



08/23/2018



Permitting and Inspections Department
Michael A. Russell, MS, Director

Condominium Conversion Permit Application and Checklist

A conversion permit shall be obtained before an owner offers to convey a converted unit. Condo conversions are not a change of use. They are considered a change of ownership of building area, not land. Subdivision is not involved. Only the legal number of dwelling units may be condominiumized. Any illegal units shall be removed or made legal by proper permitting.

Notice of intent to convert: All tenants shall be given a specific notice of the intent to convert their unit to a condominium from the owner. This notice shall contain a specific offer and terms for the tenant to purchase their unit. The notice shall contain specific wording outlined in Chapter 14, Article VII of the City Code that notifies the tenants of irrevocable rights and how to contact the City of Portland. The tenant shall also be given a specific time to vacate based upon the number of years that they have occupied their unit. The minimum notice to vacate is 120-day notice:

0-4 years = 120 days notice
5 years = 150 days notice
6 years = 180 days notice

7 years = 210 days notice
8 years = 240 days notice
9 years = 270 days notice

10 years = 300 days notice
11 years = 330 days notice
12+years=360 days notice

Sixty days after their notice, the tenant has an exclusive, irrevocable option to purchase their own unit. During that time, the owner/developer may not convey, the unit to any other person. For the next 180 days, the owner/developer cannot offer a more favorable price or term to any other person unless the same terms are offered to the original tenant first.

Rent may not be altered during the official noticing period unless expressly provided in a pre-existing written lease. The owner/developer shall post a copy of the issued permit in a conspicuous place in each unit, and make copies available to prospective purchasers upon request.

Relocation payments: If the tenant does not purchase, the owner shall (before the tenant vacates) make a cash payment to the tenant in the amount of rent for the preceding two months only if the tenant meets the current 80% of the low/moderate income rules adjusted for family. Additionally, the developer shall provide other assistance to the tenant in the form of reasonable accommodations, referrals, and determining tenant eligibility.

Submission Checklist

All applications shall be submitted online via the Citizen Self Service portal. Refer to the attached documents for complete instructions. The following items shall be submitted (please check and submit all items):

- Condominium Conversion Checklist (this form)
- Tenant Data Form
- Evidence of right, title and interest (e.g. deed, purchase and sale agreement with current deed)
- Copy of notices of intent to convert, for each tenant* (refer to Section 14-568 of the City Code for requirements)
- A plot plan, including the shape and dimension of the lot, footprints of structures, and the location and dimensions of parking areas and driveways
- Dimensioned floor plans for each unit - *not applicable - 3 units in 3 separate buildings*

****Any proposed construction or building alteration requires a separate building permit application.****

***Copies of your notice to each tenant must be attached to the permit application. No permit will be issued without copies of the notices. If there are building vacancies, you must provide the reason why the unit is vacant and the previous tenant's name, new address, and phone number.**



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Tenant Data for Condominium Conversion
(submit with Condominium Conversion Permit Application)

Project Address: 28 Melbourne St Number of legal dwelling unit in building: 3 on property

Provide the following information for each tenant (if vacant, for the tenant from the past 6 months):

	Tenant Name	Tenant Phone #	Occupancy Length	Date of Notice	Eligible for Relocation Payment?
Unit X 2	Richard Pollack Diane Walsh	917-848-5843	4 yrs		
Unit X 1	David Page Barbara Skinn	631-804-0360	2 mos.		
Unit 3	Beverly Toothaker (mother of developer)	207-899-1414	2 yrs.		
Unit 4					
Unit 5					
Unit 6					
Unit 7					
Unit 8					
Unit 9					
Unit 10					

(would like to purchase)
(will be moving)

If more than 10 units, submit the same information for all units on a separate piece of paper.

Income Limits for Relocation Payments (per HUD FY2016 Income Limits, effective 3/28/2016)

Number of people in household and income limits:

- 1 - \$43,050
- 2 - \$49,200
- 3 - \$55,350
- 4 - \$61,450
- 5 - \$66,400
- 6 - \$71,300
- 7 - \$76,200
- 8 - \$81,150

For the most up-to-date information on income limits, visit: <https://www.huduser.gov/portal/datasets/il.html>



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08/23/2018

MELBOURNE-EMERSON, LLC
PO BOX 4271
PORTLAND, ME 04101

July 11, 2018

David Page and Barbara Shinn
28 Melbourne Street, Unit #1
Portland, ME 04101

RE: Notice of intent to convert 28 Melbourne Street, Portland, ME to condominiums

Dear David and Barbara:

Melbourne-Emerson, LLC is sending this letter to you to inform you that it intends to convert the buildings at 28 Melbourne Street, Portland ME into three condominium units. We are required to give you a minimum 120-days' notice of our intent to convert to condominiums. You will not be asked to leave the premises for at least 120-days. This notice is not a Notice-to-Quit the unit. If it comes to that, a separate 30-day Notice-to-Quit will be provided to you.

One of our obligations is to offer you a 60-day option to purchase the unit in which you reside. We intend to sell this unit for \$695,000.00. Please let us know if you are interested in purchasing at this price and we will proceed with the negotiation of a purchase and sale agreement. If you decline to purchase the unit, and we are unable to sell it in the next 180-days, if we reduce the price, we will provide you with that information and you will have another opportunity to purchase the unit at the reduced price.

As the Developer of this project, we are required by the City of Portland ordinance to give you the following notice:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, ME 04101. (Telephone: 874-8703)

We are required to assist you with the relocation payments if your gross income is less than 80% of the median income of the Portland SMSA, adjusted for family size, as determined by the US Department of Housing and Urban Development. If you would like us to investigate whether you qualify for this assistance, or if you would like us to provide assistance to you in the form of referrals to other reasonable accommodations, please let us know.

This notice shall be hand delivered or mailed by certified mail, return receipt requested, postage prepaid and shall be effective upon delivery.

Sincerely,



Permitting and Inspections Department
Approved with Conditions

08/23/2018 dlord

Received this 11 day of July, 2018.

A handwritten signature in black ink, appearing to read "David Page", written over a horizontal line.

David Page

A handwritten signature in black ink, appearing to read "Barbara Shinn", written over a horizontal line.

Barbara Shinn



Permitting and Inspections Department
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08/23/2018

MELBOURNE-EMERSON, LLC
PO BOX 4271
PORTLAND, ME 04101

July 11, 2018

Richard Pollak and Dianne Walsh
28 Melbourne Street, Unit #2
Portland, ME 04101

RE: Notice of intent to convert 28 Melbourne Street, Portland, ME to condominiums

Dear Richard and Diane:

Melbourne-Emerson, LLC is sending this letter to you to inform you that it intends to convert the buildings at 28 Melbourne Street, Portland ME into three condominium units. We are required to give you a minimum 150-days' notice of our intent to convert to condominiums. You will not be asked to leave the premises for at least 150-days. This notice is **not** a Notice-to-Quit the unit. If it comes to that, a separate 30-day Notice-to-Quit will be provided to you.

One of our obligations is to offer you a 60-day option to purchase the unit in which you reside. We intend to sell this unit for \$995,000.00. Please let us know if you are interested in purchasing at this price and we will proceed with the negotiation of a purchase and sale agreement. If you decline to purchase the unit, and we are unable to sell it in the next 180-days, if we reduce the price, we will provide you with that information and you will have another opportunity to purchase the unit at the reduced price.

As the Developer of this project, we are required by the City of Portland ordinance to give you the following notice:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, ME 04101. (Telephone: 874-8703)

We are required to assist you with the relocation payments if your gross income is less than 80% of the median Income of the Portland SMSA, adjusted for family size, as determined by the US Department of Housing and Urban Development. If you would like us to investigate whether you qualify for this assistance, or if you would like us to provide assistance to you in the form of referrals to other reasonable accommodations, please let us know.

This notice shall be hand delivered or mailed by certified mail, return receipt requested, postage prepaid and shall be effective upon delivery.

Sincerely,



Landlord

Permitting and Inspections Department

Approved with Conditions

08/23/2018

Received this 11th day of July, 2018

7-11-2018

Dated

July 11, 2018

Dated

Richard Pollak

Richard Pollak

Diane Walsh

Diane Walsh



Permitting and Inspections Department
Approved with Conditions

08/23/2018

MELBOURNE-EMERSON, LLC
PO BOX 4271
PORTLAND, ME 04101

July 17, 2018

Beverley Toothaker
28 Melbourne Street, Unit #3
Portland, ME 04101

RE: Notice of intent to convert 28 Melbourne Street, Portland, ME to condominiums

Dear Beverley:

Melbourne-Emerson, LLC is sending this letter to you to inform you that it intends to convert the buildings at 28 Melbourne Street, Portland ME into three condominium units. We are required to give you a minimum 120-days' notice of our intent to convert to condominiums. You will not be asked to leave the premises for at least 120-days. This notice is **not** a Notice-to-Quit the unit. If it comes to that, a separate 30-day Notice-to-Quit will be provided to you.

One of our obligations is to offer you a 60-day option to purchase the unit in which you reside. We intend to sell this unit for \$495,000.00. Please let us know if you are interested in purchasing at this price and we will proceed with the negotiation of a purchase and sale agreement. If you decline to purchase the unit, and we are unable to sell it in the next 180-days, if we reduce the price, we will provide you with that information and you will have another opportunity to purchase the unit at the reduced price.

As the Developer of this project, we are required by the City of Portland ordinance to give you the following notice:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, ME 04101. (Telephone: 874-8703)

We are required to assist you with the relocation payments if your gross income is less than 80% of the median Income of the Portland SMSA, adjusted for family size, as determined by the US Department of Housing and Urban Development. If you would like us to investigate whether you qualify for this assistance, or if you would like us to provide assistance to you in the form of referrals to other reasonable accommodations, please let us know.

This notice shall be hand delivered or mailed by certified mail, return receipt requested, postage prepaid and shall be effective upon delivery.

Sincerely,



Permitting and Inspections Department
Approved with Conditions

08/23/2018 Beverley Toothaker
July 17, 2018
Page 2

referrals to other reasonable accommodations, please let us know.

This notice shall be hand delivered or mailed by certified mail, return receipt requested, postage prepaid and shall be effective upon delivery.

Sincerely,

A handwritten signature in black ink, appearing to be "K. Hall", is written over a horizontal line.

Landlord

Received:

July 17, 2018
Dated

A handwritten signature in black ink, appearing to be "Beverley Toothaker", is written over a horizontal line.

Beverley Toothaker



Permitting and Inspections Department
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08/23/2018

TRUSTEE'S DEED

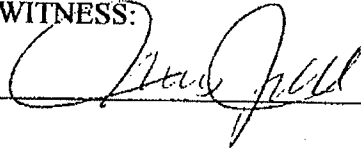
KNOW ALL PERSONS BY THESE PRESENTS, that SIDNEY ST. F. THAXTER and HELEN INGWERSEN, Trustees of the MARY SHAW REVOCABLE TRUST dated December 1, 2010 (collectively "Grantor"), for consideration paid, GRANT to MELBOURNE-EMERSON, LLC, whose mailing address is PO Box 4271, Portland, Maine 04101 ("Grantee"), the following described real property located in the City of Portland, Cumberland County, State of Maine:

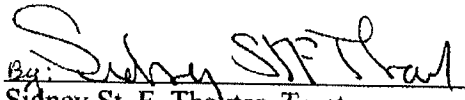
See Exhibit A attached hereto and made a part hereof.

IN WITNESS WHEREOF, Sidney St. F. Thaxter and Helen Ingwersen, Co-Trustees of Mary Shaw Revocable Trust, have caused this instrument to be executed this 28 day of September, 2011.

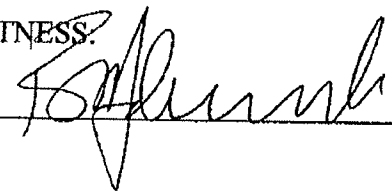
MARY SHAW REVOCABLE TRUST dated December 1, 2010


WITNESS:



By: 
Sidney St. F. Thaxter, Trustee

WITNESS:



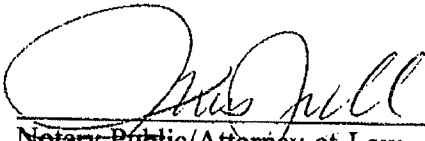
By: 
Helen Ingwersen, Trustee

STATE OF MAINE
COUNTY OF CUMBERLAND, SS.

September 28, 2011

Personally appeared the above-named Sidney St. F. Thaxter as Trustee of the Mary Shaw Revocable Trust dated December 1, 2010 and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,


Notary Public/Attorney-at-Law

Print name: Thomas Jewell
My commission expires: _____

MAINE REAL ESTATE TAX PAID



08/23/2018

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated on the southerly side of Melbourne Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point made by the intersection of the southerly side line of said Melbourne Street with the westerly side line of Emerson Street; thence westerly on the southerly side line of Melbourne Street, sixty-nine (69) feet, more or less, to land formerly of Eliphalet Clark; thence southerly by said Clark's land, eighty-six (86) feet, more or less, to the division line of lots on said Melbourne Street and lots on the northerly side of Quebec Street; thence easterly on said division line sixty-nine (69) feet, more or less, to said Emerson Street; thence by the westerly side line of Emerson Street to the point of beginning.

Also a certain lot or parcel of land, with the buildings thereon, situated in said City of Portland, on the southerly side of said Melbourne Street, bounded and described as follows:

Beginning on said street at the easterly corner of land, now or formerly of the W. Purington Estate; thence easterly along the southerly side line of said Melbourne Street to land now or formerly of Isaiah Lord; thence southerly along said Lord land to land formerly of Merchant Bank; thence westerly along land of said Bank to land now or formerly of said W. Purington Estate; thence northerly along said Purington land to the point of beginning. Said land is delineated and numbered 123 of a plan made for Moses Gould, a copy of which plan is recorded in Cumberland County Registry of Deeds in Plan Book 1, Page 41, to which plan reference is hereby made, said lot as per said plan having a width of forty (40) feet on said street and a depth of ninety (90) feet, more or less.

Meaning and intending to convey the same premises conveyed to the Grantor herein by Mary Shaw by deed dated December 1, 2010 and recorded in Cumberland County Registry of Deeds in Book 28344, Page 232, as affected by Corrective Deed of even or recent date to be recorded contemporaneously herewith.

Received
Recorded Register of Deeds
Sep 28, 2011 03:56:26P
Cumberland County
Pamela E. Lovley