

STATE OF INDIANA  
DEPARTMENT OF HOMELAND SECURITY

IN THE MATTER OF:  
PETITION FOR REVIEW OF IDHS  
REPORT OF INSPECTION # 460079

Cause No. DHS-2001-FPBSC-001

**ALJ'S RECOMMENDED ORDER OF DISMISSAL**

This matter was opened on a petition for review of inspection report #460079, dated January 8, 2020. As clarified at a prehearing conference on February 7, 2020, the petition for review was limited to a review of violation # 1 of the inspection report. On February 24, 2020, the parties filed an agreed order and joint motion to dismiss, indicating they have reached a resolution. Therefore, the ALJ RECOMMENDS THAT THIS MATTER BE DISMISSED.

The undersigned has not been designated as the ultimate authority of the Commission, and therefore this is a recommended, non-final order issued pursuant to Indiana Code § 4-21.5-3-29.

Date:

2/25/20



Brian L. Park  
Administrative Law Judge  
Office of the Indiana Attorney General  
302 W. Washington St., IGCS 5<sup>th</sup> Floor  
Indianapolis, IN 46204-3795  
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Fax: (317) 232-7979  
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**NOTICE OF RIGHT TO OBJECT TO THE ALJ'S RECOMMENDED,  
NON-FINAL ORDER**

The ALJ which issued this recommended order is not the ultimate authority of the Commission, and this is not the final order of the Commission. Pursuant to Indiana Code § 4-21.5-3-29, the Commission or its designee shall issue a final order affirming, modifying, or dissolving the ALJ's recommended order. The Commission or its designee may also remand the matter, with or without instructions, to the ALJ for further proceedings.

To preserve an objection to the ALJ's recommended order for judicial review, you must not be in default under Indiana Code § 4-21.5-3, and must object to the ALJ's recommended order in writing by: (1) identifying the basis of the objection with particularity; and (2) file the objection with the Commission within (18) days after the order is served on you. If the 18<sup>th</sup> day falls on a Saturday, Sunday, legal holiday, or a day the Commission's officers are closed, then the deadline for your objection would be the first day thereafter that is not a Saturday, Sunday, legal holiday, or day that the Commission's office is closed.

In the absence of an objection, the Commission or its designee will affirm the ALJ's recommended order as its final order, or will serve notice of its intent to review any issue related to the ALJ's recommended order.

**CERTIFICATE OF SERVICE**

I certify that on the 25<sup>th</sup> day of February, 2020, I served the foregoing on the following persons at the addresses shown below:

**Service by email and interdepartmental mail:**

Justin Guedel, Staff Attorney  
Indiana Department of Homeland Security  
302 W. Washington St., Room E208  
Indianapolis, IN 46204  
(317) 234-9515  
[jguedel@dhs.in.gov](mailto:jguedel@dhs.in.gov)

**Service by email and U.S. mail:**

St. Jude Catholic Church  
c/o Mary Krisch  
19704 Johnson Road  
South Bend, IN 46614  
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Brian L. Park

STATE OF INDIANA  
BEFORE THE FIRE PREVENTION AND BUILDING  
SAFETY COMMISSION

|                               |   |                              |
|-------------------------------|---|------------------------------|
| IN THE MATTER OF:             | ) |                              |
| PETITION FOR REVIEW OF IDHS   | ) |                              |
| REPORT OF INSPECTION # 460079 | ) | CAUSE NO: DHS-2001-FPBSC-001 |
|                               | ) |                              |


AGREED ORDER AND JOINT MOTION TO DISMISS

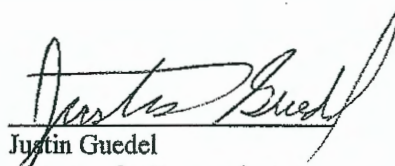
The parties respectfully request the above captioned matter be dismissed. In support of this request, the parties state the following:

1. On or about January 08, 2020, Respondent issued a report of inspection to Petitioner, citing four violations. See Inspection Number 460079.
2. On or about January 10, 2020, Petitioner filed their petition for review violation number 1 of this order.
3. Upon further consideration, Respondent agrees to comply violation number 1, as the key fob hardware located in the machine room is necessary for the operation of the elevator.

WHEREFORE, the parties respectfully request this matter be dismissed with prejudice.

Respectfully submitted,

  
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Mary Krisch  
Petitioner

  
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Justin Guedel  
Attorney for Respondent

Date: 2-14-2020