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## **Important Notice:**

“The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact the **Housing and Neighborhood Development Department** at **(812) 349-3420** and provide your name, contact information, and a link to or description of the document or web page you are having problems with.”

-City of Bloomington Policy

**PUBLIC HEARING  
BOARD OF HOUSING QUALITY APPEALS  
CITY HALL ALLISON CONFERENCE ROOM 225  
In Person / Zoom Virtual Meeting  
MAY 16, 2023 4:00 P.M.**

**ALL ITEMS ARE ON THE CONSENT AGENDA**

"The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact the **Housing & Neighborhood Development Department** at **812-349-3420** and provide your name, contact information, and a link to or description of the document or web page you are having problems with." City of Bloomington Policy

I. **ROLL CALL**

II. **ELECTION OF OFFICERS**

III. **REVIEW OF MINUTES**

IV. **PETITIONS**

- 1) **23-TV-24, 455 N. College Avenue**, Alisha Russell (Pierce Education Properties). Previously heard at the April 11, 2023 Special Meeting. Request for an extension of time to complete repairs.
- 2) **23-TV-26, 1322 S. Woodlawn Avenue**, Choice Realty & Management (Rockport Associates, Inc.). Carried from cancelled April 18, 2023 meeting. Request for an extension of time to complete repairs.
- 3) **23-TV-27, 211 S. Kimble Drive**, Kirkwood Property Management (JSA Investments, LLC). Carried from cancelled April 18, 2023 meeting. Request for extension of time to complete repairs.
- 4) **23-TV-29, 1108 N. Woodlawn Avenue**, Andrew Mahler & Fred Walsh. Carried from cancelled April 18, 2023 meeting. Request for an extension of time to complete repairs.
- 5) **23-TV-30, 806 S. Auto Mall Road**, Bloomington Eastside Center. Carried from cancelled April 18, 2023 meeting. Request for an extension of time to complete repairs.
- 6) **23-TV-31, 3100 E. Braeside Drive, Unit 3117**, The Crossing @ Pete Ellis (Scott May). Carried from cancelled April 18, 2023 meeting. Request for an extension of time to complete repairs.
- 7) **23-TV-32, 3801-3811 E Morningside Drive**, Yorktown Courts – Leesa Fleener (Yorktown Courts – Scott May). Request for an extension of time to complete repairs.

- 8) **23-TV-33, 1407 S. Washington Street**, Stasny & Horn, IGP – Horn Properties (Linda Ellis). Request for an extension of time to complete repairs.
- 9) **23-TV-34, 303 E. 10<sup>th</sup> Street**, John Weikert (Tariq Khan). Request for extension of time to complete repairs.
- 10) **23-TV-35, 252 N. Walnut Street**, Omega Properties (Omega Master Bond, LLC). Request for an extension of time to complete repairs.
- 11) **23-TV-36, 518 S. Park Avenue**, Stephanie Eyster (Andrew & Stephanie Eyster). Request for an extension of time to complete repairs.
- 12) **23-AA-37, 805 E. Sherwood Hills Drive**, Nikita Nankov. Request for relief from an administrative decision.
- 13) **23-TV-38, 1211 W. 11<sup>th</sup> Street**, Katherine Dill (Katherine & Darin Dill). Request for an extension of time to complete repairs.

V. **GENERAL DISCUSSION**

VI. **PUBLIC COMMENT**

VII. **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](mailto:human.rights@bloomington.in.gov).**

HAND Staff is inviting you to a scheduled Zoom meeting.

Topic: Board of Housing Quality Appeals Meeting

Time: May 16, 2023 04:00 PM Eastern Time (US and Canada)

Every month on the Third Tuesday

May 16, 2023 04:00 PM

Join Zoom Meeting

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

Meeting ID: 931 9363 6060

Passcode: 088348

One tap mobile

+13092053325,,93193636060#,,,,\*088348# US

+13126266799,,93193636060#,,,,\*088348# 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

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 931 9363 6060

Passcode: 088348

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: May 16 2023

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

Petition Number: 23-TV-024

Address: 455 N College Ave Units 2116D and 2121B

Petitioner: Alisha Russell

Inspector: Michael Arnold

Staff Report: January 27 2023 Complaint Inspection Unit 2116D  
 February 01 2023 Sent Complaint Inspection Report Unit 2116D  
 February 01 2023 Complaint Inspection Unit 2121B  
 February 01 2023 Sent Complaint Inspection Report Unit 2121B  
 February 09 2023 Received BHQA application  
 March 21 2023 Meeting Cancelled  
 April 11 2023 BHQA Meeting

During the complaint inspections for these units it was noted that repairs required due to water damage had not been completed. According to the complainants, the water damage occurred over the holiday break in December. At the time of the complaint inspections the water damaged drywall had been removed and replaced. However, not all of the drywall finish work had been completed nor had the walls been repainted. The petitioner is requesting additional time to complete the repairs in order to secure funding from the insurance company for the cost of the repairs.

During the April 11 2023 meeting the Board granted an extension of time with a deadline for completion of April 28 2023.

Staff recommendation: Deny the request for the extension of time

Conditions: Complete all repairs and schedule for re-inspection immediately or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: Immediately

Attachments: Complaint Inspection Reports, Notice of Board Action, 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: 455 N College Ave Bloomington IN 47404

Petitioner's Name: Alisha Russell

Address: 455 N College Ave

City: Bloomington

State: Indiana



Zip Code: 47404

Phone Number: 8127783336

E-mail Address: manager.avenue@pepdm.com

Owner's Name: Pierce Education Properties

Address: 8880 Rio San Diego Drive Suite 750

City: San Diego

State: California



Zip Code: 92108

Phone Number: 6192970400

E-mail Address: manager.avenue@pepdm.com

Occupants:

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

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

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

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



Reminder:

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

(Will be assigned by BHQA)

Petition Number: (OLD BUSINESS)

23-TV-024

MAA



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

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

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

1. Specify the items that need the extension of time to complete. - All drywall repairs and painting

2. Explain why the extension is needed. - These damages were caused by Winter Storm Elliot and we are currently working with our insurance adjusters and restoration company to complete all remaining repairs.

3. Specify the time requested - 8 weeks or until June 20th, 2023.

Signature (Required): *Alisha Russell*

Name (Print): Alisha Russell

Date: 4-25-23

**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.





**NOTICE OF BOARD ACTION**

April 14 2023

Alisha Russell  
455 N College Ave  
Bloomington IN 47404

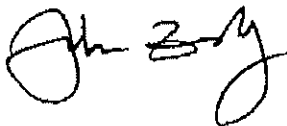
RE: 455 N College Ave Units 2116D and 2121B

Dear Alisha Russell,

This letter provides notice of the action taken by the City of Bloomington Board of Housing Quality Appeals on your request for an extension of time to complete repairs. Details of the Board's action are provided below.

If you have further questions or concerns, City business hours are weekdays between 8:00 AM and 5:00 PM, and I can be reached at (812) 349-3420.

Sincerely,



John Zody  
Director, HAND

Petition Number: 23-TV-024  
Meeting Date: April 11 2023  
Address: 455 N College Ave Units 2116D and 2121B  
Board Action:  Approved  Not Approved  Continued  Tabled

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

Deadline: April 28 2023



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 16, 2023

Petition Type: An extension of time to complete repairs.

Petition Number: 23-TV-26

Address: 1322 S Woodlawn Ave.

Petitioner: Choice Realty & Management

Inspector: Jo Stong, John Hewett

Staff Report: December 27, 2022- Cycle inspection  
January 26, 2023- received word that Choice did not manage anymore  
February 26, 2023- sent billing for inspection, no permit issued.  
March 3, 2023- Choice contacted us, now moving forward with plans to rent the property again  
March 14, 2023- received appeal and fee  
April 18, 2023- Meeting cancelled, no quorum.

The agent is requesting time to complete the requirements of the Cycle Inspection Report. The petitioner is asking for a deadline of May 1<sup>st</sup> for the replacement of a window.

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: June 6, 2023

Attachments: Cycle inspection report, Appeal form



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

MAR 1 2023

Property Address: 1322 Woodlawn

Petitioner's Name: Choice Realty & Management

Address: 1715 S Walnut St

City: Bloomington

State: Indiana



Zip Code: 47401

Phone Number: 8123317353

E-mail Address: dena@callchoicerealty.com

Owner's Name: Rockport Associates Inc

Address: 3040 S. Rockport Rd.

City: Bloomington

State: Indiana



Zip Code: 47403

Phone Number: 8123274934

E-mail Address: ryan@bwoodsolutions.com

Occupants:

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

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

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

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



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

(Will be assigned by BHQA)
Petition Number: 23-TV-26

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.

Request to have an additional 30-45 days for inspection item to come in for a window that will be 4-6 weeks out for order and installation to be completed.  
If we can request May 1st as a new deadline for time for this to be completed.

Signature (Required): *Dena Dobson*

Name (Print): Dena Dobson - Choice Realty & Management Date: 3/10/23

**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**



JAN 24 2023

City Of Bloomington  
Housing and Neighborhood Development  
RENTAL INSPECTION INFORMATION

Ryan Conrad  
3040 S. Rockport Road  
Bloomington, IN 47403

RE: 1322 S. Woodlawn Avenue

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 **MAR 25 2023** 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: Choice Realty & Management: 1715 S. Walnut St. Bloomington, IN 47401

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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



**City Of Bloomington  
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

3807

Owner

Ryan Conrad  
3040 S. Rockport Road  
Bloomington, IN 47404

Agent

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

Prop. Location: 1322 S. Woodlawn Avenue  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 12/27/2022  
Primary Heat Source: Gas  
Property Zoning: R3  
Number of Stories: 1  
Landlord Has Affidavit:

Inspector: Jo Stong  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: Garage

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

Existing Egress Window Measurements (double-hung; both sashes removable):  
Height: 23.5 inches  
Width: 27.5 inches  
Sill Height: 29.5 inches  
Openable Area: 4.49 sq. ft.

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

**INTERIOR:**

**Note: Property was vacant at inspection.**

Entry:

Repair the broken door frame. BMC 16.04.050(a)

Replace the closer for the storm door. BMC 16.04.050(a)

Living Room (16-0 x 13-6), Northeast Bedroom (13-5 x 9-10):

No violations noted.

Northeast Bath:

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

Hall:

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

Southeast Bedroom (11-0 x 8-1):

Replace the broken entry door. BMC 16.04.060(a)

Hall Bath:

Repair or replace the GFCI receptacle so that it functions as intended. BMC 16.04.060(b)

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

Hall Closet:

Install a cover on the plumbing access. BMC 16.04.060(a)

Kitchen (measure at reinspection):

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

Laundry/Mechanical Room (gas furnace):

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

3.19.23 3)

Properly secure the panel on the water heater. BMC 16.04.060(c)

Enclosed Porch/Mudroom:

Repair the broken window on the west wall. BMC 16.04.060(b)

Repair all windows to latch securely. BMC 16.04.060(b)

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

No violations noted.

**EXTERIOR:**

Properly repair the roof at the northwest corner (being held down with rocks). BMC 16.04.050(a)

Garage:

Properly secure the gutter on the south side. 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.

**3.9.23**  
**J)**  
**Servicing shall include a test for carbon monoxide.** Acceptable levels of carbon monoxide are as follows:

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

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

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 16 2023

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

Petition Number: 23-TV-027

Address: 211 S Kimble Dr

Petitioner: Kirkwood Property management

Inspector: Mike Arnold/Kenny Liford

Staff Report: January 23 2023                      Cycle Inspection Report  
 February 08 2023                      Sent Inspection Report  
 March 14 2023                          Received BHQA Application  
 April 18 2023                          BHQA Meeting Cancelled

Petitioner is requesting additional time to complete extensive remodeling of the structure and units (see petitioner's request)

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: August 06 2023

Attachments: Cycle Report; BHQA Application

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

**Property Address:** 211 S Kimble Drive Bloomington IN

**Petitioner's Name:** Kirkwood Property Management

**Address:** PO Box 1460

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47402

**Phone Number:** 8128220079

**E-mail Address:** info@kirkwoodpm.com

**Owner's Name:** JSA Investments LLC

**Address:** 2897 N 1375 W

**City:** Linton

**State:** Indiana

**Zip Code:** 47441

**Phone Number:** 8127987117

**E-mail Address:** jody@rfpmg.com

**Occupants:** Multiple tenants

**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-27

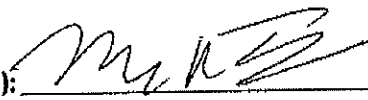
MA, KL

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.

Kirkwood Property Management took over the management on 11/1/22 and immediately began planning a major renovation way beyond the required HAND inspection work including sewer line replacement, foundation repair and waterproofing, exterior lighting, general hallway and unit renovations, parking lot repair, window replacement as needed, replacement of appliances and doors as needed, drywall repair and painting, mildew removal, bath tile repair, installation of security cameras, cabinet replacement/repair as needed, electrical repair as needed, plumbing repair as needed, HVAC repair as needed, smoke detector replacement as needed, flooring replacement as needed, decking repair as needed, pest control as needed. A great deal of work has already been done and we are waiting on building department permits to complete the sewer work now before all of the work can be done. This request is for an extension for all of the work listed on the HAND cycle inspection. The sewer work will take approximately two months after which the rest can be completed within three months so we are asking for completion by 8/6/23 at which time we would be completely done and ask for re-inspection by HAND. It is important to note that many tenants have already been relocated within the community at our expense and others will have to be relocated to allow these repairs to be completed which is another reason it takes an extended time to complete. We respectfully submit this application to allow time to get this property in the condition these low income tenant's (mostly BHA, VA, Beacon, and IU Health supported) deserve. Please keep in mind that we started this with a property with a lot of deferred maintenance and intend to operate like everything else we manage, very well maintained.

Thanks, Mark Figg, Kirkwood Property Management.

Signature (Required): 

Name (Print): Mark F. Figg

Date: 3/6/23

**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



**City Of Bloomington  
Housing and Neighborhood Development**

**FEB 08 2023**

RENTAL INSPECTION INFORMATION

JSA Investments LLC  
2897 N. 1375 W  
Linton, IN 47441

RE: 211 S Kimble DR

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **APR 09 2023** 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,

City Hall Email: <a href="mailto:hand@bloomington.in.gov">hand@bloomington.in.gov</a> Neighborhood Division (812) 349-3421	401 N Marton St <a href="https://bloomington.in.gov/hand">https://bloomington.in.gov/hand</a> 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

855

Owner(s)

JSA Investments LLC  
2897 N. 1375 W  
Linton, IN 47441

Agent(s)

Kirkwood Property Management  
1285 S. Barnes drive  
Bloomington, IN 47401

Prop. Location: 211 S Kimble DR

Number of Units/Structures: 24/2

Units/Bedrooms/Max # of Occupants: Bld I; Bld B: 2/1/5 10/2/5, Bld C: 2/1/5 10/2/5

Date Inspected: 01/23/2023

Primary Heat Source: Gas

Property Zoning: MC

Number of Stories: 2

Inspector: Liford/Arnold

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1970.  
There were no requirements for emergency egress at the time of construction.

One Bedroom

Living Room (17-5 x 10-11)  
Kitchen (10-1 x 8-9)  
Bedroom 10-4 x 10-2)  
Bathroom

Two Bedroom

Living Room (17-5 x 10-11)  
Kitchen (10-1 x 8-9)  
Bedroom (10-4 x 10-2)  
Bedroom (10-4 x 10-2)  
Bathroom

Existing Egress Window Measurements:

Height: 34 inches

Width: 16 inches

Sill Height: 49 inches

Openable Area: 3.77 sq. ft.

Height: 31 inches

Width: 13 inches

Sill Height: 51 inches

Openable Area: 2.79 sq. ft.

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

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.400 (b)

**Building B**

**Furnace/storage closet**

No violations noted.

**Unit 15**

**Living Room**

Finish remodel of this room. BMC 16.04.060(a)

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

**Kitchen**

All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. Properly install approved food preparation equipment (stove). BMC 16.04.060(a)

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

**Bathroom**

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

**Unit 17**

**Bathroom**

Secure toilet to its mountings. BMC 16.04.060(c)

**Kitchen**

Repair the garbage disposal to function as intended (it is jammed). BMC 16.04.060(c)

**Unit 25**

**Living Room**

Repair the handle to the sliding door. BMC 16.04.060(a)

**Hallway**

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

**Bathroom**

Properly install sink in a manner that secures it to the wall and allows it to support normally imposed loads. BMC 16.04.060(a)

**Unit 27**

**Hallway**

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

**Unit 37**

**Living Room**

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

**Hallway**

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

**Bathroom**

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

Unit 35

Kitchen

Replace broken/missing outlet cover plate. BMC 16.04.060(b)

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

Right Bedroom

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

Common Laundry

No violations noted.

Unit 11

Kitchen

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

Hallway

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

Bathroom

Finish remodel of this room. BMC 16.04.060(a)

Unit 13

Living Room

Repair the broken window. BMC 16.04.060(a)

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

Right Bedroom

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

Bathroom

Finish remodel of this room. BMC 16.04.060(a)

Kitchen

Finish remodel of this room. BMC 16.04.060(a)

Landing outside 23-21

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Unit 23

Complete remodel of the entire unit. BMC 16.04.060(a)

Unit 21

Kitchen

Secure loose electrical receptacle behind the stove. BMC 16.04.060(b)

Hallway

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



Landing 31-33

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

Unit 33

Kitchen

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

Right Bedroom

Replace broken/missing outlet cover plate. BMC 16.04.060(b)

Bathroom

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

Unit 31

No violations noted.

Building C

Common Hallway – Lower Level

Complete the repair and surface coating of the walls. BMC 16.04.060(a)

Unit 12

Kitchen

Repair window to latch securely. BMC 16.04.060(b)

Repair and surface coat the wall deterioration. BMC 16.04.060(a) (bottom right corner of window opening)

Unit 14

Hallway

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

Common Hallway – Middle Level

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

Unit 22

General Condition

Complete the installation of the flooring. BMC 16.04.060(a)

Living Room

Repair the broken window. BMC 16.04.060(a) (sliding glass door)

Kitchen

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

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

Repair the broken window. BMC 16.04.060(a) (storm window)

Left Bedroom

Properly repair and surface coat the damage to the wall. BMC 16.04.060(a) (north wall)

Unit 22 continued

Hallway

Secure the light fixture to the ceiling. BMC 16.04.060(b)

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

Bathroom

Properly repair and surface coat the damage to the wall. BMC 16.04.060(a) (north wall)

Unit 24

Living Room

Re-install the return air vent cover. BMC 16.04.060(c)

Right Bedroom

Repair the broken window. BMC 16.04.060(a) (left pane)

Unit 32

Kitchen

Re-hang the furnace closet door. BMC 16.04.060(a)

Hallway

Replace the missing door trim. BMC 16.04.060(a)

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

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

Right Bedroom

Replace the broken light switch. BMC 16.04.060(b)

Repair/replace/remove the damaged window screen. BMC 16.04.060(a)

Replace broken/missing outlet cover plate. BMC 16.04.060(b) (east wall)

Bathroom

Repair the sink faucet to shut off completely. BMC 16.04.060(c)

Replace the broken stool reservoir tank lid. BMC 16.04.060(c)

Unit 34

Kitchen

Check the water pressure at reinspection. BMC 16.04.060(c)

Replace the missing drawers. BMC 16.04.060(a)

Replace the missing hot water knob on the faucet. BMC 16.04.060(c)

Repair the burner ignitors to function as intended. BMC 16.04.060(c)

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

Eliminate the leak under the sink. BMC 16.04.060(c)

**Unit 34 continued**

**Right Bedroom**

Repair the outlet to function as intended and secure it to the wall. BMC 16.04.060(b) (behind the bed)

Verify all circuit breakers are functioning correctly. BMC 16.04.060(b)

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

Replace the missing door knob. BMC 16.04.060(a)

**Hallway**

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

Properly repair and surface coat the damage to the wall. BMC 16.04.060(a)

**Bathroom**

Complete the repair to the wall. BMC 16.04.060(a) (behind the door)

Replace the missing baseboard trim. BMC 16.04.060(a) (adjacent to the door)

**Common Hallway**

Repair the damage trim across the threshold of the entry door. BMC 16.04.060(a)

**Unit 16**

**General Condition**

All residential rental units, their accessory structures and exterior premises shall be kept free from pests. All residential rental units or accessory structures thereof in which pests are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination proper precautions shall be taken to prevent reinfestation. BMC 16.04.090(a)(d)

**Kitchen**

Secure the sink faucet. BMC 16.04.060(c)

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

**Hallway**

Scrape and paint interior surfaces where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f) (above the left bedroom door)

**Unit 18**

**Kitchen**

Repair the broken window. BMC 16.04.060(a) (left sash - east wall)

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

Eliminate the mold/mildew on the wall. BMC 16.04.060(a) (left wall at base of cabinets)

**Living Room**

Properly repair and surface coat the hole in the wall. BMC 16.04.060(a) (south wall)

Unit 18 continued

Hallway

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

Properly repair and surface coat the hole in the wall. BMC 16.04.060(a) (adjacent to the bathroom door)

Re-hang the bathroom door. BMC 16.04.060(a)

Bathroom

Properly repair and surface coat the damaged ceiling and wall. BMC 16.04.060(a) (above the shower surround)

Bedroom

Properly repair and surface coat the holes in the walls. BMC 16.04.060(a) (north wall)

Replace the missing window sash. BMC 16.04.060(a) (south wall)

Common Hallway

Complete the repairs and properly surface coat the walls. BMC 16.04.060(a) (stairs leading to middle level)

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

Unit 26

Living Room

Properly repair and surface coat the damaged ceiling and wall. BMC 16.04.060(a) (west wall –south end)

Kitchen

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

Replace the missing cabinet door handles. BMC 16.04.060(a)

Hallway

Replace the missing door trim. BMC 16.04.060(a)

Replace the missing door knobs. BMC 16.04.060(a)

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

Left Bedroom

Replace the missing door trim. BMC 16.04.060(a)

Bathroom

Eliminate the drip/water run-on at the tub faucet. BMC 16.04.060(c)

Right Bedroom

Replace the missing door trim. BMC 16.04.060(a)

## Unit 28

### General Conditions

Verify electrical work at reinspection (no power)

Remove the hasp lock from the entry door. BMC 16.04.060(b)

### Living Room

Replace the missing door trim. BMC 16.04.060(a)

### Kitchen

Repair and surface coat the damaged drywall at the opening to the kitchen. BMC 16.04.060(a)

Temperature/pressure relief (TPR) valve discharge tubes:

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

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

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

Properly repair and surface coat the hole in the wall. BMC 16.04.060(a) (right of cabinet – north wall)

### Right Bedroom

Replace the missing door trim. BMC 16.04.060(a)

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

### Hallway

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

## Unit 36

### General Condition

All residential rental units, their accessory structures and exterior premises shall be kept free from pests. All residential rental units or accessory structures thereof in which pests are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination proper precautions shall be taken to prevent re-infestation. BMC 16.04.090(a)(d)

### Living Room

Secure the return air vent cover. BMC 16.04.060(a)

### Hallway

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

Repair and surface coat the damaged drywall at the opening to the living room. BMC 16.04.060(a)

### Left Bedroom

Repair the hinge on the breaker box door to function as intended. BMC 16.04.060(b)

Unit 38

Kitchen

Replace the missing drawer front. BMC 16.04.060(a) (left of sink)

Hallway

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

Properly repair and surface coat the hole in the door. BMC 16.040.060(a) (right bedroom door)

Left Bedroom

Repair the door trim. BMC 16.04.060(a)

Bathroom

Repair/replace/remove the damage paper holder. BMC 16.04.060(a)

EXTERIOR

Building B

Replace the missing exhaust line cover. BMC 16.04.050(a) (south wall – west end)

Replace the missing spindles on the guardrail to the lower level stairs. BMC 16.04.060(south wall – east end)

Replace the damaged rim joist on the balcony. BMC 16.04.050(a) (unit 25)

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. BMC 16.04.040(c) (patch the holes in the parking lot)

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)

Inventory Damage List:

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

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner 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: May 16, 2023

Petition Type: An extension of time to complete repairs.

Petition Number: 23-TV-29

Address: 1108 N Woodlawn Ave

Petitioner: Andy Mahler/Fred Walsh

Inspector: C Hayes

Staff Report: November 15, 2022 Completed cycle inspection  
December 22, 2022 Sent cycle report  
February 21, 2023 Completed reinspection  
February 27, 2023 Sent remaining violations report  
March 15, 2023 Received BHQA application  
April 18, 2023 Meeting canceled due to lack of quorum

During the cycle inspection it was noted the gas furnace needed to be serviced. The petitioner is in the process of installing a new HVAC system. The petitioner would like a month extension of time to finish the process.

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: May 30, 2023 All remaining violations

Attachments: Remaining violations report, staff report, BHQA application



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 18, 2023

Petition Type: An extension of time to complete repairs.

Petition Number: 23-TV-29

Address: 1108 N Woodlawn Ave

Petitioner: Andy Mahler/Fred Walsh

Inspector: C Hayes

Staff Report: November 15, 2022 Completed cycle inspection  
December 22, 2022 Sent cycle report  
February 21, 2023 Completed reinspection  
February 27, 2023 Sent remaining violations report  
March 15, 2023 Received BHQA application

During the cycle inspection it was noted the gas furnace needed to be serviced. The petitioner is in the process of installing a new HVAC system. The petitioner would like a month extension of time to finish the process.

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: May 18, 2023 All remaining violations

Attachments: Remaining violations report, staff report, BHQA application





RECEIVED  
MAR 15 2023  
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: 1108 N Woodlawn

Petitioner's Name: ANDY MAHLER / FRED WALSH

Address: 1385 W. 8th Bloomington, IN 47404

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812-325-3597 Email Address: -

Property Owner's Name: ANDY MAHLER

Address: 3875 S CORN 50

City: Paoli State: IN Zip Code: 47454

Phone Number: 812-723-2430 Email Address: -

Occupants: 2

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

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

Please circle the petition type that you are requesting:

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

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

OFFICE USE ONLY  
Petition Number 23-TV-29

SEE REVERSE

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

Please allow one additional month to complete new furnace installation. Andy had an HVAC technician of choice who was suppose to have it installed by now but has been delayed on work in Chicago. Meeting today with a local company Low Gap Heating and Cooling to move forward with a new heat source at a quicker pace. Should have it done in the next week but asking for one month just in case any more delays arise  
Thank you

Signature (required):

Fred Walsh

Name (please print):

Fred Walsh

Date:

3-15-23

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**

**FEB 27 2023**

REMAINING VIOLATIONS INSPECTION REPORT

2467

Owner

Andy Mahler  
1875 S. Co Rd 50 W  
Paoli, IN 47454

Agent

Fred Walsh  
1395 W. 8<sup>th</sup> St.  
Bloomington, IN 47404

Prop. Location: 1108 N Woodlawn AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Baths: # of Occupants: Bld 1: 1/2/5

Date Inspected: 11/15/2022  
Primary Heat Source: Gas  
Property Zoning: IN  
Number of Stories: 1

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

Required Documentation

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.

Failure to provide required documentation will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.03.050 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required review of the documents. Our mailing address and telephone number are listed below.

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)

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

City Hall Email: <a href="mailto:hand@bloomington.in.gov">hand@bloomington.in.gov</a> Neighborhood Division (812) 349-3421	401 N Morton St <a href="https://bloomington.in.gov/hand">https://bloomington.in.gov/hand</a> Housing Division (812) 349-3401	Bloomington, IN 47404 Rental Inspection (812) 349-3420 Fax (812) 349-3582
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City of Bloomington  
H.A.N.D.

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

Meeting Date: May 16, 2023

Petition Type: An extension of time to complete repairs.

Petition Number: 23-TV-30

Address: 806 S AutoMall Rd

Petitioner: Bloomington Eastside Center

Inspector: C Hayes

Staff Report: January 4, 2023 Completed cycle inspection  
January 20, 2023 Sent cycle report  
March 17, 2023 Received BHQA application  
April 18, 2023 Meeting canceled due to lack of quorum

During the cycle inspection there was visible mold and water damage from the leaking doors in the units. The petitioner is in the process of replacing the doors. The doors are scheduled to be delivered on April 18, 2023. The petitioner is requesting a month extension to complete the work.

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: June 1, 2023 All remaining violations

Attachments: Cycle report, Quote, staff report, BHQA application



City of Bloomington  
H.A.N.D.

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

Meeting Date: April 18, 2023  
Petition Type: An extension of time to complete repairs.  
Petition Number: 23-TV-30  
Address: 806 S AutoMall Rd  
Petitioner: Bloomington Eastside Center  
Inspector: C Hayes  
Staff Report: January 4, 2023 Completed cycle inspection  
January 20, 2023 Sent cycle report  
March 17, 2023 Received BHQA application

During the cycle inspection there was visible mold and water damage from the leaking doors in the units. The petitioner is in the process of replacing the doors. The doors are scheduled to be delivered on April 18, 2023. The petitioner is requesting a month extension to complete the work.

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: May 2, 2023 All life safety violations  
May 18, 2023 All remaining violations  
Attachments: Cycle report, Quote, staff report, BHQA application



RECEIVED  
MAR 17 2023  
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](mailto:hand@bloomington.in.gov)

Property Address: 806 S Auto Mall Rd

Petitioner's Name: Bloomington Eastside Center

Address: 328 S Walnut St Ste 6

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-323-1231 Email Address: laurie.miller@homefinder.org

Property Owner's Name: Same as petitioner

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

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

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

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

Please circle the petition type that you are requesting:

- (A) An extension of time to complete repairs (Petition type TV)
- (B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- (C) Relief from an administrative decision (Petition type AA)
- (D) Rescind a variance (Petition type RV)

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

OFFICE USE ONLY  
Petition Number 24-TV-30

SEE REVERSE

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

We are replacing the doors that are allowing moisture in which is causing the mold to grow in the areas around the doors.

When we replace the doors, we will clean any mold that still remains

We have ordered the doors. They are due to arrive on April 18th. We'd like a 60 day extension to allow for possible delays, installation and clean up.

Signature (required):

Laurie Miller

Name (please print):

Laurie Miller - Property Manager

Date: 3/15/23

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.

3148 S. State Rd. 446  
 Bloomington, IN 47401  
 PH: 812-330-8898  
 FX: 812-330-8863

ORDER: 443095  
 ORDER DATE: 2/16/2023  
 ORDER CONTACT:

## QUOTE

**INVOICE INFORMATION**

Jim Regester

**SHIPPING INFORMATION**

Jim Regester[Contractor]

SHIP VIA:

ORDER	ORDER DATE	PO NUMBER	CUSTOMER REF		TERMS
443095	2/16/2023		Jim Regester		
ITEM	DESCRIPTION	QTY	SIZE	PRICE	TOTAL
1	Windgate 2-Lite Patio Door	6	TTT: 50 W x 97 3/4 H	\$1,192.34	\$7,154.04
	Custom Patio Door Size=[w=50, H=97.75]			\$351.11	\$2,106.66
	Nail Fin			\$0.00	\$0.00
	Left Operates From Outside			\$0.00	\$0.00
	Interior Color{Tan}			\$0.00	\$0.00
	Exterior Color{Tan}			\$0.00	\$0.00
	Glazing{Dual Glaze - Double Strength}			\$0.00	\$0.00
	Glass IG{Loe270/Clear IG}			\$0.00	\$0.00
	Tempered			\$0.00	\$0.00
	Patio Door Screen			\$0.00	\$0.00
	Fiberglass			\$0.00	\$0.00
	Single Point Lock			\$0.00	\$0.00
	Hardware Color Match			\$0.00	\$0.00
	Hardware Color{Tan Hardware}			\$0.00	\$0.00
<b>ITEM SUBTOTAL:</b>				\$1,543.45	\$9,260.70
<b>U-Value</b>		<b>Solar Heat Gain</b>		<b>Visible Light</b>	
0.27		0.3		0.57	
<b>Energy Star Zones</b>		NORTHERN & NORTH CENTRAL			
<b>TOTALS:</b>			6	<b>SUBTOTAL:</b>	\$9,260.70
				<b>TAX 1.7%:</b>	\$648.25
				<b>TOTAL:</b>	\$9,908.95

COMMENT:

We have ordered these.  
 They are supposed to  
 be in April 18<sup>th</sup>





JAN 20 2023

City Of Bloomington  
Housing and Neighborhood Development

RENTAL INSPECTION INFORMATION

Bloomington Eastside Center  
328 S. Walnut St Ste. 6  
Bloomington, IN 47401

RE: 806 S Auto Mall RD

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **MAR 21 2023** 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,

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

City Hall

[bloomington.in.gov](http://bloomington.in.gov)

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

20



JAN 20 2023

City Of Bloomington  
Housing and Neighborhood Development

CYCLE INSPECTION REPORT

8859

Owner

Bloomington Eastside Center  
328 S. Walnut St Ste. 1  
Bloomington, IN 47401

Prop. Location: 806 S Auto Mall RD  
Number of Units/Structures: 9/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/1/5 5/2/5 2/3/5

Date Inspected: 01/04/2023  
Primary Heat Source: Electric  
Property Zoning: CA  
Number of Stories: 2

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

The Monroe County Assessor's records indicate that this structure was built in 2009.  
Minimum egress requirements for a multi-family dwelling built at the time of construction.  
Openable area: 5.7 Sq. Ft.

Clear height: 22 inches  
Clear width: 20 inches  
Sill height: Not more than 44 inches above finished floor.

GENERAL STATEMENT: Egress window measurements for structure are as follows

TYPE 1

Existing Egress Window Measurements: Casement: Const. Yr. - 2009  
Height: 54 inches  
Width: 22 inches  
Sill Height: 37.5 inches  
Openable Area: 8.25 sq. ft.

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

TYPE 2

Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 2009  
Height: 29 inches  
Width: 30 inches  
Sill Height: 27 inches  
Openable Area: 6.04 sq. ft.

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

Only rooms with violations will be listed in this report.

Ground floor is commercial space.

## INTERIOR

### UNIT 1

#### Utility Closet:

Repair the door to function as intended. BMC 16.04.060 (a)

#### Kitchen:

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

#### NE Bedroom:

Properly remove the mold from the balcony door. BMC 16.04.060 (a)

Properly remove the mold from the carpet adjacent to the balcony door. BMC 16.04.060

#### NE Bathroom:

Properly remove the mold from above the shower. BMC 16.04.060 (a)

#### Living Room:

Properly remove the mold from the balcony door. BMC 16.04.060 (a)

Properly remove the mold from the carpet adjacent to the balcony door. BMC 16.04.060

#### N Bedroom:

Properly remove the mold from the balcony door. BMC 16.04.060 (a)

Properly remove the mold from the carpet adjacent to the balcony door. BMC 16.04.060 (a)

### UNIT 2

#### Middle Bedroom:

Properly remove the mold from the balcony door. BMC 16.04.060 (a)

Properly remove the mold from the carpet adjacent to the balcony door. BMC 16.04.060 (a)

#### N 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

#### Living Room:

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

#### S 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

**UNIT 3**

No violations noted.

**UNIT 4**

**W 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

**E 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

**UNIT 5**

**Kitchen:**

Properly remove the mold from the ceiling adjacent to the dishwasher. BMC 16.04.060 (a)

**UNIT 6**

**Bedroom:**

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

**UNIT 7**

**Kitchen:**

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

**UNIT 8**

**W Bedroom:**

Windows shall be easily and fully openable and shall remain fully open using hardware that is part of the window. BMC 16.04.060(b) (Repair top sash to close)

**UNIT 9**

No violations noted.

**EXTERIOR:**

No violations noted.

**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 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)

1-21-00  
C  
CH

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: May 16, 2023

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

Petition Number: 23-TV-31

Address: 3117 E. Braeside Drive

Petitioner: The Crossing @ Pete Ellis

Inspector: Jo Stong

Staff Report: December 7, 2022: Conducted complaint inspection for unit 3117  
December 30, 2022: Mailed complaint report  
January 11, 2023: Agent scheduled reinspection for 1.17.2023  
January 17, 2023: Called agent to reschedule to a morning appointment, and she indicated that she needed to reschedule the reinspection for another date  
March 8, 2023: Started legal proceedings  
March 21, 2023: Received appeal  
April 18, 2023: BHQA canceled due to lack of quorum

During a complaint inspection violations of the housing code were found including evidence of raccoons living in the attic. The petitioner is requesting an extension of time to complete repairs to the soffits where the raccoons are entering.

Staff recommendation: Deny the request for an extension of time

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

Compliance Deadline: Immediately

Attachments: Complaint 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:** 3117 E Braeside Drive

**Petitioner's Name:** The Crossing @ Pete Ellis

**Address:** 3112 E Braeside Drive

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47408

**Phone Number:** 8123391400

**E-mail Address:** leesa@woodingtonproperties.com

**Owner's Name:** Scott May

**Address:** 3000 S Walnut Street Pike Apt F

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47401

**Phone Number:** 8123312666

**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: 23-TV-31

JS

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

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

We have a raccoon up in the attic area of 3117 E Braeside Dr, we have been trying to caught them, we have removed 3 and we are trying to get the 4th one now. We have hired another company to help us as we have had a pest control company help with this.  
 We have cut the trees around the building back, however we can't patch the hole until the last raccoon is caught.

Signature (Required): Scott May / Leesa Fleener

Name (Print): Scott May / Leesa Fleener Date: 3.13.23

**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**

FEB 13 2023

REMAINING COMPLAINT VIOLATIONS

47

<u>Owners</u>	<u>Agent</u>	<u>Tenant</u>
The Crossing/ May, Scott G. 3000 S Walnut Street Like #F6 Bloomington, IN 47401	The Legacy Group/Leesa Fleener 3112 E. Braeside Drive Bloomington, IN 47408	Odalys Sacz 3117 E. Braeside Dr. Bloomington, IN 47408

Prop. Location: 3100 E Braeside DR  
 Number of Units/Structures: 140/15  
 Units/Bedrooms/Max # of Occupants: Bld 1: 6/2/5, Bld 2: 8/2/5 4/1/5, Bld 3: 8/2/5 4/1/5, Bld 4: 8/1/5, Bld 5: 8/2/5 4/1/5, Bld 6: 8/1/5, Bld 7: 6/2/5, Bld 8: 16/1/5, Bld 9: 8/2/5 4/1/5, Bld 10: 6/2/5, Bld 11: 8/2/5, Bld 12: 8/3/5, Bld 13: 6/2/5, Bld 14: 8/1/5, Bld 15: 8/1/5 4/2/5

Date Inspected: 12/07/2022	Inspector: Jo Stong
Primary Heat Source: Gas	Foundation Type: Slab
Property Zoning: RH	Attic Access: Yes
Number of Stories: 2	Accessory Structure: None
Landlord Has Affidavit: N/A	

REINSPECTION REQUIRED

The following items are the result of a complaint inspection conducted on December 7, 2022. 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 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.

City Hall	401 N Morton St	Bloomington, IN 47404
Email: <a href="mailto:hand@bloomington.in.gov">hand@bloomington.in.gov</a>	<a href="https://bloomington.in.gov/hand">https://bloomington.in.gov/hand</a>	Rental Inspection (812) 349-3420
Neighborhood Division (812) 349-3421	Housing Division (812) 349-3401	Fax (812) 349-3582

72

Unit 3117

INTERIOR:

Properly trap/eliminate the animals in the walls of this unit by approved processes that will not be injurious to human health. All residential rental units, their accessory structures and exterior premises shall be kept free from pests. BMC 16.04.090(a)(d)

EXTERIOR:

Properly seal the holes in the soffit on both ends of the south section over the entrance to units 3111-3117 to prevent the entry of rodents and other pests. BMC 16.04.050(a)

Trim all tree branches away from the siding and roofline to maintain a 3' clearance to eliminate an access to the roof by animals. BMC 16.04.040(e)

**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: May 16<sup>th</sup>, 2023  
Petition Type: An extension of time to complete repairs.  
Petition Number: 23-TV-32  
Address: 3801-3811 E. Morningside Drive  
Petitioner: Yorktown Courts/Lisa Fleener  
Inspector: Kenny Liford  
Staff Report: February 6<sup>th</sup>, 2023. Cycle inspection.  
February 14<sup>th</sup>, 2023. Report Mailed  
April 4<sup>th</sup>, 2023 BHQA application received

The owner has requested an extension of time to complete repairs due to a Shortage in staff and working on another Cycle of another large complex.

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: June 30<sup>th</sup>, 2023

Attachments: Cycle report, BHQA Appeal

AS



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

RECEIVED
APR 04 2023
BY: .....

Property Address: 3801 E Morningside Drive

Petitioner's Name: Yorktown Courts/ Leesa Fleener

Address: 3112 E Braside Drive

City: Bloomington State: Indiana Zip Code: 47408

Phone Number: 8123391400 E-mail Address: leesa@woodingtonproperties.com

Owner's Name: Yorktown Courts/ Scott May

Address: 3000 S. Walnut Street Pike F6

City: Bloomington State: Indiana Zip Code: 47401

Phone Number: 8123312666 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: 23-TV-32

JS, 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.

Due to short staff and amount time it takes to get parts, we are asking for an extension. As we are also just finishing up another inspection at a bigger complex.

Signature (Required): Leesa Fleener

Name (Print): Leesa Fleener Date: 3-29-23

**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

FEB 14 2023

Housing and Neighborhood Development  
RENTAL INSPECTION INFORMATION

Yorktown Courts/Scott May  
3000 S. Walnut Street Pike #F6  
Bloomington, IN 47401

RE: 3801 E Morningside DR

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **APR 15 2023** 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: Legacy Group: 3112 E. Braeside Drive, Bloomington, IN 47408

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

CA



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

CYCLE INSPECTION REPORT

3486

Owner

Yorktown Courts/Scott May  
3000 S. Walnut Street Pike #F6  
Bloomington, IN 47401

Agent

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

Prop. Location: 3801 E. Morningside DR

Number of Units/Structures: 64/6

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

Date Inspected: 02/06/2023

Primary Heat Source: Electric

Property Zoning: RH

Number of Stories: 2

Inspector: Stong/Liford

Foundation Type: Basement

Attic Access: Yes

Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1967.  
There were no requirements for emergency egress at the time of construction.

Existing Egress Window Measurements (double-hung):

**Height: 14 inches**

Width: 31 inches

Sill Height: 39 inches

**Openable Area: 3.01 sq. ft.**

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

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

**INTERIOR:**

**Unit 1**

**Upstairs**

**Hall Bath**

Secure toilet to its mountings. BMC 16.04.060(c)

**Unit 2**

No violations noted.

**Unit 3**

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

**Unit 4**

**½ Bath**

Repair the faucet so that it does not leak and to function as intended. BMC 16.04.060(c)

**Kitchen**

Repair the faucet to function as intended. (No Water)BMC 16.04.060(a)

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

**Hallway**

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

**Unit 5**

**½ Bath**

Secure toilet to its mountings. BMC 16.04.060(c)

**Upstairs**

**Hallway**

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

**Hall Bath**

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

**Unit 6**

**Upstairs**

**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

**Units 7, 8, 9**

No violations noted.



Unit 10

Living Room

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

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

Kitchen

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

Repair the dishwasher to function as intended. BMC 16.04.060(a)

Bathroom

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

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

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

Left Bedroom

Repair the door trim and strike plate to door. BMC 16.04.060(a)

Right Bedroom

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

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

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

Laundry Room

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

Unit 11

Living Room

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

Unit 12

Hallway

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

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

Bathroom

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

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

Secure toilet to its mountings. BMC 16.04.060(c)

Unit 13

No violations noted.

**Unit 14**

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

**Unit 15**

No violations noted.

**Unit 16****Kitchen**

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

**Living Room**

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

**Unit 17**

No violations noted.

**Unit 18****Hallway**

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

**Unit 19****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

**Bathroom**

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

**Unit 20****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

**Landing**

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

**Unit 21****Hallway**

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

**Unit 22**

No violations noted.

Unit 23

Hallway

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

Right Bedroom

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

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

Bathroom

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

Unit 24

Living Room

Replace broken/missing outlet cover plate. BMC 16.04.060(b)

Kitchen

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

Bathroom

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

Right Bedroom

Replace broken/missing outlet cover plate. BMC 16.04.060(b)

Units 25

Bathroom

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

Utility Closet

Install a temperature/pressure relief (TPR) valve discharge tube on the water heater.

TPR valve discharge tubes:

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

Unit 26

Hallway

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

Bathroom

Secure toilet to its mountings. BMC 16.04.060(c)

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

Right Bedroom

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

Unit 27

No violations noted.

Unit 28

½ Bath

Repair the faucet to function as intended. (No Water)BMC 16.04.060(a)

Unit 29

Basement

Laundry Room

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

Unit 30

No violations noted.

Unit 31

Hallway

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

Basement

Laundry Room

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

2<sup>nd</sup> Floor

Hallway

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

Unit 32

No violations noted.

Unit 33

Entry:

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

½ Bath:

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

Repair the exhaust fan to eliminate excessive noise. BMC 16.04.060(c)

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

Kitchen:

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

Basement

Main Room:

Determine the source and eliminate the water leak present in the southeast corner. BMC 16.04.060(a)

Mechanical Room:

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

2<sup>nd</sup> Floor

Stairway:

Properly secure the carpet to eliminate trip hazards. BMC 16.04.060(a)

Bath:

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

Unit 34

Basement

Mechanical Room:

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

Properly seal the penetration where the dryer vent exhausts to the exterior to eliminate the entry of weather and pests. No light shall be visible around the vent. BMC 16.04.060(c)

Install a cover for the floor drain. BMC 16.04.060(c)

2<sup>nd</sup> Floor

Hall:

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

Unit 35

Entry:

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

2<sup>nd</sup> Floor

Bath:

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

Repair the exhaust fan to eliminate excessive noise. BMC 16.04.060(c)

Unit 36

1/2 Bath:

Properly repair the sinking floor (floor under toilet is collapsing). This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

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

Dining Room:

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

**Basement**

**Mechanical Room:**

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

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

**Bath:**

Remove the mold from the ceiling. BMC 16.04.060(a)

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

Properly secure the faucet handle on the right sink. BMC 16.04.060(c)

**Northwest (right rear) Bedroom:**

Remove old, failing caulk and properly seal the window. BMC 16.04.060(a)

**Unit 37**

**Kitchen:**

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

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

**Unit 38**

**Kitchen:**

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

**Basement:**

**Stairway:**

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

**Mechanical Room:**

Replace the water heater (bottom has rusted out). BMC 16.04.060(c)

Properly repair the leak in the water line/drain on the wall after the right angle toward the furnace. BMC 16.04.060(c)

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

**Front (east) Bedroom:**

Egress windows shall be openable without the use of tools. Remove the screws attaching the air conditioner to the window. BMC 16.04.020, IFC 1003.6

**Unit 39**

**Kitchen:**

Replace the missing stove burner. BMC 16.04.060(c)

**Hall:**

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

**Unit 40**

**Kitchen:**

Repair or replace the burners on the stove. BMC 16.04.060(c)

**Bath:**

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

**Unit 41**

**Bath:**

Properly repair the shower wall in a workmanlike manner. BMC 16.04.060(a)

**Hall:**

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

**Unit 42**

**Hall:**

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

**Mechanical Room:**

Repair or replace the leaking water heater. BMC 16.04.060(c)

Properly repair floor. This includes but is not limited to replacing or repairing damaged or deteriorated floor covering, decking and structural members. BMC 16.04.060(a)

**Unit 43 (vacant)**

No violations noted.

**Common Laundry/Storage Area**

No violations noted.

**Unit 44 (vacant)**

**Kitchen:**

Install a refrigerator and stove. BMC 16.04.060(c)

**Hall Closet:**

Properly seal the opening in the wall under the breaker box. BMC 16.04.060(b)

**Unit 45**

**Hall:**

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

**Kitchen:**

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

**Unit 46**

**Entrance to Kitchen:**

Remove the mold under the carpet at the threshold (water heater leaked and carpet was very wet). BMC 16.04.060(a)

**Bath:**

Properly repair the floor where tiles are loose or damaged in a workmanlike manner. BMC 16.04.060(a)

**Unit 47**

**Hall:**

The smoke detector in the hall 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

**Bath:**

Properly repair the tub wall (several loose tiles) in a workmanlike manner. BMC 16.04.060(a)

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

**Unit 48**

**Hall:**

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

**Unit 49**

No violations noted.

**Unit 50**

**Bath:**

Secure toilet to its mountings. BMC 16.04.060(c)

**Unit 51**

**Kitchen:**

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

**Bath:**

Properly seal the tub surround to prevent the infiltration of water. BMC 16.04.060(c)

**Unit 52**

**Bath:**

Properly seal the tub surround to prevent the infiltration of water. BMC 16.04.060(c)

**Unit 53**

No violations noted.

**Unit 54**

**Bath:**

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

**Unit 55**

**Dining Room:**

Repair the sliding glass door to latch securely. BMC 16.04.060(b)

Repair the screen for the sliding glass door. BMC 16.04.060(a)



Kitchen:

Install a handle on the oven door. BMC 16.04.060(b), (c)

Unit 56 (vacant, being turned)

Finish the installation of the carpet. BMC 16.04.060(a)

Unit 57

Bath:

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

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

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

Unit 58

No violations noted.

Unit 59

Entry Door:

Properly install a door sweep and threshold to eliminate the entry of weather and pests. BMC 16.04.060(a)

Kitchen:

Repair the garbage disposal to function as intended (it is jammed). BMC 16.04.060(c)

Basement

Mechanical Room:

Properly repair the leak in the water pipes. BMC 16.04.060(c)

2<sup>nd</sup> Floor

Bath:

Remove all mold from the bathroom walls and ceiling. BMC 16.04.060(a)

Unit 60 (vacant)

2<sup>nd</sup> Floor

Bath:

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

Repair the exhaust fan to eliminate excessive noise. BMC 16.04.060(c)

Unit 61

Entry:

Repair or replace the damaged door frame (exterior) in a workmanlike manner. BMC 16.04.050(a)

Basement

Properly secure the cove base. BMC 16.04.060 (a)

Mechanical Room:

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

**Unit 62**

**Front Hall:**

Repair the broken window. BMC 16.04.060(b)

**Hall:**

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

**Kitchen:**

Properly secure the sink faucet. BMC 16.04.060(c)

**Unit 63**

**Hall:**

Replace the broken light switch cover plate. BMC 16.04.060(b)

**Basement**

**Mechanical Room:**

Eliminate the excess dryer duct. BMC 16.04.060(b)

Replace existing smoke detector with a new smoke detector. IC 22-11-18-3.5

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

Replace the battery in the smoke detector (it is beeping) so that it functions as intended. IC 22-11-18-3.5

**Bath:**

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

**Unit 64**

**Hall:**

The smoke detector in the hall 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

**½ Bath:**

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

**Kitchen:**

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

**Basement**

**Main Room:**

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

**Mechanical Room:**

Replace the battery in the smoke detector (it is beeping) so that it functions as intended. IC 22-11-18-3.5

Reconnect the dryer vent so that it exhausts to the exterior. BMC 16.04.060(c)

2<sup>nd</sup> Floor

Hall:

The smoke detector in the hall 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

Bath:

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

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

Remove all mold from the bathroom. BMC 16.04.060(a)

Northeast Bedroom:

Egress windows shall be openable without the use of tools. Remove the screws attaching the air conditioner to the window. BMC 16.04.020, IFC 1003.6

EXTERIOR:

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

Remove all animal feces from exterior property area. BMC 16.04.040(d)

Properly repair the fence/gate on the west side of 3811. 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)**

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

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

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



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 16 2023

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

Petition Number: 23-TV-033

Address: 1407 S Washington St

Petitioner: Stasny & Horn IGP/Horn Properties

Inspector: Michael Arnold

Staff Report: January 18 2023                      Cycle Inspection  
 February 08, 2023                      Sent Inspection Report  
 April 05 2023                              Reinspection Completed  
 April 06 2023                              Received BHQA Application

During the inspection it was noted that the sidewalks on the property had deterioration and trip hazards. The Petitioner is requesting additional time to complete these repairs. All other items listed on the cycle inspection report are now in compliance

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: November 16 2023

Attachments: Cycle Report; BHQA Application

4/14



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

RECEIVED  
APR 06 2023  
BY: .....

Property Address: 1407 S Washington St

Petitioner's Name: Stasny & Horn IGP / Horn Properties

Address: 509 E Cottage Grove Ave Ste 1, PO Box 7676

City: Bloomington

State: Indiana



Zip Code: 47407

Phone Number: 8123394676

E-mail Address: info@hpiu.com

Owner's Name: Linda Ellis

Address: 4036 Salmon Harbor Rd

City: Unionville

State: Indiana



Zip Code: 47468

Phone Number: 8123394676

E-mail Address: infor@hpiu.com

Occupants: CoughlinC, SchmidtC, BrooksC

**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-33

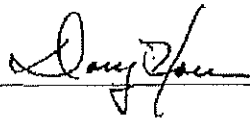
MA

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.

Thank you for considering our Appeal for Additional Time to Complete Repairs. All interior violations have been completed. Our request concerns exterior violations only, particularly requirements to repair hazardous conditions existing with, "All sidewalks, walkways, stairs, driveways, parking spaces and similar areas..." The timing of the inspection process precluded being able to do outside work of the magnitude suggested owing to weather constraints. We are asking for an additional six months to, first, better understand HAND expectations related to needed repairs, and second, to bid and execute directed repairs during late spring/summer depending on the chosen contractors' schedules. We are happy to respond to any questions you might have.

Signature (Required):



Name (Print): Doug Horn -- General Partner

Date: 3/18/2023

**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**



FEB 08 2023

**City Of Bloomington**  
**Housing and Neighborhood Development**  
RENTAL INSPECTION INFORMATION

Linda Ellis  
 4036 Salmon Harbor Rd  
 Unionville, IN 47463

RE: 1407 S Washington 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 **APR 09 2023** 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: Stasny and Horn JGP, PO Box 7676, Bloomington IN 47402

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

City Hall  
 Bloomington, In.gov

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



**City Of Bloomington  
Housing and Neighborhood Development**

CYCLE INSPECTION REPORT

1515

Owner(s)

Linda Ellis  
4036 Salmon Harbor Rd  
Unionville, IN 47468

Agent

Stasny and Horn IGF  
PO Box 7676  
Bloomington IN 47402

Prop. Location: 1407 S Washington ST  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 2/2/3

Date Inspected: 01/18/2023  
Primary Heat Source: Gas  
Property Zoning: R4  
Number of Stories: 2.

Inspector: Mike Arnold  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: Detached Garage

Monroe County Assessor's records indicate this structure was built in 1928. There are no minimum requirements for emergency egress at the time of construction.

INTERIOR

Unit A (Lower Level)

Living Room (14-3 x 13-6), Kitchen (11-3 x 12-3)  
No violations noted

NW Bedroom (10-3 x 11-3)

Existing Egress Window Measurements:

Height: 24 inches

Width: 27 inches

Sill Height: 25 inches

Openable Area: 4.50 sq. ft.

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

No violations noted

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

City Hall  
bloomington,ia.gov

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



Bathroom

Replace the broken cover plate. BMC 16.04.060(b)

NE Bedroom (11-4 x 10-6)

Existing Egress Window Measurements:

Height: 24 inches

Width: 27 inches

Sill Height: 25 inches

Openable Area: 4.50 sq. ft.

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

Secure the latch on the window. BMC 16.04.060(b) (north wall -- east window)

Back Enclosed Porch

Secure the wiring to the baseboard heater. BMC 16.04.060(b)

Basement

Repair the flooring at the basement entry door. BMC 16.04.060(a)

Seal the gap along the edge of the window. BMC 16.04.060(a) (north wall -- west window)

Unit B (Upper Level)

Living Room (14-2 x 13-4)

No violations noted.

SW Bedroom (10-7 x 13-3)

Existing Egress Window Measurements:

Height: 49 inches

Width: 23 inches

Sill Height: 27.50 inches

Openable Area: 7.82 sq. ft.

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

Verify the windows latch. BMC 16.04.060(a) (covered with plastic)

NW Bedroom (11-3 x 10-3)

Existing Egress Window Measurements:

Height: 49 inches

Width: 23 inches

Sill Height: 27.50 inches

Openable Area: 7.82 sq. ft.

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

Verify the windows latch. BMC 16.04.060(a) (covered with plastic)

Bathroom

Eliminate the leak at the hot water faucet. BMC 16.04.060(c)

Kitchen (11-3 x 12-3), Living Room, 12-0 x 11-0)

No violations noted

EXTERIOR

Label the main electrical shutoff to the unit. BMC 16.04.020 [EC 230.70(b)

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. BMC 16.04.040(c) (leading from the public sidewalk to the front porch)

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 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: May 16, 2023

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

Petition Number: 23-TV-034

Address: 303 E. 10<sup>th</sup> Street

Petitioner: John Weikert

Inspector: Jo Stong

Staff Report: August 22, 2022: Received complaint re: Furniture on front porch  
 September 6, 2022: Photo of couch to confirm validity of complaint  
 September 13, 2022: Complaint report sent  
 September 29, 2022: Owner called, said complaint ready for drive-by  
 September 30, 2022: Drove by property; couch still there  
 October 12, 2022: Wrote complaint RV report  
 October 31, 2022: RV report mailed  
 November 14, 2022: Front desk staff talked with owner: Tenants are not complying  
 November 30, 2022: Couch still there. Requested to start legal proceedings  
 December 9, 2022: Started legal  
 March 24, 2023: Demand letter sent w/deadline of April 10, 2023  
 April 6, 2023: Received appeal

Following a complaint about the above property a complaint inspection was conducted. The property was found to be in violation of the Bloomington Housing Code. The petitioner is seeking an extension of time of 2-3 additional weeks to remedy the violation, stating that they are unable to remove the couch by the deadline.

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

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

Compliance Deadline: Immediately

Attachments: Complaint, Photo, Complaint Report, BHQA Application

JK



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: 303 E 10th St, Bloomington, IN 47408

Petitioner's Name: John Weikert

Address: 303 E 10th St

City: Bloomington

State: Indiana



Zip Code: 47408

Phone Number: 8124308837

E-mail Address: jpweiker@iu.edu

Owner's Name: Tariq Khan

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)

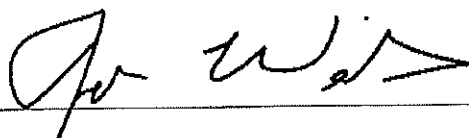
Petition Number: 23-TV-34

JS

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

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

We are requesting an extension of time to complete repairs because we have upholstered furniture (couch) on the exterior of the property (porch). The extension is needed because we are unable to remove the furniture by the date listed in the notice of violation (April 10, 2023) in a timely manner and we do not prefer to pay the hefty fines of up \$2,500 per day. We are unable to complete the removal because we do not have any means of transporting the items before that time and will need 2 (if not 3) weeks from the decision to organize plans including truck rental and trash drop-off. We also do not have space inside the property to store the upholstered furniture. Thank you for taking the time to hear our appeal.

Signature (Required): 

Name (Print): John Weikert

Date: 4/6/2023

**Important information regarding this application format:**

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

**Print Form**

CORPORATION COUNSEL  
Beth Cate



**City of Bloomington  
Legal Department**

ASSISTANT CITY ATTORNEYS  
Larry Allen  
Audrey Brittingham  
Heather Lacy  
Aleksandrina Pratt  
Christopher J. Wheeler

CITY ATTORNEY  
Michael M. Rouker

March 27, 2023

Daniel Augustine, John Weikert, Cole Foster &  
Ethan S. Goodman  
303 E. 10<sup>th</sup> St.; Unit 303A  
Bloomington, IN 47402

**NOTICE OF VIOLATION  
RE: 303 E. 10<sup>th</sup> St., Bloomington, Indiana**

Mr. Augustine et al,

Please be advised that you are still in violation of Title 16 as it relates to the upholstered furniture on the exterior porch of the rental unit located at **303 E. 10<sup>th</sup> St., Bloomington, Indiana** (the "Property"), all in violation of Bloomington Municipal Code 16.04.040(f).

You must immediately, and **no later than April 10, 2023**, do the following:


1. Remove all upholstered furniture from the exterior of the Property; and
2. Schedule the Property with HAND for a re-inspection. To schedule a reinspection, call HAND at 812-349-3401.

Failure to do so will result in the City issuing fines up to \$2,500.00 per violation, per day, for each day that this rental property has been and continues to be in violation of BMC Title 16 as permitted by *BMC § 16.10.030*. Furthermore, the City may initiate legal proceedings against you to enforce the BMC, collect fines, and seek an Order to vacate the property until such time as you prove to the Court that this Property is in full compliance with BMC Title 16.

Any decision by HAND may be appealed to the Board of Housing Quality Appeals. To do so, please contact HAND at 812-349-3401, or visit HAND at City Hall, 401 N. Morton Street, Suite 130, Bloomington, IN 47404.

Your prompt attention to this matter is greatly appreciated. If you have any questions or concerns, you may contact me at 812-349-3426.

Sincerely,

  
Christopher J. Wheeler  
Assistant City Attorney

cc: Department of Housing and Neighborhood Development  
Tariq Khan/David Kerber



SEP 13 2022

City Of Bloomington  
Housing and Neighborhood Development

Tariq Khan/David Kerber  
P.O. Box 1002  
Bloomington, IN 47402

Tenants  
303 E. 10<sup>th</sup> Street  
Bloomington, IN 47408

RE: NOTICE OF COMPLAINT INSPECTION

Dear Tenants,

On 09/06/2022 a complaint inspection was performed at 303 E 10th ST. During the inspection violations of the Residential Rental Unit and Lodging Establishment Inspection Program were found.

Please correct the violations cited on the enclosed inspection report within fourteen days (14) and call this office no later than **SEP 27 2022**, to schedule the required re-inspection. Our mailing address and telephone number are listed below.

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

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

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

Sincerely,

Housing & Neighborhood Development

Encl: Inspection Report



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

COMPLAINT INSPECTION REPORT

3536

Owners

Tariq Khan/David Kerber  
P.O. Box 1002  
Bloomington, IN 47402

Tenants

303 E. 10<sup>th</sup> Street  
Bloomington, IN 47408

Prop. Location: 303 E 10th ST  
Number of Units/Structures: 2/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/5 1/4/5

Date Inspected: 09/06/2022  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2  
Landlord Has Affidavit: Yes

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

COMPLAINT INSPECTION

A complaint was received that is the responsibility of the tenants to correct. The violations must be corrected and reinspected for compliance with the Residential Rental Unit and Lodging Establishment Inspection Program within 14 days of the date on which this notice was mailed. **It is the responsibility of the tenant to contact this office to schedule the required re-inspection at (812) 349-3420.** Any questions can be addressed to the inspector at (812) 349-3420.

Failure to comply with the requirements of this notice will result in this matter being forwarded to the City's Legal Department for legal action and fines under the provisions of Title 16 of the Bloomington Municipal Code.

EXTERIOR:

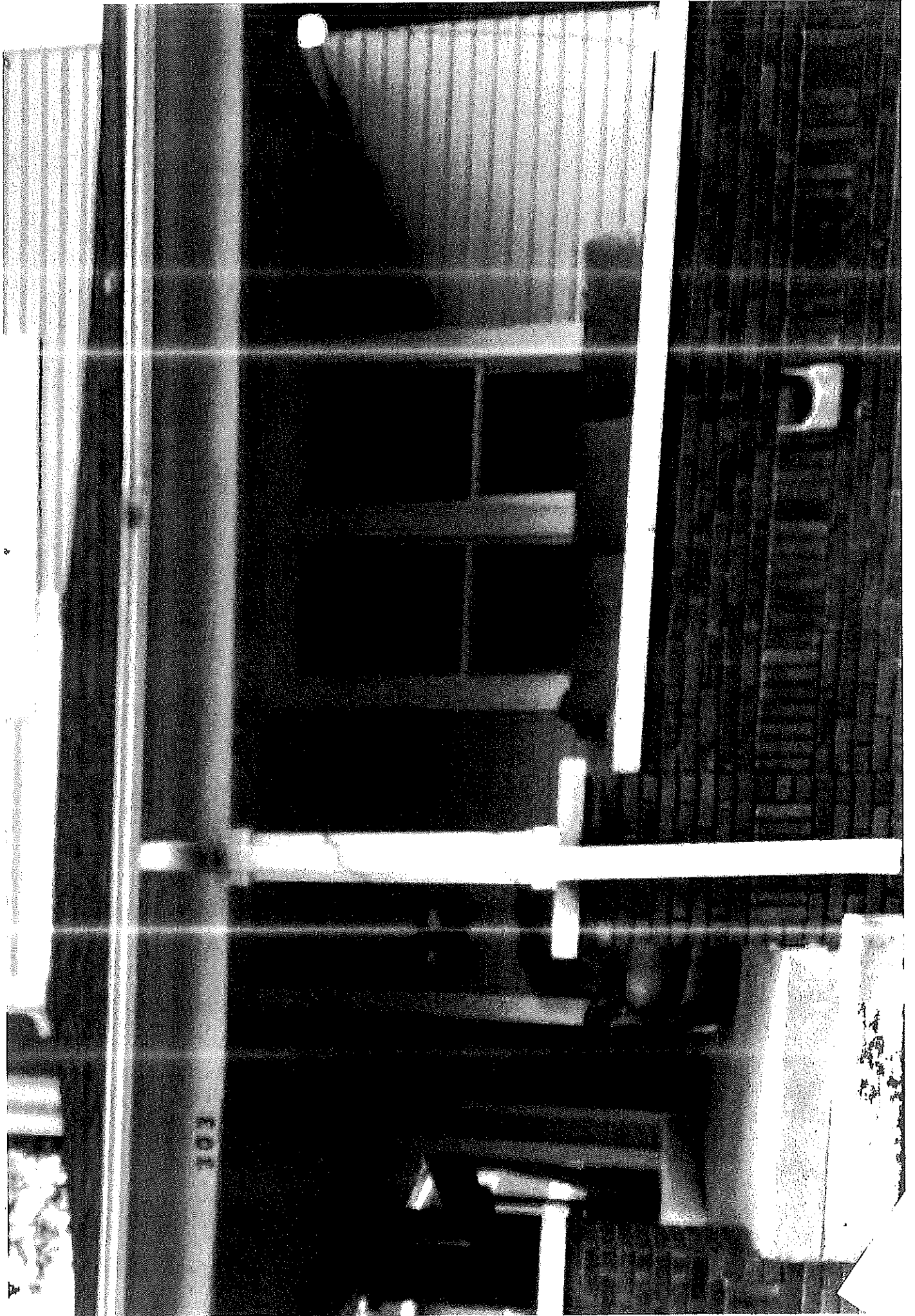
Remove the couch or other upholstered furniture from the front porch of the house.

**BMC 16.04.040(I) Exterior Property Areas**

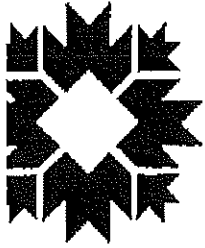
“Furniture not generally intended to be used for outdoor purposes (typically upholstered furniture), shall not be permitted to be stored on the exterior premises of residential rental units, this includes both screened-in porches and non-screened porches.”

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





6.22 TS



**CITY OF BLOOMINGTON  
RENTAL COMPLAINT FORM**

HOUSING & NEIGHBORHOOD DEVELOPMENT  
P.O. BOX 100  
BLOOMINGTON, IN 47401  
PHONE: (812) 349-3420 FAX: (812) 349-3582  
EMAIL: hand@bloomington.in.gov

**RECEIVED**  
AUG 2 8 2022  
BY: .....

ADDRESS OR LOCATION OF THE COMPLAINT: 303 E. 10th

**COMPLAINANT INFORMATION**

NAME: <u>James Ford</u>		
STREET ADDRESS: <u>PO Box 3268</u>		
CITY: <u>Bloomington</u>	STATE: <u>IN</u>	ZIP: <u>47402</u>
PHONE:		

**NATURE OF THE PROBLEM**

Couch / upholstered furniture on porch

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HOW LONG HAS THE PROBLEM EXISTED: recent

WHEN DID YOU NOTIFY THE OWNER/AGENT: \_\_\_\_\_

HOW DID YOU NOTIFY THE OWNER/AGENT:  IN PERSON  IN WRITING  BY PHONE

COMPLAINANT SIGNATURE: James Ford Digitally signed by James Ford  
Date: 2019.08.01 09:29:06 -04'00'

**OFFICE USE ONLY**

OWNER'S NAME:
ADDRESS:
NEIGHBORHOOD COMPLIANCE OFFICER:

HOUSING CODE FILE:  YES  NO  
CITY LIMITS:  YES  NO 2 MILE FRINGE:  YES  NO

COMPLAINT RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

COMMENTS: \_\_\_\_\_



City of Bloomington  
H.A.N.D.

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

Meeting Date: May 16, 2023

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

Petition Number: 23-TV-35

Address: 252 N. Walnut St.

Petitioner: Omega Properties

Inspector: Rob Council

Staff Report: January 6<sup>th</sup>, 2023 Conducted Cycle Inspection  
January 20<sup>th</sup>, 2023 Mailed Report  
March 24<sup>th</sup>, 2023 Conducted Reinspection. Not all complied.  
Outstanding life-safety issues remain. (GFCI's and windows)  
April 10<sup>th</sup>, 2023 Mailed RV report.  
April 26<sup>th</sup>, 2023 Received BHQA appeal.

During a cycle inspection of the above property, violations of the Residential Rental Unit and Lodging Establishment Program were found. Including improperly functioning windows and GFCI outlets.

Petitioner is seeking an extension of time to complete repairs.

Staff recommendation: Grant an extension of time to complete window repairs and have owner schedule reinspection of all other life-safety items immediately.

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: August 1, 2023 (windows). Immediately schedule an inspection for all other violations.

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

RECEIVED  
3 22 11

Property Address: 252 N Walnut

DX: .....

Petitioner's Name: Omega Master Bond LLC DBA Omega Properties

Address: 115 E 6th St Suite 1

City: Bloomington

State: Indiana



Zip Code: 47408

Phone Number: 8123330995

E-mail Address: omegaproperties@gmail.com

Owner's Name: Omega Master Bond LLC

Address: 115 E 6th St Suite 1

City: Bloomington

State: Indiana



Zip Code: 47408

Phone Number: 8123330995

E-mail Address: omegaproperties@gmail.com

Occupants: Yes

**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-35

RC

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

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

90 day extension requested. Difficulty finding the hardware for the windows.

Signature (Required):

*Mary Friedman*

Name (Print): Mary Friedman

Date:

4/20/2023

**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 VIOLATIONS INSPECTION REPORT**

**APR 11 2023**

6432

Owner

Omega Properties  
115 E. 6th Street, Suite 1  
Bloomington, IN 47408

Agent

Justin Sullivan  
115 E. 6<sup>th</sup> St. Suite 1  
Bloomington, IN 47408

Prop. Location: 252 N Walnut ST  
Number of Units/Structures: 13/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 4/3/5 9/2/5

Date Inspected: 01/06/2023  
Primary Heat Source: Electric  
Property Zoning: MD-CS  
Number of Stories: 2

Inspector: Rob Council  
Foundation Type: Other  
Attic Access: No  
Accessory Structure: None

**REINSPECTION REQUIRED**

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

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

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

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

<p>City Hall Email: <a href="mailto:hand@bloomington.in.gov">hand@bloomington.in.gov</a> Neighborhood Division (812) 349-3421</p>	<p>401 N Morton St <a href="https://bloomington.in.gov/hand">https://bloomington.in.gov/hand</a> Housing Division (812) 349-3401</p>	<p>Bloomington, IN 47404 Rental Inspection (812) 349-3420 Fax (812) 349-3582</p>
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LL

## INTERIOR:

Room dimensions are in the file and are not included in this report. Only rooms with violations will be noted.

### UNIT A (2BR)

#### Kitchen:

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

### UNIT B (3BR)

#### Living room:

Replace broken window crank BMC 16.04.060(c) **(Right window.)**

#### 2<sup>nd</sup> floor:

#### Bathroom:

Install approved transition strips along the edge of floor covering in a manner that reduces trip hazards. BMC 16.04.060(a)

#### Southeast bedroom:

Replace broken window crank BMC 16.04.060(c)

### UNIT C (2BR)

#### NW bedroom:

Replace broken window crank BMC 16.04.060(c)

### UNIT D (3BR)

#### Kitchen:

Replace broken window crank BMC 16.04.060(c)

#### Living room:

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

### UNIT F (2BR)

#### Livingroom:

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

#### Northeast bedroom:

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

### UNIT G (2BR)

#### Kitchen:

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

#### Livingroom:

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

**UNIT G cont.**

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

**South east bedroom:**

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

**UNIT H (2BR)**

**Living room:**

Replace broken window crank BMC 16.04.060(c) **(Left side)**

**UNIT I (2BR)**

**2<sup>nd</sup> level:**

**Southwest bedroom:**

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

**UNIT J (2BR)**

**Livingroom:**

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

**UNIT L (3BR)**

**2<sup>nd</sup> level:**

**Bathroom:**

Secure toilet to its mountings. BMC 16.04.060(c)

---

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

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

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





City of Bloomington  
H.A.N.D.

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

Meeting Date: May 16, 2023

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

Petition Number: 23-TV-36

Address: 518 S. Park Ave.

Petitioner: Stephanie Eyster

Inspector: Rob Council

Staff Report: 03/21/2022 Conducted Cycle Inspection.  
03/29/2022 Mailed Report.  
07/22/2022 Reinspection completed. Not all complied. (Exterior painting)  
01/26/2023 EE reminder written.  
02/06/2023 EE reminder mailed.  
04/06/2023 Received BHQA appeal.

Staff recommendation: Grant an extension of time to complete painting.

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: August 31, 2023

Attachments: RV Report; EE Reminder; BHQA Application

RECEIVED  
APR 06 2023  
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:** 518 S Park Ave, Bloomington, In 47401

**Petitioner's Name:** Stephanie Eyster

**Address:** 2908 S Kings Ct

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47401

**Phone Number:** 8123207391

**E-mail Address:** stephmonzo@gmail.com

**Owner's Name:** Andrew and Stephanie Eyster

**Address:** 2908 S Kings Ct

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47401

**Phone Number:** 8123207391

**E-mail Address:** stephmonzo@gmail.com

**Occupants:** Jordan Voh, Ben Rude, Grant Rude

**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-36

RC

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

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

Requesting an extension of time to complete repairs

1. Exterior window frames need to be scraped and painted to remove any chipping/peeling paint
2. The weather has not been ideal to do exterior painting. In addition, we have had unforeseen expenses that have made it difficult to for us to hire a painter. (Financial hardship)
3. Please allow an an extension until August 15, 2023

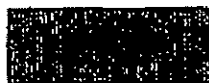
Signature (Required): Stephanie Eyster

Name (Print): Stephanie Eyster

Date: 2/28/07 4/3/23

**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.





FEB 06 2023

City Of Bloomington  
Housing and Neighborhood Development

EXTERIOR EXTENSION REMINDER INSPECTION REPORT

1587

Owner(s)

Eyster, Andrew & Stephanie  
2908 S. Kings Court  
Bloomington, IN 47401

Prop. Location: 518 S Park AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/4/5

Date Inspected: 03/21/2022  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2  
Landlord Has Affidavit: N/A

Inspector: Rob Council  
Foundation Type: Basement  
Attic Access: Yes  
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 03/21/2023**

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:

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a deadline of 21 March 2023)

This is the end of this report.



401 N. Morton St.  
Suite 130  
Bloomington, IN 47404  
(812) 349-3420

# TEMPORARY RENTAL OCCUPANCY PERMIT

Address 514.5 Park Ave.

This Temporary Permit indicates that the interior violations listed on the Cycle Inspection Report dated 08/11/22, are now in compliance, and the only remaining violations are not life-safety in nature.

The remaining violations are noted in the Handwritten Violation Report dated 08/12/22; this document is incorporated by reference into the Temporary Permit.

All remaining violations shall be in compliance and the owner or agent shall call HAND to schedule a re-inspection of the property prior to the expiration of this Temporary Permit.

This Temporary Permit expires, 11/1/22.

Director: \_\_\_\_\_ Date \_\_\_\_\_

Revised 02/10



City Of Bloomington

Housing and Neighborhood Development

AUG 03 2022

REMAINING VIOLATION INSPECTION REPORT

1587

Owner(s)

Eyster, Andrew & Stephanie  
2908 S. Kings Court  
Bloomington, IN 47401

Prop. Location: 518 S Park AVE  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/4/5

Date Inspected: 03/21/2022  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2  
Landlord Has Affidavit: N/A

Inspector: Rob Council  
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: <a href="mailto:hand@bloomington.in.gov">hand@bloomington.in.gov</a> Neighborhood Division (812) 349-3421	401 N Morton St <a href="https://bloomington.in.gov/hand">https://bloomington.in.gov/hand</a> Housing Division (812) 349-3401	Bloomington, IN 47404 Rental Inspection (812) 349-3420 Fax (812) 349-3582
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**Exterior:**

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. BMC 16.04.050(e) (This item has a deadline of 21 March 2023)

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: May 16, 2023

Petition Type: An appeal of an Administrative Decision.

Petition Number: 23-AA-37

Address: 805 E Sherwood Hills Drive.

Petitioner: Nikita Nankov

Inspector: John Hewett

Staff Report: February 18, 2021- Received registration from current owner and updated permit.  
April 14, 2023- received appeal and fee  
June 3, 2023- Rental permit will expire  
The owner is out of the country and is requesting an extension of time until September of 2023.

Staff recommendation: Deny extension of time.

Conditions: Update the registration form for the property to include an in-state agent no later than the deadline stated below, then schedule an inspection with HAND, 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.

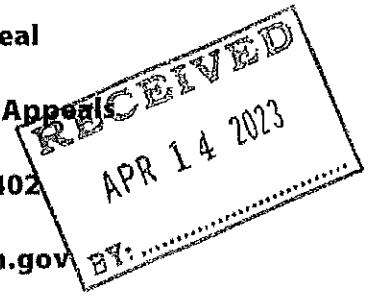
Compliance Deadline: June 16, 2023

Attachments: Appeal form





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: 805 E. Sherwood Hills Dr., Bloomington, IN 47401

Petitioner's Name: Nikita Nankov

Address: 301 E. University St., apt. 3, Bloomington, IN 47401

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: (812) 360-0359

E-mail Address: ndnjobs@gmail.com

Owner's Name: Nikita Nankov

Address: 301 E. University St., apt. 3, Bloomington, IN 47401

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 812-360-0359

E-mail Address: ndnjobs@gmail.com

Occupants: Joel A. Scifres

**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: ~~AA~~ AA)

Reminder:

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

(Will be assigned by BHQA)

Petition Number: 23-~~AA~~ 37

JH

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

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

1.	805	E.	Sherwood Hills Dr.,	Bloomington, IN	47401	(condo)
<p>2. I, Nikita Nankov, the owner, am not in the US. I will not be in the US and Bloomington, IN, by the time the HAND Rental Occupancy Permit (rentpro_10635) expires on 6/3/2023. I will come back to the US and Bloomington in late July 2023.</p> <p>3. I would be grateful if I'm allowed to renew the Rental Occupancy Permit after I come back to the US and Bloomington. Please postpone the procedure until the second half of September, 2023.</p> <p>(If possible, please send all documents concerning the case to my email: ndnjobs@gmail.com. If you send them by mail, I'll be unable to see them. Also, for communication please use only my email because I can't use my phone while I'm out the US. I will pay my filing fee of \$20 by prone. Thanks!)</p>						

Signature (Required): NIKITA NANKOV

Name (Print): Nikita Nankov Date: 4/14/23

**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.





City of Bloomington  
H.A.N.D.

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

Meeting Date: May 16, 2023

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

Petition Number: 23-TV-038

Address: 1211 W. 11<sup>th</sup> Street

Petitioner: Katherine Dill

Inspector: Jo Stong

Staff Report: March 24, 2023: Conducted cycle inspection  
April 3, 2023: Sent cycle report  
April 24, 2023: Received appeal

During an inspection of the above property violations of the Bloomington Housing Code were found. The petitioner, who is a new owner of the property, is seeking an extension of time to complete repairs until July 1, 2023. The new owners will be doing the work themselves and plan major renovations to the property, which will be vacated in the early summer.

Staff recommendation: Grant an extension of time

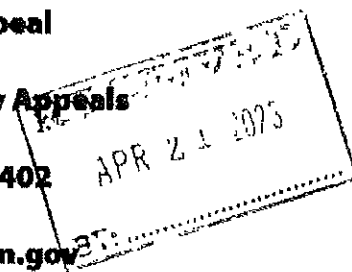
Conditions: Complete all repairs and schedule for re-inspection no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 1, 2023

Attachments: Cycle Report; BHQA Application



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



**Property Address:** 1211 W. 11th Street, Bloomington

**Petitioner's Name:** Katherine Dill

**Address:** 13104 Franklin Hall Trl.

**City:** Carmel

**State:** Indiana



**Zip Code:** 46033

**Phone Number:** 3175085864

**E-mail Address:** katherinedill@yahoo.com

**Owner's Name:** Katherine and Darin Dill

**Address:** same as above

**City:**

**State:**



**Zip Code:**

**Phone Number:**

**E-mail Address:**

**Occupants:** Essence London and one dependant

**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-38

JS

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

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

I would like to request an extension until July 1, 2023 to make the requested HAND repairs. The new owners work full time and live out of town and will be doing the work themselves. They "inherited" the violations HAND identified when they purchased the property in early April. The new owners plan to completely gut and renovate the kitchen and bathroom when the current tenant vacates the property this summer. The extension will specifically be helpful as we plan to replace all the kitchen flooring and it will be much easier to do when no one is in the home and we can remove all the appliances.

The property will be vacant for 1.5 months while the repairs/renovations are made. All permits will be in place and compliance will be complete after those renovations are made. Thank you for your consideration.

Signature (Required): Katherine Dill

Name (Print): Katherine Dill Date: 4-20-23

**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**

**APR 03 2023**

RENTAL INSPECTION INFORMATION

Mary Sutlic  
3711 W. Stafford Drive  
Bloomington IN 47404

RE: 1211 W 11th ST

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

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office within this 60 day window but no later than **JUN 03 2023** 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:

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

City Hall

[bloomington.in.gov](http://bloomington.in.gov)

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

k



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

CYCLE INSPECTION REPORT

10159

Owner

Mary Sutlic  
3711 W. Stafford Drive  
Bloomington, IN 47404

Prop. Location: 1211 W 11th ST  
Number of Units/Structures: 1/1  
Units/Bedrooms/Max # of Occupants: Bld 1: 1/3/3

Date Inspected: 03/24/2023  
Primary Heat Source: Electric  
Property Zoning: R3  
Number of Stories: 1  
Landlord Has Affidavit: No

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

Monroe County Assessor's records indicate this structure was built in 1899.  
A bedroom was added between 2017 and current inspection.  
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Living Room (13-6 x 13-3):  
No violations noted.

Northwest Bedroom (13-5 x 10-3):  
No violations noted.

Existing Egress Window Measurements (double-hung; both sashes removable):  
Height: 55 inches  
Width: 32 inches  
Sill Height: 14 inches  
Openable Area: 12.22 sq. ft.

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

Kitchen/Laundry (16-6 x 13-4):

Properly secure the junction box and wiring and properly terminate the wiring in the junction box. BMC 16.04.060(b)

Replace the crushed dryer vent tubing. BMC 16.04.060(b), (c)

Replace all missing or damaged floor tiles in a workmanlike manner. BMC 16.04.060(a)

Provide operating power to the smoke detector (or remove it from the kitchen to prevent nuisance tripping). IC 22-11-18-3.5

Southwest Bedroom (former garage) (13-4 x 11-4):

Replace the missing light switch cover plate. BMC 16.04.060(b)

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

Furnace Closet (electric furnace):

No violations noted.

West Bedroom (13-0 x 11-0):

Properly repair the holes in the sloped ceilings. BMC 16.04.060(a)

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

Height: 57 inches

Width: 31.5 inches

Sill Height: 27.5 inches

Openable Area: 12.47 sq. ft.

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

Bathroom (Jack & Jill):

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

**EXTERIOR:**

Replace the missing section of the decking outside the south bedroom door on the east side of the house. BMC 16.04.020(a), 2011 IRC Sec. 311.4.3

Replace the deteriorated riser boards on the south deck stairs. BMC 16.04.040(c)

Replace all broken spindles on the deck. BMC 16.04.040(c)

Properly fill the hole in the ground on the south side to eliminate the entry of rodents and other pests. BMC 16.04.050(a)

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

Properly repair and secure the gutter on the west side so that water is directed toward the downspouts. BMC 16.04.050(a)

Crawlspace: Not accessible.



**OTHER REQUIREMENTS:**

**Occupancy Affidavit**

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

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

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

**Inventory & Damages List**

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

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

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

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