

NOTICE OF PUBLIC HEARING _____	2
Zoom Invitation BHQA February 21, 2023 meeting _____	3
851 S. Park Square Drive _____	4
1000 S Basswood Circle _____	11
1955 N College Avenue _____	17
1739 S. Maxwell Lane _____	25
612 S Park Avenue _____	30

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL ALLISON CONFERENCE ROOM 225  
In Person / Zoom Virtual Meeting  
FEBRUARY 21, 2023 4:00 P.M.**

**ALL ITEMS ARE ON THE CONSENT AGENDA**

I. **ROLL CALL**

II. **ELECTION OF OFFICERS**

III. **REVIEW OF SUMMARY**

IV. **PETITIONS**

- 1) **23-TV-12, 851 S. Park Square Drive**, Dorothy Apartment Rentals (Shannon Ramey). Request for an extension of time to complete repairs.
- 2) **23-TV-13, 1000 S. Basswood Circle**, Basswood United, LLC. Request for an extension of time to complete repairs.
- 3) **23-TV-14, 1955 N. College Avenue**, John P. Burnham (Burnham Rentals). Request for extension of time to complete repairs.
- 4) **23-TV-15, 1739 S. Maxwell Lane**, Frank Colaluca (Colaluca, LLC). Request for an extension of time to complete repairs.
- 5) **23-TV-16, 612 S. Park Avenue**, Dennis Williams. Request for an extension of time to complete repairs.

V. **GENERAL DISCUSSION**

VI. **PUBLIC COMMENT**

VII. **ADJOURNMENT**

HAND Staff is inviting you to a scheduled Zoom meeting.

Topic: Board of Housing Quality Appeals Meeting

Time: Feb 21, 2023 04:00 PM Eastern Time (US and Canada)

Every month on the Third Tue

Join Zoom Meeting

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

Meeting ID: 931 9363 6060

Passcode: 088348

One tap mobile

+13092053325,,93193636060# US

+13126266799,,93193636060# US (Chicago)

Dial by your location

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 346 248 7799 US (Houston)

Meeting ID: 931 9363 6060

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: February 14, 2023

Petition Type: An extension of time to complete repairs.

Petition Number: 23-TV-12

Address: 851 S Park Square Drive

Petitioner: Dorothy Apartment Rentals

Inspector: C Hayes

Staff Report: October 12, 2022 Completed cycle inspection  
October 31, 2022 Sent cycle report  
January 3, 2023 Received BHQA application

During the cycle inspection it was noted the flooring was damaged and in need of repair. The petitioner is requesting a 2 week extension due to children in the unit being out of school.

Staff recommendation: Grant the extension of time.

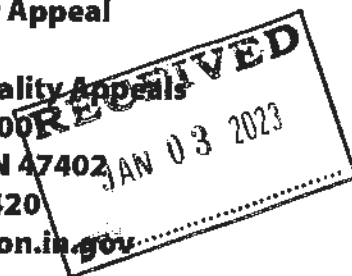
Conditions: Complete all repairs and schedule for re-inspection no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action, including, but not limited to, the possibility of fines.

Compliance Deadline: March 1, 2023 All remaining violations

Attachments: Cycle inspection report, staff report, BHQA application



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



Property Address: 851 South Park Square Drive, Bloomington, IN 47403

Petitioner's Name: Dorothy Apartment Rentals

Address: 2226 South Rogers Street

City: Bloomington

State: Indiana



Zip Code: 4740

Phone Number: 8123457135

E-mail Address: sramey227@gmail.com

Owner's Name: Shannon Ramey

Address: 3400 South Claybridge Drive

City: Bloomington

State: Indiana



Zip Code: 4740

Phone Number: 8123457135

E-mail Address: sramey227@gmail.com

Occupants: Leon and Gina Hampton and kids

**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: 23-TV-12

CH

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

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

We are going to replace carpet and the children are out of school as soon as school starts back we will be ready to install carpet. Two week extension.

Thank you  
Shannon

Signature (Required): Shannon Ramey

Name (Print): Shannon Ramey

Date: 12/27/2022

**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



OCT 31 2022

**City Of Bloomington  
Housing and Neighborhood Development**

RENTAL INSPECTION INFORMATION

Dorothy Apartment Rentals Inc.  
2226 S. Rogers St  
Bloomington, IN 47403

RE: 851 S Park Square 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 **DEC 30 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](http://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: Shannon Ramey: 2226 S. Rogers Street, Bloomington, IN 47403

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**

**OCT 3 1 2022**

CYCLE INSPECTION REPORT

1614

Owner

Dorothy Apartment Rentals Inc.  
2226 S. Rogers St  
Bloomington, IN 47403

Agent

Shannon Ramey  
2226 S. Rogers Street  
Bloomington, IN 47403

Prop. Location: 851 S Park Square DR  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/3/5

Date Inspected: 10/12/2022  
Primary Heat Source: Electric  
Property Zoning: RM  
Number of Stories: 2

Inspector: Chastina Hayes  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1976. There were no requirements for emergency egress at the time of construction.

**INTERIOR**

**851**

**Entryway:**

Repair the hole in the floor adjacent to the entry door. BMC 16.04.060 (a)

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

**Living Room (12 x 18):**

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

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

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

City Hall  
bloomington.in.gov

Rental Inspection (812) 349-3300  
Neighborhood Division (812) 349-3421  
Housing Division (812) 349-3401



**LOWER LEVEL**

**Kitchen (12 x 16):**

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

Replace the water stained ceiling tiles. BMC 16.04.060 (a)

Replace the missing drawer adjacent to sink. BMC 16.04.060 (a)

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

Repair the hole in the wall adjacent to the hallway closet. BMC 16.04.060 (a)

Repair the hall closet doors to function as intended. BMC 16.04.060 (a)

Replace all deteriorating baseboard. BMC 16.04.060 (a)

**½ Bath/Laundry:**

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

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

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

**Furnace Closet:**

No violations noted.

**2<sup>nd</sup> Floor**

**Stairs**

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

**Hallway:**

No violations noted.

**Bathroom:**

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

Repair the hole in the floor adjacent to the tub. BMC 16.04.060 (a)

Secure all loose vinyl flooring. (Where it is rolling up) BMC 16.04.060 (a)

**Front Bedroom (10 x 10):**

Replace the deteriorating window sill. BMC 16.04.060 (a)

Existing Egress Window Measurements:

Height: 29 inches

Width: 30 inches

Sill Height: 48 inches

Openable Area: 6.04 sq. ft.

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

**Middle Bedroom (10 x 15): Same window as above.**

Properly repair the carpet to prevent trip hazard. BMC 16.04.060 (b)

**Rear Bedroom (8 x 11):**

No violations noted.

Existing Egress Window Measurements:

Height: 30 inches

Width: 30 inches

Sill Height: 48 inches

Openable Area: 6.25 sq. ft.

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

**853: Not inspected.**

**EXTERIOR:**

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

Replace the deteriorating siding on the shed. BMC 16.04.050 (a)

Repair/replace all deteriorating fence. BMC 16.04.050 (a)

**OTHER REQUIREMENTS:**

**Inventory Damage List:**

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

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.**



City of Bloomington  
H.A.N.D.

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

Meeting Date: February 14 2023

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

Petition Number: 23-TV-013

Address: 1000 S Basswood Ci

Petitioner: Basswood United LLC

Inspector: Arnold/Council, Liford, Hayes

Staff Report:

January 11 2022	Cycle Inspection Scheduled
February 23 2022	Cycle Inspection
March 01 2022	Sent Cycle Inspection Report
April 20 2022	Reinspection Scheduled
May 31 2022	Reinspection Completed
June 06 2022	Mailed Remaining Violations Report
June 21 2022	Reinspection Scheduled
July 22 2022	Reinspection Completed
July 27 2022	Sent Remaining Violations Report
August 15 2022	Reinspection Scheduled
August 30 2022	Reinspection Completed
September 02 2022	Sent Remaining Violations Report
November 02 2022	Start Legal
January 06 2023	Received BHQA Application

All violations have been complied except exterior issues. Petitioner is requesting additional time due to weather and contractor and material availability.

Staff recommendation: Grant the extension of time to complete 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: May 15 2023

Attachments: Remaining Violations Report; BHQA Application



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

**Property Address:** 1000 Basswood Circle, Bloomington, Indiana 47403

**Petitioner's Name:** Basswood United LLC

**Address:** 1000 Basswood Circle

**City:** Bloomington

**State:** Indiana



**Zip Code:** 47403

**Phone Number:** 812-333-91

**E-mail Address:** ahamric@hayesgibson.com

**Owner's Name:** Basswood United LLC

**Address:** 1000 Basswood Circle

**City:** Bloomington

**State:** Indiana



**Zip Code:** 47403

**Phone Number:** 812-333-91

**E-mail Address:** ahamric@hayesgibson.com

**Occupants:** 240

**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: 23-TV-13

CH, KL, RC, 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.

Need more time to finish all repairs due to weather, contractor availability, and material availability.

Signature (Required): Alexia C. Hamric Community Manager  
Name (Print): Alexia C. Hamric Date: 1-6-23

**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

812-333-9123



**City Of Bloomington**  
**Housing and Neighborhood Development**

**SEP 02 2022**

REMAINING VIOLATION INSPECTION REPORT

4493

Owner(s)

1000 S Basswood United Llc  
2565 South Breaking A Way Suite 200  
Bloomington, IN 47403

Agent

Hayes Gibson Property Services  
2565 S. Breaking A Way Suite 200  
Bloomington, IN 47403

Prop. Location: 1000 S Basswood CIR

Number of Units/Structures: 240/10

Units/Bedrooms/Max # of Occupants: Bld 1: Bld 1: 8/2/5 16/1/5, Bld 2: 20/1/5, Bld 3: 16/2/5, Bld 4:  
16/2/5 4/1/5, Bld 5: 16/2/5, Bld 6: 20/2/5 10/1/5, Bld 7: 20/2/5 10/1/5, Bld 8: 20/2/5 10/1/5, Bld 9:  
8/2/5 16/1/5, Bld 10: 20/2/5 10/1/5

Date Inspected: 02/23/2022  
Primary Heat Source: Electric  
Property Zoning: RH  
Number of Stories: 2  
Landlord Has Affidavit: N/A

Inspector: Chastina Hayes  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: Clubhouse

**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.

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

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

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

**EXTERIOR:**

**GENERAL:**

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.

Repair or Replace rotting, damaged, or missing deck boards and handrails. BMC 16.04.050(c)

Repair or Replace rotting, damaged, or missing siding. BMC 16.04.050(c)

**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 Hall

Email: [hand@bloomington.in.gov](mailto: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: February 21, 2023

Petition Type: An extension of time to complete repairs.

Petition Number: 23-TV-14

Address: 1955 N. College Ave.

Petitioner: John P. Burnham

Inspector: Maria M<sup>c</sup>Cormick

Staff Report: November 10, 2022 – Completed Cycle Inspection  
January 17, 2023 – Completed Re-inspection

At the cycle inspection it was noted that the retaining wall outside the entrance to one of the units is no longer plumb. The petitioner is requesting an extension of time to complete the repair to this wall. All other violations noted on the cycle inspection have been complied.

Staff recommendation: Grant 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: May 5, 2023

Attachments: BHQA Application; Cycle Report



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: 1955 N. College Ave.

Petitioner's Name: John P. Burnham

Address: 444 E. Third St. Suite 1

City: Bloomington

State: Indiana



Zip Code: 47401

Phone Number: 8123398300

E-mail Address: office@burnhamrentals.com

Owner's Name: John S. Burnham, Myra Burnham, John P. Burnham, Mark Burnham, Chris Burnham

Address: 444 E. Third St. Suite 1

City: Bloomington

State: Indiana



Zip Code: 47401

Phone Number: 8123398300

E-mail Address: office@burnhamrentals.com

Occupants: Multiple residnets at this property

**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: 23-TV-14

MM

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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  - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
  - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
  - 1. Detail the existing variance.
  - 2. Specify the reason the variance is no longer needed.

1. We need an extension of time to complete outside repairs to two retaining walls that are leaning inward. The contractor has been delayed due to weather and other factors beyond our control. The dirt exterior of these retaining walls will need to be excavated and gravel put in place to allow for proper drainage. More than likely, the walls will also need to be rebuilt. We are requesting until May 5, 2023 to complete the repairs. The walls do not currently pose a threat, but do need to be repaired. Everything else found at the housing inspection has been corrected.

**Signature (Required):** \_\_\_\_\_

**Name (Print):** John P. Burnham

**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**

DEC 05 2022



City Of Bloomington  
Housing and Neighborhood Development

RENTAL INSPECTION INFORMATION

Burnham Rentals  
444 E. Third St.  
Bloomington, IN 47401

RE: 1955 N. College 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 **FEB 05 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](http://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:

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

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

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

DEC 05 2022



**City Of Bloomington  
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

1504

Owner(s)

Burnham Rentals  
444 E. Third St.  
Bloomington, IN 47401

Prop. Location: 1955 N. College Ave.

Number of Units/Structures: 30/5

Units/Bedrooms/Max # of Occupants: Bld 1: 1/Eff/5 6/1/5, Bld 2: 4/1/5, Bld 3 5/1/5 1/3/5 Bld 4: 6/1/5 4/2/5  
Bld 5:

Date Inspected: 11/10/2022

Primary Heat Source: Gas

Property Zoning: RH

Number of Stories: 1

Landlord Has Affidavit: Yes

Inspector: Maria M<sup>c</sup>Cormick

Foundation Type: Crawl Space

Attic Access: No

Accessory Structure: None

03/29/1990 Granted a variance to the minimum ceiling height requirement in all habitable rooms in Apt. #6A; granted an exception to installing an additional electrical receptacle in the kitchens in Apts. #11-14; granted a variance for the minimum light requirement in the living room in Apt. #27A.

This property was previously granted variances to the minimum ceiling height requirements and the minimum number of receptacles required in a kitchen of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height or minimum number of receptacles requirement and the Building Code in place at the time of construction (1955) did not address ceiling height or minimum number of receptacles; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

This property was also granted a variance to the light requirement of the Property Maintenance Code for the living room of Apt. #27A. The Residential Rental Unit and Lodging Establishment Inspection Program does not include a minimum light requirement. The code at the time of construction (1955) does have a requirement for light (1050 IBC Sec. 1305). The applicability of this Code is under review by the State of Indiana. Upon completion of State review this issue may be re-visited on subsequent Cycle Inspection Reports.

Monroe County Assessor's records indicate this structure was built in 1955. There were no requirements for emergency egress at the time of construction.

**\*Note – Room inventory and dimensions are in the file. Only rooms with violations will be listed in this report.**

**INTERIOR:**

**Apt. 16 –**  
No violations noted.

**Apt. 15 –**  
No violations noted.

**Apt. 14 –**  
No violations noted.

**Apt. 13 –**  
No violations noted.

**Apt. 12 –**  
No violations noted.

**Apt. 11 –**

**Bedroom:**

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

**Apt. 10 –**  
No violations noted.

**Apt. 9 –**  
No violations noted.

**Apt. 8 –**  
No violations noted.

**Apt. 7 –**  
No violations noted.

**Apt. 27 –**  
No violations noted.

**Apt. 27A –**  
No violations noted.

**Apt. 28 –**  
No violations noted.

**Apt. 26 –**  
No violations noted.

**Apt. 25 –**  
No violations noted.

**Apt. 24 –**  
No violations noted.

Apt. 23 –  
No violations noted.

Apt. 22 –  
No violations noted.

Apt. 21 –  
No violations noted.

Apt. 20 –  
No violations noted.

Apt. 19 –  
No violations noted.

Apt. 18 –  
No violations noted.

Apt. 17 –  
No violations noted.

Apt. 1 –  
No violations noted.

Apt. 2 –  
No violations noted.

Apt. 3 –  
No violations noted.

Apt. 4 –  
No violations noted.

Apt. 5 –  
No violations noted.

Apt. 6 –  
No violations noted.

Apt. 6A –  
No violations noted.

**EXTERIOR:**

*BHQA*  
Apt. 6A –  
Properly repair retaining wall in a manner that allows it to be plumb and properly & safely support normally imposed loads. This is to be done in a workmanlike manner and includes but is not limited to tuck pointing missing or deteriorated mortar joints, and properly aligning the retaining wall. BMC 16.04.050(a) and BMC 16.04.060(a).

*C*  
Apt. 16 –  
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)

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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: February 21 2023

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

Petition Number: 23-TV-015

Address: 1739 S Maxwell Ln

Petitioner: Frank Colaluca

Inspector: Michael Arnold

Staff Report:                      September 26 2022                      Cycle Inspection  
   October 18 2022                      Sent Cycle Report  
   December 22 2022                      Sent Remaining Violations Report  
   January 24 2023                      Reinspection Scheduled  
   January 24 2023                      Received BHQA Application  
   January 26 2023                      Reinspection Completed

During the cycle inspection it was noted that a window in the living room would not stay open. Petitioner is requesting additional time to complete this repair due to availability of the window contractor

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: April 04 2023

Attachments: Remaining Violations Report; BHQA Application



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

Property Address: 1739 South Maxwell ~~St~~

Petitioner's Name: Frank Colaluce

Address: 169 E Field Ave

City: Venice State: FL Zip Code: 34285

Phone Number: 201-563-2092 Email Address: fc01aluce@gmail.com

Property Owner's Name: COLALUCA LLC

Address: ~~1739~~ 1739 S. Maxwell Ln

City: Bloomington State: IN Zip Code: 47401

Phone Number: 201-~~563~~-  
725-  
5288 Email Address: fc01aluce@gmail.com

Occupants: \_\_\_\_\_

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

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

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 23-TV-15

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.

Waiting on Window Contractor.  
Estimated time of repair is 6 weeks from  
1/24/23.

Signature (required):     *FC*    

Name (please print):     FRANK COLALUCA     Date:     1/19/23    

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

373

Owner

Colaluca LLC  
1727 S Maxwell Ln  
Bloomington IN 47401

Prop. Location: 1739 S Maxwell Ln  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/2/3

Date Inspected: 09/26/2022	Inspector: Mike Arnold
Primary Heat Source: Electric	Foundation Type: Slab
Property Zoning: R2	Attic Access: No
Number of Stories: 1	Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1914. There were no requirements for emergency egress at the time of construction.

Interior:

Living Room (19-0 x 12-6):

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

Kitchen (15-3 x 13-1):

Repair the dishwasher to function as intended. BMC 16.04.060(c) (tenant request)

Bathroom:

No violations noted

NE Bedroom (11-9 x 8-7), SE Bedroom (11-7 x 11-0):

Existing Egress:

Height: 26 inches

Width: 29 inches

Sill Height: 24 inches

Openable Area: 5.2 sq. ft.

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

No violations noted

Exterior:

No violations noted

**Other Requirements:**

**Furnace Inspection Documentation (gas furnace only):**

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)

**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)**

**Affidavit Required:**

**Occupancy Affidavit:**

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

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

**\*Beginning January 1, 2022, Bloomington City Code requires owners of Registered Rental properties to maintain a completed Occupancy Affidavit to Housing and Neighborhood Development (HAND) for any structures with 4 (four) or fewer units. The Ordinance does not require the Occupancy Affidavit to be submitted to HAND only reviewed upon request. Please simply keep the form in your records. BMC 16.03.025**

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: February 21, 2023

Petition Type: An extension of time to complete repairs.

Petition Number: 23-TV-16

Address: 612 S Park Ave.

Petitioner: Dennis Williams

Inspector: Maria McCormick

Staff Report: October 5, 2022- Cycle inspection conducted  
October 31, 2022- Cycle report mailed to owner  
January 20, 2023- Remaining Violations report mailed to owner  
January 24, 2023- Received Appeal and Fee

The petitioner is asking for additional time to make repairs due to the need for time to recuperate from surgery.

Staff Recommendation: Grant the extension of time.

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: Life safety violations: March 7, 2023  
All other violations: April 21, 2023

Attachments: Appeal form, RV report

W



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

JAN 24 2023

Property Address: 612 S. Park Avenue

Petitioner's Name: Dennis Williams

Address: 9375 S. Pointe Lasalles Dr.

City: Bloomington

State: Indiana



Zip Code: 47401

Phone Number: 8123699343

E-mail Address: dlwilliamsicarus@yahoo.com

Owner's Name: Dennis Williams

Address: 9375 S. Pointe Lasalles Dr

City: Bloomington

State: Indiana



Zip Code: 47401

Phone Number: 8123699343

E-mail Address: dlwilliamsicarus@yahoo.com

Occupants: Sam Johnson, Josh Nunley, Nick Love, Cole Lindley, Ryan Volk, Brandon Wiggings, Jack Persinger

**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: 23-TV-16

MM

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 to have a hip replacement operation, and after I filed the inspection report, I totally forgot about the deadline date. I am requesting another month to make all needed repairs.

Signature (Required): Dennis L. Williams

Name (Print): Dennis L. Williams Date: 1/18/23

**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

JAN 20 2023

REMAINING VIOLATIONS REPORT

1412

Owner(s)

Williams, Dennis L.  
9375 S. Pointe Lasalles Drive  
Bloomington, IN 47401

Prop. Location: 612 S Park AVE

Number of Units/Structures: 3/3

Units/Bedrooms/Max # of Occupants: Bld 1: Bld A: 1/1/3, Bld B: 1/5/3, Bld C: 1/1/3

Date Inspected: 10/05/2022

Primary Heat Source: Gas

Property Zoning: R3

Number of Stories: 2

Inspector: Maria McCormick

Foundation Type: Basement

Attic Access: No

Accessory Structure: None

Variance:

**01/22/1987 Granted a variance to the ceiling height requirement.**

This property was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling height; therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

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.

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City Hall

Email: [hand@bloomington.in.gov](mailto: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:**

**Building B –**

**Basement:**

Properly secure all support posts at the top and bottom to eliminate the possibility of movement. BMC 16.04.060(b)

**Upper Level –**

**Stairway/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

**SE Bedroom (10-0 x 9-0):**

Properly secure the cover plate for the cable outlet on the east wall. 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

**EXTERIOR:**

**Building A –**

Properly the front deck. This includes but is not limited to replacing or repairing damaged or deteriorated deck boards and structural members. BMC 16.04.050(a)

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

**Building C –**

Properly repair the damaged concrete patio to the north of the front porch. BMC 16.04.050(a)

Secure guttering to the structure. 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)

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

**This is the end of this report.**