



January 15, 2020
By Electronic Mail and U.S. Postal Mail

Mary Krisch
St. Jude Catholic Church
19704 Johnson Road
South Bend, IN 46614
business@stjudeparish.net

Re: Petition for Administrative Review – IDHS Report of Inspection Order Number 460079 – St. Jude Catholic Church

Dear Ms. Krisch:

The Fire Prevention and Building Safety Commission is in receipt of your electronically-filed petition for administrative review of the Indiana Department of Homeland Security's Report of Inspection Order Number 460079 – St. Jude Catholic Church, dated January 10, 2020. Pursuant to the requirements of Indiana Code § 4-21.5-3-7, your petition for administrative review is hereby granted by the Commission.

Your petition has been assigned to the Commission's administrative law judge. The judge's office will contact you to make arrangements for further proceedings. Should you have any questions, you may contact our deputy general counsel assigned to this matter, Justin Guedel, at JGuedel@dhs.in.gov or (317) 234-9515.

Sincerely,

Douglas J. Boyle, Director
Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security
302 W. Washington Street, Room E-208
Indianapolis, IN 46204
doboyle@dhs.in.gov
(317) 650-7720

Enclosure

cc: Justin Guedel, IDHS Deputy General Counsel – representing the respondent (by personal service and electronic mail)
Office of Attorney General Curtis Hill – Administrative Law Judge (by electronic mail)

From: noreply@formstack.com
To: [DHS Legal Mailbox](#)
Subject: Petition for Review
Date: Friday, January 10, 2020 2:02:15 PM
Attachments: [68379161_Otis.pdf](#)

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Formstack Submission For: [petition for review](#)

Submitted at 01/10/20 2:01 PM

Individual Name:	Mary Krisch
Business Name: :	St. Jude Catholic Church
Phone Number:	(574) 291-0570
Email Address:	business@stjudeparish.net
Mailing Address:	19704 Johnson Rd. South Bend, IN 46614
Are you represented by an attorney?:	No
Attorney Name:	
Firm:	
Phone Number:	
Email Address:	
Mailing Address:	
Order Number:	1

Facility Device Boiler ID:	Elevator
Date Order Received:	Jan 08, 2020
How did you receive the Order? :	Email
Entity Issuing Order:	Other
Entity Name:	Indiana Department of Homeland Security-Elevator
Upload Order:	View File
Was this order specifically directed to you?:	Yes
Explain:	Directed to St. Jude Parish and I am the Business Manager
Have you been aggrieved or adversely affected by the order?:	Yes
Explain:	If elevator is shut down many parishioners will not be able to attend Mass
If the order was not specifically directed to you and you have not been aggrieved or adversely affected by the order, are you entitled to review under some other law? :	
What law?:	
I request review of the entire order described above:	No

If you are not requesting review of the entire order, what is the scope of your request?:

Review of #1

I request a stay of effectiveness:

Yes

What is the basis of your challenge? :

When elevator was installed , inspected and given approval in 2013 everything that is in the elevator room now was there for the original inspection. Nothing has been added or taken away.

Current inspector now says certain equipment needs to be relocated. All equipment in the room is related to the elevator!

Last year we were told by this same inspector that our alarm button was not up to code. Knowing that the elevator was brand new in 2013 , we were assured that it was fine and once again had passed the original inspection in 2013. He told us last Wednesday that he recently "found out" it was okay.

If someone else reviews our room we believe that the current inspector will "find out" that there is nothing wrong with what is in the room since it passed the original inspection and was allowed in 2013.

What is your desired outcome? :

To not have to move the equipment and not be threatened by the inspector.

Additional information in support of my request:

Our general contractor for the remodel and installation of the elevator can attest to the fact that everything currently in the elevator room was put there before the original inspection that allowed us to take occupancy and use the building and elevator.

Additional Attachments:

**Additional
Attachments:**

**Additional
Attachments:**

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038



Report of Inspection

Indiana Department of Homeland Security
302 W. Washington Street, Room E208
Indianapolis, IN 46204
Phone: 317-232-2222

Permit Number	Inspection Number
LD130912C	460079

Visit us at: <http://www.in.gov/dhs>

Date 01/08/2020 **Type** Periodic
Results Notice of Violations

Location **Owner**
Name ST. JUDE CHURCH **Name** ST. JUDE CHURCH
Street 19704 Johnson Road **Street** 19704 JOHNSON ROAD
City South Bend **City** SOUTH BEND
Zip 46614 **Zip** 46614

Inspector **Permit**
Name Ronald Molzan **State Number** LD130912C
Email RMolzan@dhs.IN.gov **Type** Lift/Elevator Operating

VIOLATIONS FOUND

#	Code	Description	Order	Correct By	Fee
4	8.11.3.2	All applicable annual tests shall be performed/hyd	10 DAYS TO COMPLY	02/08/2020	\$0.00
1	8.11.2.1.2 (a-dd), 8.6.4.8.2	Items in machine room/non-elevator equipment		02/08/2020	\$0.00
3	675 IAC 21-1-3.1 (d)	Operating certificate (d) Upon receiving an initial or renewal operating permit, a copy of the initial or renewal operating certificate shall be displayed in or on each lifting device or in an associated machine room.	10 DAYS TO COMPLY	02/08/2020	\$0.00
2	675 IAC 2115	Broken component shall be repaired or replaced	EMERGENCY BATTERY LOWERING SHALL BE PROPERLY REPAIRED OR REPLACED PROPERLY REPAIRED OR REPLACED	02/08/2020	\$0.00



Report of Inspection

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Permit Number	Inspection Number
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If you are receiving this document, property that you own or have control over, has been, or was attempted to be, inspected by the Indiana Department of Homeland Security (Department). Depending on the outcome of this inspection, one of four different RESULTS was notated. See the first page for the RESULT of this inspection. The following describes what each RESULT means:

INSPECTION NOT POSSIBLE

This report is to notify you that the Department attempted to perform an inspection of your property, but was unable to for some reason. If you have not already spoken with your inspector regarding this, please contact him or her immediately.

NO VIOLATIONS FOUND

This report is to notify you that the Department performed an inspection of your property, and no violations were found to exist. However, please be aware that obtaining a RESULT of "no violations found" does not mean that no violations exist on your property or may be found during a later inspection.

EMERGENCY OR TEMPORARY ORDER

This report is to notify you that the Department has determined that conduct or a condition of property:

- (1) presents a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser;
- (2) is prohibited without a permit, registration, certification, release, authorization, variance, exemption, or other license and the license has not been issued; or
- (3) will conceal a violation of law.

This order must immediately be complied with, up to and until such time that: (1) it expires; (2) an order is issued by an administrative law judge voiding, terminating, modifying, or staying its effectiveness; or (3) the Department terminates its effectiveness. If you desire a hearing regarding this order, you may submit your request by either of the following methods:

U.S. MAIL

Indiana Department of Homeland Security
Fire Prevention and Building Safety Commission
c/o Legal Counsel
302 W. Washington Street, Rm. E208
Indianapolis, IN 46204

ONLINE

By completing the form at <https://www.in.gov/dhs/appeals.htm>

NOTICE OF VIOLATIONS

This report is to notify you that violations are believed to exist on your property. However, if you enter into a correction plan and correct these violations by the correction date provided in this report, no enforcement actions or sanctions will commence. If you fail to enter into a correction plan, the Department will move forward with enforcement of this order and the imposition of sanctions.

If you would like to enter into a corrective plan, you must notify your inspector, in writing, within five (5) days of receiving this report.

Terms of correction plan:

1. I agree to correct the violations contained on this report by the date provided.
2. I understand my failure to correct these violations by the correction date will result in the enforcement of this report and sanctions, including, but not limited to, a fine of \$250 per day per.
3. I understand no extensions of time are permitted unless they are granted in writing by the Department.
4. I understand that entering into this corrective plan is not an admission that a violation has occurred.
5. I agree to protect the safety and property of other persons as outlined by the Department while corrections are underway.
6. I agree to notify the Department, by the compliance date, that all violations have been corrected, and I am aware that my failure to do so may result in sanctions being ordered.
7. I understand that in order for the Department to determine compliance, an additional inspection may be performed and the Department must notify me of the determination of my compliance within thirty (30) days following the earlier of: (a) the correction date contained in this report; or (b) the date the Department is provided notice that the violations have been corrected.

If you choose not to enter into a correction plan and would like to request informal review of this report, please complete the informal review form located at <https://www.in.gov/dhs/appeals>. Following receipt of this form, the Department may modify or reverse the



Report of Inspection

Indiana Department of Homeland Security
302 W. Washington Street, Room E208
Indianapolis, IN 46204
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Permit Number	Inspection Number
LD130912C	460079

Visit us at: <http://www.in.gov/dhs>

report, and will attempt to respond to your request within five (5) business days, however, a request for an informal review does not extend the deadline for filing a petition for review. Additionally, if you have any questions regarding this report, you may contact that Department at (317) 232-2222.

If you do not enter into a corrective plan or receive a determination modifying or reversing this report, the requirements of this report are effective fifteen (15) days after service and must be complied with until such time that: (1) this order is overturned on review; (2) an administrative law judge issues a stay of enforcement; or (3) the Department consents to the request for a stay in writing.

If you desire a formal administrative review of these violations, you must comply with the requirements of Indiana Code § 4-21.5-3-7 and file a written petition for review within fifteen (15) days after receiving notice of these violations. You may submit your petition by either of the following methods:

U.S. MAIL

Indiana Department of Homeland Security
Fire Prevention and Building Safety Commission
c/o Legal Counsel
302 W. Washington Street, Rm. E208
Indianapolis, IN 46204

ONLINE

By completing the form at <https://www.in.gov/dhs/appeals.htm>

For additional information about the administrative review process and applicable templates that may be used for filings, visit the following link <https://www.in.gov/dhs/appeals.htm>.



OTIS

Made to move you

DATE: 01/10/2020

TO:
St. Jude Church
19704 Johnson Rd.
South Bend, IN 466145441

FROM:
Otis Elevator Company
50641 Princess Way, Suite 1
Granger, IN 46530

EQUIPMENT LOCATION:
St Jude Church
19704 Johnson Road
South Bend, IN 46614

Amy Jones
Phone: (616) 551-7822
Fax: (860) 998-3058

PROPOSAL NUMBER: pyj200110093738

MACHINE NUMBER(S) : 616550

We will provide labor and material to furnish and install on the above referenced machine(s) the following:

ELEVATOR CAR LIGHT BATTERY

We will furnish and install a new battery for the existing emergency car light.

All material provided shall be manufactured and installed in accordance with the ASME A17.1 Safety Code for Elevators and Escalators.

All work will be performed during regular working days and hours of the Elevator Trade.

JN
317-232-2222

PRICE: \$ 196.50
One hundred ninety-six dollars and fifty cents

This price is based on a one hundred percent (100 %) downpayment in the amount of \$ 196.50. This proposal, including the provisions printed on the last page(s), and the specifications and other provisions attached hereto shall, when accepted by you below and approved by our authorized representative, constitute the entire contract between us, and all prior representations or agreements not incorporated herein are superseded.

Submitted by: Amy Jones
 Title: Account Manager
 E-mail: amy.jones@otis.com

Accepted in Duplicate

CUSTOMER

Approved by Authorized Representative

Otis Elevator Company

Approved by Authorized Representative

Date: 1-10-2020

Date: _____

Signed: [Signature]

Signed: _____

Print Name: - Mary M. Krisc

Print Name: Adam Sisson

Title: - Business Manager

Title: -

E-mail: - business@stjudeparish.net

Name of Company: - St. Jude Church

Principal, Owner or Authorized Representative of Principal or Owner

Agent: _____
 (Name of Principal or Owner)