

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION

PERMIT

Permit Number: 080640

PERMIT ISSUED

JUL 7 2008

003 0006001

This is to certify that JAGGER ALLAN

has permission to Change of use from 4 unit residential to 4 unit condominium

AT 12 OBRION ST

provided that the person or persons firm or person accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and when permission procured before this building or part thereof is leased or occupied - 4 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. Craig Cass

Health Dept. _____

Appeal Board _____

Other _____
Department Name

[Handwritten Signature]
2/3/08
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-0640	Issue Date:	CBL: 003 0006001
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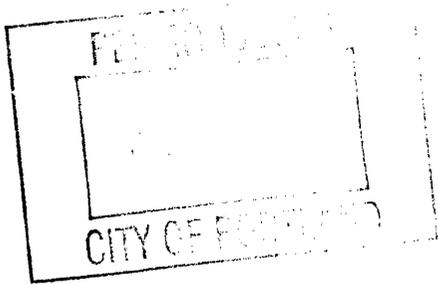
Location of Construction: 12 OBRION ST	Owner Name: JAGGER ALLAN	Owner Address: 40 O'BRION ST	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Ownership - Condo Conversion	Zone: R-1

Past Use: 4 Unit residential <i>- legal use - 4 residential d.v.</i>	Proposed Use: 4 Unit condominium - Change of use from 4 unit residential to 4 Unit condominium <i>- (per microhouse)</i>	Permit Fee: \$900.00	Cost of Work: \$900.00	CEO District: 1
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>See Conditions or Attached</i>	INSPECTION: Use Group: <i>R-2</i> Type: <i>SB</i> <i>IBC 2003</i>	

Proposed Project Description: Change of use from 4 unit residential to 4 Unit condominium	Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature:		Date:

Permit Taken By: Idobson	Date Applied For: 06/06/2008	Zoning Approval	
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..</p>	<p>Special Zone or Reviews</p> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p><i>OK w/ conditions</i> Date: <i>6/18/08 ABU</i></p>	<p>Zoning Appeal</p> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied <p>Date:</p>	<p>Historic Preservation</p> <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied <p><i>ABU</i> Date:</p>
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CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

City of Portland, Maine - Building or Use Permit

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-0640	Date Applied For: 06/06/2008	CBL: 003 O006001
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Location of Construction: 12 OBRION ST	Owner Name: JAGGER ALLAN	Owner Address: 40 O'BRION ST	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Ownership - Condo Conversion	

Proposed Use: 4 Unit condominium - Change of use from 4 unit residential to 4 Unit condominium	Proposed Project Description: Change of use from 4 unit residential to 4 Unit condominium
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Dept: Zoning	Status: Approved with Conditions	Reviewer: Ann Machado	Approval Date: 06/18/2008
Note:			Ok to Issue: <input checked="" type="checkbox"/>
<p>1) PLEASE NOTE: Under the City's Condominium Conversion regulations, if a tenant makes a decision not to purchase their unit and also decides not to remain in the building after their notification, that tenant has the right to move without penalty. If that protected tenant is under the 80% low/moderated income limit guidelines, there is still a requirement on the owner/developer to pay that tenant relocation payments as stated in the ordinance prior to vacating the unit. That tenant has not lost any rights under this ordinance by making a choice to move and vacate their unit after notification.</p> <p>2) PLEASE NOTE: Under the City's Condominium conversion regulations, A) BEFORE a developer offers to convey a converted unit, a conversion permit shall be obtained. B) Rent may not be altered during the official noticing period unless expressly provided in a preexisting written lease. C) For a sixty (60) day period following the notice of intent to convert, the tenant has an exclusive and irrevocable option to purchase during which time the developer may not convey or offer to convey the unit to any other person. D) The developer shall post a copy of the permit in a conspicuous place in each unit, and shall make copies available to prospective purchasers upon request. E) If a tenant is eligible for tenant relocation payments, they SHALL be paid a CASH PAYMENT BEFORE the tenant is required to vacate.</p> <p>3) With the issuance of this permit and the certificates of occupancy, this property shall remain as four residential condominiums. Any change of use shall require a separate permit application for review and approval.</p>			
Dept: Building	Status: Approved with Conditions	Reviewer: Tammy Munson	Approval Date: 07/03/2008
Note:			Ok to Issue: <input checked="" type="checkbox"/>
<p>1) This is a Change of Use ONLY permit. It does NOT authorize any construction activities.</p>			
Dept: Fire	Status: Approved with Conditions	Reviewer: Capt Greg Cass	Approval Date: 06/19/2008
Note:			Ok to Issue: <input checked="" type="checkbox"/>
<p>1) The entire structure shall comply with NFPA 101 "Existing Apartments" Compliance shall be insured prior to the issuance of a Certificate of Occupancy. Unable to determine adequate "means of egress" from application.</p>			

Title 25 § 2453 Fire escapes; appeals

Each story above the first story of a building used as a schoolhouse, orphan asylum, hospital for the mentally ill, reformatory, opera house, hall for public assemblies, hotel or tenement house occupied by more than 2 families, or store in which more than 10 persons are employed above the first story, must be provided with more than one way of egress, by stairways on the inside or fire escapes on the outside of such building. Such stairways and fire escapes must be so constructed, in such a number, or such size and in such location as to give reasonably safe, adequate and convenient means of exit, in view of the number of persons who may need to use such stairway or fire escape, must at all times be kept free from obstruction and must be accessible from each room in each story above the first story.

Any apartment building of 3 stories or less in its entirety is permitted to have a single exit under the condition that the building is protected throughout by an approved automatic sprinkler system, meets the requirements of the applicable chapter of the National Fire Protection Association Life Safety Code and every sleeping room has a 2nd means of escape.

An individual, partnership or corporation may not offer for sale in this State, any type of fire escape device or fire alarm systems unless first securing approval of the Commissioner of Public Safety.

Any person or corporation aggrieved by any order of the commissioner issued under this section may appeal to the Superior Court by filing within 30 days from the effective date of such order a complaint and the court shall fix a time and place of hearing and cause notice of the time and place to be given to the commissioner and, after the hearing, the court may affirm or reverse in full or in part any such order of the commissioner and the decision of the court is final. If the commissioner in the interest of public safety, because the commissioner determines there is immediate danger, forbids the use of such buildings for any public purpose until satisfactory compliance with the commissioner's order, such order becomes effective immediately and the filing of the complaint may not operate as a stay.

Title 25 § 2463 Installation of sprinkler systems and smoke, heat or fire detection systems

All new hotels constructed after January 1, 1992 of any type construction having 2 stories or more above grade level, must be protected by a complete approved automatic sprinkler system.

All high-rise buildings constructed after January 1, 1992 of any type construction must be protected by a complete approved automatic sprinkler system.

All other hotels having 2 stories or more above grade level must be protected by a complete approved smoke, heat or fire detection system operated by electrical current or powered by batteries by July 1, 1981.

All Purpose Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>12 O'Brien St.</u>		
Total Square Footage of Proposed Structure <u>Existing Bldg = 3628</u>	Square Footage of Lot <u>4487</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>003</u> Block# <u>0</u> Lot# <u>6</u>	Owner: <u>Allan Jagger</u>	Telephone: <u>939-1730</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Allan Jagger</u> <u>40 O'Brien St.</u> <u>Portland ME 04101</u>	Cost Of Work: \$ _____ Fee: \$ _____ C of O Fee \$ _____ Total Fees: \$ _____
Current use: _____		
If the location is currently vacant, what was prior use: <u>Residential</u>		
Approximately how long has it been vacant: <u>3 of 4 units - about 1 year</u> <u>1 unit vacant for 2 weeks</u>		
Proposed use: <u>Change to condominiums</u>		
Project description: _____		
Contractor's name, address & telephone: _____		
Who should we contact when the permit is ready: <u>Allan Jagger</u>		
Mailing address: <u>40 O'Brien St.</u> <u>Portland, ME 04101</u>		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>939-1730</u>		

JUN - 6 2008

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: <u>Allan Jagger</u>	Date: <u>6/6/08</u>
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This is NOT a permit, you may not commence ANY work until the permit is issued. If you are in a Historic District you may be subject to additional permitting and fees with the

Friday, June 06, 2008

Re: 12 O'Brien St. Condo Conversion

Hi Marge,

I have enclosed the names and phone numbers of past tenants at 12 O'Brien St. Three of the four units were vacated last summer. All gave at least 30 day notice (2 verbal/2 in writing – copies enclosed) and were tenants at will. I do not have a phone number for Carroll Ham of unit #4. He gave verbal notice to Sullivan Multi Realty before I bought the building. (Contact: John Graham – 491-1660, Sullivan Multi.)

All 4 units are currently vacant. Please call me with any questions at 939-1730.

Sincerely,

A handwritten signature in black ink that reads "Allan Jagger". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Allan Jagger

Submit with Condominium Conversion Permit Application

Project Data:

Address: 12 O'Brien St.

C-B-L: _____

Number of Units in Building: 4

Tenant Name	Tenant Tel#	Occup. Length	Date of Notice	Eligible for \$?
Unit 1 Kat Robertson	653 9876	2.5 years	She gave written notice as of 5/11/08. Moved 6/1/08	
Unit 2 Emily Girardo	450 0788	1 year	She gave verbal notice on 7/1/07. Moved 8/1/07 -	
Unit 3 Donna Keane	775 4879 878 1932	16 years	She gave written notice on 5/30/07. Moved on 6/30/07.	
Unit 4 Carroll Ham	No Number	1 year	He gave verbal notice to Sullivan Multi Unit on 5/23/07 (60 Day notice). Moved 7/1/07	
Unit 5				
Unit 6				
Unit 7				
Unit 8				

If more units, submit same information on all units

Length of time building owned by applicant 1 Year and 2 weeks

Are any building improvements, renovations, or modifications being made associated with this conversion that requires a building, plumbing, electrical, or heating permit?

YES _____ NO (check one)

Type and cost of building improvements associated with this conversion that do not require permits:

\$ 18,000. Exterior walls, windows, doors, roof

\$ 0 Insulation

\$ 15,000. Interior cosmetics (walls/floors/hallways/refinishing, etc.)

\$ _____ Other (specify)

12 O'Brien #3

Donna E. Keene
12 O'Brien Street
Portland, Maine 04101
(207) 775-4879

May 30, 2007

Allan Jagger
72 India Street
Portland, Maine 04101

Dear Mr. Jagger:

Enclosed is my check in the amount of \$425.00 to cover my rent for June.

I have enjoyed living in my little apartment at 12 O'Brien Street for the past sixteen and a half years. Unfortunately, I need to give you notice that I will be moving out by the end of June. I hope to secure a teaching job outside of the Portland area and would not be able to sign a lease if that were required. In the meantime, I also have the chance to save some money on living expenses by moving in with a friend.

I enjoyed meeting you yesterday and wish you success with this new investment. This is a wonderful location and the tenants have been great. Please call me about any details that need to be addressed as I move out.

Sincerely,

Donna E. Keene

120 Brian #1

May 3, 2008

Hi Alan,

Here is my written notice to follow up on our phone conversation on 4/27 for moving at the end of May. You have my security deposit for \$700.00 which I intend to use as my last month's rent. I've enclosed the difference of \$100.00. I know this is not standard procedure, but given the problems I've had with the apartment since you bought the building:

- water leaking through the light fixture in the bedroom, on 2 occasions
- the light fixture was never replaced when you broke it on the 1st occasion
- broken toilet tank, which took at least a month to fix
- coming into the apartment without notice
- changing the locks without notice

I'm a little wary of leaving it to you giving me the deposit upon inspection. When my toilet finally got repaired, you told me you were broke. I've had very nice, responsive landlords in the past and when it became time to give my security deposit back they disappear.

You've been in my apartment multiple times and recently over the year (with or without consent) and you know that I have not caused damage beyond the normal wear and tear from inhabiting the apartment for two and a half years. I've taken very good care of this apartment and I will leave the place in the condition I found it in, clean and empty, including the basement studio, on June 1st. We can have the inspection then and you can let me know any concerns you may have.

Also, please be sure to give me notice if you intend to show the apartment to future tenants. It is required that you give 24 hours notice before coming into the apartment, unless it is an emergency. Please just let me know the day before so I can make sure the apartment is tidy. It is incredibly rude to just stop by, or call the day of. If I don't answer the phone, leave a message and that will be considered notice.

Thanks,

Kat Robertson