

4

2008 020083

2007 DEC 19 09:11:13

REC'D - RECORDS SECTION

TO: Douglas A. Wiech

Page 1 of 4

Date of Mailing: December 19, 2007

**NOTICE OF VIOLATION OF  
THE HAMMOND HOUSING CODE  
AND  
NOTICE OF ORDER THEREON BY  
THE HAMMOND BUILDING COMMISSIONER**

TO: Douglas Wiech  
5626 Walter Ave.  
Hammond, IN 46320

Address of Unsafe Building: 5626 Walter Ave.  
Hammond, Indiana

CERTIFIED MAIL RETURN RECEIPT  
REQUESTED: 7002 0510 0000 4684 5305

Legal Description: E. W. SOHLS 2ND ADD.  
ALL LOT 52 & S.2 LOT 53

This Document is the property of  
the Lake County Recorder!

Date of Mailing: December 19, 2007

Your property at 5626 Walter Ave., Hammond, Indiana has been inspected and found to be an **UNSAFE BUILDING** in violation of Indiana Code 36-7-9 et seq. and Sections 150, 96 and 161 of the Hammond City Code:

This building is deemed unsafe based on the following:

- Hammond Municipal Code §161.03 General Requirements, (E),**
- Hammond Municipal Code § 96.105 Designation of Unfit Dwelling. (B)(1) and (2)**
- Hammond Municipal Code § 150.71 Time Restraints for Vacated Property (A).**

**YOU ARE NOTIFIED TO DEMOLISH THIS UNSAFE BUILDING WITHIN FIFTEEN (15) DAYS.** If you fail to comply with this Order, the Building Commissioner will

17  
CS  
2007

**TO: Douglas A. Wiech**

**Page 2 of 4**

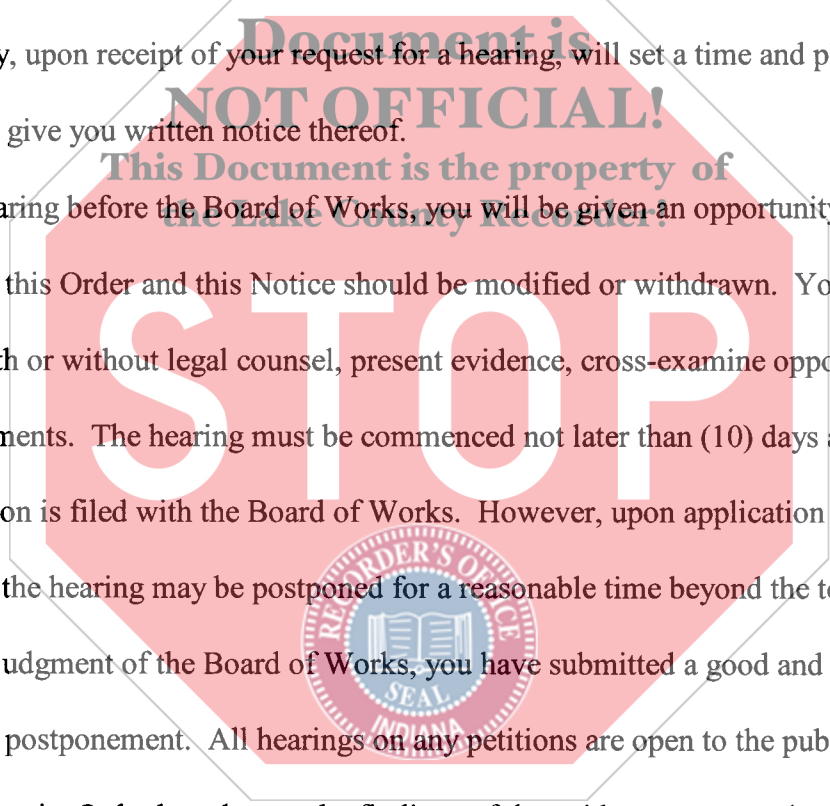
**Date of Mailing: December 19, 2007**

institute legal proceedings against you for violation of Chapter 96 of the Hammond City Code.

The penalty provision is Section 10.99 of the Hammond City Code and it provides for a maximum fine of Two Thousand Five Hundred Dollars (\$2,500.00) per violation; each day of violation is considered a separate offense.

You have the right to request, and will be granted, a hearing on this matter before the Board of Public Works & Safety of the City of Hammond. To enforce your right to a hearing, you must petition the **Board of Public Works and Safety, 5925 Calumet Avenue, Hammond, Indiana, 46320**, in writing within ten (10) days of your receipt of this notice. In that petition you must set forth a brief statement of the grounds for requesting the hearing. The Board of Public Works and Safety, upon receipt of your request for a hearing, will set a time and place for a hearing and shall give you written notice thereof.

At the hearing before the Board of Works, you will be given an opportunity to be heard and to show why this Order and this Notice should be modified or withdrawn. You may appear at the hearing with or without legal counsel, present evidence, cross-examine opposing witnesses, and present arguments. The hearing must be commenced not later than (10) days after the day on which your Petition is filed with the Board of Works. However, upon application by you to the Board of Works, the hearing may be postponed for a reasonable time beyond the ten (10) day period, if, in the judgment of the Board of Works, you have submitted a good and sufficient reason for such a postponement. All hearings on any petitions are open to the public. The Board of Works will enter its Order based upon the findings of the evidence presented at the hearing and may sustain, modify or withdraw this notice. If no petition for hearing is filed with the office



**TO: Douglas A. Wiech**

**Page 3 of 4**

**Date of Mailing: December 19, 2007**

of the Board of Works within ten (10) days of your receipt of this notice, this notice to you is automatically considered an **ORDER**, with which you must comply.

If the Order of Demolition is affirmed and the unsafe property is demolished, the City will obtain a DEMOLITION LIEN and you will be obligated to pay any and all costs and expenses incurred in the demolition of said structure.

In addition, I.C. 36-7-9, et seq. holds you responsible for notice requirements to interested parties or subsequent owners. If you intend to transfer this property after receipt of this Notice, and have not complied with the Order, you **MUST**:

1. Supply information regarding the Order to any person who may take a substantial property interest in the unsafe premises. This information shall be supplied prior to the time when there is any transfer or agreement to transfer any substantial property interest in the unsafe premises; and
2. Supply the following information to the Building Department in writing within five (5) calendar days, after there is any transfer or agreement to transfer a substantial property interest in the unsafe building:
  - a) The full name, address, and telephone number of the person(s) taking a substantial property interest in the unsafe premises; and
  - b) A true and complete copy of the legal instrument under which the transfer or agreement to transfer the substantial property interest is complied.

Please be advised that you may be liable for damages if you fail to comply with these notice requirements.

The proceedings at your hearing before the Board of Works, including the findings and

**TO: Douglas A. Wiech**

**Page 4 of 4**

**Date of Mailing: December 19, 2007**

decision of the board, shall be summarized, reduced to writing and entered as a matter of public record in the office of the Board of Works. This record shall also include a copy of every notice or order issued in connection with the matter. If you are aggrieved by the decision of the Board of Works, you may seek relief by submitting within ten (10) days after the decision, an appeal to the Circuit or Superior Courts of Lake County. Such an appeal is prosecuted by filing a Verified Complaint setting forth a copy of this Notice as affirmed by the Board of Works and the date thereof, and a copy of the decision of the Board of Works, from which you are appealing, and the date thereof.

