

## CONSENT AGREEMENT

The parties, the City of Portland (the "City"), and Ward Capital, LLC ("Owner"), hereby enter into this Consent Agreement as follows:

WHEREAS, Owner is the owner and manager of a multi-unit residential property located at 251-253 Cumberland Avenue in Portland, Maine, shown as CBL 026 K008001 on the City of Portland Tax Maps (the "Premises");

WHEREAS, the City inspected the Premises on July 7, 2016, and Owner was notified of certain fire and life safety violations discovered during that inspection;

WHEREAS, Owner has not remedied the violations;

WHEREAS, the parties wish to settle this matter between them, and provide a date by which Owner will have fully remedied the violations.

NOW THEREFORE, the parties agree to the following:

1. Owner agrees to remedy the violations at the Premises no later than August 26, 2017, specifically:
  - a. Install all required fire doors, assemblies, and components, including numbering and self-closing hinges;
  - b. Remove all paneling in the hallways at the Premises and either skim coat the wall beneath or replace it with gypsum board so as to be compliant fire barrier;
  - c. Repair all emergency lighting at the Premises;
  - d. Remove fire extinguishers from the hallways at the Premises, or have them inspected;
  - e. Repair all holes in the stairwells at the Premises; and

f. Adjust all hinges and latches on existing fire doors so that they are self-closing and self-latching.

The violations shall be remedied to the satisfaction of the designated representative of the City of Portland Fire Department.

2. Owner agrees to schedule a reinspection of the Premises no later than August 26, 2017.
3. In exchange, the City agrees not to issue a summons for the outstanding violations, and to not seek civil penalties for the violations, so long as Owner continues to comply with this Agreement.
4. If Owner fails to remedy the violations in the timeframe described above, or complete an inspection in the timeframe described above, Owner admits liability to the City of Portland for civil penalties in the amount \$41,500, which amounts to \$100 per day from the date of the Notice of Violation until the deadline of August 26, 2017.

**SEEN AND AGREED,**

Date: 5/2/17

CITY OF PORTLAND

Capt. David Petrucci  
By: ~~Ed~~ David Petrucci  
Its: Fire Captain

5/11/2017

WARD CAPITAL, LLC

Edward Payne  
By: Edward Payne  
Its: Sole Member/Manager