Exhibit A

BYLAWS
WEST LAFAYETTE HOUSING APPEALS BOARD

ARTICLE I. NAME

The name of this organization is the **WEST LAFAYETTE HOUSING APPEALS BOARD**.

ARTICLE II. PURPOSE

The purpose of the WEST LAFAYETTE HOUSING APPEALS BOARD (hereinafter the "Board") is to hear evidence and render decisions arising out of the administrative interpretation and enforcement of the West Lafayette Housing-Property Maintenance Code in accord with the principles of due process. A further purpose of the Board is to hear evidence and render decisions regarding the inspection and certification of rental housing within the City of West Lafayette in accord with the principles of due process, and applicable West Lafayette City Code Provisions.

ARTICLE III MEMBERSHIP AND ORGANIZATION.

Membership. Membership of the Board shall be composed of a single representative from each council district within the City of West Lafayette, and an additional representative from the City at-large. To serve on the Board, a member may not hold any other elective or appointed City office.

Appointment. Members of the Board shall be appointed by the Mayor of West Lafayette, with the advice and consent of the common council.

Terms. The term of each member of the Board shall be four years.

Removal and Vacancies. A member of the Board may be removed by the vote of two-thirds of the members of the Board. An appointment to fill an unexpired term shall be for the remainder of such term. A Board member who fails to reside within their representative district or moves outside the City limits shall be deemed to have resigned from the Board.

Compensation. Members of the Board shall serve without compensation.

Officers. The officers of this organization shall be the Chairperson, Vice-Chairperson, and Secretary, who shall be elected annually by the Board at the Board meeting in January. The City of West Lafayette shall furnish secretarial assistance.

The Chairperson shall preside at meetings of the Board, administer the Board's procedures in accord with these Bylaws, and perform other duties customarily performed by a chairperson.

The Vice-Chairperson shall serve in the absence, inability, or unwillingness of the Chairperson to act. The Secretary shall be the custodian of the Board's records, and shall serve in the role of Chairperson if both the Chairperson and Vice-Chairperson are unavailable. In the absence of the Chairperson, Vice-Chairperson, and the Secretary, the remaining members shall appoint one of the members to act as Chairperson pro tempore.

When the office of Chairperson, Vice-Chairperson, or Secretary becomes vacant during the year, the Board shall elect a successor at the earliest meeting practicable.

A representative from the City shall take notes for official meetings of the Board and shall transcribe such notes and provide copies to all Board members. Such minutes shall be read and approved at the subsequent meeting of the Board. When approved, a copy shall be transmitted to the City Clerk.

ARTICLE IV MEETINGS, AGENDA AND CONDUCT OF BUSINESS

Procedures outlined in Roberts Rules of Order shall govern all meetings. The Board shall determine its own rules and procedures to fulfill its purposes, and these rules and any amendments thereto, shall be contained in the Board's Bylaws and shall be deemed established when ratified by the common council.

Regular Board meetings will be held once a month, unless there is no Board business needing consideration.

Special meetings may be called by the Chairperson, or a majority of the members, with public notice given at least 48 hours in advance, and pursuant to Indiana's Open Doors Laws. A majority of the appointed members shall constitute a quorum. With the exception of routine business, any Board action shall require a majority vote of the total membership of the Board.

The Chairperson shall develop and provide an agenda for the meeting. Items for possible discussion shall be submitted to the Chairperson for consideration and scheduling as appropriate.

The Chairperson shall create such subcommittees as may be required to carry out the duties of the Board, and shall appoint such persons as may be interested and qualified, without regard to district residency.

Legal counsel shall provide the Board with forms and procedures necessary to conduct the Board's business.

ARTICLE V POWERS AND DUTIES

Section 1. Housing and Property Maintenance Appeals

Right to Appeal. The Board shall provide a procedure for the right to appeal any interpretation, finding, decision, order, notice given, or action taken in the administrative enforcement of the Housing-Property Maintenance Code of the City of West Lafayette.

Method of Filing. Any person wishing to file an appeal under this section shall file a Notice of Appeal, specifying the grounds or reasons for such appeal and in such form as prescribed by the Board. To be effective, the Notice of Appeal must be delivered to the West Lafayette Department of Development. The Department shall, within three (3) business days, transmit the Notice of Appeal to the Board. If the Board receives the Notice of Appeal at least ten (10) days before its upcoming scheduled meeting, the Chairperson shall place the item on the upcoming meeting's Agenda for purposes of establishing jurisdiction to hear the Appeal and scheduling a

hearing on the Appeal. If the Notice of Appeal is not received ten (10) days before its next meeting, the Notice of Appeal shall be placed on the Agenda for the next meeting following receipt of the Notice of Appeal.

Time for Appeal. Any appeal to the Board under this section **must** be filed within thirty (30) days of the date of the action sought to be appealed. An extension of thirty (30) days to file an appeal may be granted in cases of hardship, if requested within thirty (30) days of the date of the action sought to be appealed.

Establishing Jurisdiction and Scheduling Hearing. Upon receipt of a timely filed Notice of Appeal and placement on the Board's Agenda, the Board shall review the Notice of Appeal and determine whether the Board is able to hear the Appeal during a regularly scheduled meeting. The Board may dismiss the Notice of Appeal for lack of jurisdiction, or may, for legal cause, decline to hear any Appeal. If a Notice of Appeal is dismissed, the meeting's minutes shall set forth the reasons for the Board's dismissal of the Appeal, as well as any vote taken thereon.

If an Appeal is to be heard, the Board shall schedule a hearing on the Appeal at a time convenient for the Board. The hearing may be scheduled during a future Board meeting or at any time convenient for the Board. The person initiating the Appeal shall be expected to attend the Board meeting for scheduling purposes, and shall duly advise the Board of any scheduling conflicts prior to the Board setting a hearing date. Upon the scheduling of a hearing date, the Board shall send out written notice of the hearing to all interested persons, including the person initiating the appeal.

Manner of Hearing. All hearing sessions shall be open to the public. The Board shall have the power to mandate the presence and testimony of city inspectors and enforcement officials involved in a case appeal. The Board shall determine the method and manner of the hearing proceedings.

Findings and Order. The Board may make findings regarding the facts alleged in administrative enforcement and as to whether the facts warranted the administrative findings. The Board may also make findings as to extenuating circumstances or impossibility of compliance.

Following consideration of the Notice of Appeal, the Board shall issue an order either 1) reversing or modifying the decision, determination, finding or order appealed and granting the Appeal all or in part, or 2) affirming the administrative enforcement and denying the Appeal, or 3) dismiss the Appeal for want of prosecution, or lack of jurisdiction.

Lack of Jurisdiction and Applicable Building Code. The Board shall not have jurisdiction in any zoning matter. For purposes of enforcement and interpretation under this section, the Board shall only use the Housing-Property Maintenance Code currently adopted by the City of West Lafayette.

Subject to Review. The decision of the Board under this section may be appealed to a court of general jurisdiction in Tippecanoe County within 30 days of the decision.

Section 2. Rental Certificates

Introduction. The Board is responsible for hearing administrative charges filed by the Program Administrator (as that term is defined in the West Lafayette City Code) regarding inspections and certification of rental housing within the City of West Lafayette as set forth in § 117.10 of the West Lafayette City Code.

Method of Filing. The Program Administrator shall prepare and file any charges with the Board on a form prescribed by the Board. The Program Administrator shall specify the owner and/or manager being charged, the particular violation(s), and specify the relief requested.

Scheduling of Hearing. Upon receipt of a properly filed charge under this section, the Board shall schedule a hearing on the matter. Upon scheduling of a hearing, the Board shall mail notice of the hearing and charges, via certified return receipt U.S. mail to the owner and/or manager's address of record. In the alternative, the Board may provide notice of the hearing and charges by personal service upon the owner and/or manager. The date set for said hearing of the charges shall be not less than 10 days following the date of mailing of the notice to the owner and/or manager.

Manner of Hearing. The Board shall allow evidence and argument from the Program Administrator and the owner and/or manager of the rental property. However, the Board shall not be limited in determining the method and manner of the hearing proceedings. After hearing evidence, the Board shall make a written decision supported by its findings. If the Board rules in favor of the Program Administrator, the Board shall impose one of the following penalties against the certificate: i) a three-year probation for the rental certificate, ii) suspension of the rental certificate, or iii) revocation of the rental certificate.

Right to Appeal. The decision of the Board under this section may be appealed to a court of general jurisdiction in Tippecanoe County within 30 days of the decision.

ARTICLE VI AMENDMENTS

Amendments to these Bylaws shall be by affirmative vote of two-thirds (2/3) of the Board members and Common Council ratification.