

# INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

Tuesday, April 20, 2021  
By Electronic Mail

Sanjay Patel  
Petitioner  
Fairbridge Inn Express  
6225 William Keck Bypass  
Mt Vernon, IN 47620  
[mtvhotel6225@gmail.com](mailto:mtvhotel6225@gmail.com)  
[k12.in.us](http://www.k12.in.us)

## **Re: Petition for Administrative Review – Sanctions Order No. 1851-2062 – Fairbridge Inn Express**

Dear Mr. Patel:

The Indiana Fire Prevention and Building Safety Commission (Commission) is in receipt of your petition for administrative review of Indiana Department of Homeland Security (IDHS) Sanctions Order No. 1851-2062 – Fairbridge Inn Express, submitted on Tuesday, April 20, 2021. The petition for administrative review will be discussed at the next tentatively scheduled meeting of the Commission – currently scheduled to begin at 9:00 a.m. EDT on Tuesday, May 4, 2021. Notice and details regarding this meeting will be posted to the Commission's web page (<http://www.in.gov/dhs/2375.htm>) in advance of the meeting. The Commission will determine if you qualify for administrative review of this order in accordance with the requirements of Indiana Code § 4-21.5-3-7.

Sincerely,



Douglas J. Boyle, Director  
Indiana Fire Prevention and Building Safety Commission  
Indiana Department of Homeland Security  
Indiana Government Center South, Room E-208  
302 W. Washington Street  
Indianapolis, IN 46204  
[doboyle@dhs.in.gov](mailto:doboyle@dhs.in.gov)

Enclosure

cc: Philip A. Gordon, Deputy Attorney General and Legal Counsel to the Indiana Fire Prevention and Building Safety Commission (by electronic mail)  
Justin K. Guedel, IDHS Deputy General Counsel – Attorney for the Respondent (by electronic mail)  
Bryston Sprecher, Administrative Assistant to the Indiana Fire Prevention and Building Safety Commission (by electronic mail)

**From:** [DHS Legal Mailbox](#)  
**To:** [Guedel, Justin K](#); [Boyle, Douglas J \(DHS\)](#); [Sprecher, Bryston](#)  
**Subject:** FW: Petition for Review  
**Date:** Tuesday, April 20, 2021 1:49:39 PM  
**Attachments:** [68379161\\_HM24246C\\_Sanction Fines 04-20-2021.pdf](#)  
[68380022\\_tristate.pdf](#)

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**From:** noreply@formstack.com <noreply@formstack.com>  
**Sent:** Tuesday, April 20, 2021 5:48:01 PM (UTC+00:00) Monrovia, Reykjavik  
**To:** DHS Legal Mailbox <Legal@dhs.IN.gov>  
**Subject:** Petition for Review

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## Formstack Submission For: [petition for review](#)

Submitted at 04/20/21 1:48 PM

|   |  |
|---|--|
| <b>Individual Name:</b>                     | Sanjay Patel                                       |
| <b>Business Name: :</b>                     | FAIRBRIDGE INN<br>EXPRESS                          |
| <b>Phone Number:</b>                        | (812) 838-8888                                     |
| <b>Email Address:</b>                       | mtvhotel6225@gmail.com                             |
| <b>Mailing Address:</b>                     | 6225 William Keck Byp<br>MOUNT VERNON, IN<br>47620 |
| <b>Are you represented by an attorney?:</b> | No   |
| <b>Attorney Name:</b>                       |  |
| <b>Firm:</b>                                |  |

|   |  |
|---|--|
| <b>Phone Number:</b>  |  |
| <b>Email Address:</b>   |  |
| <b>Mailing Address:</b>   |  |
| <b>Order Number:</b>  | 3  |
| <b>Facility   Device   Boiler ID:</b>   |  |
| <b>Date Order Received:</b>   | Apr 20, 2021                                   |
| <b>How did you receive the Order? :</b>   | Email  |
| <b>Entity Issuing Order:</b>  | Fire Prevention and Building Safety Commission |
| <b>Entity Name:</b>   |  |
| <b>Upload Order:</b>  | <a href="#">View File</a>                      |
| <b>Was this order specifically directed to you?:</b>  | No   |
| <b>Explain:</b>   |  |
| <b>Explain:</b>   |  |
| <b>Have you been aggrieved or adversely affected by the order?:</b>   | No   |
| <b>Explain:</b>   |  |
| <b>Explain:</b>   |  |
| <b>If the order was not specifically directed to you and you have not been aggrieved or adversely affected by the order, are you entitled to review under some other law? :</b> | No   |
| <b>What law?:</b>   |  |
|   |  |

|  |   |
|--|---|
| <b>I request review of the entire order described above:</b>                                     | Yes   |
| <b>If you are not requesting review of the entire order, what is the scope of your request?:</b> |   |
| <b>I request a stay of effectiveness:</b>  | Yes   |
| <b>What is the basis of your challenge? :</b>  | Reason we did not complete it on time is because we were waiting for Tri-state to get the parts and repair it.            |
| <b>What is your desired outcome? :</b>   | We are waiting on Tri-state to get the parts and come on the property to fix everything and it will be done by this week. |
| <b>Additional information in support of my request:</b>  | Below is the Proposals we signed and sent it to the Tri-state with the dates on it.                                       |
| <b>Additional Attachments:</b>   | <a href="#">View File</a>   |
| <b>Additional Attachments:</b>   |   |
| <b>Additional Attachments:</b>   |   |

**Report of inspection**

Indiana Department of Homeland Security  
 302 W. Washington Street, Room E208  
 Indianapolis, IN 46204  
 Phone: 317-232-2222

| Permit Number | Sanction Number |
|---------------|-----------------|
| HM24246C      | 1851-2062       |

Visit us at: <http://www.in.gov/dhs>

**Date** 04/20/2021 **Type** Sanctions  
**Results** Sanctions

**Location** **Owner**  
 Name FAIRBRIDGE INN EXPRESS Name MANISH PATEL  
 Street HWY 6225 69 S Street HWY 6225 69 S  
 City MT. VERNON City MT. VERNON  
 Zip 47712 Zip 47712

**Inspector** **Permit**  
 Name Casey Eaton State Number HM24246C  
 Email CEaton@dhs.IN.gov Type Motel  
 Phone 317-460-4516

**Notice of Violations**

| # | Code   | Description   | Order   | Correct By | Fee      |
|---|--|---|---|------------|----------|
|   | Sec. 906.2<br>2014 Edition IFC<br>675 IAC 22-2.5 | <p>Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.</p> <p>Exceptions:</p> <p>1. The travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.</p> <p>2. Thirty-day inspections shall not be required and maintenance shall be allowed to be once every three years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:</p> <p>2.1. Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.</p> <p>2.2. Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.</p> <p>2.3. The extinguishers shall be installed inside of a</p> | <p>Extinguishers in laundry and in electrical room near 128 were found to be past due for testing at time of inspection.</p> <p>Also, several deficiencies were noted on annual testing report.</p> <p>Extinguishers to be maintained at all times.</p> | 04/16/2021 | \$250.00 |



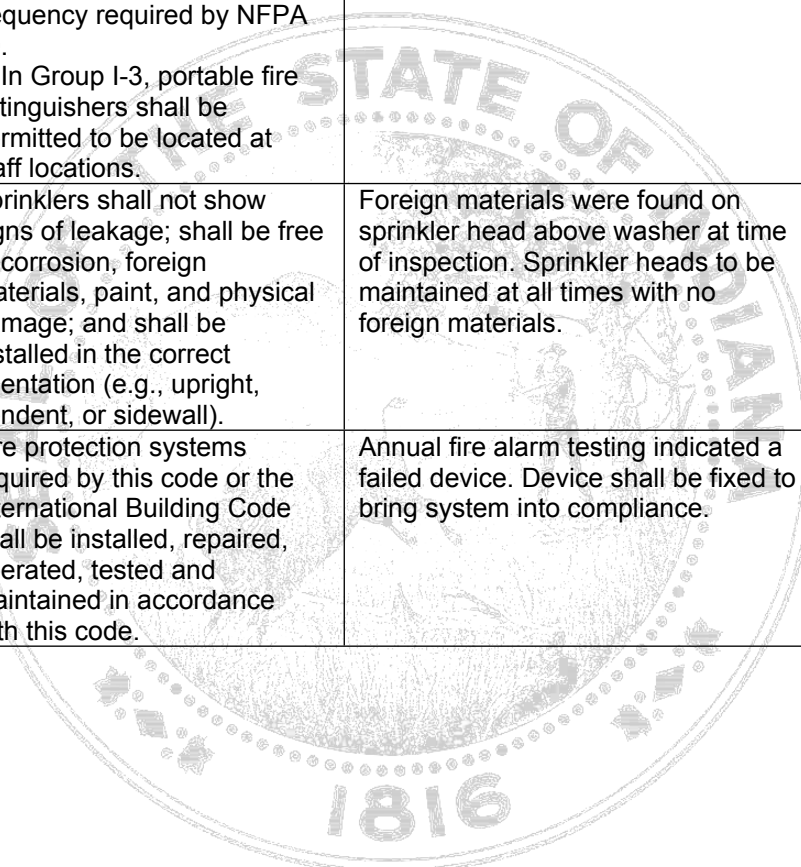
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|  |  |  |  |            |          |
|--|--|--|--|------------|----------|
|  |  | <p>building or cabinet in a noncorrosive environment.</p> <p>2.4. Electronic monitoring devices and supervisory circuits shall be tested every three years when extinguisher maintenance is performed.</p> <p>2.5. A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by NFPA 10.</p> <p>3. In Group I-3, portable fire extinguishers shall be permitted to be located at staff locations.</p> |  |            |          |
|  | <p>Sec. 5.2.1.1.1<br/>2011 Edition<br/>NFPA 25<br/>675 IAC 28-1-12</p> | <p>Sprinklers shall not show signs of leakage; shall be free of corrosion, foreign materials, paint, and physical damage; and shall be installed in the correct orientation (e.g., upright, pendent, or sidewall).</p>   | <p>Foreign materials were found on sprinkler head above washer at time of inspection. Sprinkler heads to be maintained at all times with no foreign materials.</p> | 04/16/2021 | \$250.00 |
|  | <p>Sec. 901.4.1<br/>2014 Edition IFC<br/>675 IAC 22-2.5</p>            | <p>Fire protection systems required by this code or the International Building Code shall be installed, repaired, operated, tested and maintained in accordance with this code.</p>  | <p>Annual fire alarm testing indicated a failed device. Device shall be fixed to bring system into compliance.</p>   | 04/16/2021 | \$250.00 |





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If you are receiving this document, property that you own or have control over, has been, or was attempted to be, inspected by the Indiana Department of Homeland Security (Department). Depending on the outcome of this inspection, one of five different RESULTS was notated. See the first page for the RESULT of this inspection. The following describes what each RESULT means:

### 1. INSPECTION NOT POSSIBLE

This report is to notify you that the Department attempted to perform an inspection of your property, but was unable to for some reason. If you have not already spoken with your inspector regarding this, please contact him or her immediately.

### 2. NO VIOLATIONS FOUND

This report is to notify you that the Department performed an inspection of your property, and no violations were found to exist. However, please be aware that obtaining a RESULT of "no violations found" does not mean that no violations exist on your property or may be found during a later inspection.

### 3. EMERGENCY OR TEMPORARY ORDER

This report is to notify you that the Department has determined that conduct or a condition of property:

- (1) presents a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser;
- (2) is prohibited without a permit, registration, certification, release, authorization, variance, exemption, or other license and the license has not been issued; or
- (3) will conceal a violation of law.

This order must immediately be complied with, up to and until such time that: (1) it expires; (2) an order is issued by an administrative law judge voiding, terminating, modifying, or staying its effectiveness; or (3) the Department terminates its effectiveness. If you desire administrative review of this order, you must submit your request by one of the methods provided for in the administrative review section mentioned below.

### 4. NOTICE OF VIOLATIONS

This report is to notify you that violations are believed to exist on your property. However, if you enter into a corrective plan and correct these violations by the correction date provided in this report, no enforcement actions or sanctions will commence. If you fail to enter into a corrective plan, the Department will move forward with enforcement of this order and the imposition of sanctions.

If you would like to enter into a corrective plan, you must notify your inspector, in writing, within five (5) days of receiving this report.

Terms of corrective plan:

1. I agree to correct the violations contained on this report by the date provided.
2. I understand my failure to correct these violations by the correction date will result in the enforcement of this report and sanctions, including, but not limited to, a fine of \$250 per day per violation.
3. I understand no extensions of time are permitted unless they are granted in writing by the Department.
4. I understand that entering into this corrective plan is not an admission that a violation has occurred.
5. I agree to protect the safety and property of other persons as outlined by the Department while corrections are underway.
6. I agree to notify the Department, by the compliance date, that all violations have been corrected, and I am aware that my failure to do so may result in sanctions being ordered.
7. I understand that in order for the Department to determine compliance, an additional inspection may be performed and the Department must notify me of the determination of my compliance within thirty (30) days following the earlier of: (a) the correction date contained in this report; or (b) the date the Department is provided notice that the violations have been corrected.

If you do not enter into a corrective plan or receive a determination modifying or reversing this report, the requirements of this report are effective fifteen (15) days after service and must be complied with until such time that: (1) this order is overturned on review; (2) an administrative law judge issues a stay of enforcement; or (3) the Department consents to the request for a stay in writing. To request an informal review or administrative review of this report, you must comply with the information provided below.





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Visit us at: <http://www.in.gov/dhs>

### 5. SANCTIONS

This report is to notify you that sanctions are being imposed due to violation(s) of the law. If a civil penalty is imposed, you will be prohibited from renewing any permit, license, registration, certification, or other similar authorization related to the device, equipment, or structure, which is the subject of the civil penalty, until the debt has been satisfied. For information on how to request an informal review or administrative review, see below.

#### INFORMAL REVIEW

To request an informal review of your order by the Department, complete the informal review form located at <https://www.in.gov/dhs/4149.htm>. Following receipt of this form, the Department will review your request and may modify or reverse the report, and will attempt to respond to your request within five (5) business days, however, a request for an informal review does not extend the deadline for filing a petition for administrative review which must be filed to initiate formal administrative proceedings under IC 4-21.5.

#### ADMINISTRATIVE REVIEW

If you desire administrative review of this order by the Fire Prevention and Building Safety Commission, you must comply with the requirements of Indiana Code § 4-21.5-3-7 and file a written petition for review within fifteen (15) days after receiving notice of these violations. Your petition for review must state facts demonstrating that you are: (1) a person to whom the order is specifically directed; (2) aggrieved or adversely affected by the order; or (3) entitled to review under any law. You must submit your petition by one of the following methods:

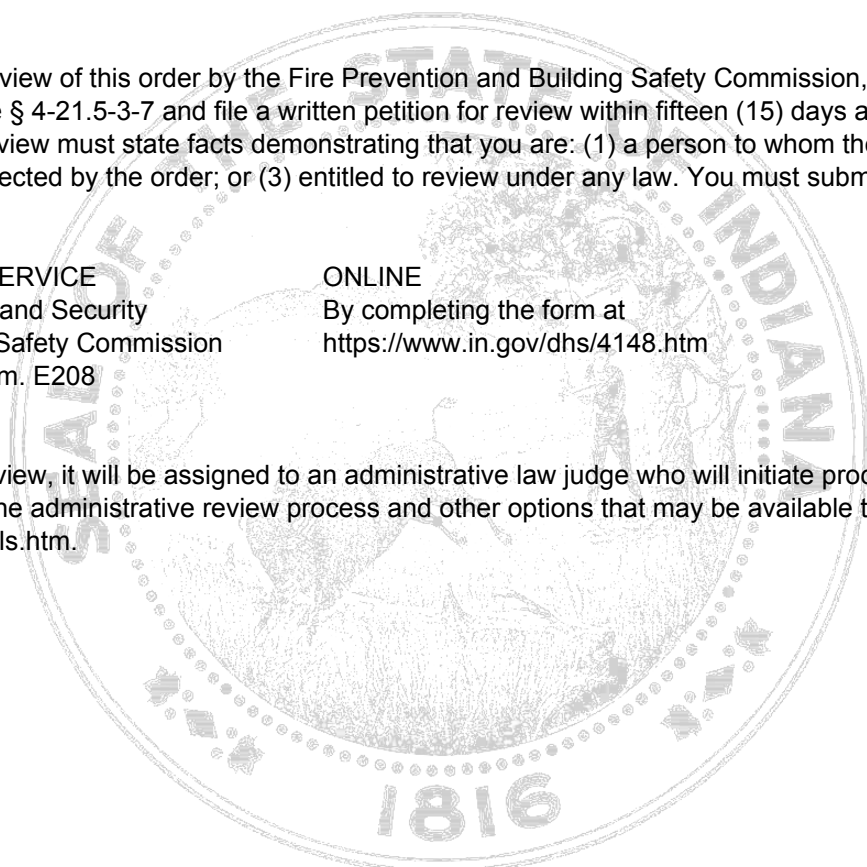
##### U.S. MAIL OR PERSONAL SERVICE

Indiana Department of Homeland Security  
Fire Prevention and Building Safety Commission  
302 W. Washington Street, Rm. E208  
Indianapolis, IN 46204

##### ONLINE

By completing the form at  
<https://www.in.gov/dhs/4148.htm>

If your petition qualifies for review, it will be assigned to an administrative law judge who will initiate proceedings under IC 4-21.5. For additional information about the administrative review process and other options that may be available to you, visit the following link <https://www.in.gov/dhs/appeals.htm>.







**Proposal**

10577 Oak Grove Road Newburgh, IN 47630 Phone (812)853-9229 Fax (812)858-9074

June 16, 2020

**Mt. Vernon Inn  
6225 William Keck Bypass  
Mt. Vernon, IN 47620**

**Attn: Sanjay Patel  
Ph: 812-391-5599  
Email: mtvhotel6225@gmail.com**

Tri-State Fire Protection Proposes to conduct the following material and services at the stated price during normal business hours.

|   |          |
|---|----------|
| Hydro test on (2) 10# ABC extinguishers @\$50.00/ea.....        | \$100.00 |
| Replacement of (2) valve stem/oring assemblies @\$10.15/ea..... | \$20.30* |
| Truck trip.....   | \$45.00  |

**\*Tax: \$1.42  
Total: \$166.72**

We appreciate the opportunity to quote this project and if you have any questions, please feel free to contact our office at any time.

Accepted. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Respectfully Submitted,  
Tri-State Fire Protection, Inc.

Date of Acceptance 03/16/2021

By Sanjay Patel

Jeremy Sollars  
Inspection/Sales Department Supervisor