

**UNSAFE BUILDING HEARING AUTHORITY  
RECORD OF HEARING**

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

**Hearing Date:** January 10th, 2019 3:00 PM

**Members Present:** Brad King, Doug Marshall, Debra Malitz

**Members Absent:** Michael Cooper, Jim Lee

**Staff Present:** Cortney Walker & Rebecca Clark acting as Administrator; Megan Quirk, City Attorney, and Kathy Carey acting as Treasurer

The City of Muncie Unsafe Building Hearing Authority (UBHA) held a regularly monthly hearing on Thursday, January 10th, 2019 at 3:00 PM in the City Hall Auditorium of Muncie City Hall. Chairman Doug Marshall 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. **202 E. 13TH ST.** No one showed for property. Motion to affirm order. Continued for 60 days; March 14th. Seconded and Motion passed unanimous vote.

2. **812 W. 14TH ST.** Motion to affirm order. Owner has started cleanup, and has obtained a dumpster from the City. Owner needs to call in for inspection. Continued for 60 days; March 14th. Seconded and Motion passed unanimous vote.

3. **1011 N. CENTRAL AVE.** Motion to affirm order. Owner had cars removed. Owner needs to call for inspection. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.

4. **601 N. ELM ST.** Motion to Modify to Rehab, Affirm Rehab Order & Administratively Enforce Order. Seconded and Motion passed unanimous vote.
5. **3018 S. HACKLEY ST.** No one showed for property. Motion to affirm order. Imposed \$500 Civil Penalty for failure comply. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
6. **1319 W. KILGORE AVE.** Motion to Release. Seconded and Motion passed unanimous vote.
7. **3400 S. MADISON ST.** No one showed for property. Motion to affirm. Continued for 90 days; April 11th. Seconded and Motion passed unanimous vote.
8. **1817 W. MEMORIAL DR.** Motion to affirm order. Bldg. permit pulled. Owner has been making progress. Owner needs to call in for inspection. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
9. **1900 E. PRINCETON AVE.** Motion to affirm order. Property is in flood way. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
10. **234 N. VINE ST.** Motion to affirm order. Owner needs to call in for inspection. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
11. **1909 S. WALNUT ST.** No one showed for property. Motion to affirm order. Imposed \$ 2,500 Civil Penalty for failure to comply. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
12. **1316 E. 1ST ST.** Motion to Modify to Rehab. & Administratively Enforce Order. Seconded and Motion passed unanimous vote.
13. **706 W. 5TH ST.** Motion to affirm order. Owner is planning to secure a loan for upkeep of property. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
14. **1305 E. 5TH ST.** Motion to affirm order. Owner needs to call in for inspection. Continued for 60 days; March 14th. Seconded and Motion passed unanimous vote.
15. **1705 W. 6TH ST.** Motion to affirm order. No inspection has been called/conducted. No updates have been presented to date. No permits have been pulled. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
16. **1722 W. 6TH ST.** No one showed for property. Motion to affirm order. Impose \$2,500. Civil Penalty for failure to comply. Property placed of City Demolition List. Seconded and Motion passed unanimous vote.

17. **2401 W. 10TH ST.** No one showed for property. Motion to affirm order. Imposed \$ 1,000 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.
18. **804 W. 11TH ST.** Motion to affirm order. Owner had inspection conducted and is aware of what is needed. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
19. **2107 E. 14TH ST.** No one showed for property. Motion to Release Order, and Civil Penalty Order. Seconded and Motion passed unanimous vote.
20. **2011 E. 16TH ST.** No one showed for property. Motion to affirm order. Imposed \$3,000 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.
21. **906 W. 18TH ST.** No one showed for property. Motion to affirm order. Imposed \$3, 500 Civil Penalty for failure to comply. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
22. **1901 1905 E. 18TH ST.** No one showed for property. New owner will be notified. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
23. **1500 E. 20TH ST.** No one showed for property. Motion to affirm order. Continued for 30 days; Seconded and Motion passed unanimous vote.
24. **1503 E. 20TH ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.
25. **215 E. 21ST. ST.** Motion to affirm order. DM permit has expired. House has been gutted. Walls are still up. Waiting on dumpster. Continued for 60 days; March 14th. Seconded and Motion passed unanimous vote.
26. **713 W. ADAMS ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
27. **520 N. BAUER ST.** Motion to affirm order. Progress has been made by Owner in demolishing the property. Continued for 60 days; March 14th. Seconded and Motion passed unanimous vote.
28. **2402 S. BEACON ST.** No one showed for property. Motion to affirm order. Owner was emailed in regards to property. Owner plans to demolish walls, but maintain foundation. Owner plans to rebuild on foundation. Permits have not been pulled. Continued for 60 days; March 14th. Seconded and Motion passed unanimous vote.

29. **101 N. BILTMORE** Motion to Rehab & Administratively Enforce Order. Seconded and Motion passed unanimous vote.
30. **107 BLK N. BILTMORE** Motion to affirm order. Owner states that they will remove trailer once they complete 101 Biltmore Ave. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
31. **2007 S. BILTMORE AVE.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.
32. **708 S. BURLINGTON DR.** Motion to Release Order. Seconded and Motion passed unanimous vote.
33. **1305 S. BURLINGTON DR.** Motion to Release Order. Seconded and Motion passed unanimous vote.
34. **1708 E. CENTENNIAL AVE.** No one showed for property. Motion to affirm order. Bldg. Commissioner gave owner 90 days to level, seed, and straw property. Continued for 90 days; April 11th. Seconded and Motion passed unanimous vote.
35. **115 S. COUNCIL ST.** Motion to Release Order. Seconded and Motion passed unanimous vote.
36. **523 S. COUNCIL ST.** No one showed for property. Motion to affirm order. Owner has made progress, and plans to rehab in Spring. Continued for 90 days; April 11th. Seconded and Motion passed unanimous vote.
37. **607 S. COUNCIL ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Property placed on Demolition List. Seconded and Motion passed unanimous vote.
38. **723 S. COUNCIL ST.** No one showed for property. Motion to affirm order. Imposed \$5,000 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.
39. **1419 S. COUNCIL ST.** Motion to affirm order. Owner came in and stated that the furnace had been replaced, and outside around property has been cleaned. Owner brought in pics as proof. Owner needs to call in for an inspection. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
40. **2105 S. DELAWANDA AVE.** No one showed for property. Motion to affirm order. No update from owner. Property listed in tax sale. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.

41. **2306 E. DEPAUW AVE.** No one showed for property. Motion to affirm order. Property was inspected on 1/4/2019. Owner was informed to obtain a Bldg. permit, and combine parcels. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
42. **2317 S. EBRIGHT ST.** Motion to affirm order. Debris has been cleaned. Owner needs to call for inspection. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
43. **414 S. ELLIOTT ST.** No one showed for property. Motion to affirm order. Owner has applied for permit. Walk Thru is needed with inspector before approval. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
44. **424 S. ELLIOTT ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.
45. **426 S. ELLIOTT ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.
46. **1220 S. ELM ST.** Motion to affirm order. No updates at this time. Permit needs to be pulled. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
47. **4412 W. GARVER DR.** No one showed for property. Motion to affirm order. Imposed \$3,500 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.
48. **410 E. GILBERT ST.** No one showed for property. Motion to affirm order. No permit pulled at this time. Demolition completed at 115 S. Council. Owner had submitted plans via email. Email of plans placed in file. Continued for 60 days; March 14th. Seconded and motion passed unanimous vote.
49. **1511 S. HACKLEY ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.
50. **2914 S. HACKLEY ST.** No one showed for property. Motion to affirm. No update on property at this time. Property eligible for Tax Sale. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
51. **415 W. HOWARD ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Property placed on Demolition List. Seconded and Motion passed unanimous vote.
52. **603 E. JACKSON ST.** No one showed for property. Motion to affirm order. No permit pulled at this time. Demolition completed at 115 S. Council. Owner had submitted plans via

email. Email of plans placed in file. Continued for 60 days; March 14th. Seconded and motion passed unanimous vote.

53. **610 W. JACKSON ST.** No one showed for property. Motion to affirm order. Imposed \$3,500 Civil Penalty for failure to comply. Property placed on Demolition List. Seconded and Motion passed unanimous vote.

54. **619 N. JEFFERSON ST.** Motion to affirm order. Unsafe Coordinator emailed Owner's attorney. Still waiting on response. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.

55. **2818 S. MADISON ST.** Motion to Release Order. Seconded and Motion passed unanimous vote.

56. **225 E. MEMORIAL DR.** No one showed for property. Motion to affirm order. Imposed \$3,000 Civil Penalty for failure to comply. Property placed on Demolition List. Seconded and Motion passed unanimous vote.

57. **915 E. MEMORIAL DR.** No one showed for property. Motion to affirm. Inspection completed on 1/8/2019. Property is secured. Owner states that he will keep property maintained. Owner plans to sell property. No hearing set at this time. Seconded and Motion passed unanimous vote.

58. **1900 E. MEMORIAL DR.** Motion to affirm order. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.

59. **2812 N. MILTON ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.

60. **1415 S. MONROE ST.** No one showed for property. Motion to affirm order. Imposed \$3,500 Civil Penalty for failure to comply. Property placed on City Demolition List. Seconded and Motion passed unanimous vote.

61. **701 N. MULBERRY ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Property placed on Demolition List. Seconded and Motion passed unanimous vote.

62. **3509 S. PENN ST.** Motion to affirm order. Owner ordered to keep property clean. Property placed on City Clean up List. Seconded and Motion passed unanimous vote.

63. **2814 S. PERSHING DR.** Motion to affirm order. Contractors have been called for Demolition. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.

64. **2306 E. PRINCETON AVE.** No one showed for property. Motion to affirm order. Owner has filed for bankruptcy. Property will now go through the courts. Mortgage Co. will Rehab and sell property. Continued 60 days; March 14th. Seconded and Motion passed unanimous vote.
65. **414 S. PROUD ST.** Motion to affirm order. No update of property at this time. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
66. **3508 E. RACE ST.** Motion to affirm order. Owner is making progress. Paul Adams hired as contractor. Continued for 60 days; March 14th. Seconded and Motion passed unanimous vote.
67. **708 E. SEYMOUR ST.** No one showed for property. Motion to affirm order. No permit pulled. Owner has difficulty getting out of the house to complete the paperwork. Continued for 30 days; February 14th. Seconded and Motion passed unanimous vote.
68. **2707 S. WALNUT ST.** Motion to affirm order. Continued for 60 days; February 14th. Seconded and Motion passed unanimous vote.
69. **623 E. WILLIARD ST.** No one showed for property. Motion to affirm order. Imposed \$2,500 Civil Penalty for failure to comply. Property placed on Demolition List. Seconded and Motion passed unanimous vote.

