

UNOFFICIAL COPY



Doc#: 0915535121 Fee: \$44.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 06/04/2009 12:06 PM Pg: 1 of 5

Space reserved for Recorder's
Office only

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

CITY OF CHICAGO, a Municipal Corporation,)
)
Plaintiff,)
Vs.)
Sonny Garner Jr)
_____)
)
)
Defendants.)

Docket Number:
07BN00178A

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 [**Heller and Frisone LTD.**], 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.
2. Additional identification information (i.e. social security number, tax identification number, property index number, property legal description and common address or other) is as follows:

PIN#: _____ Owner Name: _____
Address: _____ City: _____
State: _____ Zip: _____ Other: _____

Heller And Frisone, LTD.
33 N. LaSalle Suite 1200
Chicago, IL 60602
ATTORNEY NUMBER 90859
312-236-3644

UNOFFICIAL COPY



IN THE CITY OF CHICAGO, ILLINOIS DEPARTMENT OF ADMINISTRATIVE HEARINGS

CITY OF CHICAGO, a Municipal Corporation, Petitioner,)
 v.)
 Garner, Jr, Sonny) Address of Violation:
 4118 W WILCOX) 4118 W Wilcox Street
 CHICAGO, IL 60624)
 and) Docket #: 07BN00178A
 Garner, Jr, Sonny) Issuing City
 4012 HUNTINGHAM CT) Department: Buildings
 FLORISSANT, MO 63074)
 and)
 Garner, Jr, Sonny)
 4431 W CONGRESS PKWY)
 CHICAGO, IL 60624)
 , Respondents.)

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>
Not liable - City failed to meet Burden of proof - Motion to set-aside default granted	06F098052	2	171015 Stop using basement dwelling unit and restore space to original use and layout in building where occupancy has changed to residential or comply with code requirements. (13-196-740, 13-200-120, 13-200-210 thru 13-200-240)	\$0.00
		9	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)	\$0.00
		11	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)	\$0.00
		18	231010 Expose plumbing system for inspection and approval. (13-168-140)	\$0.00
		24	171017 Obtain permit for plumbing work before undertaking work. (13-	\$0.00

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.
M. Malone 5/28/09
 Authorized clerk Date
 Above must bear an original signature to be accepted as a Certified Copy.

2-709014

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>
Not liable - City failed to meet Burden of proof - Motion to set-aside default granted	06F098052	25	168-060) 171027 Employ licensed and bonded plumber to perform plumbing work. (13-168-060, 13-168-070)	\$0.00
Not liable - Subsequent compliance with building code - Motion to set-aside default granted	06F098052	12	197019 Install and maintain approved smoke detectors. (13-196-100 thru 13-196-160) 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.	\$0.00
		13	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.	\$0.00
Previously liable - No subsequent compliance with building code	06F098052	1	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

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>
Previously liable - No subsequent compliance with building code	06F098052	3	111085 Increase ceiling height to 7 ft. (13-48-010 thru 13-48-100, 13-200-120, 13-200-160 F, 13-200-230 D)	\$250.00
		4	111095 Locate minimum window area entirely above ground. (13-172-010 thru 13-172-150, 13-200-230 C, 13-200-370, 13-200-380)	\$250.00
		5	111065 Provide standard partitions as non-load-bearing walls. (13-196-700, 13-200-140)	\$250.00
		6	012022 Construct floor over basement with at least 1 hour fire resistance. (13-60-200)	\$500.00
		7	011012 Provide self-closing, framed, 1 1/2 hour Class B fire door or other approved opening protective assemblies, for heating plant room. (15-8-230)	\$500.00
		8	070014 Repair or replace defective or missing members of exterior stair system. (13-196-570)	\$500.00
		10	070034 Rebuild or replace dilapidated and dangerous porch. (13-196-570)	\$500.00
		14	061014 Repair exterior wall. (13-196-010, 13-196-530 B)	\$250.00
		15	159017 Repair or replace broken or defective plumbing fixture. (13-168-120)	\$250.00
		16	159047 Repair or replace defective valve or piping system. (13-168-120)	\$250.00
		17	237020 Provide proper material for water supply pipe. (11-8-570)	\$250.00
		19	232050 Remove roughed in water supply, soil, waste, and vent piping installed without permit. (13-12-050, 13-32-010, 13-168-030, 13-168-040, 13-168-050, 13-168-060, 11-8-070)	\$250.00
		20	237058 Provide discharge pipe from water heater and hot water storage tank relief valve. (11-8-630)	\$250.00
		21	237026 Provide water supply pipe with air chambers. (11-8-730)	\$250.00
		22	234002 Provide proper soil/waste vent pipe material. (13-168-700)	\$250.00
		23	237002 Provide separate water	\$250.00

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>
Previously liable - No subsequent compliance with building code	06F098052		supply piping system for well, cistern, river, pond, or lake water. (11-8-360)	
		26	220084 Conductors and electrical equipment shall be suitable for location and temperature	\$250.00
		27	237052 Provide hot and cold water to lavatory and sink. (11-8-690)	\$250.00

Sanction(s):

default was entered in error on previous findings of liability, default is vacated as to those counts but the prior findings of contested liability

Admin Costs: \$60.00

JUDGMENT TOTAL: \$6,060.00

Balance Due: \$6,060.00

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

Prior default order(s) of Apr 2, 2007, is hereby vacated.

Petitioner is granted leave to re-inspect the premises or business as it relates to the above found violation(s).

ENTERED:

Lennis M. Henry

Administrative Law Officer

31

ALO#

May 21, 2007

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.