.

EXTERIOR

No violations noted.

OTHER REQUIREMENTS

Furnace Inspection Documentation

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

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

Tenants and Owners Rights and Responsibilities Summary

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector **within 60 days of the date of the inspection** or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)

Inventory Damage List

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: Relief from an administrative decision

Variance Request: Relief from the reduction to a 3 year permit.

Petition Number: 19-AA-40

Address: 900 W 3rd Street

Petitioner: Sara Gardner

Inspector: Matt Swinney/ John Hewett

Staff Report:

November 08, 2018	Cycle inspection completed with owner
November 21, 2018	Report mailed to owner, BHQA rescind variance appeal for the
December meeting.	
December 19, 2018	BHQA rescinded the bedroom access variance.
January 11, 2019	Owner called HAND to schedule re-inspection for February 11,
2019.	
February 11, 2019	Inspector arrived for inspection, marked file as a no show.
February 11, 2019	Owner re-scheduled inspection for March 11, 2019
February 12, 2019	Owner called to contest the no show.
February 12, 2019	HAND Assistant Director Eric Sader discussed the inspection
	particulars with the inspector and recommended the owner file for an appeal.
March 11, 2019	Re-inspection with owner.
March 14, 2019	HAND sent billing statement.
March 29, 2019	Received payment, issued Permit.
April 29, 2019	Received Appeal and fee.
June 19, 2019	BHQA meeting cancelled.

The inspector approached the house at the same door that was used for entry during the cycle inspection when he arrived for the re-inspection. There was no answer when he knocked. He waited the full 15 minutes that are required in our procedures.

Staff recommendation: Deny the relief from administrative decision.

Conditions: The three year permit will stand as issued.

Compliance Deadline: none

Attachments: Appeal form

A handwritten signature or mark, possibly initials, located in the bottom right corner of the page.



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

RECEIVED
APR 29 2019

Property Address: 900 West 3rd

Petitioner's Name: Sara A. Gardner

Address: 910 S Rogers St

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: (415) 377-0707

E-mail Address: gardner.rentals@gmail.com

Owner's Name: Sara A. Gardner

Address: 910 S Rogers St

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: 415-377-0707

E-mail Address: gardner.rentals@gmail.com

Occupants: Miguel Estrada, Jay Veloz

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: Relief from an administrative decision. (Petition Type: AA)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-AA-40

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 had an re-inspection scheduled for Monday Feb 11th with swinney@bloomington.in.gov (not sure of his name) at 11:30am. All repairs had been completed and one of the tenants (Jay) was home to let him in as I was running late. When I got there around 11:20am, the tenant informed me that the inspector never showed up. I called HAND to ask about this, and they told me the inspector was there. I didn't know who to believe, so I re-scheduled the re-inspection for Monday March 11 at 3:30pm. While there, I asked the inspector about it and he sheepishly admitted to me that he only knocked on the back door. Unfortunately, the bed room that the back door is attached to is being used for storage, and the tenants were keeping it blocked off (e.g. the inside BR door was closed, heat vents shut off etc.). In other words, his knock on the back door would not have been heard unless you were in that bedroom. I then asked the inspector why he didn't knock on the front door, which is customary, and he said he didn't because he thought we started in the back the last time??? I have no idea what kind of reason that is, but because he made little effort to make his presence known, I am now getting knocked down from a 5 year inspection cycle to a 3 year inspection cycle. I don't think I should be penalized for this, and am requesting to be put back on the 5 year cycle.

Signature (Required):

Sara A. Gardner

Name (Print): Sara A. Gardner

Date: 4/18/19

Important information regarding this application format:

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

Print Form



City of Bloomington
H.A.N.D.

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

Meeting Date: 17 July 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-043

Address: 213 S Jefferson St

Petitioner: Tempo Properties, Inc

Inspector: Michael Arnold

Staff Report: 16 April 2019 Scheduled Complaint Inspection
18 April 2019 Complaint Inspection
29 April 2019 Sent Complaint Inspection Report
13 May 2019 Received BHQA Application
19 June 2019 BHQA Meeting Cancelled

The complaint included concerns about the structural stability of the basement foundation walls. There is some dislocation of the masonry block which may be a structural concern. The report requested repairs or documentation from a design professional regarding the deterioration. The report also requested the brush be removed from the property. Petitioner indicates that all other repairs are completed, however no reinspection has occurred. Petitioner is requesting additional time to complete these repairs.

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: 17 August 2019

Attachments: Application, Complaint report, Picture



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

RECEIVED
APR 09 2019

Property Address: 213 S Jefferson St, Bloomington IN 47408

Petitioner's Name: Tempo Properties, Inc.

Address: 213 S Rogers St

City: Bloomington

State: Indiana



Zip Code: 47404

Phone Number: 8123362026

E-mail Address: repairs@tempopropertiesinc.com

Owner's Name: 57UB, LLC.

Address: 6925 E 96th St Suite 255

City: Indianapolis

State: Indiana



Zip Code: 46250

Phone Number: 3172957000

E-mail Address: office@weybright.com

Occupants: 2 - James Wallen & Elke Defever

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-43

MA

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

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

We are requesting an extension of time to finish the following:

- 1. Foundation examination/repairs.
- 2. Clear the backyard of brush.

We have completed the repairs to the plumbing and the upstairs bedroom window.

Thank you,

Alyssa Gilliland
Tempo Properties, Inc.

Signature (Required): _____

Name (Print): Alyssa Gilliland

Date: _____

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**

APR 29 2019

57ub Llc
Po Box 6277
Fishers, IN 46038

RE:NOTICE OF COMPLAINT INSPECTION

Dear 57ub Llc

On 04/18/2019 a complaint inspection was performed at 213 S Jefferson ST. During the inspection violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found.

Please correct the violations cited on the enclosed inspection report within fourteen days (14) and call this office no later than **MAY 13 2019** to schedule the required re-inspection. Our mailing address and telephone number are listed below.

This directive is issued in accordance with Sections BMC 16.03.040 (c) and 16.10.040 (a) of the Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington. You have the right to appeal to the Board of Housing Quality Appeals. If you need more than fourteen (14) days to correct the violations, or if you want to appeal any violation, an appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

Please remember, it is your responsibility to contact the Housing and Neighborhood Development Department to schedule the required re-inspection.

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

Sincerely,

Housing & Neighborhood Development
Encl:Inspection Report,
Xc:Tempo Properties Inc.: P.O. Box 5727, Bloomington, IN 47407

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

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

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

AR



City Of Bloomington
Housing and Neighborhood Development
COMPLAINT INSPECTION REPORT

1079

Owner(s)

57ub Llc
 Po Box 6277
 Fishers, IN 46038

Agent

Tempo Properties Inc.
 P.O. Box 5727
 Bloomington, IN 47407

Prop. Location: 213 S Jefferson ST
 Number of Units/Structures: 1/1
 Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/4

Date Inspected: 04/18/2019
 Primary Heat Source: Gas
 Property Zoning: RC
 Number of Stories: 2

Inspector: Mike Arnold
 Foundation Type: Basement
 Attic Access: No
 Accessory Structure: none

The following items are the result of a complaint inspection conducted on 04/18/2019. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines. If you have questions regarding this report, please contact this office at 349-3420.

Interior:

Repair the plumbing/drain lines to eliminate back up into the bathroom and kitchen sinks. BMC 16.04.060(c)

Basement:

Repair the walls and floor as necessary to eliminate water infiltration. BMC 16.04.060(a)

Repair the foundation walls to be structurally sound or provide documentation from a design professional stating the walls are structurally sound. BMC 16.01.060(f)

Upper Level:

Repair/replace the window sashes that have fogged or have moisture between the panes of glass. BMC 16.04.060(a)

Exterior:

Eliminate the downed trees, wood and brush from the property. BMC 16.04.050(a)(d)





City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-44

Address: 150 – 152 E Kennedy Court

Petitioner: Tempo Properties, Inc.

Inspector: Dee Wills

Staff Report: March 07, 2019 Completed Cycle Inspection
March 13, 2019 Sent Cycle Report to Owner/ Agent
April 23, 2019 Reinspection was scheduled by Agent for May 23, 2019
May 09, 2019 Received Application for Appeal. Re-inspection for
May 23, 2019 was canceled.
May 13, 2019 Received 2nd Application for Appeal

The petitioner is requesting an extension of time for 150 and 152 E Kennedy Drive. There is one violation at each unit, the petitioner needs more time to complete.

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: Window and Garage Door Violations: August 19, 2019
All other violations: Schedule **immediately**.

Attachments: Two Applications for Appeal, Cycle Report, BHQA Staff Report



RECEIVED
MAY 09 2019

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

Property Address: 150 E Kennedy Ct, Bloomington IN 47401

Petitioner's Name: Tempo Properties, Inc.

Address: 213 S Rogers St

City: Bloomington

State: Indiana



Zip Code: 47404

Phone Number: 8123362026

E-mail Address: repairs@tempopropertiesinc.com

Owner's Name: Willow Court, LLC.

Address: 755 E 82nd St., Suite 300

City: Indianapolis

State: Indiana



Zip Code: 46240

Phone Number: (317) 845-

E-mail Address: kresetarits@bgdlegal.com

Occupants: 1 - Eric Brathole

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-44

DW

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 requesting an extension of time to finish repairs/replacements on the following:

- 1. Master bedroom window

Thank you,

Alyssa Gilliland
Tempo Properties, Inc.

Signature (Required): _____

Name (Print): Alyssa Gilliland **Date:** _____

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



RECEIVED
MAY 09 2019
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: 152 E Kennedy Ct, Bloomington IN 47401

Petitioner's Name: Tempo Properties, Inc.

Address: 213 S Rogers St

City: Bloomington

State: Indiana



Zip Code: 47404

Phone Number: 8123362026

E-mail Address: repairs@tempopropertiesinc.com

Owner's Name: Willow Court, LLC.

Address: 755 E 82nd St., Suite 300

City: Indianapolis

State: Indiana



Zip Code: 46240

Phone Number: (317) 845-

E-mail Address: kresetarits@bgdlegal.com

Occupants: 2 - Julia & Timothy Pollack

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:

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(Will be assigned by BHQA)

Petition Number: 19-TV-44

DW

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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.

We are requesting an extension of time to finish repairs/replacements on the following:

1. Garage door

Thank you,

Alyssa Gilliland
Tempo Properties, Inc.

Signature (Required): _____

Name (Print): Alyssa Gilliland

Date: _____

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

RENTAL INSPECTION INFORMATION

MAR 20 2019

Bloomington Group, Llc
P.O. Box 5727
Bloomington, IN 47407

RE: 152 E Kennedy CT

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **MAY 19 2019** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development
Encl: Inspection Report,
Xc: Tempo Properties Inc.: P.O. Box 5727, Bloomington, IN 47407

City Hall

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

401 N Morton St

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

Bloomington, IN 47404

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

24



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

5666

Owner(s)

Bloomington Group, Llc
P.O. Box 5727
Bloomington, IN 47407

Agent

Tempo Properties Inc.
P.O. Box 5727
Bloomington, IN 47407

Prop. Location: 152 E Kennedy CT, 150 E Kennedy CT
Number of Units/Structures: 2/1
Units/Bedrooms/Max # of Occupants: Bld 1: 2/3/5

Date Inspected: 03/07/2019
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 2

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

Monroe County records show this structure was built in 1994. The minimum emergency egress requirements at the time of construction were as follows:

Height: 24 inches
Width: 20 inches
Sill Height: 44 inches
Openable Area: 5.7 sq. ft.
5.0 sq. ft. grade level

INTERIOR

Unit 150:

Main Level

Living Room/Dining Room (14-0 x 14-0)

Replace the missing closer for the front storm door so that it functions as intended. BMC 16.04.060(a)

Adjust the deadbolt locking mechanism for the rear entry door so that it functions as intended. BMC 16.04.060(a)

Kitchen (10-0 x 8-4), ½ Bathroom/ Laundry

No violations noted

Garage

No violations noted

Upper Level

Hallway, Hall Bathroom

No violations noted.

Back Left Bedroom (11-9 x 10-6)

No violations noted.

Existing Egress Window Measurements:

Height: 24.50 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.10 sq. ft.

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

Front Left Bedroom (14-0 x 10-6)

No violations noted.

Existing Egress Window Measurements:

Height: 24.50 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.10 sq. ft.

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

Master Bedroom (14-0 x 11-6)

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

Existing Egress Window Measurements:

Height: 24.50 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.10 sq. ft.

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

Master Bathroom

Properly secure the loose GFCI electrical outlet so that it functions as intended. BMC 16.04.060(b)

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

Unit 152

Main Level

Living Room/Dining Room (14-0 x 14-0)

No violations noted.

Kitchen (10-0 x 8-4)

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)

½ Bathroom/ Laundry

Properly secure the loose electrical outlet so that it functions as intended. BMC 16.04.060(b)

Garage

No violations noted.

Upper Level

Hallway, Hall Bathroom

No violations noted.

Back Right Bedroom (11-9 x 10-6)

No violations noted.

Existing Egress Window Measurements:

Height: 24.50 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.10 sq. ft.

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

Front Right Bedroom (14-0 x 10-6)

No violations noted.

Existing Egress Window Measurements:

Height: 24.50 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.10 sq. ft.

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

Master Bedroom (14-0 x 11-6)

This window was not accessible at the time of this inspection. (blocked) This window must be brought into compliance with-in the same 60 day deadline as the remainder of this property. BMC 16.03.040

Existing Egress Window Measurements:

Height: 24.50 inches

Width: 30 inches

Sill Height: 28 inches

Openable Area: 5.10 sq. ft.

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

Master Bathroom

Properly secure the loose GFCI electrical outlet so that it functions as intended. BMC 16.04.060(b)

EXTERIOR

Unit 150

Seal all openings in the air conditioning/heating ducts in a manner that excludes the entrance of animals/rodents. BMC 16.04.070

Unit 152

Repair/replace the damaged garage door. BMC 16.04.050(a)

Unit 150, Unit 152

Properly label electrical service meters/disconnects with corresponding unit numbers. BMC 16.04.020 NEC 225.37

OTHER REQUIREMENTS

Furnace Inspection Documentation

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

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

Tenants and Owners Rights and Responsibilities Summary

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)

Inventory Damage List

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: Relief from an administrative decision

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

Petition Number: 19-AA-45

Address: 3900 E Stonegate Drive

Petitioner: HAND

Inspector: John Hewett

Staff Report: In December of 2013 The Board granted a variance to the requirement to register this property as a rental. The owners had added a second unit to their house for disabled family members, and they signed a Zoning Commitment to the effect that it was for family members. The Zoning commitment also allowed for 2 disabled persons to live in the unit. One of the original family members is no longer an occupant, and a second disabled person who receives living expenses in common with the remaining family member has moved into the unit. As this meets the letter of the Zoning commitment but not the wording of the Board's Notice of Board Action, we are asking for the Board to update their decision to allow this situation.

Staff recommendation: Grant the relief from administrative decision.

Conditions: This unit will be granted relief from the requirements of Title 16 for as long as the requirements of the recorded Zoning commitment are being met. The property status will be checked yearly to verify no changes have been made. If this status changes, the requirements of Title 16 may be re-instated.

Compliance Deadline: none

Attachments: Appeal form



RECEIVED
JAN 1 2019

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: 3900 E STONEGATE DRIVE
Petitioner's Name: HAND
Address: 401 N MORTON
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Email Address: _____
Property Owner's Name: TRISH TIERINO
Address: 3900 E STONEGATE DR.
City: BLGTN State: IN Zip Code: 47401
Phone Number: 812-322-9331 Email Address: TIERINO@IUCU.ORG
Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 19-AA-45

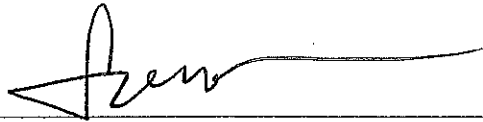
SEE REVERSE

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.

THIS PROPERTY HAS BEEN GRANTED RELIEF FROM THE REQUIREMENT
TO REGISTER THIS AS A RENTAL. THE MEMBERS OF THE
HOUSEHOLD HAVE CHANGED, AND THE NOTICE OF BOARD ACTION
STATUS SPECIFIC PERSONS.

Signature (required):



Name (please print):

JOHN HEWITT

Date:

5/14/19

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

ZONING COMMITMENT

This Commitment is being made in connection with approval of use variance UV-45-14 on real estate located at 3900 East Stonegate Drive, Bloomington, Monroe County, Indiana (hereinafter known as the "real estate"). This real estate is described as Lot Number One (1) in Stonegate Addition to the City of Bloomington, Indiana as shown by the plat thereof recorded in Plat Cabinet C, Envelope 23 in the office of the Recorder of Monroe County, Indiana, which real estate has a parcel number of 0151353511. **Patricia A. & Louis Ierino ("Owners")**, hereby commit to the City of Bloomington for itself, its successors and assigns, that:

Occupancy of the accessory unit on this property shall be limited to a maximum of two persons that are either related to the owner/tenant of the main home by blood, marriage, or legal adoption; or no more than two persons with disabilities. In the instance that the requirements of the commitment cannot be met, the unit shall be removed. This would include, but is not limited to, the complete removal of the kitchen, including appliances and cabinets and the establishment of an open connection. This commitment replaces the previous deed commitment for this property with instrument number 2013000739.

The City of Bloomington Plan Commission voted to replace the previously recorded deed commitment for this property (Instrument number 2013000739) at their regularly scheduled hearing on February 9, 2015. The vote unanimously approved case UV-35-14, which included a statement in the staff report, stating, "The new commitment will replace the previous deed commitment."

This Commitment shall be recorded in the office of the Recorder of Monroe County and shall be binding on the undersigned and upon any subsequent owner or other person acquiring an interest in the real estate.

Prior to the issuance of any permits, a copy of the recorded commitment shall be transmitted to the Planning Department.

This Commitment may be modified or terminated only by action of the City of Bloomington Plan Commission.

This Commitment shall be enforceable by the City of Bloomington or by any adjacent property owner or other interested party as defined by the Plan Commission Rules and Procedures.

Failure to honor this Commitment shall subject the person then obligated hereby to revocation of occupancy permits and other legal action including but not limited to the power of the City of Bloomington to have the work done at the expense of the property owner.

Failure to honor this commitment shall also constitute a violation of the City of Bloomington Unified Development Ordinance and shall be subject to all penalties and remedies provided thereunder.

"Owner's Signature Here" _____

Printed Name _____

ATTEST:

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Personally appeared before me, a Notary Public in and for said County and State,
_____, Patricia A. & Louis Ierino, who acknowledged execution of the above and
foregoing instrument to be his or her voluntary act and deed.

WITNESS my hand and Notarial Seal this _____ day of _____, 2015.

Printed Name of Notary Public
My Commission Expires:

Signature of Notary Public

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required
by law. Patricia M. Mulvihill

This instrument approved by Patricia M. Mulvihill, Attorney at Law, City of Bloomington, P.O. Box 100, Bloomington, Indiana 47402.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: Relief from an administrative decision

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

Petition Number: 19-AA-46

Address: 2303 S Brown Avenue

Petitioner: Terri L. McDonald

Inspector: John Hewett

Staff Report: January 29, 2019 Mayor's Office called HAND to ask if this property is a rental

February 8, 2019 Neighborhood Compliance Officer and Assistant Director discuss the property and decide to open a rental file for the property.

February 11, 2019 Notice to register and schedule inspection is sent to owner.

March 6, 2019 Final Notice to register sent to owner.

March 13, 2019 Final Notice returned by US Postal Service

March 28, 2019 Started Legal

May 1, 2019 Legal Letter sent

May 15, 2019 Received appeal and fee from the owner.

June 19, 2019 BHQA meeting cancelled.

This house is occupied by the owner's disabled daughter and daughter's husband (also disabled). The owner is asking for relief from the requirements of Title 16.

Staff recommendation: Grant the relief from administrative decision.

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

Compliance Deadline: none
Attachments: Appeal form

Handwritten signature/initials



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

RECEIVED
MAY 15 2019
BY:

Property Address: 2303 S. Brown Ave Bloomington, In. 47403

Petitioner's Name: Terri L. McDaniel

Address: 29502 St. James Pl.

City: Magnolia

State: Texas



Zip Code: 77354

Phone Number: 8325152307

E-mail Address: amyalmom@yahoo.com

Owner's Name: Terri L. McDaniel

Address: 29502 St. James Pl.

City: Magnolia

State: Texas



Zip Code: 77354

Phone Number: 8325152307

E-mail Address: amyalmom@yahoo.com

Occupants: Traci L. Jones
 LaDon Jones

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

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

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

Variance Type: A modification or exception to the Housing Property Maintenance Code. (Petition Type: **AA**)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: **19-AA-46**

54

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 left the property for my oldest daughter to live in. She is disabled, as is her husband. She has had housing assistance before and cannot get it again. So I let her stay there so I know she has a safe place to live.

Signature (Required):

Jerru McDaniel

Name (Print):

JERRU MCDANIEL

Date:

5-14-19

Important information regarding this application format:

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

Print Form



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019
Petition Type: An extension of time to complete repairs.
Petition Number: 19-TV-47
Address: 231 N Adams St.
Petitioner: Crystal Sullivan
Inspector: Matt Swinney
Staff Report: March 14, 2019 Completed Cycle Inspection Report
May 20, 2019 BHQA App received

Owner has requested an extension of time to complete repairs due to a broken ankle.

Staff recommendation: Grant the request.

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

Compliance Deadline: July 26, 2019 to call and schedule the reinspection.

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



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

RECEIVED
MAY 20 2019
BY:

Petitioner's Name: crystal sullivan

Petitioner's Address & Phone Number: 2912 state ferry rd solsberry In 47459

Owner's Name: crystal sullivan

Owner's Address & Phone Number: 29 12 state ferry rd solsberry in 47459

Address of Property: 231 n adams street bloomington in 47404

Occupant(s) Name(s): Tim & Debbie Dalton, crystals mother and father

- The following conditions must be found in each case in order for the Board to consider the request:
1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
 2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

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

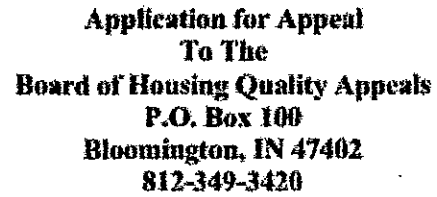
I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: crystal sullivan

Name (print): crystal sullivan

(Will be assigned by BHQA)

Petition Number: 19-TV-47



I broke my ankle and need more time to make the repairs.

Signature: crystal sullivan Date: 05/17/19



City Of Bloomington
Housing and Neighborhood Development

MAR 21 2019

RENTAL INSPECTION INFORMATION

Crystal Sullivan
231 N Adams St
Bloomington, IN 47404

RE: 231 N Adams ST

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **MAY 20 2019** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development
Encl:Inspection Report,



City Of Bloomington
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

10588

Owner

Crystal Sullivan
231 N Adams St
Bloomington, IN 47404

Prop. Location: 231 N Adams ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/1/3

Date Inspected: 03/14/2019
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

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

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

INTERIOR

Kitchen 10-3 x 7-6

Determine the source and eliminate the water leak under the sink. Part of the drain is wrapped in duct tape.
BMC 16.04.060(a)

Living Room 15-0 x 12-10, Bathroom

No violations noted.

Bedroom 15-0 x 13-8

Note: A door leading directly to the exterior serves as the emergency egress for this sleeping room.

Repair the broken top glass of the south window. BMC 16.04.060(a)

Basement

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

EXTERIOR

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

OTHER REQUIREMENTS

Furnace Inspection Documentation

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

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-48

Address: 3801-3811 E. Morningside Drive

Petitioner: The Legacy Group/Yorktown Courts

Inspector: Jo Stong

Staff Report: March 18, 2019: Conducted cycle inspection
March 29, 2019: Mailed report
April 29, 2019: Mailed remaining violations report
May 20, 2019: Started legal proceedings
May 21, 2019: Received appeal

During a cycle inspection of the above property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were noted. The petitioner is seeking an extension of time to complete repairs, stating staff shortages and summer turns have delayed repairs.

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 31, 2019 for all life-safety violations
September 17, 2019 for all other violations

Attachments: Cycle report, appeal



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

hand@bloomington.in.gov

Property Address: 3801 E. Morningside Drive

Petitioner's Name: The Legacy Group / Yorktown Courts

Address: 3112 E. Braeside Drive

City: Bloomington State: IN Zip Code: 47408

Phone Number: 812-339-1400 Email Address: legacygroup@woodlintonproperties.com

Property Owner's Name: Scott May

Address: 701 E. Summitview Place

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-331-2666 Email Address: _____

Occupants: _____

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

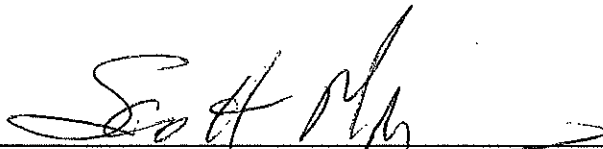
Petition Number 19-TV-48

SEE REVERSE

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

We are seeking more time to repair items,
we have been short on staff members and
completing turns for summer move ins.

Signature (required):



Name (please print):

Scott May

Date:

5-15-19

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



City Of Bloomington
Housing and Neighborhood Development
RENTAL INSPECTION INFORMATION

MAR 29 2019

May, Scott G.
701 E. Summitview Place
Bloomington, IN 47401

RE: 3801 E Morningside DR

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **MAY 28 2019** schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and forms will be provided.

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

Sincerely,

Housing & Neighborhood Development
Encl: Inspection Report
Xc: Legacy Group: 3112 E. Braeside Drive, Bloomington, IN 47408



City Of Bloomington
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

3486

Owner

May, Scott G.
701 E. Summitview Place
Bloomington, IN 47401

Agent

Legacy Group
3112 E. Braeside Drive
Bloomington, IN 47408

Prop. Location: 3801 E Morningside DR

Number of Units/Structures: 64/6

Units/Bedrooms/Max # of Occupants: Bldg 1: 2/2/5 4/3/5, Bldg 2: 12/1/5 8/2/5, Bldg 3: 4/2/5 2/3/5, Bldg 4: 4/2/5 2/3/5, Bldg 5: 12/1/5 8/2/5, Bldg 6: 2/2/5 4/3/5

Date Inspected: 03/18/2019

Primary Heat Source: Electric

Property Zoning: RH

Number of Stories: 2

Inspector: Mosier, Stong

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.

Existing Egress Window Measurements (double-hung):

Height: 14 inches

Width: 31 inches

Sill Height: 39 inches

Openable Area: 3.01 sq. ft.

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

INTERIOR:

Note: Room dimensions are in the file and are not included in this report.

City Hall

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

401 N Morton St

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

Bloomington, IN 47404

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

Unit 1

Dining Room:

Repair the sliding glass door to lock as intended, missing latch. BMC 16.04.060 (a)

Basement

W Room:

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

2nd Floor

Stairway:

Replace the missing lower handrail. BMC 16.04.060 (b)

Hall Bath:

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

W Bedroom:

Rearrange furniture in a manner that does not block or hinder access to emergency egress window. BMC 16.04.020(a)(3), 2014 IFC 1003.6, 1030

Unit 2

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

2nd Floor

Stairway/Hallway:

The smoke detector in this hallway 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

Hall Bath:

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

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

Unit 3

Hallway:

Replace the defective smoke detector, not very loud. IC22-11-18-3.5

Basement

Stairway:

Replace the torn carpet at the top of the stairway. BMC 16.04.060 (a)

Utility Room:

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

2nd Floor

Hallway:

Replace the torn carpet. BMC 16.04.060 (a)

Unit 4

½ Bath

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures,

devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks (repair sink faucet in a manner so that there is adequate water pressure and volume) . BMC 16.04.060(c)

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

Hallway:

Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

Kitchen

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

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

2nd Floor

Hallway:

Replace the missing smoke detector, taken down, no base. IC22-11-18-3.5

Unit 5

Hall Closet:

Repair the bi-fold doors to function as intended. BMC 16.04.060(a)

Unit 6

Hall Bath:

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

Unit 7

Bathroom:

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

Unit 8

Hall Bath:

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

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

Unit 9

Living Room

Repair/replace the torn carpet adjacent to the door. BMC 16.04.060 (a)

Kitchen

Replace the sprayer, won't shut off. BMC 16.04.060 (c)

Hallway

Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

Bathroom:

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

Unit 10

Bathroom:

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

SE Bedroom:

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

W Common Stairway:

Replace the loose strip on the 3rd step from the bottom. BMC 16.04.060 (b)

Unit 11

Hallway

Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

Kitchen

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

Bathroom

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

Unit 12

Living Room

Repair the sliding glass door to lock as intended. BMC 16.04.060 (b)

Water Heater Closet

Replace the leaking fittings on the top of the water heater. BMC 16.04.060 (c)

Bathroom

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

Unit 13

Living Room

Repair the sliding glass door to open as intended. BMC 16.04.060 (a)

Deck:

Not accessible due to sliding glass door not opening, check at re-inspection.

Hallway:

Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

Bathroom

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

Unit 14

TENANT VIOLATION

(the tenant will receive a separate report for this violation)

Remove all items that are obstructing continuous access to egress areas. The minimum clear aisle width shall not be less than 36 inches. A means of egress shall be free from obstructions that would prevent its use.

BMC 16.04.020(a)(3), IFC 1030.3

Remove all trash and debris from the unit. Every occupant of a structure or part thereof shall keep that structure or part thereof which the tenant occupies, controls or uses in a clean and sanitary condition. BMC 16.04.060(d)

Bathroom:

Clean and sanitize all surfaces of the bathroom. BMC 16.04.060(d)

Kitchen:

Clean and sanitize the kitchen, including all food preparation surfaces, stovetop, oven, sinks, and countertops. BMC 16.04.060(d)

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 15

Living Room

Repair/replace the bent sliding glass door screen and off track. BMC 16.04.060 (a)

Hallway:

Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

Bathroom

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

Unit 16

Living Room

Repair the sliding glass door screen to be in the track properly. BMC 16.04.060 (a)

Unit 17

Kitchen

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

Unit 18

Hallway:

Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

Unit 19

Bathroom

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

Unit 20

No violations noted.

Unit 21

Living Room

Repair the sliding glass door to lock as intended. BMC 16.04.060 (a)

Kitchen

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

Secure the loose junction box under the sink to the wall. BMC 16.04.060 (c)

Bathroom

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

Unit 22

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended.

IC 22-11-18-3.5

Bathroom

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

Bedroom

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

Unit 23

Bathroom

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

Unit 24

Kitchen

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

Furnace Closet

Repair the bi-fold doors to function as intended. BMC 16.04.060 (a)

Units 25, 26, & 27

No violations noted.

Unit 28

Basement

Stairway:

Repair/replace the torn carpet at the top of the stairway. BMC 16.04.060 (a)

Utility Room

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

2nd Floor

Bathroom

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

Unit 29

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended.

IC 22-11-18-3.5

Kitchen

Secure the loose sink faucet handle. BMC 16.04.060 (c)

Basement

Utility Room

Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

2nd Floor

Bathroom

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

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

Unit 30

Hall Closet

Repair the bi-fold doors to function as intended. BMC 16.04.060 (a)

Basement

Utility Room

Repair/replace the damaged door and repair the door to latch properly. BMC 16.04.060 (a)

2nd Floor

Hall Bath

Repair the exhaust fan to function as intended. BMC 16.04.060 (c)

SE Bedroom

Interior walls shall be free of **holes, cracks**, peeling paint and/or deteriorated drywall/plaster, NE corner and crack in SE corner of room. BMC 16.04.060(a)

Unit 31

2nd Floor

Hall Bath

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

Unit 32

½ Bath

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

Hallway

Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

Basement

Utility Room

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

Repair the failing east wall, bowing in. BMC 16.04.060 (a)

2nd Floor

Hallway

The smoke detector in this hallway 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 33

Half Bath:

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)

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

Hall:

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

Basement

Mechanical Room:

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

Unit 34

Half Bath:

Properly secure the doorknob/lockset. BMC 16.04.060(a)

Kitchen:

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

2nd Floor

Bath:

Properly reinstall the towel bar. BMC 16.04.060(a)

Unit 35

Basement

Mechanical Room:

Properly install the dryer exhaust ductwork onto the dryer. Clothes dryer exhaust shall be exhausted to the exterior of the structure and not recirculated to any space. BMC 16.04.060(c)

Unit 36

2nd Floor

Bath:

Remove old caulk and properly recaulk the tub/shower. BMC 16.04.060(a)

Remove the mold from the ceiling. BMC 16.04.060(a)

Unit 37

Basement

Mechanical Room:

Properly repair the bowing west wall. Review of documentation detailing the proper design and completion of this work from a Licensed Engineer and the Monroe County Building Department may be required. BMC 16.01.060(f)

2nd Floor

Hallway:

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

Unit 38

Entry Hall:

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

Unit 39

Right Bedroom:

This room was not accessible at the time of this inspection (door was locked). This room must be brought into compliance with-in the same 60 day deadline as the remainder of this property. BMC 16.03.040(g)

Unit 40

Bath:

Properly repair the tile walls of the tub surround 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)

Common Hallway

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

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

Unit 41 (vacant)

No violations noted.

Unit 42

Dining Room:

Repair the screen on the sliding glass door to function as intended. BMC 16.04.060 (a)

Hallway:

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

Unit 43

No violations noted.

Common Laundry/Storage Area

There is water in the laundry room and hallway coming from the northeast storage room. Determine the source of the water and make all necessary repairs to eliminate the water on the floor in these areas. BMC 16.04.060(c)

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

Unit 44

Kitchen:

Properly secure the loose faucet. BMC 16.04.060(c)

Unit 45

No violations noted.

Unit 46

Bath:

Properly repair and surface-coat the south tile and wall. BMC 16.04.060(a)

Unit 47

Hallway:

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

Units 48, 49, 50

No violations noted.

Unit 51

Hallway:

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

Kitchen:

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

Unit 52

No violations noted.

Unit 53

Hallway:

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

Unit 54

Bath:

Properly repair or replace the deteriorated tub surround. BMC 16.04.060(a)

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

Units 55, 56

No violations noted.

Common Stairs

Secure the handrail at the top of the stairs so it is capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

Unit 57

Hallway:

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

Bath:

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

Unit 58

Hallway:

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

Unit 59

Basement

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

2nd Floor

Bath:

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

Remove the mold from the wall and ceiling. BMC 16.04.060(a)

Hallway:

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

Unit 60

Hallway:

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

Kitchen:

Repair or replace the damaged sink (left bowl has hole). BMC 16.04.060(c)

Basement

Family Room:

Repair or replace all damaged or loose floor tiles. BMC 16.04.060 (a)

Mechanical Room:

Replace the battery in the smoke detector (it is beeping) so that it functions as intended. IC 22-11-18-3.5

Unit 61

Hallway

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

Living Room

Repair the sliding glass door to close and latch as intended. BMC 16.04.060 (a)

2nd Floor

Hall Bath

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

Unit 62

½ Bath

Determine the source and eliminate the water leak under the sink. BMC 16.04.060(a)

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

Basement

Utility Room

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

2nd Floor

Hallway

Secure the loose smoke detector to the wall. IC22-11-18-3.5

Hall Bath

Secure the loose sink faucet handle. BMC 16.04.060 (c)

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

Unit 63

½ Bath

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

2nd Floor

Hall Bath

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

Unit 64

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended.

IC 22-11-18-3.5

Kitchen

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

½ Bath

Repair/replace the exhaust fan to function as intended. BMC 16.04.060 (c)

EXTERIOR:

Properly repair the failing fence on the west side of building 1-6. BMC 16.04.050(a)

Remove and properly dispose of all accumulated or scattered trash on the west side of building 1-6. BMC 16.04.040(d)

Remove the tree adjacent to the foundation on the NE building at the SE corner of structure. BMC 16.04.050(a)

Repair/replace the failing fence and gates on the east side of building 27-32. BMC 16.04.050(a)

Paint the columns on building 7-26. BMC 16.04.050(a)

Replace the missing downspout on the north side of building 7-26, midway of structure. 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)

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-49

Address: 2512 S Milton Drive

Petitioner: Sally A Nicholson

Inspector: Dee Wills

Staff Report: February 11, 2019 Completed Cycle Inspection
April 15, 2019 Owner scheduled re-inspection for May 22, 2019
May 21, 2019 Owner canceled re-inspection for May 22, 2019
May 28, 2019 Owner states that BHQA form was in mail
June 04, 2019 Received Application for Appeal

The petitioner is requesting an extension of time until August 01, 2019 to provide the furnace documentation. The petitioner states that the scheduling of an appointment has been difficult as the tenant has two large dogs and is attending nursing school and working full time.

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: Furnace documentation: August 01, 2019
All other Violations: Must be scheduled immediately.

Attachments: Application for Appeal, Cycle Report

RECEIVED
JAN 13 2019
BY:



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

Property Address: 2512 S. Milton Drive Bloomington, IN 47403

Petitioner's Name: Sally A Nicholson

Address: 512 W Lois Lane

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: (812) 606-6909

E-mail Address: nicholss@indiana.edu

Owner's Name: Sally Nicholson

Address: 512 W Lois Lane

City: Bloomington

State: Indiana

Zip Code: 47403

Phone Number: 812-606-6909

E-mail Address: nicholss@indiana.edu

Occupants: Court Stansifer

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-49

DW

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.

Most of the repairs have been completed. However, we still need a furnace inspection and carbon monoxide test. My tenant is going to nursing school and works full time as an EMT and has 2 large dogs. It has been difficult to coordinate repair people with his tight schedule. I respectfully ask for an extension to August 1.

Thank you

Signature (Required):

Sally Nicholson

Name (Print): Sally Nicholson

Date: 5/21/19

Important information regarding this application format:

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

Print Form



City Of Bloomington
Housing and Neighborhood Development

RENTAL INSPECTION INFORMATION

FEB 21 2019

Sally Nicholson
512 Lois Lane
Bloomington, IN 47403

RE: 2512 S Milton DR

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **APR 22 2019** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development
Encl: Inspection Report,



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

7085

Owner(s)

Sally Nicholson
512 Lois Lane
Bloomington, IN 47403

Prop. Location: 2512 S Milton DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/3

Date Inspected: 02/11/2019
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Inspector: Dee Wills
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: Shed

Monroe County Assessor's records indicate this structure was built in 1962.
There were no requirements for emergency egress at the time of construction.

INTERIOR

Living Room (15-6 x 13-5)

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

Front Bedroom (11-6 x 10-3)

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

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

Existing Egress Window Measurements:

Height: 25 inches
Width: 34 inches
Sill Height: 25 inches
Openable Area: 5.90 sq. ft.

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

Rear Bedroom (11-6 x 9-8)

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

Existing Egress Window Measurements:

Height: 25 inches

Width: 27 inches

Sill Height: 25 inches

Openable Area: 4.68 sq. ft.

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

Hallway, Mechanical Closet

No violations noted.

Bathroom

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

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

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

EXTERIOR

Secure the front handrails so they are capable of withstanding normally imposed loads. BMC 16.04.050(b)

Replace the missing soffit piece on the south side of structure. BMC 16.04.050(a)

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)

OTHER REQUIREMENTS

Furnace Inspection Documentation

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

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

Tenants and Owners Rights and Responsibilities Summary

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)

Inventory Damage List

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

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17th, 2019

Petition Type: An extension of time to complete exterior repairs to the siding.

Petition Number: 19-TV-50

Address: 609 East University Street.

Petitioner: Choice Realty & Management.

Inspector: Kenny Liford

Staff Report: April 8th, 2019 Completed Cycle Inspection Report
June 5th, 2019 BHQA application received

Owner has requested an extension of time to complete replacement/repairs to the siding.

Staff recommendation: Grant the request.

Conditions: Have all siding replacement/repairs completed and a re-inspection scheduled by the deadline listed below.

Compliance Deadline: September 5th, 2019 To call and schedule re-inspection for the siding.

Attachments: Cycle report, BHQA Appeal



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

RECEIVED
JUN 05 2019

Property Address: 609 E University

Petitioner's Name: Choice Realty & Management

Address: 1715 S Walnut St

City: Bloomington

State: Indiana



Zip Code: 47401

Phone Number: 8123317353

E-mail Address: dena@callchoicerealty.com

Owner's Name: Raymond Kahn

Address: 3 16 6 Nishihara Shibuya-Ku Tokyo Japan 151 0066

City:

State:



Zip Code:

Phone Number:

E-mail Address: raymond.a.kahn@pwc.com

Occupants: 5

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-50

KL

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

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

We are requesting a 90-120 day extension for the exterior work that is needed at this property due to weather delays & scheduling with the contractor availability for this job.
Siding replacement

Signature (Required):

Dena Dobson - Choice Realty + Management

Name (Print): Dena Dobson

Date:

6/3/19

Important information regarding this application format:

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

Print Form



City Of Bloomington
Housing and Neighborhood Development

APR 12 2019

RENTAL INSPECTION INFORMATION

Kahn, Raymond
3-16-6 Nishihara
Shibuya-Ku, Tokyo, JP 151-0066

RE: 609 E University ST

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **JUN 11 2019** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report,

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

City Hall

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

401 N Morton St

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

Bloomington, IN 47404

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



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

1873

Owner(s)

Kahn, Raymond
3-16-6 Nishihara
Shibuya-Ku, Tokyo, JP 151-0066

Agent

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

Prop. Location: 609 E University ST

Number of Units/Structures: 1/1

Units/Bedrooms/Max # of Occupants: Bld 1: 1/5/5

Date Inspected: 04/05/2019

Primary Heat Source: Gas

Property Zoning: RC

Number of Stories: 2

Inspector: Kenny Liford

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1925.
There were no requirements for emergency egress at the time of construction.

INTERIOR

Entry, Living Room (11-0 x 25-6)

No violations noted.

Kitchen/Dining Room (11-6 x 10-8)

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

Bathroom/Laundry Room

Secure the cover for the electric panel. BMC 16.04.060(b)

South Bedroom (8-0 x 18-6)

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

City Hall

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

401 N Morton St

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

Bloomington, IN 47404

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

South Bedroom (Continued)

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

Existing Egress Window Measurements:

Height: 21 ½ inches

Width: 34 ¾ inches

Sill Height: 24 inches

Openable Area: 5.18 sq. ft.

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

Basement.

No violations noted.

2nd Level

NW Bedroom (7-0 x 11-7), NE Bedroom (9-0 x 12-0)

No violations noted.

Existing Egress Window Measurements:

Height: 24 ½ inches

Width: 30 ¼ inches

Sill Height: 25 inches

Openable Area: 5.14 sq. ft.

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

Bathroom

No violations noted.

SE Bedroom/ Sitting Room (8-0 x 13 + 9-0 x 12)

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

Existing Egress Window Measurements:

Height: 24 ½ inches

Width: 30 ¼ inches

Sill Height: 25 inches

Openable Area: 5.14 sq. ft.

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

SW Bedroom (10-0 x 12-0)

No violations noted.

Existing Egress Window Measurements:

Height: 24 ½ inches

Width: 30 ¼ inches

Sill Height: 25 inches

Openable Area: 5.14 sq. ft.

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

EXTERIOR

Properly repair or replace damaged or deteriorated siding in a manner that leaves the structure weather tight. This is to be done in a workmanlike manner and includes but is not limited to all damaged or deteriorating siding and structural members. BMC 16.04.050(a)

OTHER REQUIREMENTS

Furnace Inspection Documentation

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

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date:	17 July 2019	
Petition Type:	An extension of time to complete repairs	
Petition Number:	19-TV-051	
Address:	1125-1127 S Rogers St	
Petitioner:	Michael Korus	
Inspector:	Michael Arnold	
Staff Report:	26 February 2019	Cycle Inspection
	11 March 2019	Sent Report
	10 May 2019	Scheduled Reinspection
	04 June 2019	Received BHQA Application

During the cycle inspection it was noted that the detached garage roof had collapsed. The owner will be removing the structure. This neighborhood is designated and removal of the garage requires approval from the Historic Preservation Commission.

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:	17 September 2019
Attachments:	Inspection Report, Application

**RECEIVED**
JUN 04 2019

**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: 1125 S Rogers St, Bloomington, IN 47403

Petitioner's Name: Michael Korus

Address: 1720 W That Rd

City: Bloomington

State: Indiana



Zip Code: 47403

Phone Number: 812-219-6159 **E-mail Address:** mkorus@homefinder.org

Owner's Name: Michael Korus

Address: 1720 W That Rd

City: Bloomington

State: Indiana



Zip Code: 47403

Phone Number: 812-219-6159 **E-mail Address:** mkorus@homefinder.org

Occupants: Multiple Tenant Occupants

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-51

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:

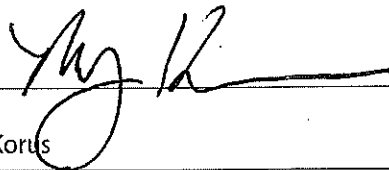
- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: 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.

All interior/exterior repairs have been completed on the residence and we're slated to keep the reinspection as scheduled.

A shed/garage structure is in the permit process for demolition. Due to the location of the structure, in the McDoel Gardens Historic District, we had to go through demolition delay, which will not allow for removal until approved by the Historic Preservation Commission.

We're on the schedule for the 6/4/20 Special Meeting at 5pm. Assuming permission is granted, and a demolition permit is issued, we'll have the structure removed ASAP.

Signature (Required):



Name (Print): Michael Korus

Date:

6/3/19

Important information regarding this application format:

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

Print Form



City Of Bloomington
Housing and Neighborhood Development
RENTAL INSPECTION INFORMATION

MAR 13 2019

Michael J. Korus
P.O. Box 382
Bloomington, IN 47402

RE: 1125 1/2 S Rogers ST

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **MAY 12 2019** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development
Encl: Inspection Report,

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

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

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



City Of Bloomington
Housing and Neighborhood Development
CYCLE INSPECTION REPORT

1500

Owner(s)

Michael J. Korus
 P.O. Box 382
 Bloomington, IN 47402

Prop. Location: 1125 1/2 S Rogers ST
 Number of Units/Structures: 2/1
 Units/Bedrooms/Max # of Occupants: Bld 1: 1/1/3 1/2/3

Date Inspected: 02/26/2019
 Primary Heat Source: Gas
 Property Zoning: RC
 Number of Stories: 2

Inspector: Mike Arnold
 Foundation Type: Basement
 Attic Access: N/A
 Accessory Structure:

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

Interior:Basement:

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

Unit 1125:Living Room (15-0 x 10-4):

No violations noted

Kitchen:

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

Bathroom:

No violations noted

Bedroom (12-5 x 8-9):

Existing Egress:

Height: 25.25 inches

Width: 31.25 inches

Sill Height: 42 inches

Openable Area: 5.48 sq. ft.

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

No violations noted

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

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

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

Unit 1127:**Main Level:****Living Room (15-1 x 9-8):**

No violations noted

Kitchen:

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

Bathroom:

No violations noted

Bedroom (11-0 x 10-6):**Existing Egress:**

Height: 44 inches

Width: 22.5 inches

Sill Height: 27 inches

Openable Area: 6.88 sq. ft.

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

No violations noted

Upper Level:**Bedroom [(15-0 x 12-8)+(12-3 x 8-10)]:****Existing Egress:**

Height: 22 inches

Width: 22.5 inches

Sill Height: 27 inches

Openable Area: 3.44 sq. ft.

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

No violations noted

Exterior:**Main Structure:**

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a deadline of 26 February 2020).

Detached Garage:

Repair the roof or remove the structure. BMC 16.043.050(a). (Repairs may require a building permit. Removal will require a demolition permit).

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(c)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-52

Address: 1410 W. 15th St.

Petitioner: Mila Norman

Inspector: Norman Mosier

Staff Report: March 25, 2019 – Conducted Cycle Inspection
June 6, 2019 – Received BHQA Appeal

Petitioner is requesting an extension of time to complete the repairs as the tenants are moving out on July 30, 2019. Petitioner is requesting an extension of time until August 30, 2019.

Staff recommendation: Grant the request.

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

Compliance Deadline: July 30, 2019 – For life safety violations
September 17, 2019 – For all other repairs

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



RECEIVED
JUN 06 2019

BY:

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

Property Address: 1410 W 15th St
Petitioner's Name: William D ~~McKee~~ McKee
Address: 4502 N Northwoods Ln
City: Bloomington State: IN Zip Code: 47404
Phone Number: 812-606-2028 Email Address: minorma@indiana.edu
Property Owner's Name: William D McKee
Address: See Above
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Email Address: _____
Occupants: Vacant by July 30, 2019

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY

Petition Number 19-TV-52

SEE REVERSE

NM

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.

Current tenants will be moving
by July 30, 2019

We need to do a complete turnover
Carpet, paint, repairs etc

We would like an extension until
August 30 to complete turnover

Thank

Signature (required):

Mila Norman William D McKee

Name (please print):

Mila Norman

Date: 6/6/19

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



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

7432

Owner(s)

Mckee Properties
4502 N Northwoods Ln
Bloomington, IN 47404

Prop. Location: 1410 W 15th ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 03/25/2019
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

Inspector: Norman Mosier
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1999.
Minimum egress requirements for single family dwellings built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear width: 20 inches
Clear height: 24 inches
Sill height: Not more than 44 inches above the finished floor.

EGRESS WINDOW MEASUREMENTS FOR STRUCTURE ARE AS FOLLOWS:

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1999

**Height: 48 inches
Width: 29.5 inches
Sill Height: 32 inches
Openable Area: 9.83 sq. ft.**

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

✓ **MARK DENOTES LIFE SAFETY VIOLATIONS.**

INTERIOR:

Entryway:

Install the missing closing device on the storm door. BMC 16.04.060 (a)

MAIN LEVEL

Stairway:

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

Hallway:

✓ Replace the missing smoke detector. **1997 IRC Sec. 316.1**

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

Hall Bath:

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

Living Room 16-3 x 14-3:

No violations noted.

Kitchen 13-4 x 9-2:

✓ Replace the defective GFCI receptacle to the left of the sink, won't trip. BMC 16.04.060 (b)

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

Deck:

Repair the storm door to open as intended, sticks shut. BMC 16.04.060 (a)

Replace the damaged screen on storm door. BMC 16.04.060 (a)

N Bedroom 12 x 11: See egress window measurements above.

No violations noted.

S Bedroom 12 x 11: See egress window measurements above.

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

✓ Repair/replace the smoke detector to be interconnected. **1997 IRC Sec. 316.1**

Attic:

No access.

BASEMENT

Stairway:

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

Hallway:

✓ Install/replace batteries in smoke detectors so that they function as intended. IC 22-11-18-3.5

Garage: Gas furnace located here, documentation presented. 13 flue. 0-supply
No violations noted.

Hall Bath:

Repair/replace the rattling exhaust fan. BMC 16.04.060 (c)

Family Room 13-6 x 13-6 (Used as a bedroom): See egress window measurements above.

✓ Secure the loose receptacle on the east wall adjacent to window. BMC 16.04.060 (b)

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

✓ Install a smoke detector in this room. **1997 IRC Sec. 316.1**

✓ S Bedroom 13-9 x 10: See egress window measurements above.
Replace existing smoke detector with a new smoke detector, hardwired/interconnected.
1997 IRC Sec. 316.1

EXTERIOR:

All residential rental units shall conspicuously display the unit's address number on the front of the unit. BMC 16.04.100

Replace the missing diverter spout on se corner of structure. BMC 16.04.050(a)

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

OTHER REQUIREMENTS:

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019
Petition Type: Rescind a variance
Petition Number: 19-RV-53
Address: 208 S. Jefferson Street
Petitioner: HAND
Inspector: Kenny Liford
Staff Report: February 22, 2019 Cycle Inspection
June 05, 2019 Re-inspection. All complied.
June 07, 2019 Appeal Filed

This property was previously granted a variance to the bathroom ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not such 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. The structure was built in 1930.

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 Extension of Time**

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-54

Address: 427 E. 12th St.

Petitioner: Stasny & Horn

Inspector: Norman Mosier

Staff Report: April 23, 2019 – Conducted Cycle Inspection
June 11, 2019 – Received BHQA Appeal

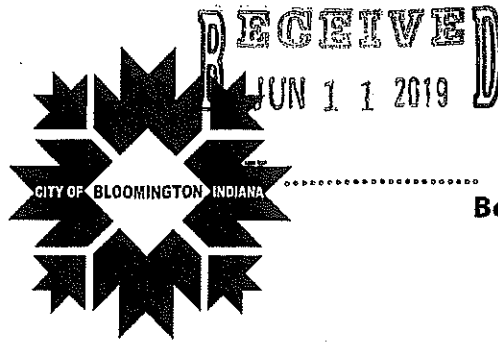
The Petitioner is requesting an extension of time to complete the exterior painting of the structure through October 31, 2019. The extension will allow the Petitioner to use their own maintenance staff to complete the exterior painting following the fall turn over season.

Staff recommendation: Grant the request.

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

Compliance Deadline: All repairs, including life safety violations completed by July 29, 2019.
Complete the exterior painting by October 31, 2019.

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



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

Property Address: 427 E 12th Street, Bloomington, IN 47408

Petitioner's Name: Stasny & Horn IGP, Doug Horn, General Partner

Address: 509 E Cottage Grove Ave Ste 1, PO Box 7676

City: Bloomington

State: Indiana

Zip Code: 47407

Phone Number: (812) 339-4676

E-mail Address: info@hpiu.com

Owner's Name: Stasny & Horn IGP

Address: 509 E Cottage Grove Ave Ste 1, PO Box 7676

City: Bloomington

State: Indiana

Zip Code: 47407

Phone Number: 812-339-4676

E-mail Address: info@hpiu.com

Occupants: Evan Goldner, Lucas Rutherford, Nicholas Malone

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-54

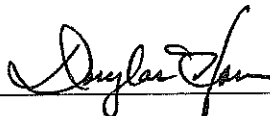
NM

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 requesting an extension of time to complete exterior painting requirements through October 31, 2019. This extension will allow us to use our maintenance staff to complete the required work following fall semester turnover. All other requirements will be completed by June 29, 2019. Thank you.

Signature (Required):



Name (Print): Douglas Horn, General Partner, Stasny & Horn IGP

Date: 6/11/19

Important information regarding this application format:

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

Print Form



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

1781

Owner(s)

Stasny & Horn, Igp
P.O. Box 7676
Bloomington, IN 47407-7676

Prop. Location: 427 E 12th ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 04/23/2019
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Inspector: Norman Mosier
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

VARIANCE: 12/19/1979 Granted a variance for the exterior handrail requirement.

Monroe County records show this structure was built in 1925. There were no minimum emergency egress requirements at the time of construction.

INTERIOR:

MAIN LEVEL:

Living Room 18 x 12:

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

Dining Room 16 x 10:

No violations noted.

Kitchen 11- 10 x 7-3:

Repair the range hood fan to function as intended. BMC 16.04.060 (a)

Back Porch, Hallway, Attic:

No violations noted.

Furnace Closet: Gas furnace located here, see other requirements

No violations noted.

Bathroom:

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

NE Bedroom 15 x 11, Middle Bedroom 11 x 10, SE Bedroom 9 x 8-6:

No violations noted.

Existing Egress: Dbl hung: Const. Yr. - 1925

Height: 24 inches

Width: 26 inches

Sill Height: 23 inches

Openable Area: 4.33 sq. ft.

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

BASEMENT:

Stairway, Main Room:

No violations noted.

EXTERIOR:

Repair/replace the broken handrail on the front porch. BMC 16.04.050(b)

Replace the loose and broken trim under the window on the west side of structure. BMC 16.04.050(a)

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e)

Repair the hole in the front yard adjacent to the front porch, erosion. BMC 16.04.040(b)

OTHER REQUIREMENTS

Furnace Inspection Documentation

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

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

Tenants and Owners Rights and Responsibilities Summary

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)

Inventory Damage List

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

C
REC'D
HAB-MA
5-9-19
18 FIVE
28 SUPPLY
NM

C
REC'D
AT CURE
INSPECTION
NM

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)

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs.

Petition Number: 19-TV-56

Address: 2602 S Rockport Rd.

Petitioner: American Homes 4 Rent

Inspector: Matt Swinney

Staff Report: April 12, 2019 Completed Cycle Inspection Report
June 17, 2019 BHQA App received

Owner has requested an extension of time to complete repairs. The owner has requested an additional 30 days to complete the repairs.

Staff recommendation: Grant the request.

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

Compliance Deadline: July 26, 2019 to call and schedule the reinspection.

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



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

RECEIVED
JUN 17 2019

BY:

Property Address: 2602 South Rockport Road

Petitioner's Name: American Homes 4 Rent

Address: 280 Pilot Road Suite 200

City: Las Vegas

State: Nevada



Zip Code: 89119

Phone Number: 702-847-7863

E-mail Address: nmehalich@ah4r.com

Owner's Name: American Homes 4 Rent

Address: 280 Pilot Road Suite 200

City: Las Vegas

State: Nevada



Zip Code: 89119

Phone Number: N/A

E-mail Address: N/A

Occupants:

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

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

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

Variance Type: An extension of time to complete repairs. (Petition Type: TV)



Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-56

MS

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

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

B.

Letter was just brought to my attention, and we need additional time to complete the work. Would like an additional month to complete the work.

Signature (Required):

Nicole Mehalich

Name (Print): Nicole Mehalich

Date:

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**

RENTAL INSPECTION INFORMATION

APR 22 2019

Amh 2014-3 Borrower, Lp
P.O. Box 2370, 5158 Clareton Drive
Agoura Hills, CA 91376

RE: 2602 S Rockport RD

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **JUN 21 2019** to schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report,

Xc: Ah4r Management - In, Llc: 3077 E. 98th Street, Suite 180, Indianapolis, IN 46280

City Hall

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

401 N Morton St.

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

Bloomington, IN 47404

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

FA



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

7078

Owner

Amh 2014-3 Borrower, Lp
P.O. Box 2370, 5158 Clareton Drive
Agoura Hills, CA 91376

Agent

Ah4r Management - In, Llc
3077 E. 98th Street, Suite 180
Indianapolis, IN 46280

Prop. Location: 2602 S Rockport RD
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/4/3

Date Inspected: 04/12/2019
Primary Heat Source: Electric
Property Zoning: RS
Number of Stories: 2

Inspector: Matt Swinney
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: noen

06/01/2015 This property has been granted a variance from the Indiana State Fire Prevention and Building Safety Commission on January 06, 2015 for the egress requirements. Project Name: 2062 S. Rockport Road
Windows; Variance Number: 15-01-26.

The Monroe county Assessor's records indicate that this structure was built in 2005.
Minimum egress requirements for a single family dwelling built at the time of construction.
Openable area: 5.7 Sq. Ft.
Clear height: 22 inches
Clear width: 20 inches
Sill height: Not more than 44 inches above finished floor

Existing Egress Window Measurements:

Height: 26 inches
Width: 31 inches
Sill Height: 25 inches
Openable Area: 5.59 sq. ft.

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

INTERIOR

Living Room 12-10 x 14-5, Kitchen/Dining Room 15-10 x 10-9, 1/2 Bath, Garage

No violations noted.

2nd LEVEL

Stairway/Hallway, Laundry Closet, Attic, Hall Bath, NW Bedroom 10-9 x 9-8, SE Bedroom 13 x 12-2,

Master Bedroom 13-9 x 13-3, Master Bath

No violations noted.

NE Bedroom 11-5 x 9-8,

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

Repair all smoke detectors in this unit to be interconnected. IC 22-11-18-3.5

EXTERIOR

Replace the missing siding on the back of house at the top above deck. BMC 16.04.050(a)

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

Secure loose siding on the North side of the house. BMC 16.04.050(a)

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

OTHER REQUIREMENTS

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17th, 2019
Petition Type: An extension of time to complete exterior paint.
Petition Number: 19-TV-57
Address: 2000 E. Atwater Ave.
Petitioner: Kelly Jones-Property Stars-College Rentals Inc.
Inspector: Kenny Liford
Staff Report: June 11th, 2018 Completed Cycle Inspection Report
April 8th, Exterior extension written.
June 20th, 2019 BHQA application received.

Owner has requested an extension of time to complete exterior paint.

Staff recommendation: Grant the request.

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

Compliance Deadline: August, 17th, 2019 To call and schedule re-inspection of exterior paint.

Attachments: Cycle report, BHQA Appeal



RECEIVED
JUL 10 2019

Page 1 of 2

BY: 00113003402222222200013003

**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: 2000 E Atwater

Petitioner's Name: Kelly Jones - Property Stars - College Rentals Inc

Address: 114 N Madison

City: Bloomington State: In. ☒ Zip Code: 47404

Phone Number: 812 606 6939 E-mail Address: Kelly@propertystars.com

Owner's Name: College Rentals Inc

Address: 3330 Dundee Rd Ste C4

City: Northbrook State: IL ☒ Zip Code: 60062

Phone Number: _____ E-mail Address: college rentals inc@gmail.com

Occupants: Evan White, Clifton McKenzie, Austin Woods

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: Exterior Paint Extension ☒

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 19-TV-57

KL

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

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

Need an extension to complete exterior paint due to weather.

Signature (Required):

Kelley Jones

Name (Print):

Kelly Jones

Date:

6/20/19

Important information regarding this application format:

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

Print Form



**City Of Bloomington
Housing and Neighborhood Development**

RENTAL INSPECTION INFORMATION

JUN 22 2018

College Rentals Inc.
3330 Dundee Road Suite C4
Northbrook, IL 60062

RE: 2000 E Atwater AVE

Please find the enclosed Rental Inspection Report which contains pertinent information about the Cycle Inspection that was recently conducted at the above referenced property. The inspector has listed all noted violations and recommendations on the enclosed Rental Inspection Report. **You have sixty (60) days from the date of this letter to correct the violations listed on the report.**

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **AUG 21 2018** schedule a re-inspection. You have the right to appeal any violation of Bloomington Municipal Code Title 16 noted on the rental inspection report to the Board of Housing Quality Appeals.

This report is issued in accordance with BMC 16.10.020 and 16.10.040 of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Bloomington Municipal Code requires that all violations of all Titles of the BMC must be in compliance before a permit will be issued. Please be advised that non-compliance by the deadlines listed in this letter may limit the permit period to a maximum of three (3) years.

If the owner's or agent's contact information has changed since your last inspection, please submit a new registration form to the HAND Department. The registration must be signed by the owner of the property, not the agent. All rental forms and documents can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact **HAND at 812-349-3420 and forms will be provided.**

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

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report,

Xc: Jeanne Walters Real Estate: 107 E. 6th St., Bloomington, IN 47408



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

5771

Owner(s)

College Rentals Inc.
3330 Dundee Road Suite C4
Northbrook, IL 60062

Agent

Jeanne Walters Real Estate
107 E. 6th St.
Bloomington, IN 47408

Prop. Location: 2000 E Atwater AVE

Number of Units/Structures: 1/1

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

Date Inspected: 06/07/2018

Primary Heat Source: Gas

Property Zoning: RC

Number of Stories: 1

Inspector: Kenny Liford

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1952.
There were no requirements for emergency egress at the time of construction.

INTERIOR

Living Room (16-11 x 12-9)

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

Dining Room (9-9 x 11-2)

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

Kitchen (13-9 x 9-2)

No violations noted.

Hallway

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

Bathroom

Determine the source and eliminate the water leak around the toilet. BMC 16.04.060(a)

Southwest Bedroom/Bath (20-3 x 15-2)

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

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

Secure loose electrical receptacle (GFCI). BMC 16.04.060(b)

Existing Egress Window Measurements (casement):

Height: 48 inches

Width: 34 inches

Sill Height: 33 inches

Openable Area: 11.33 sq. ft.

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

West Bedroom (13-8 x 10-11), Northwest Bedroom (11-10 x 11-3)

No violations noted.

Existing Egress Window Measurements (casement):

Height: 48 inches

Width: 34 inches

Sill Height: 32 ½ inches

Openable Area: 11.33 sq. ft.

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

Family Room (23-10 x 16-11)

Replace the missing protective covers for all light fixtures. 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)

Garage

Clean out and remove all trash from the garage. BMC 16.04.060(a)

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

ATTIC

No violations noted.

BASEMENT

Main Room

A minimum clearance of 36" shall be maintained between combustibles and fuel fired appliances. 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)

Bathroom

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

Repair/Replace the broken shower door. BMC 16.04.060(a)

EXTERIOR

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

C Patch the hole on the south side of the house in a workmanlike manner. BMC 16.04.050(a)

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

C Secure guttering to the structure. BMC 16.04.050(a)

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

OTHER REQUIREMENTS**Furnace Inspection Documentation**

6-26-18
Email
KL Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm

BMC 16.01.060(f), BMC 16.04.060(c), BMC 16.04.060(b)

Tenants and Owners Rights and Responsibilities Summary

6-26-18
Email
KL A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector **within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC 16.03.060(c) and BMC 16.10.030(b)

Inventory Damage List

6-26-18
Email
KL The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC 16.03.050(e) and BMC 16.10.030(b)

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

This is the end of this report.



City of Bloomington
H.A.N.D.

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

Meeting Date: July 17, 2019

Petition Type: An extension of time to complete repairs

Petition Number: 19-TV-58

Address: 940 N. Jackson Street

Petitioner: Reynard Cross

Inspector: Jo Stong, John Hewett

Staff Report: June 7, 2019: Received complaint from tenant. It was noted at that time that the property had a new owner and was unregistered. Sent Notice to Register
June 11, 2019: Conducted complaint inspection
June 12, 2019: Mailed complaint report
June 25, 2019: Owner called to say this is vacant and will not be a rental in the foreseeable future.
June 26, 2019: Owner called and stated he did not want to interact with his tenants, indicating the property was occupied.
June 28, 2019: Director spoke with owner in person. Received appeal.

During a complaint inspection of the above property violations of the Residential Rental Unit and Lodging Establishment Inspection Program were noted, including a failed HVAC system. The petitioner is seeking an extension of time of 60 days to complete repairs, stating that he has begun the eviction process and will be going to a hearing on July 12, on or before which he expects the property to be unoccupied. To date the property is unregistered.

Staff recommendation: Deny the request.

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

Compliance Deadline: July 24, 2019

Attachments: Complaint report, appeal

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 purchased the house in December 2018 to make it our home. At the time of purchase there were tenants in the house. We had no intention of the house remain as a rental property. We planned to remodel the house, starting in July, 2019. We agreed to have the tenants remain until 30 March when the lease would end. A few days before the 30 March, I was asked by the tenant if they (she and her boyfriend) could stay until 30 June 2019 as they were having difficulty finding another place to stay. She knew that the furnace was broken before she signed the lease as she lived there for the previous year. I told her that I would be willing to enter into a month-to-month lease but with the house as is. I explained to her that I would not be repairing the furnace because it is 25 years old and would cost of over \$5000.00. I further explained that we was planning to have the house completely remodeled, to include installing a new HVAC system, and any new furnace installed would need to be discarded as it wouldn't meet the specs required for the remodeled house. Ms Forrest insisted that I rent her the house stating that it would not be a problem, especially since winter was over, and the weather was pretty warm. We agreed that I would buy electric space heaters which she agreed would be enough to serve their needs until the end of the lease in June 2019 which was 3 months away. We also reduced the rent from \$800 to \$740 per month because they said they were experiencing hard times.

This action is being taken by Ms Forrest was done to get out of paying the rent. She has not paid the rent nor the gas bill for May and June. On 11 June is presented her with an eviction notice requiring that she leave the house by 21 June 2019. I have also filed suit against her for rent owed, unpaid utilities and associated fees and costs, and to have her evicted. The date of the hearing is 12 July 2019. As I have started eviction and I expect that the house will be unoccupied on or before 12 July 2019, I am asking that I be granted an extension of sixty (60) days to effect the repairs. I am also requesting administrative relief in the form of having the \$20.00 filing fee refunded.

Signature (Required):

Name (Print): Reynard Cross

Date: 6/28/19

Important information regarding this application format:

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

Print Form



City Of Bloomington
Housing and Neighborhood Development

JUN 13 2019

Reynard Cross & Stephanie Deboer
804 W. Howe Street
Bloomington, IN 47403

RE: NOTICE OF COMPLAINT INSPECTION

Dear Reynard Cross & Stephanie Deboer,

On 06/11/2019 a complaint inspection was performed at 940 N. Jackson Street. During the inspection violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found.

Please correct the violations cited on the enclosed inspection report within fourteen days (14) and call this office no later than **JUN 27 2019** to schedule the required re-inspection. Our mailing address and telephone number are listed below.

This directive is issued in accordance with Sections BMC 16.03.040 (c) and 16.10.040 (a) of the Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington. You have the right to appeal to the Board of Housing Quality Appeals. If you need more than fourteen (14) days to correct the violations, or if you want to appeal any violation, an appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

Please remember, it is your responsibility to contact the Housing and Neighborhood Development Department to schedule the required re-inspection.

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

Sincerely,

Housing & Neighborhood Development
Encl: Inspection Report



City Of Bloomington
Housing and Neighborhood Development

COMPLAINT INSPECTION REPORT

960

Owners

Reynard Cross & Stephanie Deboer
804 W. Howe Street
Bloomington, IN 47403

Tenant

Hailee Forrest
1600 N. Willis Drive Lot #4
Bloomington, IN 47404

Prop. Location: 940 N Jackson ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 06/11/2019
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Inspector: Jo Stong
Foundation Type: Crawl Space
Attic Access: No
Accessory Structure: Garage

INTERIOR:

- Replace the failed HVAC unit. BMC 16.04.060(b)

Owner stated that he had someone look at the furnace a few months ago and learned that the heat exchanger was cracked. The furnace must be replaced. There was no response from any part of the thermostat. Replacement includes but is not limited to the furnace, AC and thermostat.

- 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)

This is the end of this report.