

667U UNSAFE BUILDING HEARING AUTHORITY RECORD OF HEARING

Third Floor Conference Room, City Hall
300 N. High St.
Muncie, IN 47305

Hearing Date: January 11th, 2024 at 2:00 PM

Members Present: Scott Boyce, Gretchen Cheeseman, Aaron Clark, Ben Polk, Katina Strauch

Staff Present: Cortney Walker, Taylor Reed, Melinda Coffey, ~~Danny Hahn~~, Robert Jessee, and Steve Selvey acting as Administrators; Cortney Walker Recording Secretary, and Aubrey Crist, City Attorney.

The City of Muncie Unsafe Building Hearing Authority (UBHA) held a regularly monthly hearing on Thursday, January 11th, 2024 at 2:00 PM in the City Hall Auditorium of Muncie City Hall. Cortney Walker called the meeting to order.

Hearing Authority members and City staff were introduced.

The procedure for hearing cases was explained.

Those in attendance were advised of the following:

- Findings of fact and action taken at this meeting will be mailed to owners and recorded in the office of the Delaware County Recorder and made a matter of public record.
- Owners can appeal the findings of fact and action taken to the Delaware County Circuit Court.
- Appeals must be initiated within ten days after the date of this hearing.

Those in attendance who participated in the hearing were sworn in.

Unsafe Cases:

1. **1510 W 9TH ST** – The owner did not attend the Hearing. Motion to Affirm the Rehab Order, Penalize \$2500 for noncompliance & set the status hearing for March 14th. Motion seconded & passed with a unanimous vote.
2. **1423 E ADAMS ST** – The owner was represented at the Hearing by Richard Crabtree. Motion to Affirm the Rehab & Trash Order, Set the status hearing for April 11th to allow the owner time to make progress & obtain an inspection. Motion seconded & passed with a unanimous vote.
3. **1130 S BURLINGTON DR** – The owner was excused from the Hearing. Motion to Affirm the Trash Order, Set the status hearing for Feb 8th to allow the owner to go through Eviction Court & provide an update on cleaning the property. Motion seconded & passed with a unanimous vote.
4. **822 S HACKLEY ST** – The owner did not attend the Hearing. Motion to Affirm the Rehab Order, Penalize \$2500 for noncompliance & set the status

hearing for March 14th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.

5. **1907 E HIGHLAND AVE** - The owner did not attend the Hearing. Motion to Affirm the Rehab & Trash Order, Penalize \$3000 for noncompliance & set the status hearing for March 14th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
6. **1403 E HINES ST** – The owner was excused from the Hearing. Motion to Affirm the Demo Order, Release the Demo Order – the owner complied. Motion seconded & passed with a unanimous vote.
7. **1923 E HINES ST** – The owner did not attend the Hearing. Motion to Affirm the Demo Order, Penalize \$5000 for noncompliance & place on the City's Demolition List for Emergency Demo.
8. **500 W HOWARD ST** – The owner attended the Hearing. Motion to Affirm the Demo Order, Penalize \$2500 for noncompliance and set the status hearing for March 14th to allow the owner to sell the property & the new owner to provide plans for the property. Motion seconded & passed with four yeses and one no.
9. **1501 E JACKSON ST** – The owner attended the hearing with her contractor. Motion to Modify the Rehab Order and Affirm the Rehab Order, set the status hearing for April 11th to allow the owner to show progress. Motion seconded & passed with a unanimous vote.
10. **1512 N KIMBERLY LN** – The owner was excused from the Hearing. Motion to Affirm the Rehab Order, Set the status hearing for Feb 8th to allow the property manager time to complete repairs & obtain a final walk-through insp. Motion seconded & passed with a unanimous vote.
11. **1006 N LELAND AVE** – The owner attended the Hearing. Motion to Affirm the Rehab Order, Set the status hearing for March 14th to allow the owner time to obtain proper permits and a walk-through progress insp. Motion seconded & passed with a unanimous vote.
12. **615 E LINDA LN** – The owner was excused from the Hearing. Motion to Affirm the Rehab Order and place on Administrative Enforcement to allow the owner to become compliant through working with the Building Commissioner's Office. Motion seconded & passed with a unanimous vote.
13. **1704 N MACEDONIA AVE** – The owner was excused from the Hearing. Motion to Affirm the Demo Order, Release the Demo Order – the owner complied. Motion seconded & passed with a unanimous vote.
14. **2804 S MONROE ST** – The owner did not attend the Hearing. Motion to Affirm the Rehab & Trash Order, Penalize \$3000 for noncompliance & set the status hearing for March 14th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
15. **900 N NEW YORK AVE** – The owner was excused from the Hearing. Motion to Affirm the Rehab Order, Release the Rehab Order – the owner complied. Motion seconded & passed with a unanimous vote.
16. **2108 N SHIREY RD** – The owner attended the Hearing. Motion to Affirm the Rehab & Trash Order, Set the status hearing for Feb 8th to allow the owner time to obtain proper permits & insp. Motion seconded & passed with a unanimous vote.

17. **303 N TILLOTSON AVE** – The owner was excused from the Hearing. Motion to Affirm the Rehab Order, Release the Rehab Order – the owner complied. Motion seconded & passed with a unanimous vote.
18. **2410 S WALNUT ST** – The owner did not attend the Hearing. Motion to Affirm the Demo Order, Penalize \$2500 for noncompliance and set the status hearing for March 14th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
19. **1001 W WAYNE ST** –. Motion seconded & passed with a unanimous vote. The owner did not attend the Hearing, the tenants attended the Hearing. Motion to Affirm the Rehab Order, Penalize \$2500 for noncompliance & set the status hearing for Feb 8th to allow the Building Commissioner's Office time to walk-through apartments to access violations
20. **1123 W WAYNE ST** – The owner was excused from the Hearing. Motion to Affirm the Rehab Order, Release the Rehab Order – owner complied. Motion seconded & passed with a unanimous vote.
21. **403 E WILLARD ST** – The owner did not attend the Hearing. Motion to Affirm the Demo Order, Penalize \$5000 for noncompliance & place on the City's Demo list for Demolition.
22. **111 113 W 8TH ST** – The owner did not attend the Hearing. Motion to Penalize \$2500 for noncompliance & set the status hearing for Feb 8th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
23. **218 E 8TH ST** – The owner did not attend the Hearing. Motion to Penalize \$2500 for noncompliance & set the status hearing for Feb 8th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
24. **414 E 8TH ST** – The owner did not attend the Hearing. Motion to Penalize \$600 for noncompliance & place on the City's Noncompliance. Motion seconded & passed with a unanimous vote.
25. **320 E 9TH ST** – The owner was represented at the Hearing by Middle Town Property Group. Motion to set the status hearing for Feb 8th to allow the property manager to obtain a final walk-through insp. Motion seconded & passed with a unanimous vote.
26. **605 W 10TH ST** – The owner was excused from the Hearing. Motion to set the status hearing for March 14th to allow the owner time to obtain a walk-through inspection to show progress. Motion seconded & passed with a unanimous vote.
27. **3309 E 13TH ST** – The owner did not attend the Hearing. Motion to Penalize \$2500 for noncompliance and place on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.
28. **1620 W 15TH ST** – The owner did not attend the Hearing. Motion to set the status hearing for Feb 8th to allow the owner time to continue making progress & obtain a progress insp. Motion seconded & passed with a unanimous vote.
29. **1401 E 18TH ST** - The owner did not attend the Hearing. Motion to Penalize \$1500 for noncompliance and place on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.
30. **1400 E 24TH ST** – The owner did not attend the Hearing. Motion to penalize \$2500 for noncompliance & set the status hearing for Feb 8th to allow the

owner time to become compliant. Motion seconded & passed with a unanimous vote.

31. **903 E 29TH ST** – The owner did not attend the Hearing. Motion to penalize \$5000 for noncompliance & set the status hearing for March 14th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
32. **1802 W ADAMS ST** – The owner attended the Hearing. Motion to set the status hearing for March 14th to allow the owner time to provide contractor information & plans to become compliant. Motion seconded & passed with a unanimous vote.
33. **101 N BILTMORE AVE** - The owner did not attend the Hearing. Motion to Penalize \$600 for noncompliance and place on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.
34. **1517 S BILTMORE AVE** – The owner was excused from the Hearing. Motion to Release the Trash Order – owner complied. Motion seconded & passed with a unanimous vote.
35. **911 S BRADY ST** – The owner was excused from the Hearing. Motion to Release the Demo Order – owner complied. Motion seconded & passed with a unanimous vote.
36. **813 S BURLINGTON DR** – The owner was excused from the Hearing. Motion to set the status hearing for March 14th to allow the owner time to obtain a final insp. Motion seconded & passed with a unanimous vote.
37. **1400 E BUTLER ST** – The owner attended the Hearing. Motion to set the status hearing for March 14th to allow the owner time to obtain proper permits & walk-through insp. Motion seconded & passed with a unanimous vote.
38. **401 N CLAYPOOL Rd** – The owner did not attend the Hearing. Motion to Penalize \$600 for noncompliance & set the status hearing for March 14th to allow the owner time to clean the property. Motion seconded & passed with a unanimous vote.
39. **108 N COUNCIL ST** – The owner did not attend the Hearing. Motion to Penalize \$1000 for noncompliance & set the status hearing for March 14th to allow the owner time to become compliant & obtain an insp. Motion seconded & passed with a unanimous vote.
40. **524 W MAIN ST** - The owner did not attend the Hearing. Motion to Penalize \$1000 for noncompliance & set the status hearing for March 14th to allow the owner time to become compliant & obtain an insp. Motion seconded & passed with a unanimous vote.
41. **1513 E CROMER AVE** – The land contract buyer attended the Hearing. Motion to place on Administrative Enforcement to allow the owner to continue maintaining the property through the Building Commissioner's Office. Motion seconded & passed with a unanimous vote.
42. **326 N DELAWANDA AVE** – The owner attended the Hearing. Motion to add Demo to the Order, Affirm the Demo Order, Set the status hearing for Feb 8th to allow the owner time to obtain proper permits & a progress insp. Motion seconded & passed with a unanimous vote.
43. **1220 S ELM ST** – The owner was excused from the Hearing. Motion to set the status hearing for April 11th to allow the owner to show progress. Motion seconded & passed with a unanimous vote.

44. **2705 N ELM ST** – The owner was represented at the Hearing by the local property manager. Motion to impose a \$5000 suspended civil penalty and set the status hearing for March 14th to allow to owner to obtain an inspection of the property before the hearing. Motion seconded & passed with a unanimous vote.
45. **2300 N WALNUT ST** – The owner was represented at the Hearing by the local property manager. Motion to impose a \$5000 suspended civil penalty and set the status hearing for March 14th to allow to owner to obtain an inspection of the property before the hearing. Motion seconded & passed with a unanimous vote.
46. **2909 S FRANKLIN ST** – The owner was represented at the Hearing by Golden Sky Property Management. Motion to set the status hearing for April 11th to allow the property manager to obtain proper permits and progress insp. Motion seconded & passed with a unanimous vote.
47. **2216 S GHARKEY ST** – The owner did not attend the Hearing, Concerned neighbors attended. Motion to give the file over to the City Attorney to get the City approval to clean the property. Motion seconded & passed with a unanimous vote.
48. **2108 S GRANT ST** – One of the owners attended the Hearing. Motion to set the status hearing for April 11th to allow the owner time to move out and show progress on repairing the roof. Motion seconded & passed with a unanimous vote.
49. **2400 S HACKLEY ST** – The owner was represented at the Hearing by Gary Douglas. Motion to set the status hearing for Feb 8th to allow the representative to obtain a final insp. Motion seconded & passed with a unanimous vote.
50. **416 W HOWARD ST** – The owner attended the Hearing. Motion to set the status hearing for Feb 8th to allow the owner time to obtain a final walk-through insp. Motion seconded & passed with a unanimous vote.
51. **709 E JACKSON ST** – The owner did not attend the Hearing. Motion to Penalize \$5000 for noncompliance & place on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.
52. **717 E JACKSON ST** – The owner attended the Hearing. Motion to set the status hearing for Feb 8th to allow the owner time to come up with a plan for the property. Motion seconded & passed with a unanimous vote.
53. **2915 S LIBERTY ST** – The owner did not attend the Hearing. Motion to Penalize \$500 for noncompliance & set the status hearing for Feb 8th to allow the owner time to clean the property. Motion seconded & passed with a unanimous vote.
54. **524 W MAIN ST** – The owner did not attend the Hearing. Motion to Penalize \$2500 for noncompliance & set the status hearing for Feb 8th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
55. **704 E MAIN ST** – The owner did not attend the Hearing. Motion to Affirm the Rehab Order, Penalize \$2500 for noncompliance & set the status hearing for March 14th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
56. **710 E MAIN ST** – The owner did not attend the Hearing. Motion to Affirm the Rehab Order, Penalize \$2500 for noncompliance & set the status hearing

for March 14th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.

57. **114 N MARTIN ST** – The owner attended the Hearing. Motion to Penalize \$2500 for noncompliance & placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.
58. **611 S PERSHING DR** – The owner was excused from the Hearing. Motion to set the status hearing for April 11th to allow the owner time to show progress or become compliant. Motion seconded & passed with a unanimous vote.
59. **112 N VINE ST** – The owner did not attend the Hearing. Motion to Affirm the Rehab Order, set the status hearing for March 14th to allow the owner's brother time to sell the property and provide the new owner's information. Motion seconded & passed with a unanimous vote.
60. **2126 S WALNUT ST** – The owner attended the Hearing. Motion to fine \$100 for not having the property cleaned before the Hearing & to set the status hearing for March 14th to allow the owner time to clean the property & obtain an insp. Motion seconded & passed with a four yes and one no vote.
61. **1012 E WILLARD ST** – The owner was represented at the Hearing by Golden Sky Property Management. Motion to add Demo to the Order, Affirm the Demo Order, and set the status hearing for April 11th to allow the property manager to obtain proper permits and progress insp. Motion seconded & passed with a unanimous vote.
62. **1100 E WILLARD ST** – The owner did not attend the Hearing. Motion to Penalize \$2500 for noncompliance & set the status hearing for March 14th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
63. **2315 N WOLFE ST** – The owner was excused from the Hearing. Motion to set the status hearing for March 14th to allow the owner time to provide rehab start date and timeline. Motion seconded & passed with a unanimous vote.
64. **519 & 521 E WYSOR ST** – The owner was represented at the Hearing by his attorney. Motion to release the Rehab Order contingent on passing a final insp (final insp occurred 1/16/24 - okay to release). Motion seconded & passed with a unanimous vote.