

CITY OF HAMMOND  
DIVISION OF CODE ENFORCEMENT

STATE OF INDIANA, )  
COUNTY OF LAKE, )

SS:

Date 10-17-85

CITY OF HAMMOND, )  
Petitioner, )

825157

Case No. 84-072

vs )  
Albert Burns, Jr. )  
3620 Jefferson )  
Gary, IN 46408 )

Respondent(s)

FINDING OF FACT AND ACTION TAKEN

Comes now the Division of Code Enforcement by the Enforcement Officer of the Unsafe Building Program, William A. Bowers, and the respondent(s) appear(s):

None

Service of Notice of Hearing and Order to Comply having been made pursuant to I.C. 36-7-9-25 on:

- X sending a copy of said Notice and Order by United States Mail certified.
- personal delivery of said Notice and Order to the respondent(s).
- leaving a copy of said Notice and Order at the dwelling house or usual place of abode of the respondent(s).
- X publishing said Notice and Order in The Times, after a reasonable effort to serve by certified mail failed.

Hearing of said Order to Comply is now held and the hearing officer being duly advised, NOW FINDS as follows:

1. The premises herein are legally described as follows:

Lyndora Add. L. 2

in the City of Hammond, Lake County, Indiana,  
and commonly known as: 5829-35 Columbia

2. The above-described premises is owned by: Albert Burns, Jr., 3620 Jefferson Gary, IN 46408.

STATE OF INDIANA  
LAKE COUNTY  
FILED  
OCT 21 12 30 PM '85  
RUDOLPH CLAY  
RECORDER

and the following person or entities have an interest therein:

\_\_\_\_\_

\_\_\_\_\_

3. The allegations contained in the Order to Comply and, more specifically, the List of Code Violations or Repair List attached thereto, made a part thereof and dated 9-23-85, are accurate, true and correct and exist on the premises as of this date 10-17, 1985.

Respondent(s) do(es) not contest(s) the allegations of the Order to Comply. The respondent(s) do(es) not request(s) an extension of time within which to comply with said Order. A cash performance bond is \$ \_\_\_\_\_.

It is, therefore, found that the cumulative effect of the code violations present on the premises renders the premises unsafe, substandard, and a danger to the health and safety of the public as defined by I.C. (1981) 36-7-9-2.

It is further found that major reconstruction of the building(s) is necessary to bring the property up to the Property Maintenance Code of the City of Hammond and that respondent(s) made no serious efforts to make the property safe, although respondent(s) had notice and opportunity to do so since Pub. on 9-26-27-85.

IT IS, THEREFORE, THE ACTION OF THE UNDERSIGNED TO:

Affirm an order issued by the Division of Code Enforcement in having the structure demolished and rescind all other orders recorded previously, this is to protect the health, safety, and well-being of the public.

*Catherine L. Molnar-Boncela*

Catherine L. Molnar-Boncela, Hearing Officer  
Division of Code Enforcement  
City of Hammond, Indiana

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3620 Jefferson )

Gary, IN 46408 )

Respondent(s)

SS:

No. 84-072

ORDER TO COMPLY AND NOTICE

To Demolish

Re. 5829-35 Columbia

Key No. 34-285-2

Date 9-23-85

This order and notice to comply is served pursuant to Indiana Code Section 36-7-9 et. seq. to demolish and or/repair the items noted on the document attached to this document as "Exhibit A." Exhibit A is a list of building violations concerning the premises located at Hammond, Indiana, which is more particularly described as follows:

Lyndora Add. L. 2

The Repairs noted on Exhibit A or Demolition of the structure described in Exhibit A must be completed before the 21st day of November, 1985. If you request an additional period of time in which to accomplish the above action at the hearing set below, the Hearing Officer may, as a condition for granting additional time, require you to post a cash bond. This bond will be forfeited if the action is not completed within the additional time. If additional time is granted there must be substantial

compliance with the order within the original period of time granted by this order.

A hearing on this matter will be held in Room 209 of the Hammond City Hall, located at 5925 Calumet Avenue, in the City of Hammond, County of Lake, State of Indiana, on the 17th day of October, 1985, at 1:30 pm. Should the above named individual be unable to attend this hearing, a continuance may be granted by the enforcement authority if a written request for said continuance is received by the enforcement authority not later than five (5) business days after notice is given. The enforcement authority may continue the hearing to a business day not later than fourteen (14) days after the hearing date shown on the order.

As an interested party with a substantial property interest in the property you have a right to appear at the hearing of this cause with or without legal counsel. You also have the right to present evidence in your favor, to cross-examine opposing witnesses, and to present your views regarding this particular matter.

Among the issues to be considered is whether or not your property is "unsafe" as defined by Indiana Law. Under Indiana Code Section 36-7-9-4, an "unsafe building" shall mean any building or structure, or any part thereof, that is in an impaired structural condition or state which renders it unsafe or dangerous to any person or property; or is a fire hazard; or is a hazard to the public health, or is a public nuisance; or does not comply with standards for building conditions or maintenance, the violation of which would be dangerous to any person or property, found in an ordinance enacted by the City Council or in a State Law.

On the date scheduled for the hearing, the Hearing Officer will make findings with respect to this order, based upon the evidence presented to

him. If he affirms or modifies this order, you must comply with the order within the time period allowed. Failure to comply with the Hearing Officer's order may result in one or more of the following:

1) A mandatory or prohibitory injunction issued by the Lake County Circuit or Superior Court which would require compliance;

2) Imposition of a civil forfeiture against you in an amount not exceeding one-thousand (\$1,000.00) dollars;

3) Appointment of a receiver to take possession of the unsafe premises for a period of time sufficient to accomplish and pay for repairs and improvements;

4) Employment of a contractor to perform the work required by this order, and a judgment taken against you for the cost of accomplishing the work along with the appropriate processing charge.

You are required to supply full information, in writing, to the enforcement authority, of the existence of any individuals or entities which have taken, may take or may agree to take a substantial property interest in the above referenced property. This information must be supplied prior to the time of a transfer or an agreement to transfer any substantial property interest. The failure to comply with the above requirements may result in a criminal sanction.

Dated: 9-23-85

William A. Bowers  
William A. Bowers  
Division of Code Enforcement  
5925 Calumet Avenue  
Room 135  
Hammond, Indiana 46320  
(219) 853-6316

CITY OF HAMMOND  
DIVISION OF CODE ENFORCEMENT

STATE OF INDIANA, )

No. 84-072

COUNTY OF LAKE, )

SS:

Address: 5829-35 Columbia

CITY OF HAMMOND, )

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Due to the structure's total deteriorated condition, you are to demolish it to protect the health, safety, and well-being of the public.