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| 1700 S. Maxwell Street _____ | 5 |
| 801 E. Hunter Avenue _____ | 12 |
| 809 E. Hunter Avenue _____ | 17 |
| 111-111.5 E. 9th Street _____ | 22 |
| 1801 W. Marquis Drive _____ | 26 |

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCloskey CONFERENCE ROOM
In Person / Zoom Virtual Meeting
AUGUST 17, 2022 4:00 P.M.**

ALL ITEMS ARE ON THE CONSENT AGENDA

I. **ROLL CALL**

II. **REVIEW OF SUMMARY**

III. **PETITIONS**

- 1) **22-TV-59, 1700 S. Maxwell Street**, Donaval Avila (Boshu Liu). Previously heard June 15, 2022. Request for an extension of time to complete repairs. Item tabled.
- 2) **22-TV-77, 801 E. Hunter Avenue**, Lexi Carmichael (Nick Weybright). Request for extension of time to complete repairs.
- 3) **22-TV-78, 809 E. Hunter Avenue**, Lexi Carmichael (Nick Weybright). Request for an extension of time to complete repairs.
- 4) **22-TV-79, 111-111 ½ E. 9th Street**, Elkins Apartments (Powder Monkey, LLC). Request for an extension of time to complete repairs.
- 5) **22-TV-80, 1801 W. Marquis Drive**, Tamika Smith (Crescent Pointe Housing Partners, LP). Request for an extension of time to complete repairs.

IV. **GENERAL DISCUSSION**

V. **PUBLIC COMMENT**

VI. **ADJOURNMENT**

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812-349-3429 or e-mail human.rights@bloomington.in.gov.

HAND Staff is inviting you to a scheduled Zoom meeting.

Topic: Board of Housing Quality Appeals Meeting

Time: Aug 17, 2022 04:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://bloomington.zoom.us/j/93193636060?pwd=S0NyRC9zajFkNFhzSU1aNzVsbUpQUT09>

Meeting ID: 931 9363 6060

Passcode: 088348

One tap mobile

+13017158592,,93193636060# US (Washington DC)

+13092053325,,93193636060# US

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 386 347 5053 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

Meeting ID: 931 9363 6060

Find your local number: <https://bloomington.zoom.us/j/kemL5j86py>



City of Bloomington
H.A.N.D.

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

Meeting Date: August 17th, 2022
Petition Type: An extension of time to complete repairs.
Petition Number: 22-TV-59
Address: 1700 South Maxwells St.
Petitioner: Donaval Avila
Inspector: Kenny Liford
Staff Report: March 24th, 2022 Completed Cycle Inspection Report
May 18th, 2022 BHQA application received.

The owner has requested an extension of time to complete repairs due to the current tenants being evicted. This was tabled in June. We have not received a update on the status of this property.

Staff recommendation: Approve the request.

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

Complete all repairs and schedule the 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: August 15th, 2022

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
MAY 17 2022
BY:

Property Address: 1700 S Maxwell St, Bloomington, IN 47401

Petitioner's Name: Donaval Avila

Address: 5798 S Ornamental Dr

City: Blooming

State: Indiana

Zip Code: 47401

Phone Number: (254) 228-9266

E-mail Address: donaval@hotmail.com

Owner's Name: Boshu Llu

Address: 2810 Newbury Court

City: Zionsville

State: Indiana

Zip Code: 46077

Phone Number:

E-mail Address: Llu boshu@gmail.com

Occupants: Cody Garmon, Carli Shelton and Krystal Shelton

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!

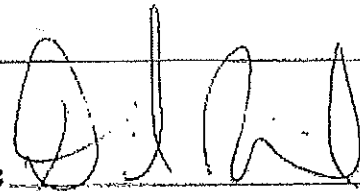
(Will be assigned by BHQA)
Petition Number: 22-TV-59

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 would like to request a 60 day extension on all items addressed in the inspection. The reason for the request of extension is because we are in the process of evicting the tenants from the property due to their failure to pay rent.

Signature (Required): 

Name (Print): Dorival Avila

Date: 5/16/22

Important information regarding this application format:

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





**City Of Bloomington
Housing and Neighborhood Development**

RENTAL INSPECTION INFORMATION

MAR 29 2022

Boshu Liu
2810 Newbury Court
Zionsville, IN 46077

RE: 1700 S Maxwell 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 28 2022** 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: Donaval Avila: 5798 Ornamental Drive, Bloomington, IN 47401



**City Of Bloomington
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

9400

Owner(s)

Boshu Liu
2810 Newbury Court
Zionsville, IN 46077

Agent

Donaval Avila
5798 Ornamental Drive
Bloomington, IN 47401

Prop. Location: 1700 S Maxwell ST
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 03/18/2022
Primary Heat Source: Gas
Property Zoning: R2
Number of Stories: 1
Landlord Has Affidavit: N/A

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

The Monroe County Assessor's records indicate that this structure was built in 2000.
Minimum egress requirements for a one and two family dwelling built at the time of construction.
Openable area: 4.75 Sq. Ft.
Clear height: 22 inches
Clear width: 20 inches
Sill height: Not more than 44 inches above finished floor.

INTERIOR

S Bedroom/Office (23-4 x 11-8)

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

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 2000
Height: 24 inches
Width: 33 inches
Sill Height: 23 inches
Openable Area: 5.50 sq. ft.

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

Living Room (25 x 18-7), Hallway, Dining Room

No violations noted.

Hall Bath

Secure toilet to its mountings. BMC 16.04.060(c)

Center Bedroom (12-10 x 11-4): Same window as above.

No violations noted.

Master Bedroom/Bath (21-1 x 15): Same window as above.

Secure toilet to its mountings. BMC 16.04.060(c)

Every window shall have a functioning locking device, window latch and shall be maintained in good condition. **Window locks in rental units shall be capable of tightly securing the window** and shall be openable without special knowledge or effort. BMC 16.04.060(b)

Kitchen (13-3 x 10-1)

Determine the source and eliminate the water leak under the sink. BMC 16.04.060(a)

Replace the rotten shelving under the sink. BMC 16.04.060(a)

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

Garage

Remove the wiring from the outlet and replace the cover plate so that the outlet functions as intended. BMC 16.04.060(b)

BASEMENT

Stairway

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

Center Room, S Room

No violations noted.

N Room

Install approved cover on the heating/air conditioning unit. BMC 16.04.060(c)

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

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) | |

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: August 17, 2022

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

Petition Number: 22-TV-077

Address: 801 E Hunter Ave

Petitioner: Lexi Carmichael

Inspector: Michael Arnold

Staff Report:

| | |
|----------------|----------------------------------|
| March 09, 2022 | Cycle inspection – No show |
| April 28, 2022 | Cycle inspection |
| May 05, 2022 | Sent cycle inspection |
| June 08, 2022 | Reinspection completed |
| June 14, 2022 | Sent remaining violations report |
| July 12, 2022 | Received BHQA Application |
| July 14, 2022 | Reinspection completed |
| July 21, 2022 | Sent remaining violations report |

During the initial inspection there were violations noted on the windows for units 7, 10 and 16. The petitioner is requesting additional time to complete the repairs due to difficulty getting scheduled by the vendor.

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: September 30, 2022 for window repairs
Schedule immediately for the outstanding smoke detector violation in unit 16

Attachments: Remaining violations 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

RECEIVED
JUL 12 2022
BY:

Property Address: 801 E Hunter Ave

Petitioner's Name: Lexi Carmichael

Address: 124 E. Kirkwood Ave.

City: Bloomington

State: Indiana



Zip Code: 47408

Phone Number: 8127277000

E-mail Address: lcarmichael@granitel.com

Owner's Name: Nick Weybright

Address:

City:

State:



Zip Code:

Phone Number:

E-mail 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.

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: 22-TV-77

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 modification 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 administrative decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

The windows in unit 7/10/16 have not been fixed because we are having issues getting a vendor to find time to schedule us in. We have called city glass and are waiting to hear back.

would like extension until September 22!

Signature (Required): _____

Name (Print): Alexis Carmichael

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

JUL 21 2022

REMAINING VIOLATION INSPECTION REPORT

886

Owner(s)

Csf Bloomington, Llc
511 Woodscree Drive
Bloomington, IN 47401

Agent

Granite Student Living
124 E Kirkwood Avenue
Bloomington, IN 47408

Prop. Location: 801 E Hunter AVE
Number of Units/Structures: 16/1
Units/Bedrooms/Max # of Occupants: Bld.1: 16/1/5

Date Inspected: 04/28/2022
Primary Heat Source: Electric
Property Zoning: RH
Number of Stories: 2
Landlord Has Affidavit: N/A

Inspector: Mike Arnold
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: none

REINSPECTION REQUIRED

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

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

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

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

22

Main Level:

Unit 7:

Living Room:

Repair the seal on the lower sash window pane. BMC 16.04.060(c)

Upper Level:

Unit 10:

Bedroom:

Every window shall be capable of being easily opened and held in position by its own hardware. BMC 16.04.060(b) (upper sash to stay up when window is unlocked)

Unit 16:

Hallway:

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

Bedroom:

Every window shall be capable of being easily opened and held in position by its own hardware. BMC 16.04.060(b) (upper sash to stay up when window is unlocked)

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: August 17, 2022

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

Petition Number: 22-TV-077

Address: 809 E Hunter Ave

Petitioner: Lexi Carmichael

Inspector: Michael Arnold

Staff Report: May 20, 2022 Cycle inspection
June 14, 2022 Sent report
July 12, 2022 Received BHQA application
July 14, 2022 Reinspection completed
July 21, 2022 Sent remaining violations report

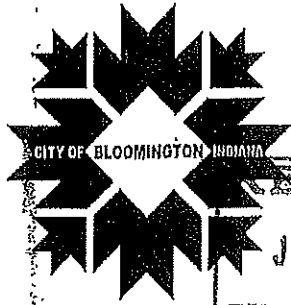
During the initial inspection there were violations noted on the windows for unit 4. The petitioner is requesting additional time to complete the repairs due to difficulty getting scheduled by the vendor.

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: September 30, 2022 for window repair
Schedule immediately for all other outstanding violations

Attachments: Remaining violations report, appeal



RECEIVED
JUL 12 2022
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: 809 E. Hunter Ave

Petitioner's Name: Lexi Carmichael

Address: 124 E. Kirkwood Ave.

City: Bloomington

State: Indiana



Zip Code: 47408

Phone Number: 8127277000

E-mail Address: lcarmicha@granites.com

Owner's Name: Nick Weybright

Address:

City:

State:



Zip Code:

Phone Number:

E-mail 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.

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:

22-TV-78

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 administrative decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

The window in unit four is still needing repaired, Called city glass and are still waiting to hear back about scheduling.

would like extension until September 22!

Signature (Required): _____

Name (Print): Alexis Carmichael 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
REMAINING VIOLATION INSPECTION REPORT

889

JUL 21 2022

Owner(s)

Csf Bloomington, Llc
 511 Woodscrest Drive
 Bloomington, IN 47401

Agent

Granite Student Living
 124 E Kirkwood Avenue
 Bloomington, IN 47408

Prop. Location: 809 E Hunter AVE
 Number of Units/Structures: 16/1
 Units/Bedrooms/Max # of Occupants: Bld 1: 16/1/5

Date Inspected: 06/08/2022
 Primary Heat Source: Electric
 Property Zoning: RH
 Number of Stories: 2
 Landlord Has Affidavit: N/A

Inspector: Mike Arnold
 Foundation Type: Basement
 Attic Access: Yes
 Accessory Structure: none

REINSPECTION REQUIRED

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

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

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

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

City Hall

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

401 N Morton St

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

Bloomington, IN 47404

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

Interior:

Main Level:

Unit 3:

Kitchen:

Secure/re-attach the faucet handle. BMC 16.04.060(c)

Unit 4:

Bedroom:

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

Unit 6:

Kitchen:

Secure/re-attach the faucet handle. BMC 16.04.060(c)

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

Hallway:

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

Bedroom:

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

Upper Level:

Unit 14:

Kitchen:

Secure/re-attach the faucet handle. BMC 16.04.060(c)

Exterior:

Secure the light fixture to the wall. BMC 16.04.050(a) (at entry to Unit 1)

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: August 17, 2022

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

Petition Number: 22-TV-079

Address: 111-111½ E 9th St

Petitioner: Sherri Hillenberg/Elkins Apartments

Inspector: Michael Arnold

Staff Report:

| | |
|-------------------|---|
| July 26, 2021 | Owner scheduled cycle inspection |
| August 18, 2021 | Cycle inspection report |
| August 19, 2021 | Received new owner registration form |
| August 27, 2021 | Mailed report |
| December 22, 2021 | Reinspection completed |
| December 27, 2021 | Sent temporary occupancy permit |
| June 23, 2022 | Sent exterior extension reminder |
| July 15, 2022 | Received BHQA application |
| August 01, 2022 | BHQA report written |
| | Spoke with petitioner regarding time line |

Exterior painting was noted on the cycle inspection report which included window and window trim. Owner is in the process of replacing windows and is requesting additional time to complete the installation of the windows and the trim work. Supplier has indicated that some parts and windows may take up to five months for delivery.

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: February 28, 2023

Attachments: Exterior extension report, appeal



RECEIVED

JUL 15 2022

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: 111 + 111 1/2 E. 9th Street

Petitioner's Name: Sheeri Hillenburg, ELKINS Apts.

Address: 940 N. Walnut Street

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-339-2859 E-mail Address: CS@elkinsapartments.com

Owner's Name: Powder Monkey LLC

Address: 940 N. Walnut Street

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-339-2859 E-mail Address: CS@elkinsapartments.com

Occupants: _____

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

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

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

Variance Type: An extension of time to complete repairs

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: 22-TV-79

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.

Requesting an additional extension of time for windows. Part of the new windows are installed but not fully wrapped. Some windows still on order. Some needed due to supplier issues.

(2) Request not to lose time off occupancy permit

Signature (Required): Sheeri Hillenburg

Name (Print): Sheeri Hillenburg Date: 7-12-11

Important information regarding this application format:

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





City Of Bloomington
Housing and Neighborhood Development
EXTERIOR EXTENSION REMINDER INSPECTION REPORT

JUN 23 2022

3056

Owner(s)

Powder Monkey, Llc
 940 N. Walnut St
 Bloomington, IN 47404

Agent

Elkins Apartments
 940 N. Walnut Street
 Bloomington, IN 47404

Prop. Location: 111 E 9th ST
 Number of Units/Structures: 2/1
 Units/Bedrooms/Max # of Occupants: Bld 1: 1/1/5 1/3/5

Date Inspected: 08/08/2021
 Primary Heat Source: Gas
 Property Zoning: RM
 Number of Stories: 2
 Landlord Has Affidavit: N/A

Inspector: Mike Arnold
 Foundation Type: Basement
 Attic Access: N/A
 Accessory Structure: none

This report is your reminder from the Housing and Neighborhood Development Office that this rental property is operating under a Temporary Permit that expires on 08/18/2022.

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

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

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

Exterior:

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 August 18 2022)

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

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

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



City of Bloomington
H.A.N.D.

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

Meeting Date: August 17, 2022

Petition Type: An extension of time to complete repairs.

Petition Number: 22-TV-80

Address: 1801 W Marquis Dr

Petitioner: Tamika Smith

Inspector: C Hayes

Staff Report: April 26, 2022 Completed cycle inspection with maintenance
April 29, 2022 Mailed cycle report
July 26, 2022 Completed reinspection
July 26, 2022 Received BHQA application

During the cycle inspection it was noted that the carpet in the living room and kitchen would need to be repaired or replaced. The linoleum in the kitchen was torn and would need to be repaired or replaced. The bathroom flooring adjacent to the bathtub would need to be sealed. The petitioner is requesting an extension of time due to having trouble gaining access to the unit.

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, but not limited to, the possibility of fines.

Compliance Deadline: August 31, 2022 All remaining violations.

Attachments: Cycle inspection report, BHQA application



REC'D Page 1 of 2
JUL 26 2009

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: 1801 Marquis Drive Bloomington, IN 47404

Petitioner's Name: Tamika Smith, Property Manager

Address: PO Box 7402

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-549-5825 E-mail Address: tsmith@thinkcrestline.com

Owner's Name: Crestline Communities

Address: 3333 Founders Road

City: Indpls State: IN Zip Code: 46268

Phone Number: 317-257-8922 E-mail Address: tsmith@thinkcrestline.com

Occupants: Angela Canada

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: 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: 22-TV-80

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 additional time to replace flooring at 1801 Marquis Drive. Management scheduled flooring replacement for 7/25/22. The resident, Angela Canada, signed paperwork stating she would be home while the floor installers came in. When carpet installers arrived, resident was not home and did not come to the door. We have rescheduled for Thursday, July 27th. We are asking for an extension so we can get the resident to cooperate.

Signature (Required): 

Name (Print): Tanika Smith

Date: 7/25/22

Important information regarding this application format:

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





City Of Bloomington
Housing and Neighborhood Development

RENTAL INSPECTION INFORMATION

APR 29 2022

Crescent Pointe Housing Partners, L.P.
3333 Founders Road, Suite 120
Indianapolis, IN 46268

RE: 1801 W Marquis 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 **JUN 28 2022** 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: Crestline Property Management, Llc: 3333 Founders Road, Suite 120, Indianapolis, IN 46268

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

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City Of Bloomington
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

9138

Owner(s)

Crescent Pointe Housing Partners, L.P.
3333 Founders Road, Suite 120
Indianapolis, IN 46268

Agent

Crestline Property Management, Llc
3333 Founders Road, Suite 120
Indianapolis, IN 46268

Prop. Location: 1801 W Marquis DR
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/3

Date Inspected: 04/26/2022
Primary Heat Source: Electric
Property Zoning: R4
Number of Stories: 1
Landlord Has Affidavit: No

Inspector: Chastina Chipman
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: none

Monroe County Assessor's records indicate that this structure was built in 2010. These are the minimum requirements for emergency egress for single family structures built between 2005 and 2012:

Clear Height: 22"
Clear Width: 20"
Sill Height: 44"
Openable Area: 5.0 sq. ft. on the ground level; 5.7 sq. ft. on all other levels

Note: Room dimensions are in the file.

INTERIOR

Living Room:

Repair/replace the deteriorating carpet. BMC 16.04.060 (a)

Dining Room:

No violations noted.

City Hall

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

401 N Morton St

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

Bloomington, IN 47404

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

Bathroom: *BHox*

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

Kitchen:

C Replace the missing sprayer base. BMC 16.04.060 (a)

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

C Replace the missing exhaust fan light cover. BMC 16.04.060 (a)

BHox *C* Repair/replace the deteriorating carpet. BMC 16.04.060 (a)

BHox Repair/replace the torn linoleum. BMC 16.04.060 (a)

Rear Bedroom, Front Bedroom:

No violations noted.

Existing Egress Window Measurements:

Height: 58 inches

Width: 31 inches

Sill Height: 22 inches

Openable Area: 12.48 sq. ft.

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

EXTERIOR

C Secure the siding on the east side of the house. BMC 16.04.050 (a)

OTHER REQUIREMENTS:

Inventory Damage List:

C
7.6.22
CC
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)**

Occupancy Affidavit:

C
7.6.22
CC
Provide a completed copy of the Occupancy Affidavit for this Registered Residential Rental property to the inspector for review. BMC 16.03.025

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

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.