

**From:** [Boyle, Douglas J \(DHS\)](#)  
**To:** [DUNGETHI@YAHOO.COM](mailto:DUNGETHI@YAHOO.COM)  
**Cc:** [Kristin Settle \(KSettle@dhs.IN.gov\)](mailto:KSettle@dhs.IN.gov)  
**Subject:** RE: Petition for Review  
**Date:** Friday, January 3, 2020 1:54:00 PM  
**Attachments:** [image001.png](#)

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Dear Mr. Ungethiem,

I am following up on my message below from **December 20, 2019**, which, to my knowledge, I have not received a response.

Please be advised that your petition, in its current form, will be placed on the Fire Prevention and Building Safety Commission's meeting agenda for its next meeting on **Tuesday, January 7, 2020**, for determination by the Commission on if your petition will be granted or denied, pursuant to the requirement of I.C. 4-21.5-3-7.

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  
Tel: (317) 650-7720  
Email: [DoBoyle@dhs.in.gov](mailto:DoBoyle@dhs.in.gov)  
Web: [www.in.gov/dhs](http://www.in.gov/dhs)



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**From:** Boyle, Douglas J (DHS)  
**Sent:** Friday, December 20, 2019 1:36 PM  
**To:** DUNGETHI@YAHOO.COM  
**Cc:** Kristin Settle (KSettle@dhs.IN.gov) <KSettle@dhs.IN.gov>  
**Subject:** FW: Petition for Review

Mr. Ungethiem,

Your petition for administrative review, provided below, was forwarded to me as the Indiana Department of Homeland Security's representative for the Fire Prevention and Building Safety Commission (the Commission). If your petition fulfills all of the statutory provided under I.C. 4-21.5-3-7 (Indiana Administrative Orders and Procedures Act) and is subsequently granted, the Commission will serve as the ultimate authority in this review, and the Commission's administrative law judge will administer the review.

It appears that the Indiana Department of Homeland Security's order that is the basis for your petition was not provided with your online submission (Order Number AE8225244-11132019). Unfortunately, I cannot process your petition without receiving a copy (ideally signed) of the order that is in question. At your earliest convenience, please provide me a copy of your order, as well as any other documentation you wish to be considered in this review.

It has also been brought to my attention that our department's code enforcement section chief, Kristin Settle, has communicated with you, and advised you that the department may be willing to review this order informally, and may be willing to work with you to establish a mutually-agreed-upon plan to allow you additional time to come into compliance with the code(s). If this indeed the case, please advise if you no longer wish to pursue a formal administrative review of this order, and if you withdraw your petition for administrative review.

Also, just for your knowledge and awareness, requests for informal review may be made by utilizing the web form provided on the following web page: <http://www.in.gov/dhs/4149.htm>.

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  
Tel: (317) 650-7720  
Email: [DoBoyle@dhs.in.gov](mailto:DoBoyle@dhs.in.gov)  
Web: [www.in.gov/dhs](http://www.in.gov/dhs)



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**From:** DHS Legal Mailbox <[Legal@dhs.IN.gov](mailto:Legal@dhs.IN.gov)>  
**Sent:** Monday, December 2, 2019 12:59 PM  
**To:** Boyle, Douglas J (DHS) <[DoBoyle@dhs.IN.gov](mailto:DoBoyle@dhs.IN.gov)>  
**Cc:** Settle, Kristin <[KSettle@dhs.IN.gov](mailto:KSettle@dhs.IN.gov)>  
**Subject:** FW: Petition for Review

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**From:** [noreply@formstack.com](mailto:noreply@formstack.com) [<mailto:noreply@formstack.com>]  
**Sent:** Saturday, November 30, 2019 3:19 PM  
**To:** DHS Legal Mailbox <[Legal@dhs.IN.gov](mailto:Legal@dhs.IN.gov)>  
**Subject:** Petition for Review

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

Submitted at 11/30/19 3:18 PM

<b>Individual Name:</b>	Derek Ungethiem
<b>Business Name: :</b>	Hornets Nest
<b>Phone Number:</b>	(812) 746-7081
<b>Email Address:</b>	<a href="mailto:dungethi@yahoo.com">dungethi@yahoo.com</a>
<b>Mailing Address:</b>	13815 castle brook rd EVANSVILLE, IN 47725
<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>	
<b>Facility   Device   Boiler ID:</b>	Hornets Nest Kitchen Hood
<b>Date Order Received:</b>	Nov 13, 2019
<b>How did you receive the Order? :</b>	Hand Delivery
<b>Entity Issuing Order:</b>	Indiana Department of Homeland Security

<b>Entity Name:</b>	
<b>Upload Order:</b>	
<b>Was this order specifically directed to you?:</b>	Yes
<b>Explain:</b>	
<b>Have you been aggrieved or adversely affected by the order?:</b>	Yes
<b>Explain:</b>	COST OF NEW SUPPRESSION SYSTEM AND LENGTHENING OF HOOD OR LOSS OF VITAL EQUIPMENT UNDER HOOD
<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>	
<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>	
<b>What is the basis of your challenge? :</b>	
<b>What is your desired outcome? :</b>	ALLOWANCE OF TIME TO COMPLETE HOOD WORK ON NEW KITCHEN. 4-6MONTHS
<b>Additional information in support of my request:</b>	ORDER NUMBER FIELD WOULD NOT POPULATE ORDER NUMBER IS AE8225244-11132019
<b>Additional Attachments:</b>	

**Additional Attachments:**

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