



**Marion
County
Public
Health
Department**

3838 North Rural Street
Indianapolis, IN 46205

Owner
RED BIRCH PROPERTIES LLC - Deed
Holder
ATTN: MICHAEL ORBINPOST, CEO
PSC 3 BOX 2523
APO, AE
, 96226

October 30, 2017
RE: 1313 EUGENE ST

On October 27, 2017, an inspection was made at the above referenced property. The inspection revealed conditions that are in violation of Chapter 10 of the Code of the Health and Hospital Corporation of Marion County, Indiana.

You are hereby notified to correct each violation listed below on or before 11/29/2017 except as otherwise set forth.

Failure to correct these violations could result in court action pursuant to Indiana Code 36-1-6-4. Fines up to \$2,500.00 and costs may result.

You are entitled to an administrative hearing on this matter. A written request must be filed with the legal department, 3838 North Rural Street, Indianapolis, Indiana 46205, within 10 business days of receipt of this notice.

<u>Ordinance</u>	<u>Nature of Violation</u>	<u>Location(s)</u>	<u>Direction</u>
10-303/10-407	Interior stairway lacks a sound handrail. PROVIDE A STRUCTURALLY SOUND HANDRAIL ON STEPS WHICH CONTAIN FOUR OR MORE RISERS. BASEMENT STAIRS	BASEMENT	
10-303/10-404/10-405	Bathing facility is not properly connected to an approved drain and sewer system. CONNECT BATHING FACILITY TO AN APPROVED HOUSE DRAIN AND SEWER SYSTEM. BATHTUB DRAIN LEAKS	BATHROOM1	
10-303/10-702	Moldy caulk and/or grout REPLACE ALL MOLDY CAULK AND/OR GROUT. CLEAN AREA WITH DETERGENT OR BLEACH AND WATER SOLUTION. BATHTUB	BATHROOM1	
10-303/10-702	Deteriorated or poor repair of ceilings is evidenced by cracks and holes or other deterioration of ceiling surfaces.	KITCHEN	

REPAIR CEILINGS TO A SOUND AND EASILY CLEANABLE CONDITION.

10-303/10-307/10-7
03/10-704

Deterioration of soffits.

REPLACE OR REPAIR TO PROTECT STRUCTURE FROM ELEMENTS AND DECAY. RE-SURFACE WOOD SURFACES BY PAINT WHICH IS NOT LEAD BASED OR BY OTHER PROTECTIVE COVERING OR TREATMENT.

10-303/10-505

Electric service box is missing cover.
REPLACE COVER ON SERVICE BOX.

10-303/10-307/10-7
03/10-707

Extensive deterioration of window frames.

REPAIR OR REPLACE TO PROTECT STRUCTURE FROM ELEMENTS AND DECAY. RESURFACE WOOD SURFACES BY PAINT WHICH IS NOT LEAD BASED OR BY OTHER PROTECTIVE COVERING OR TREATMENT.

10-303/10-702/10-7
03

Exterior soffits are not weather proof due to their deteriorated or broken condition.

FRONT-PORCH

REPAIR SOFFITS TO A SOUND AND WEATHER TIGHT CONDITION.

10-303/10-601

Heat registers and/or covers are missing.
PROVIDE REGISTERS AND/OR COVERS.
FLOOR VENT COVERS THROUGHOUT STRUCTURE ARE IN ADEQUATE

THROUGHOUT

10-303/10-601/10-6
02

Furnace is in poor repair.

BASEMENT

REPAIR OR REPLACE FURNACE.

10-303/10-601/10-6
02

Furnace is missing cover.

BASEMENT

PROVIDE COVER.

10-303/10-705

Gutters are missing, improperly maintained, deteriorated as evidenced by corrosion damage.

REPLACE MISSING GUTTERS, CLEAN GUTTERS AND REPAIR GUTTERS.
GUTTERE MAINTENANCE AND CLEANING

10-303/10-601/10-6
02

Heat ducts are not maintained adequately for efficient delivery of heat.

BASEMENT

REPAIR OR REPLACE FAULTY HEAT DUCTS.
HEATING VENTS IN BASEMENT ARE RUSTED OUT

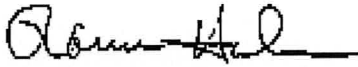
10-303/10-702

Interior walls of dwelling are in poor repair and deteriorated as evidenced by cracks and holes and other deterioration of wall surface.

BASEMENT

	REPAIR WALLS TO A SOUND AND EASILY CLEANABLE CONDITION.	
10-303/10-705	Downspouts are missing and/or deteriorated as evidenced by corrosion damage. INSTALL DOWNSPOUTS WHERE MISSING, REPAIR OR REPLACE DETERIORATED DOWNSPOUTS. PART OF DOWNSPOUT IS MISSING	WEST
10-303/10-601	Registers are dirty. CLEAN REGISTERS TO ALLOW FOR PROPER AIR FLOW.	THROUGHOUT
10-303/10-405	Standing water inside dwelling unit. IDENTIFY SOURCE OF MOISTURE AND REMEDIATE. ENSURE DWELLING UNIT IS KEPT DRY AND FREE FROM STANDING WATER.	BASEMENT
10-303/10-405/10-602	Temperature and Pressure relief valve is deteriorated/leaking/improperly maintained. REPAIR OR REPLACE TEMPERATURE AND PRESSURE RELIEF VALVE.	BASEMENT
10-303/10-503/10-505	The exterior light fixture is damaged. REPAIR OR REPLACE LIGHT FIXTURE TO MEET BUILDING CODE REGULATIONS.	BATHROOM1
10-303/10-405	Water pipe is leaking REPAIR OR REPLACE PIPE. WATER LEAK WHERE WATER SUPPLY LIN ENTERS THE BASEMNT	BASEMENT
10-303/10-307/10-703/10-707	Window sashes are rotted and deteriorated. REPLACE OR REPAIR DEFECTIVE SASH.	
10-303/10-409/10-703/10-707	Windows are ill-fitting and not weather tight. REPAIR DEFECTIVE WINDOWS TO A WEATHER TIGHT CONDITION, SUCH AS BY WEATHER-STRIPPING OR GLAZING.	
10-303/10-409/10-501/10-502/10-504/10-703	Windows are not easily openable. REPAIR WINDOWS TO AN EASILY OPENABLE CONDITION SO THAT AT LEAST ONE WINDOW IN EACH HABITABLE ROOM IS MAINTAINED IN AN EASILY OPENABLE CONDITION.	

Sincerely,

A handwritten signature in black ink, appearing to read "Norm Hobson", with a horizontal line extending to the right from the end of the signature.

Norm Hobson
Environmental Health Specialist
(317) 221-3073

CC: RED BIRCH PROPERTIES LLC
RED BIRCH PROPERTIES LLC

Subject: Re: 1313 Eugene St - Oceanpointe - Certified Mail and Summons??
Date: Thursday, February 1, 2018 at 9:26:02 AM Eastern Standard Time
From: Rose Jacobs <rose@oceanpointepm.com>
To: Mike Orbinpost <mike@redbirchproperties.com>
CC: Bert Whalen <hfwhalen@gmail.com>, Karen Schnabel <karen@oceanpointepm.com>, clayton morris <clayton@morrisingest.com>

Will do.

On Feb 1, 2018 8:39 AM, "Mike Orbinpost" <mike@redbirchproperties.com> wrote:

That is great to hear. I don't need to hear about everytime a client calls, but a heads up of hey by the way a court summons is coming your way but we took care of it would be nice to know.

--Mike Orbinpost

Owner, Red Birch Properties, LLC

---- On Thu, 01 Feb 2018 22:26:57 +0900 **Rose Jacobs** <rose@oceanpointepm.com> wrote --
--

Good morning Mike,

I went to court on January 23rd for this property and it was in compliance. The case was dismissed.

Please let me know if I may assist you further.

On Feb 1, 2018 7:44 AM, "Mike Orbinpost" <mike@redbirchproperties.com> wrote:

I thought this was taken care of by Mr Carter in November, but received certified mail today, with a summons saying that they had no heat the end of December. What is going on here?

--Mike Orbinpost

Owner, Red Birch Properties, LLC

---- On Tue, 21 Nov 2017 05:24:06 +0900 **Bert** <hfwhalen@gmail.com> wrote ----

Sorry Mike these people are fast to put this crap on us and slow to take it off Mike will you update
Us assp

Bert Whalen
Oceanpointe Investments LLC
Cell: 317-313-4019

On Nov 19, 2017, at 7:13 PM, Mike Orbinpost <mike@redbirchproperties.com> wrote:

Natalie:

I have not seen any report from Michael Carter on the property yet. What is the status?

--Mike Orbinpost

Owner, Red Birch Properties, LLC

---- On Tue, 14 Nov 2017 20:50:27 +0900 **Clayton Morris**
<clayton@morrisinvest.com> wrote ----

Hi Mike,

You can call the main number today at 3PM and ask for Bert. He can answer any of the construction related questions. That number is: 317-794-2513

Clayton Morris
President, Morris Invest
clayton@morrisinvest.com
www.morrisinvest.com

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On Nov 14, 2017, at 3:53 AM, Mike Orbinpost <mike@redbirchproperties.com> wrote:

I would like to call someone today between 3 and 3:30pm Eastern Time today regarding this property. Please let me know who I should call and what number, please.
Thank you,
Mike Orbinpost

----- On Tue, 14 Nov 2017 09:10:09 +0900
clayton@morrisinvest.com wrote -----

Hi Mike,

For any and all county violations please just send them to one email address: violations@oceanpointepm.com and the team handles them.

Rose can you give Mike a breakdown of how this works with the county inspectors and the maintenance team?

Have a great night.

Clayton Morris
President, Morris Invest
clayton@morrisinvest.com
www.morrisinvest.com

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On Nov 13, 2017, at 6:48 PM, Mike Orbinpost
<mike@redbirchproperties.com> wrote:

Thank you for getting me this lease Ericka. I have been considering how I wanted to respond here, because I still have concerns with how quickly tenant issues are resolved and tracked. As I discussed this with a fellow real estate investor this weekend he asked how my other property was doing, and I told him I hadn't been told of any issues, but then again, I didn't hear about any issues with this property until I started getting letters from the county.

And now the other shoe has dropped. I have received another letter from the county which I am attaching to this email. Apparently the county in addressing the tenants heating complaint also found more than two pages of other violations. Most of which seem like issues which should have been handled in the initial renovation. Cracks in walls, rusty, heating vents, drain problems in bathroom, deteriorated window frames, problems with furnace, electric service box. leaking water pipes. On and on for more than two pages. Now, reviewing the list critically, I could understand how someone might argue that less than a handful of these MIGHT be issues caused by insufficient care by the tenant, but, it is obvious that this house still has serious structural issues.

I'm going to make arrangements to come out for a meeting the end of this month, but I need someone to take a look at this letter from the county and talk to me about how these are going to be addressed.

--Mike Orbinpost

Owner, Red Birch Properties, LLC

---- On Fri, 10 Nov 2017 04:44:59
+0900 <ericka@oceanpointepm.com>
wrote ----

Good Afternoon,

I have attached the lease for 1313 Eugene here for you. I was also notified to address the rental amount on this lease. The leasing agent worked with the tenant and actually leased the house for \$100 less than the original rental amount to work with her budget. Oceanpointe accepted this and have actually waived the management fee and added \$30 to keep your income from the property where it should be. So, we have a good relationship with this tenant she just got a little impatient (as some do).

In reference to our time frames on maintenance service for our tenants; it depends on the issue. Originally the tenant called about her furnace when it was 80 degrees outside, at this point it was not a priority so it took longer than she would have liked. If we have emergencies they are handled immediately, if it is an every day work order they get taken care of in order of when they called.

Maintenance for residential properties works a little differently than an apartment complex. Our maintenance is contracted through different workers, they are not on site and able to run over really quick to a unit, and with the amount of properties we manage it make take a week for them to get to someone depending on the priority of their issue. Obviously we handle emergencies (no water, no heat, electrical issues, etc) as swiftly as possible.

Please let me know if you have any other questions or concerns!

Thank you,

Ericka Thomas

Oceanpointe

Office Assistant

(317) 794-2513

From: Mike Orbinpost [mailto:mike@redbirchproperties.com]
Sent: Thursday, November 9, 2017 9:23 AM
To: Clayton Morris
<clayton@morrisinvest.com>
Cc: ericka
<ericka@oceanpointepm.com>; Natalie Bastin <natalie@oceanpointepm.com>;
karen@oceanpointepm.com
Subject: Re: 1313 Eugene St - Oceanpointe

Thank you, Clayton. Are issues that the tenants call in tracked? I'd like to know how long Oceanpointe typically takes to address issues. I don't know the history on this problem, but the letter I got from Mr Hobson was dated 27th of October so I know it had either been long enough, or that the tenant had previously had had a bad experience that they contacted the county. And when Mr Hobson left me the message Wednesday night, he said the issue had still not been resolved, so that is at least a week and a half this issue had not been taken care.

I have never received any messages about the property at 2410 Adams St, so I have assumed that there have been no issues. But now I am concerned that issues might be just not getting addressed. I don't want to be contacted for every little thing, but I want to know if there are problems, and what was done to address them. And now, I'd like to know what kind of turn around time we are providing to the customers.

Thanks,

--Mike Orbinpost

Owner, Red Birch Properties, LLC

---- On Thu, 09 Nov 2017 21:13:08
+0900 **Clayton Morris**
<clayton@morrisinvest.com> wrote ----

Hi Mike,

Ericka can get this solved today and get you on the list to get a copy of your lease. Karen can you also add this to the green book? Natalie will get back to you on this missing rent issue ASAP.

Mike we've had a lot of 'no heat' calls for maintenance because it suddenly went from 80 degrees to 30 degrees and then back up again. A lot of tenants hadn't cycled their furnaces on so for a lot of them they simply need the pilot light relight.

Clayton Morris
President, Morris Invest
clayton@morrisinvest.com
www.morrisinvest.com

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On Nov 8, 2017, at 10:59 PM, Mike Orbinpost
<mike@redbirchproperties.com>
wrote:

Hello:

I'm starting to run in to a wall here and I am not sure who to contact here. I have been emailing Ericka, but I am not getting all the information I need.

So for starters, 1313 Eugene St. I have received letters from the county, Norm Hobson, about how the heat has been out at this residence. I called and spoke to the telephone service the other day, and I did receive a message, I think that was Tuesday morning saying that Bert said it was taken care of.

Then I got a phone message from Norm last night saying that 1313 still doesn't have heat. Jenn or Jenna called me back this morning saying that Bert says it is all taken care of tenant is happy now, but I would like more information on this. How does a tenant not have a working furnace for so long that they call the county? What is the problem with the furnace and why is our relationship with the tenant so bad?

I still have seen no lease on this property, nor have I seen any money from rent. What is going on and who can I contact about this?

--Mike Orbinpost

Owner, Red Birch Properties, LLC

<20171114-1313EugeneSt-letter_from_HealthDept.pdf>

