

Lawrence Circuit Court

STATE OF INDIANA)
) SS:
COUNTY OF LAWRENCE)

IN THE LAWRENCE CIRCUIT COURT

CAUSE NUMBER: 47C01-2409-PL-001336

CITY OF BEDFORD, INDIANA,
Plaintiff,

vs.

JEFFREY S. JONES,
Defendant.

COMPLAINT FOR VIOLATION OF CITY ORDINANCES
AND PERMANENT INJUNCTION

Plaintiff, the City of Bedford, Indiana, by its attorney, James G. Pittman, hereby files its Complaint for Violation of City Ordinances and Permanent Injunction against Defendant, Jeffrey S. Jones, and alleges as follows:

PARTIES AND FACTUAL BACKGROUND

1. Plaintiff, the City of Bedford, Indiana ("City"), is a municipal corporation established and existing under the laws of the State of Indiana.
2. Jeffrey S. Jones is the record owner of the real estate located at 2902, 2903, 2904, 2905, 2906, 3010, 3014, 3018, 3108, 3112 and 3116 Ted Jones Drive in the City of Bedford, Lawrence County, Indiana. A true and correct copy of the deed is attached hereto as "Exhibit A".

COUNT ONE

(2902 Ted Jones Drive, Bedford, Indiana)

3. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.

4. On or about the 1st day of February, 2024, and each day thereafter, at 2902 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

5. Said structure is structurally unsafe and no apartment unit in the building is suitable to be occupied. There are open electrical boxes where the air conditioning units were removed. The crawlspace panel is open allowing animals access to the crawlspace.
6. Upon further inspection, the City of Bedford Building Inspector found the following defects specific to Units A, B, C and D:

A – There are three floor joists that need to be completely replaced due to rot, and eleven joists that have damage on the north end of the building were new joists need to be sistered to make them stable. The northeast corner of the unit was pulled apart when the contractor removed the rotted joist and bottom plate from a rotted wall. Additionally, the unit has subfloor that needs replaced and windows that have been boarded up.

B – The rotted support beam in the crawlspace has been replaced and repaired with the addition of a new pier support. The drywall needs to be replaced in the kitchen, bathroom, living room and furnace closet. Having been underneath the unit I know that the water supply lines are broken, and water was running into the crawlspace.

C – Has new flooring in the living areas. The bathroom floor needs to be installed. The electrical panel has open slots, and the furnace is missing components.

D – Drywall needs repaired in the kitchen and utility room. Open slots in the electrical panel. Windows in the bedroom are boarded up. Floor in the bathroom and furnace closet to be repaired.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit B".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT TWO

(2903 Ted Jones Drive, Bedford, Indiana)

7. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.
8. On or about the 1st day of February, 2024, and each day thereafter, at 2903 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is insanitary or otherwise dangerous to the health or safety of the occupants or of the public.

9. Said structure has open electrical boxes where the air conditioning units were removed.

10. Upon further inspection, the City of Bedford Building Inspector found the following defects

specific to Units A, B, C, D, E and F:

A – Three joists will require new boards to be sistered on to make them structurally sound. The subfloor in the living room and kitchen has been removed. Part of the subfloor in the hallway has been removed and the subfloor in one of the closets needs to be removed. There is some drywall to be replaced. Water heater is missing and components missing from the furnace.

B – Subfloor sections in the living room were repaired and new flooring has been installed in the living room and bedroom. Floor in the kitchen needs bracing underneath, subfloor, flooring and cabinets installed. Drywall missing in the utility room and panel cover. Bathroom needs drywall and flooring installed. Water heater is missing, and furnace is missing components.

C – New exterior door installed. Flooring to be installed throughout the unit. Furnace is missing components.

D – Has been remodeled. The furnace is missing components.

E – Has sustained significant damage from termites on the front wall. The headers over the windows and the supporting 2x4's will need to be replaced. Most of the drywall has been removed from the apartment and most of the subfloor will need replaced due to damage.

F – Subfloor has been replaced in most of the living room are there is a section to still be replaced. Subfloor in the utility room and the furnace closet is rotted out exposing the crawlspace. Some drywall repair, Windows in the bedrooms are missing or boarded up. Flooring, water heater and furnace to be installed.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit B".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT THREE

(2904 Ted Jones Drive, Bedford, Indiana)

11. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.

12. On or about the 1st day of February, 2024, and each day thereafter, at 2904 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

13. Said structure has open electrical boxes where the air conditioning units were removed.

14. Upon further inspection, the City of Bedford Building Inspector found the following defects specific to Units B, E and G:

B – Unit was added to the list after the tenant moved out. A contractor that was working in E damaged the drywall in several areas. When the old flooring was removed it exposed subfloor damage in the hallway that needs repaired. A water leak from the upstairs apartment collapsed part of the drywall in the bathroom ceiling.

E – This unit is mostly drywall replacement and repair in the walls and ceiling. There is a water leak from the apartment upstairs that will need addressed. A water line has been placed in the hallway wall to supply water to the upstairs. The shutoff is in the wall and needs to be changed. The furnace has been dislodged from the return and needs to be reinstalled.

G (Roof) – The roof line above unit G appears to a deck damage by the way the roof line sags. There is some evidence to support that from the water damage that is observed in unit E in the utility room ceiling. The floor in unit G can be seen and it is rotted. Unit G was not able to be accessed to check the attic access.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit B".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT FOUR

(2905 Ted Jones Drive, Bedford, Indiana)

15. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.
16. On or about the 1st day of February, 2024, and each day thereafter, at 2905 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit

dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

17. Upon further inspection, the City of Bedford Building Inspector found the following defects

specific to Units B, C, E and F:

B – Several subfloor areas that have holes exposing the crawlspace. Sliding door needs to be replaced. The walls in the bedrooms have received water damage that has caused deterioration inside the wall. The outer band board in the living room has significant rot damage. The drywall and subfloor will need to be removed to know the extent of the damage.

C - Was locked and could not be inspected. In process of repair.

E – The area around the sliding door has been reconstructed. Drywall in the area needs replaced. There are some areas in the hallway and the utility where the subfloor needs repair. Bathroom ceiling has collapsed from water damage. Unit is being used to store construction material.

F – Front wall of the unit was struck by a vehicle some time back. The wall is pushed in 3-4 inches. Several areas of the ceiling have received water damage the upstairs unit and the drywall needs to be cut out and replaced. Most likely the insulation above will also need to be replaced due to water damage. The ceiling above the sliding door has damage from water damaging the band board upstairs. The sliding door upstairs was recently replaced, and it appears that proper support was not installed under that door. The sliding door area needs to be reconstructed like was done in unit E.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit B".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the

Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT FIVE

(2906 Ted Jones Drive, Bedford, Indiana)

18. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.

19. On or about the 1st day of February, 2024, and each day thereafter, at 2906 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

20. Upon further inspection, the City of Bedford Building Inspector found the following defects specific to Units B and C:

B – Ceiling drywall in most of the apartment has been wet and molded, needs to be replaced. Sliding door is damaged and needs replaced. Subfloor around the door needs replaced and most likely the joist around the door will need repaired. Living room wall around the window is bowed out and appears to have damage inside the wall. Bathroom has received water damage on the walls and ceiling.

C – Thermostat for furnace was not working on an earlier inspection. It may have since been repaired. Exposed wires on the water heater, needs a solid cover and not aluminum foil. GFCI outlets in kitchen replaced. Top railing on the deck needs replaced. Missing smoke detectors. Doors for furnace closet.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit B".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT SIX

(3010 Ted Jones Drive, Bedford, Indiana)

21. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.
22. On or about the 1st day of February, 2024, and each day thereafter, at 3010 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

23. Upon further inspection, the City of Bedford Building Inspector found the following defects specific to Units B, E and F:

B – Drywall in the utility room to be finished. Flooring put down in all room. Water heater replaced; current one leaks from tank. Repairs to the subfloor have been made.

E – Several bags of trash and debris inside. Walls and ceiling drywall have been removed from most rooms. The utility room floor has sustained water damage over time.

F - Several bags of trash and debris inside. Walls and ceiling drywall have been removed from most rooms. The utility room floor has sustained water damage over time and currently has a water leak from the upstairs apartment.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit B".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT SEVEN

(3014 Ted Jones Drive, Bedford, Indiana)

24. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.

25. On or about the 1st day of February, 2024, and each day thereafter, at 3014 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

26. Upon further inspection, the City of Bedford Building Inspector found the following defects specific to Units A and B:

A- Has a combination of damage from vandalism and water damage. Until the unit is cleaned out a true assessment of the damage cannot be made. Window is missing and the sliding door is boarded up.

B – Utility room floor is rotted by the furnace. The subfloor will need to be replaced and some bracing installed in the joist. Drywall repair in the kitchen and bathroom.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit B".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT EIGHT

(3018 Ted Jones Drive, Bedford, Indiana)

27. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.

28. On or about the 1st day of February, 2024, and each day thereafter, at 3018 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

29. Upon further inspection, the City of Bedford Building Inspector found the following defects specific to Unit B:

B – Subfloor damage in several areas. The ceiling and walls in the hallway, kitchen and bathroom received a lot of moisture damage. The drywall needs to be replaced and most likely the insulation in those area will need to be replaced.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit B".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT NINE

(3108 Ted Jones Drive, Bedford, Indiana)

30. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.

31. On or about the 1st day of February, 2024, and each day thereafter, at 3108 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

32. Said structure is structurally unsafe and no apartment unit in the building is suitable to be occupied. On the east side of the building there are several decks that need new spindles to meet code and for safety. These need to be repaired. On the west side of the building there is

vinyl siding missing that needs to be replaced. On the west side of the building there are three broken windows and one covered by an old door. These all need to be replaced with new windows. On the west side of the building the stairs need to be repaired due to missing or broken steps, broken stringers and not secured to the ground or building. These all need to be repaired to make the facility safe. On the north side of the building there is a large pile of construction debris that needs to be removed and disposed of properly.

33. Upon further inspection, the City of Bedford Building Inspector found the following defects specific to Units A, C, D and E:

A – Electrical wires exposed, front door has been kicked in and the entire door jamb is broken and needs to be completely replaced, the fire alarms are not up to date and need to be replaced, and unfinished and not habitable and needs to be fully remodeled.

C and D – Completely uninhabitable and have wild animals living in them; doors kicked in and open to the elements with the door jams broken.

E – On the east side of the building Unit E has the rear sliding door open to the elements.

A copy of the City of Bedford Building Inspector's full report dated June 1, 2023 is attached hereto as "Exhibit C".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT TEN

(3112 Ted Jones Drive, Bedford, Indiana)

34. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.

35. On or about the 1st day of February, 2024, and each day thereafter, at 3112 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

36. Upon further inspection, the City of Bedford Building Inspector found the following defects specific to Units A and B:

A – This unit is being worked on and should be finished in the next week. Significant damage was discovered under the subfloor involving the joist in the utility, kitchen and bathroom. That was been repaired. A new sliding door has been installed. Water damage to the front wall was discovered and that has been repaired.

B – Water heater needs to be installed, panel cover installed. Rebrick the outside where the vehicle struck the building. The subfloor damage was repaired, the wall that was struck has been repaired and the joist damage that was discovered in the process of repairing the other issues has been repaired.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit A".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the

Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT ELEVEN

(3116 Ted Jones Drive, Bedford, Indiana)

37. The City incorporates by reference paragraphs 1 and 2 of Parties and Factual Background of the Complaint above as though set forth fully herein.

38. On or about the 1st day of February, 2024, and each day thereafter, at 3116 Ted Jones Drive in the City of Bedford, the Defendant, Jeffrey S. Jones, failed to maintain the structure in a manner that is fit for human habitation in violation of § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code, to-wit:

(A) The designation of a dwelling or dwelling unit as unfit for human habitation, and the procedure for the condemnation and placarding of the unfit dwelling or dwelling unit shall be carried out in compliance with the requirements of this subchapter.

(B) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be prescribed as unfit for human habitation or shall be required to be brought up to the standards of this chapter. Any such dwelling or dwelling unit shall be so designated and placarded by the Commissioner of Buildings, or his designated agents.

(1) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

(2) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public.

(3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

39. Upon further inspection, the City of Bedford Building Inspector found the following defects specific to Unit A:

A – The main beam under the floor in the utility room has been rotted out by water damage. The floor in the utility room has dropped approximately 3-4 inches. The areas in the unit where the subfloor has been removed and cross bracing has been installed. It appears that the repair to the main beam was started but not completed. The wall in the utility room wall was wet but it could not be determined where the water was coming from.

A copy of the City of Bedford Building Inspector's full report dated February 1, 2024 is attached hereto as "Exhibit A".

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, demands judgment for such fines as the court may assess together with the costs of this action and requests that the Court order the Defendant, Jeffrey S. Jones, to remediate the real estate in compliance with the Bedford City Code.

COUNT TWELVE

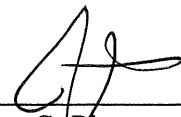
(Permanent Injunction)

40. The City incorporates by reference paragraphs 1 through 38 of the Complaint above as though set forth fully herein.

41. Plaintiff, the City of Bedford, Indiana, requests that the Court issue a mandatory injunction ordering the Defendant to remediate the real estate located at 2902, 2903, 2904, 2905, 2906, 3010, 3014, 3018, 3108, 3112 and 3116 Ted Jones Drive, all in the City of Bedford, Indiana, in compliance with § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code.

WHEREFORE, the Plaintiff, the City of Bedford, Indiana, respectfully prays that the Court grant Plaintiff a mandatory injunction ordering the Defendant to remediate the real estate in compliance with § 95.50 DESIGNATION AS UNFIT DWELLING of the Bedford City Code.

CITY OF BEDFORD

BY 
James G. Pittman #19156-47
City Attorney

James G. Pittman
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