



February 25, 2019  
By Electronic Mail and U.S. Postal Mail

Jason A. Lopp, Esq.  
McNeely Stephenson  
318 Pearl Street, Suite 200  
New Albany, IN 47150  
[jason.a.lopp@msth.com](mailto:jason.a.lopp@msth.com)

**Re: Petition for Administrative Review – Inspection Report Order State Number BU29828 –  
Harrison House Apartments**

Dear Mr. Lopp:

The Commission is in receipt of your petition for administrative review of Inspection Report Order State Number BU29828 – Harrison House Apartments, dated 2/22/2019. The petition for review is timely and has been granted by the Commission. The petition has been assigned to the Commission's administrative law judge.

The judge's office will contact you to make arrangements for further proceedings. Should you have any questions, you may contact our staff attorney assigned to the matter, Justin Guedel at [jguedel@dhs.in.gov](mailto:jguedel@dhs.in.gov) or (317) 234-9515.

Sincerely,

Douglas J. Boyle, Director  
Fire Prevention and Building Safety Commission  
Indiana Department of Homeland Security  
302 W. Washington Street, Room E-208  
Indianapolis, IN 46204  
[doboyle@dhs.in.gov](mailto:doboyle@dhs.in.gov)  
(317) 650-7720

Enclosure

cc: Justin Guedel, IDHS Staff Attorney (by personal service and electronic mail)  
The Honorable Chelsea E. Smith, Administrative Law Judge (by personal service and electronic mail)  
File



**MCNEELY  
STEPHENSON**

ATTORNEYS AT LAW

**Jason A. Lopp**  
*New Albany Office*  
[Jason.A.Lopp@msth.com](mailto:Jason.A.Lopp@msth.com)

February 22, 2019

Douglas J. Boyle  
Director – Fire Prevention and Building  
Safety Commission  
Department of Homeland Security  
302 W. Washington , Room W246  
Indianapolis, IN 46204



*Hand-delivered*

Re: Request for Administrative Review – BU29828 – Harrison House Apartments

Dear Mr. Boyle:

One behalf of the owner, this letter is a petition for review to the Fire Prevention and Building Safety Commission regarding BU29828 – Harrison House Apartments, c/o Jeff Wiley. A copy of the Inspection Report Order is attached.

Thank you for your attention to this matter. If you have any questions, please let us know.

Respectfully,

MCNEELY STEPHENSON

  
Jason A. Lopp

JAL/bg  
Enclosures



# FIRE AND BUILDING CODE ENFORCEMENT INSPECTION REPORT ORDER

DIVISION OF FIRE AND BUILDING SAFETY  
INDIANA DEPARTMENT OF HOMELAND SECURITY  
302 WEST WASHINGTON STREET, RM E241  
INDIANAPOLIS, IN 46204  
TELEPHONE: 317-232-2222  
WEB ADDRESS: WWW.IN.GOV/DHS

Identification Number BU29828	Name of the facility HARRISON HOUSE APARTMENTS	County HARRISON
Address of Property 219 OAK ST CORYDON 47112	Name of the Contact JEFF WILEY	Telephone Number (812) 267-8565
Email		Inspection Date 02/14/2019
Inspection Category COMPLAINT INVESTIGATION	Inspection Type INITIAL	Inspection Status: VIOLATION
Name of the inspector JOHN REID		Phone: 3174176658
Email: jreid@dhs.in.gov		

## Violations

VIO-LATION NUMBER	RULE OR INDIANA CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION	DATE BY WHICH VIOLATION MUST BE CORRECTED
1	675 IAC 12-4-11(b)	<p>No change in the character or use of any building or structure shall be permitted that shall cause the building or structure to be classified within a different occupancy group or within a different division of the same occupancy group, unless the building or structure complies with, or is made to comply with the:</p> <p>(1) current rules of the commission for new construction for the proposed revised use of the building; or</p> <p>(2) provisions of:</p> <p>(A) Chapter 34 of the Indiana Building Code (675 IAC 13-2.5-32); or</p> <p>(B) 675 IAC 12-13.</p> <p><u>Class II single family residence has been converted to a class I multifamily dwelling without meeting the requirements for Class I multifamily use.</u></p>	

## Inspection Notes:

This order has been provided to the local Fire Chief. The conditions are such that an immediate closure is needed for life safety based on fire and life safety violations that currently exist.

Facility Id BU29828	Received By Name	Signature and Date
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## APPEAL RIGHTS

Please be advised that if you desire administrative review of this Order and **this Order was delivered by hand**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 15 calendar days from the hand delivery date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be advised that if you desire administrative review of **this Order and this Order was delivered by first class U.S. mail**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 18 calendar days from the mailing date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be further advised that you may request an opportunity to informally discuss this Order prior to filing a petition for review. Such informal discussion, or a request therefor, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone, upon receipt of this Order.



RTM CONSULTANTS, INC.  
6640 Parkdale Place, Suite J  
INDIANAPOLIS, IN 46254-4698

Douglas J. Boyle  
Director – Fire Prevention and Building  
Safety Commission  
Department of Homeland Security  
302 W. Washington , Room E-208  
Indianapolis, IN 46204

BUILDING CODES ♦ FIRE PROTECTION ♦ ADA ♦ JCAHO/CMS/HFAP

RECEIVED  
IDHS  
FEB 25 2019  
COMMISSION  
STAFF

*Hand-delivered*