

Portland, Maine



Yes. Life's good here.

Danielle P. West-Chuhta  
Corporation Counsel

Anne M. Torregrossa  
Associate Counsel

Michael I. Goldman  
Associate Counsel

July 14, 2016

**NOTICE OF INTENT TO PROSECUTE**

251 Cumberland LLC  
72 Sandy Point Road  
Yarmouth, Maine 04096

251 Cumberland, LLC  
c/o Thomas F. Jewell  
477 Congress Street  
Portland, Maine 04101

Ward Capital LLC  
139 Ashmont Street  
Portland, Maine 04103

Ward Capital LLC  
c/o Hawley R. Strait  
P.O. Box 9729  
Portland, Maine 04101-5029

RE: 251 Cumberland Avenue  
CBL026 K008001

To Whom it May Concern,

Please see the attached Inspection Violations. The City of Portland Fire Department has referred this matter to me for prosecution. In order to avoid prosecution, you must submit to Fire Prevention Bureau a plan of action to remedy the violations no later than **July 29, 2016**.

**YOUR FAILURE TO SUBMIT A PLAN OF ACTION  
WITHIN THE TIMEFRAME PROVIDED WILL RESULT IN  
LEGAL ACTION AND THE IMPOSITION OF CIVIL PENALTIES.**

Please feel free to contact Tori Ross of the Fire Prevention Bureau at (207)874-8400 with any questions. I look forward to your anticipated cooperation and appreciate your efforts to help keep the citizens of Portland safe.

Sincerely,

A handwritten signature in cursive script that reads "Anne Torregrossa".  
Anne M. Torregrossa  
Associate Corporation Counsel  
City of Portland

**CITY OF PORTLAND  
PORTLAND FIRE DEPARTMENT**

380 Congress Street  
Portland, Maine 04101

**Inspection Violations**

<b>Owner/Manager</b> 251 Cumberland Llc		<b>Inspector</b> Steven Hall	<b>Inspection Date</b> 7/7/2016
<b>Location</b> 251 Cumberland	<b>CBL</b> 026 K008001	<b>Status</b> Failed	<b>Inspection Type</b> Fire Company-FP Routine Inspec

<b>Code</b>	<b>Int/Ext</b>	<b>Floor</b>	<b>Unit No.</b>	<b>Area</b>	<b>Compliance Date</b>
-------------	----------------	--------------	-----------------	-------------	------------------------

1) 73.15

**Violation:** NFPA 101- 31.3.1.1.1 VERTICAL OPENINGS NOT FIRE RATED; VERTICAL OPENINGS SHALL BE ENCLOSED OR PROTECTED IN ACCORDANCE WITH SECTION 8.6.

**Notes:** PANELING ON THE WALLS IN THE STAIRWELL

2) 73.20

**Violation:** NFPA 101- 31.3.7 FLOOR/ CEILINGS ASSEMBLY NOT SMOKE-TIGHT; IN BUILDINGS OTHER THAN THOSE MEETING THE REQUIREMENTS OF 31.3.7.1, 31.3.7.2, 31.3.7.3, 31.3.7.4, OR 31.3.7.5, IN ADDITION TO THE FOLLOWING CRITERIA TO BE MET.

**Notes:** HOLES IN THE WALLS AND CEILING

3) 80.52

**Violation:** NFPA 101- 7.2.8.6.2 FIRE ESCAPE REQUIRES REPAIR; THE AUTHORITY HAVING JURISDICTION SHALL BE PERMITTED TO APPROVE ANY EXISTING FIRE ESCAPE STAIR THAT HAS BEEN SHOWN BY LOAD TEST OR OTHER SATISFACTORY EVIDENCE TO HAVE ADEQUATE STRENGTH.

**Notes:** TRASH ON FIRE ESCAPE UNABLE TO USE

4) 81.20

**Violation:** NFPA 10- 7.2.4.4 FIRE EXTINGUISHER INSPECTION TAG; Where manual inspections are conducted, records for manual inspections shall be kept on a tag or label attached to the fire extinguisher, on an inspection checklist maintained on file, or by an electronic method.

**Notes:** EXTINGUISHERS NEED SERVICE TESTING

5) 80.37

**Violation:** NFPA 101- 8.3.4.2 60 MINUTE FIRE DOOR REQUIRED; REFER TO NFPA 101- TABLE 8.3.4.2 THAT STATES FIRE DOOR ASSEMBLIES FOR VERTICAL SHAFTS (INCLUDING STAIRWAYS, EXITS, AND REFUSE CHUTES) ARE RATED AND REQUIRED FOR 1 HOUR.

**Notes:** FIRE DOORS THROUGHOUT

**Comments:**