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Doc#: 0721126137 Fee: \$36.00 Eugene "Gene" Moore Cook County Recorder of Deeds Date: 07/30/2007 03:10 PM Pg: 1 of 7

IN THE CITY OF CHICAGO, ILLINOIS DEPARTMENT OF ADMINISTRATIVE HEARINGS

CITY OF CHICAGO, a Municipal Corporation,)
)
Plaintiff,)
)
1359 S Kildare Llc)
)
Defendants.)

Docket Number: 06BS06019A Issuing City Department: Buildings

RECORDING OF FINDINGS, DECISION AND ORDER

1. The petitioner, THE CITY OF CHICAGO, a municipal corporation, by and through its attorney the Corporation Counsel, by and through Special Assistant Corporation Counsel, Goldman and Grant, hereby files the attached and incorporated certified Findings, Decisions and Order entered by an Administrative Law Officer pursuant to an administrative hearing in the above captioned matter. This Certified copy is being recorded with the Cook County Recorder of Deeds as provided for by law.

PIN#: 16-09-305-002-0000

Owner Name: 1359 S Kildare Llc

Address: 5235 W Lake

City: Chicago

State: IL

Zip: 60644 Other:

Legal Description: LOT: 6,5; BLOCK: 5; DISTRICT: 77; CITY: WEST CHICAGO; SUBDIVISION: DERBYS ADD TO CHICAGO RESUB OF LTS 2; SEC/TWN/RNG/MERIDIAN: SEC 09 TWN 39N RNG 13E; ASSESSOR'S MAP REFERENCE: 16-09-SE (G&H)

Goldman and Grant #36689 205 W. Randolph, STE 1100 Chicago, IL. 60606 (312) 781-8700

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IN THE CITY OF CHICAGO, ILLINOIS DEPARTMENT OF ADMINISTRATIVE HEARINGS


CITY OF CHICAGO, a Municipal Corporation, Petitioner,)
 v.)
)
 1359 S Kildare, Llc)
 1830 N WINCHESTER)
 CHGO, IL 60622)
 and)
 1359 S Kildare, Llc)
 5237 W LAKE ST)
 CHGO, IL 60644)
 and)
 1359 S Kildare, Llc C/O Kevin Mudd)
 1005 W WEBSTER AVE)
 CHGO, IL 60614)
 Respondents.)

Address of Violation:
 340-352 N Latrobe Avenue; 5235-5247 W Lake Street
 Docket #: 06BS06019A
 Issuing City
 Department: Buildings

FINDINGS, DECISIONS & ORDER

This matter coming for Hearing, notice given and the Administrative Body advised in the premises, having considered the motions, evidence and arguments presented, IT IS ORDERED: As to the count(s), this tribunal finds by a preponderance of the evidence and rules as follows:

<u>Finding</u>	<u>NOV#</u>	<u>Count(s)</u>	<u>Municipal Code Violated</u>	<u>Penalties</u>
Default - Liable by prove-up	06WO71520	1	195019 File building registration statement with Building Dept. (13-10-030, 13-10-040)	\$500.00
		2	061014 Repair exterior wall. (13-196-010, 13-196-530 B)	\$500.00
		3	106015 Repair or replace defective or missing members of interior stair system. (13-196-570)	\$500.00
		4	197039 Relocate improperly installed smoke detectors. (13-196-110) Install a smoke detector in every dwelling unit. Install one on any living level with a habitable room or unenclosed heating plant, on the uppermost ceiling of enclosed porch stairwell, and within 15 feet of every sleeping room. Be sure the detector is at least 4 inches from the wall, 4 to 12 inches from the ceiling, and not above door or window.	\$500.00
		5	073044 Repair or replace defective or missing door hardware. (13-196-550)	\$500.00
		6	073014 Repair or replace defective	\$500.00

I hereby certify the foregoing to be a true and correct copy of an Order entered by an Administrative Law Officer of Chicago Department of Administrative Hearings.

 Authorized clerk _____ Date 7/20/07
 Above must bear an original signature to be accepted as a Certified Copy.

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(1/00)

**IN THE CITY OF CHICAGO, ILLINOIS
DEPARTMENT OF ADMINISTRATIVE HEARINGS**

<u>Finding</u>	<u>NOV#</u>	<u>Count(s)</u>	<u>Municipal Code Violated</u>	<u>Penalties</u>
Default - Liable by prove-up	06WO71520		door. (13-196-550 D, E)	
		7	104025 Repair or replace defective window sash. (13-196-550 B)	\$500.00
		8	103015 Repair or rebuild defective floor. (13-196-540 A, B)	\$500.00
		9	015062 Remove obstruction from exit way that hampers travel and evacuation. (13-160-070, 13-196-080)	\$500.00
		10	134046 Cement floor of cellar or basement. (7-28-660, 7-28-700)	\$500.00
		11	197087 Install carbon monoxide detector within 40 feet of every sleeping room in residential structure. (13-64-190, 13-64-210) A carbon monoxide detector is needed whenever there is a heating appliance on the premises that burns fossil fuel such as gas, oil, or coal, or air that is circulated through a heat exchanger. Install according to manufacturer instructions. A hard wired model requires an electrical wiring permit. In a single family residence, be sure the detector is on or below the lowest floor with a place to sleep. In a multiple dwelling residence heated by a boiler, install a detector in the same room as the boiler. Otherwise, each apartment follows single family guidelines. The owner is responsible for installation and written instructions, the tenant for testing, maintenance, and batteries.	\$500.00
		12	010022 Separate furnace or heating plant from dwelling unit by partitions with at least 1 hour fire resistance. (13-196-740)	\$500.00
		13	020012 Separate each occupancy in mixed occupancy building by material with appropriate fire resistance. (13-56-280)	\$500.00
		14	061034 Remove loose, peeling, or flaking paint. (13-196-540 D)	\$500.00
		15	104055 Retrim or reputty window panes. (13-196-550)	\$500.00
		16	134056 Provide tight-fitting metal	\$500.00

UNOFFICIAL COPY**IN THE CITY OF CHICAGO, ILLINOIS
DEPARTMENT OF ADMINISTRATIVE HEARINGS**

<u>Finding</u>	<u>NOV#</u>	<u>Count(s)</u>	<u>Municipal Code Violated</u>	<u>Penalties</u>
Default - Liable by prove-up	06WO71520		strainer for floor drains to prevent ingress of rats into building. (13-196-580, 7-28-660)	
		17	104035 Repair or replace defective window frame. (13-196-550 B, F)	\$500.00
		18	069024 Repair or replace foundation. (13-196-530 A)	\$500.00
		19	070024 Repair or replace defective or missing members of porch system. (13-196-570)	\$500.00
		20	061024 Submit 2 copies of structural engineering report prepared, signed, and sealed by licensed architect or registered structural engineer. (13-196-030)	\$500.00
		21	002021 Obtain permit before performing work. (13-32-010)	\$500.00
		22	070034 Rebuild or replace dilapidated and dangerous porch. (13-196-570)	\$500.00
		23	002011 Submit plans prepared, signed, and sealed by a licensed architect or registered structural engineer for approval and obtain permit. (13-32-010, 13-32-040, 13-40-010, 13-40-020)	\$500.00
		24	196019 Post address of building in conspicuous place on or near entrance with figures at least 3 inches long for residential, or 6 inches long for commercial building. (10-4-050, 10-4-090, 10-4-100)	\$500.00
		25	194039 Remove	\$500.00
		26	104025 Repair or replace defective window sash. (13-196-550 B)	\$500.00
		27	196029 Post name, address, and telephone of owner, owner's agent for managing, controlling or collecting rents, and any other person managing or controlling building conspicuously where accessible or visible to public way. (13-12-030)	\$500.00
		28	104055 Retrim or reputty window panes. (13-196-550)	\$500.00
		29	138056 Remove accumulation of	\$500.00

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DEPARTMENT OF ADMINISTRATIVE HEARINGS**

<u>Finding</u>	<u>NOV#</u>	<u>Count(s)</u>	<u>Municipal Code Violated</u>	<u>Penalties</u>
Default - Liable by prove-up	06WO71520		refuse and debris and keep premises clean. (13-196-580, 13-196-630)	
		30	061014 Repair exterior wall. (13-196-010, 13-196-530 B)	\$500.00
		31	003042 Provide and maintain uninterrupted means of egress to outside exit at grade level. (13-160-010, 13-196-050, 13-200-330)	\$500.00
		32	134016 Rid premises of rodents and seal rodent holes. (13-196-530 D, 13-196-540 A, 13-196-630 C)	\$500.00
		33	061034 Remove loose, peeling, or flaking paint. (13-196-540 D)	\$500.00
		34	104055 Retrim or reputty window panes. (13-196-550)	\$500.00
		35	134056 Provide tight-fitting metal strainer for floor drains to prevent ingress of rats into building. (13-196-580, 7-28-660)	\$500.00
		36	104035 Repair or replace defective window frame. (13-196-550 B, F)	\$500.00
		37	069024 Repair or replace foundation. (13-196-530 A)	\$500.00
		38	070034 Repair or replace defective or missing members of porch system. (13-196-570)	\$500.00
		39	061024 Submit 2 copies of structural engineering report prepared, signed, and sealed by licensed architect or registered structural engineer. (13-196-030)	\$500.00
		40	002021 Obtain permit before performing work. (13-32-010)	\$500.00
		41	070034 Rebuild or replace dilapidated and dangerous porch. (13-196-570)	\$500.00
		42	002011 Submit plans prepared, signed, and sealed by a licensed architect or registered structural engineer for approval and obtain permit. (13-32-010, 13-32-040, 13-40-010, 13-40-020)	\$500.00
		43	134016 Rid premises of rodents and seal rodent holes. (13-196-530 D, 13-196-540 A, 13-196-630 C)	\$500.00
		44	134026 Install rat stopping around	\$500.00

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(1/00)



**IN THE CITY OF CHICAGO, ILLINOIS
DEPARTMENT OF ADMINISTRATIVE HEARINGS**

<u>Finding</u>	<u>NOV#</u>	<u>Count(s)</u>	<u>Municipal Code Violated</u>	<u>Penalties</u>
Default - Liable by prove-up	06WO71520		exterior walls. (7-28-660)	
		45	101015 Repair holes and large cracks in interior walls or ceilings. (13-196-540 C)	\$500.00
		46	220029 Remove exposed wiring. (18-27-300.4)	\$500.00
		47	105045 Install in dwelling entrance door dead-bolt lock with at least 1 inch saw-resistant bolt projection or with rim mounted dead-bolt lock or vertical drop dead-bolt lock providing equivalent security. (13-164-030)	\$500.00
		48	073024 Repair or replace defective door frame. (13-196-550)	\$500.00
		49	197079 Repair or replace defective or out of service smoke detectors and operate continuously. (13-196-130, 13-196-140)	\$500.00
		50	105055 Install in dwelling unit entrance door viewing device. (13-164-020 I, 13-164-030)	\$500.00

Sanction(s):

Respondent failed to appear

Admin Costs: \$25.00**JUDGMENT TOTAL:** \$25,025.00**Balance Due:** \$25,025.00

Respondent is ordered to come into immediate compliance with any/all outstanding Code violations.

Respondent being found liable by default has 21 days from the above stamped mailing date to file a petition to vacate (void) this default for good cause, with the Department of Administrative Hearings.

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IN THE CITY OF CHICAGO, ILLINOIS DEPARTMENT OF ADMINISTRATIVE HEARINGS

ENTERED:

Administrative Law Officer

30

ALO#

Aug 29, 2006

Date

You may appeal this Order to the Circuit Court of Cook Co. (Daley Center 6th Fl.) within 35 days by filing a civil law suit and by paying the appropriate State mandated filing fees.

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