

UNSAFE BUILDING HEARING AUTHORITY RECORD OF HEARING

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

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

Members Present: Aaron Clark, Gretchen Cheeseman, Scott Boyce

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, April 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. **2405 W 8TH ST-** The owner was excused from the hearing. Motion to Affirm the Rehab Order, Release the Rehab Order. Motion seconded & passed with a unanimous vote.
2. **1621 W 16TH ST-** The owner's son, Charles, attended the hearing. Motion to Affirm the Demo Order, Set the status hearing for June 13th to allow the representative to provide paper putting the property in his name. Motion seconded & passed with a unanimous vote
3. **1312 W 17TH ST-** The owner was excused from the Hearing. Motion to Affirm the Trash Order, Release the Trash Order - order complied with. Motion seconded & passed with a unanimous vote.
4. **1525 E 18TH ST-** The owner attended the Hearing. Motion to Affirm the Demo Order, Set the status hearing for May 9th to allow the owner time to provide plans to bring the property up to code. Motion seconded & passed with a unanimous vote.

5. **1304 E 20TH ST-** The owner attended the Hearing. Motion to Affirm the Trash Order, Set the status hearing for May 9th to allow the owner time to clean the property & obtain an inspection. Motion seconded & passed with a unanimous vote.
6. **1110 S BURLINTON DR-** The owner did not attend the Hearing. Motion to Affirm the Rehab, Demo & Trash Orders, penalize \$5000 for noncompliance list and set the status hearing for May 9th to allow the owner to become compliant. Motion seconded & passed with a unanimous vote.
7. **606 S COUNCIL ST-** The owner attended the Hearing. Motion to Affirm the Rehab Order, Release the Rehab Order - order complied with. Motion seconded & passed with a unanimous vote
8. **1214 N DR MKL JR BLVD-**The owner did not attend the hearing. Motion to Affirm the Demo Order, Release the Demo Order - contingent on passing the final demo inspection. Motion seconded & passed with a unanimous vote.
9. **2114 S EBRIGHT ST-** The owner was excused from the Hearing. Motion to Affirm the Trash Order, Release the Trash Order - order complied with. Motion seconded & passed with a unanimous vote.
10. **2905 S GRANT ST-** The owner attended the hearing. Motion to Affirm the Demo Order, set the status hearing for June 13th to allow the owner time to start & complete the demolition and obtain the inspection. Motion seconded & passed with a unanimous vote.
11. **2913 S HACKLEY ST-**The Tax Sale Buyer / New owner was represented by Jordan at the Hearing. Motion to Affirm the Rehab & Trash Order, status hearing set for May 9th to allow the owner time to provide plans to bring the property up to code & obtain a walk-through inspection. Motion seconded & passed with a unanimous vote.
12. **3011 S HACKLEY ST.-** The owner did not attend the hearing. Motion to Affirm the Rehab & Trash Order, penalize \$3000 for non compliance and set the status hearing for June 13th to allow the owner time to become compliant & obtain an inspection. Motion seconded & passed with a unanimous vote.
13. **1908 S HIGH ST.-** The owner did not attend the hearing. Motion to Affirm the Demo Order, Penalize \$5000 for noncompliance & place on the City's Noncompliance list for City demolition. Motion seconded & passed with a unanimous vote.
14. **623 W JACKSON ST-**The owner was excused from the Hearing. Motion to Affirm the Rehab Order, Release the Rehab Order - order complied with. Motion seconded & passed with a unanimous vote.
15. **720 722 W JACKSON ST.-** The owner did not attend the Hearing. Motion to Affirm the Rehab Order, Penalize \$2500 for noncompliance & set the status hearing for June 13th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
16. **615 N JEFERSON ST.-** The owner was represented by the construction manager, Mike, at the hearing. Motion to Affirm the Rehab & Demo Order, set the status hearing for July 11th to allow the owner time to make

progress & obtain proper permits. Motion seconded & passed with a unanimous vote.

17. 2511 S MACEDONIA AVE- The owner was represented at the Hearing. Motion to Affirm the Demo Order, Set the status hearing for May 9th to allow the owner time to provide plans to bring the property up to code. Motion seconded & passed with a unanimous vote.
18. 626 628 W MAIN ST.- The property owner was represented by Keith from Middletown Property Group at the hearing. Motion to Affirm the Rehab Order, status hearing set for May 9th to allow the property management company time to obtain a walk-through inspection. Motion seconded & passed with a unanimous vote.
19. 709 W MAIN ST- The owner was excused from the Hearing. Motion to Affirm the Rehab & Trash Order, Release the Rehab & Trash Order - order complied with. Motion seconded & passed with a unanimous vote.
20. 813 W MAIN ST-The property owner attended the hearing. Motion to Affirm the Rehab Order, status hearing set for May 9th to allow the owner time to obtain a walk-through inspection. Motion seconded & passed with a unanimous vote.
21. 815 W MAIN ST.- The owner did not attend the hearing. Motion to Affirm the Rehab & Trash Order, penalize \$3000 for noncompliance & set the status hearing for June 13th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
22. 821 W MAIN ST.- The owner was represented at the hearing. Motion to Affirm the Rehab Order, status hearing set for July 11th to allow the owner time to become compliant & obtain proper inspections. Motion seconded & passed with a unanimous vote.
23. 1315 E MAIN ST.- The owner did not attend the Hearing. Motion to Affirm the Demo Order, Penalize \$2500 for noncompliance and set the status hearing for May 9th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.
24. 3104 S MONROE ST.- The owner attended the hearing. Motion to Affirm the Demo Order, status hearing set for May 9th to allow the owner time to obtain a demo permit, demo the garage & obtain proper inspections. Motion seconded & passed with a unanimous vote.
25. 2913 N WESTWOOD RD.- The owner was excused from the hearing. Motion to Affirmed the Trash Order, Release the Trash Order - order complied with. Motion seconded & passed with a unanimous vote
26. 2917 N WESTWOOD RD.- The owner was excused from the hearing. Motion to Affirm the Trash Order, set the status hearing for May 9th to allow the owner time to complete the property clean-up and obtain an inspection. Motion seconded & passed with a unanimous vote.
27. 315 S WILLOW RD.- The owner attended the hearing. Motion to Affirm the Rehab Order, status hearing set for May 9th to allow the owner time to obtain a final walk-through inspection. Motion seconded & passed with a unanimous vote.
28. 1103 W. 1ST ST.- The owner attended the hearing but had to leave early. Motion to set the status hearing for May 9th to allow the owner time to

- renew the demo permit and complete the demolition with proper inspections. Motion seconded & passed with a unanimous vote.
29. 215 215 ½ E 8TH ST.- The land contract buyer attended the hearing. Motion to set the status hearing for June 13th to allow time to make continued progress & obtain inspections. Motion seconded & passed with a unanimous vote.
 30. 620 W 8TH ST.- The owner did not attend the hearing. Motion to penalize \$3000 for noncompliance & place on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.
 31. 1331 E 8TH ST.- The owner did not attend the hearing. Motion to set the status hearing for May 9th to allow the owner time to make progress & obtain an inspection. Motion seconded & passed with a unanimous vote.
 32. 2602 E 8TH ST.- The owner attended the hearing. Motion to set the status hearing for June 13th to allow the owner time to obtain a progress inspection. Motion seconded & passed with a unanimous vote.
 33. 320 E 9TH ST.- The owner was represented at the hearing by Keith from Middletown Property Group at the hearing. Motion to Fine \$100 for not obtaining the final walk-through inspection and set the status hearing for May 9th to allow the property management company to obtain the final inspection. Motion seconded & passed with a unanimous vote.
 34. 1320 E 9TH ST.- The owner did not attend the hearing. Motion to penalize \$2500 for noncompliance & placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.
 35. 1510 W 9TH ST. - The owner did not attend the hearing. Motion to set the status hearing for June 13th to allow the owner time to continue making repairs & obtain a progress inspection. Motion seconded & passed with a unanimous vote.
 36. 905 W 10TH ST. The owner did not attend the hearing. Motion to penalize \$500 for noncompliance - property not cleaned, placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.
 37. 1315 E 11TH ST- The owner was represented by the property management at the hearing. Motion to Fine \$100 for not obtaining an inspection before the hearing, status hearing set for May 9th to allow the property management time to obtain a demo permit for the garage and obtain a walk-through of the house. Motion seconded & passed with a unanimous vote.
 38. 1816 W 15TH ST-The owner attended the hearing. Motion to set the status hearing for May 9th to allow the owner time to obtain a walk-through inspection. Motion seconded & passed with a unanimous vote.
 39. 1508 E 20TH ST-The owner attended the hearing. Motion to set the status hearing for May 9th to allow the owner time to clean the property & obtain a final inspection. Motion seconded & passed with a unanimous vote.
 40. 703 W ADAMS ST-The owner attended the hearing. Motion to set the status hearing for July 11th to allow the owner time to make progress & obtain progress inspections. Motion seconded & passed with a unanimous vote.

- 41. 1423 E ADAMS ST-The owner attended the hearing. Motion to place the property on Administrative Enforcement to allow the owner to work with the Building Commissioner's Office. Motion seconded & passed with a unanimous vote.**
- 42. 2116 N BALL AVE-The owner was represented by Keith from Middletown Property Group at the hearing. Motion to Fine \$100 for not obtaining a progress inspection before the hearing, set the status hearing for May 9th to allow the property management to obtain a final walk-through inspection. Motion seconded & passed with a unanimous vote.**
- 43. 2403 S BEACON ST.- The owner was represented by the tenants at the hearing. Motion to Fine \$100 for not obtaining an inspection before the hearing, status hearing set for May 9th to allow the tenants time to complete cleaning the property & obtain final inspection. Motion seconded & passed with a unanimous vote.**
- 44. 813 S BURLINGTON DR. - The owner was represented by the contractor & land contract buyer at the hearing. Motion to Fine \$100 for not obtaining an inspection before the hearing, status hearing set for May 9th to allow the land contract buyer time to obtain a walk-through inspection & provide plans to bring the property up to code. Motion seconded & passed with a unanimous vote.**
- 45. 1130 S BURLINGTON DR. - The owner was excused from the hearing. Motion to Release the Trash Order - order complied with. Motion seconded & passed with a unanimous vote.**
- 46. 1921 E BUTLER ST - The owner did not attend the hearing. Motion to Fine \$100 for not obtaining proper permits or progress inspection before the hearing, penalized \$3500 for noncompliance & set the status hearing for June 13th to allow the owner to become compliant. Motion seconded & passed with a unanimous vote.**
- 47. 720 W CENTENNIAL AVE. - The owner was excused from the hearing. Motion to set the status hearing for June 13th to allow the property management time to obtain a walk-through progress inspection. Motion seconded & passed with a unanimous vote.**
- 48. 2901 E CENTENNIAL AVE. - The owner was excused from the hearing. Motion to set the status hearing for June 13th to allow the owner time to obtain a progress inspection. Motion seconded & passed with a unanimous vote.**
- 49. 804 W CROMER AVE. - The owner did not attend the hearing. Motion to penalize \$2500 for noncompliance & set the status hearing for May 9th to allow the owner time to become compliant. Motion seconded & passed with a unanimous vote.**
- 50. 326 N DELAWANDA AVE - The owner attended the hearing. Motion to Release the Trash Order, set the status hearing for June 13th to allow the owner time to obtain proper permits & a progress inspection. Motion seconded & passed with a unanimous vote**
- 51. 2317 S EBRIGHT ST - The owner did not attend the hearing. Motion to penalize \$2500 for noncompliance - order not complied with, placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**

52. 1220 S ELM ST. - The owner was excused from the hearing. Motion to set the status hearing for May 9th to allow the owner time to start rehabilitation work & obtain a progress inspection. Motion seconded & passed with a unanimous vote.
53. 1224 S ELM ST. - The owner attended the hearing. Motion to Release the Demo Order. Motion seconded & passed with a unanimous vote.
54. 2801 S FRANKLIN ST. - The owner did not attend the hearing. Motion to Fine \$100 for not obtaining a progress inspection before the hearing, Penalize \$2500 for noncompliance and set the status hearing for June 13th to allow the owner to become compliant. Motion seconded & passed with a unanimous vote.
55. 2909 S FRANKLIN ST. - The owner did not attend the hearing. Motion to Fine \$100 for not obtaining a progress inspection before the hearing, Penalize \$2500 for noncompliance and set the status hearing for June 13th to allow the owner to become compliant. Motion seconded & passed with a unanimous vote.
56. 2108 S GRANT ST. - The owner attended the hearing. Motion to set the status hearing for June 13th to allow the owner time to obtain an inspection & have the electricity turned back on. Motion seconded & passed with a unanimous vote.
57. 822 S HACKLEY ST. - The owner was represented by their property management at the hearing. Motion to set the status hearing for May 9th to allow the property manager or land contract buyer to obtain a progress inspection. Motion seconded & passed with a unanimous vote.
58. 408 W HARVARD ST. - The owner attended the hearing. Motion to set the status hearing for May 9th to allow the owner time to clean-up the property from after the demolition and obtain a final inspection. Motion seconded & passed with a unanimous vote.
59. 500 W HOWARD ST. - The new owner attended the hearing. Motion to set the status hearing for July 11th to allow the new owner time to provide plans & timeline for the property. Motion seconded & passed with a unanimous vote.
60. 909 W HOWARD ST. - The owner did not attend the hearing. Motion to penalize \$2500 for noncompliance & place on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.
61. 1215 S HOYT AVE. - The owner attended the hearing. Motion to place the property on Administrative Enforcement to allow the owner to work with the Building Commissioner's office to bring the property up to code. Motion seconded & passed with a unanimous vote.
62. 717 E JACKSON ST. - The owner was excused from the hearing. Motion to place the property on Administrative Enforcement to allow the owner to work with the Building Commissioner's office to bring the property up to code. Motion seconded & passed with a unanimous vote.
63. 1501 E JACKSON ST. - The owner was represented at the hearing. Motion to set the status hearing for June 13th to allow the owner time to obtain the demolition permit & start the demolition. Motion seconded & passed with a unanimous vote.

- 64. 1515 W JACKSON ST. - The owner did not attend the hearing. Motion to reduce the civil penalty from \$5000 to \$1000 and place the property on Administrative Enforcement to allow the land contract buyer time to work with the Building Commissioner's office to bring the property up to code. Motion seconded & passed with a unanimous vote.**
- 65. 1300 S JEFFERSON ST. The owner did not attend the hearing. Motion to Fine \$100 for not obtaining a progress inspection before the hearing, Penalize \$2500 for noncompliance and set the status hearing for June 13th to allow the owner to become compliant. Motion seconded & passed with a unanimous vote.**
- 66. 2401 S JEFFERSON ST. The owner attended the hearing. No action was taken - order is expired.**
- 67. 816 E KIRBY AVE. - The owner was represented by Chelsea at the hearing. Motion to set the status hearing for June 13th to allow the owner time to obtain the demolition permit & start the demolition. Motion seconded & passed with a unanimous vote.**
- 68. 414 N MADISON ST. -The owner attended the hearing. Motion to set the status hearing for May 9th to allow the owner time to provide updated plans for the property and to bring it up to code. Motion seconded & passed with a unanimous vote**
- 69. 1216 S MADISON ST. - The owner did not attend the hearing. Motion to penalize \$2500 for noncompliance - order not complied with, placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**
- 70. 4608 ADJ S MADISON ST The owner did not attend the hearing. Motion to penalize \$5000 for noncompliance - order not complied with, placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**
- 71. 615 E MAIN ST. - The owner did not attend the hearing. Motion to penalize \$100 for noncompliance - order not complied with, placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**
- 72. 1412 S MEEKER AVE. The Tax Sale Buyer was represented at the hearing. Motion to set the place the property on Administrative Enforcement to allow the tax sale buyer time to work with the Building Commissioner's office to bring the property up to code once they get the Deed in their name. Motion seconded & passed with a unanimous vote.**
- 73. 1509 W MEMORIAL DR. - The owner attended the hearing. Motion to set the status hearing for May 9th to allow the owner time to obtain a final inspection. Motion seconded & passed with a unanimous vote.**
- 74. 301 E NORTH ST. - The owner did not attend the hearing. Motion to penalize \$2500 for noncompliance - order not complied with, placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**
- 75. 611 S PERSHING DR. - The owner was excused from the hearing. Motion to set the status hearing for May 9th to allow the owner time to make progress & obtain a progress inspection. Motion seconded & passed with a unanimous vote.**

- 76. 719 S PERSHING DR. - The owner did not attend the hearing. Motion to penalize \$2500 for noncompliance - order not complied with, placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**
- 77. 803 S PERSHING DR. - The owner did not attend the hearing. Motion to penalize \$2500 for noncompliance - order not complied with, placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**
- 78. 1105 W POWERS ST.- The owner did not attend the hearing. Motion to Fine \$100 for not obtaining a progress inspection before the hearing, Penalize \$2500 for noncompliance and set the status hearing for June 13th to allow the owner to become compliant. Motion seconded & passed with a unanimous vote.**
- 79. 1301 POWERS ST - The owner was excused from the hearing. Motion to Release the Rehab Order & Reduce the Civil Penalty - order complied with. Motion seconded & passed with a unanimous vote.**
- 80. 523 PROUD ST - The owner did not attend the Hearing. Motion to penalize \$5000 for noncompliance & placed on the City's Noncompliance list for City demolition. Motion seconded & passed with a unanimous vote.**
- 81. 609 S VINE ST. - The owner did not attend the hearing. Motion to penalize \$1000 for noncompliance, the City cleaned the property, Place on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**
- 82. 603 VINE ST. The owner did not attend the hearing. Motion to penalize \$1000 for noncompliance, the City cleaned the property, Place on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**
- 83. 709 S VINE ST. The owner did not attend the hearing. Motion to set the status hearing for May 9th to allow the owner time to become compliant & obtain an inspection. Motion seconded & passed with a unanimous vote.**
- 84. 2126 S WALNUT ST. The owner attended the hearing. Motion to place the property on Administrative Enforcement to allow the owner to work with the Building Commissioner's office to bring the property up to code. Motion seconded & passed with a unanimous vote.**
- 85. 2410 S WALNUT ST. The owner was excused from the hearing. Motion to set the status hearing for May 9th to allow the owner time to start progress & obtain an inspection. Motion seconded & passed with a unanimous vote.**
- 86. 1001 W WAYNE ST The owner was represented by Angies from Middletown Property Group at the hearing, Tenant from apt 106 with concerns. Motion to Fine \$100 for not obtaining a progress inspection before the hearing, status hearing set for May 9th to allow the property management to obtain an inspection. Motion seconded & passed with a unanimous vote.**
- 87. 3100 N WESTWOOD RD The owner did not attend the hearing. Motion to penalize \$2500 for noncompliance - order not complied with, placed on the City's Noncompliance list. Motion seconded & passed with a unanimous vote.**

- 88. 617 E WILLARD ST** The owner was represented at the hearing. Motion to set the status hearing for June 13th to allow the owner time to obtain an inspection. Motion seconded & passed with unanimous vote.
- 89. 704 E WILLARD ST.** The owner was represented by the land contract buyer, Myron, at the hearing. Motion to set the status hearing June 13th to allow the land contract buyer time to provide rehabilitation plans, timeline & contractor information. Motion seconded & passed with a unanimous vote.
- 90. 710 E WILLARD ST** The owner did not attend the hearing. Motion to Fine \$100 for not obtaining a progress inspection before the hearing and set the status hearing for June 13th to allow the owner to become compliant. Motion seconded & passed with a unanimous vote.
- 91. 1012 E WILLARD ST** The owner did not attend the hearing. Motion to Fine \$100 for not obtaining a progress inspection before the hearing and set the status hearing for June 13th to allow the owner to become compliant. Motion seconded & passed with a unanimous vote.