MUNICIPAL COURT ACTION RECORD

HOUSING DIVISION - HEALTH DEPARTMENT
CITY OF PORTLAND

DOCKET NO. _____
LOCATION _____

A. OWNER - AGENT - TENANT _____ PHONE # _____

B. INSPECTOR (WITNESS) _____

DATES:

A. FIRST NOTICE _____ EXPIRED _____ NO. VIOLATIONS _____

B. ADMINISTRATIVE HEARING SET _____ APPEARED: YES _____ NO _____

C. RESULTS OF ADMIN. HEARING _____

D. ADMINISTRATIVE DECISION _____ TIME EXTENDED TO _____

E. FINAL NOTICE _____ NO. VIOLATIONS _____

F. LATEST RE-INSPECTION _____ NO. VIOLATIONS _____

G. TO CORPORATION COUNSEL - REQUEST FOR LEGAL ACTION _____ REQUEST RETURNED _____

H. DATE COMPLAINT FILED IN DISTRICT COURT _____

I. EXPLANATION FOR COURT ACTION _____

J. TO APPEAR AT DISTRICT COURT _____

COURT ACTION

DATE: 11-6-75

A. PLEA TO N. G.

JUDGE Devine

B. COUNTY ATTORNEY —

ATTORNEY —

PHONE _____

C. INSPECTOR Gendreau

TIME 1 hr. each

D. DISPOSITION Guilty - cont. to 11-20 for sentence

COURT ACTION

DATE: 11-20

A. PLEA TO ~~N.G.~~

JUDGE Devine

B. COUNTY ATTORNEY _____

ATTORNEY —

C. INSPECTOR Gendreau/MacIsaac

TIME ½ hr. each

D. DISPOSITION $50 fine

CHARLES A. LANE, ASSISTANT CORPORATION COUNSEL APRIL 28, 1975

LYLE D. NOYES, CHIEF OF HOUSING INSPECTIONS

REQUEST FOR LEGAL ACTION AGAINST: Mrs. Patricia A. Holman
40 Woodmoor Road, South Portland, Maine

Regarding: 227 CUMBERLAND AVE. &
229 CUMBERLAND AVE., PORTLAND,MAINE

FACTS CONSTITUTING VIOLATIONS:

47 Violations of the Housing Code as designated on the enclosed Final Notice on 227 Cumberland Avenue.

28 Violations of the Housing Code as designated on the enclosed Final Notice on 229 Cumberland Avenue.

ATTEMPTS TO OBTAIN VOLUNTARY COMPLIANCE:

1. NOTICE OF HOUSING CONDITIONS DATED 10-21-74
2. NOTICE OF HEARING DATED 1-7-75
3. ADMINISTRATIVE HEARING DECISION DATED 1-17-75
4. FINAL NOTICE DATED 3-19-75
5. The return receipt for the Final Notice on both properties is attached to 229 Cumberland. They were sent as one.

WITNESS:

DONALD A. GENDREAU

MUNICIPAL CODE OF THE CITY OF PORTLAND
CHAPTER 307, SECTIONS 3a, 3b, 3c, 3d, 3e
6d, 8e, 9c, 10(2)

STATE OF MAINE
VS
PATRICIA A. HOLMAN

On or about the 23rd day of APRIL, 1975, in the City of Portland, County of Cumberland, and State of Maine, the above defendant, PATRICIA A. HOLMAN did maintain the property owned by HERSELF at 229 CUMBERLAND AVENUE, PORTLAND, MAINE, being a multiple dwelling, in a condition that did not conform with minimum standards for dwellings in that she did maintain said premises with rotted, broken and missing porch decking, stringers and stairs; missing chimney mortar and bricks; loose chimney bricks; rotted and broken rails and decking of the fire escape; broken support of the fire escape; loose electrical light fixtures; missing junction box for exposed electrical connection; leaking oil line; rotted gutters; leaking faucets; missing putty; loose and missing wall plaster; rotted window sill; broken window glass; signs of ceiling leakage; loose window sash; and broken latch on fire escape door, providing unsafe and insanitary housing conditions, after receiving notice from DONALD A. GENDREAU, Authorized Representative of the Health Officer of the City of Portland, and did fail to correct said conditions within a reasonable time after receipt thereof, said notice having been served on the defendant, PATRICIA A. HOLMAN, 40 WOODMOOR ROAD, SOUTH PORTLAND, MAINE on MARCH 21, 1975.

WITNESS:

DONALD A. GENDREAU

DATE TO APPEAR:
JUNE 3, 1975 @ 10 A.M.

DATE FILED IN DISTRICT COURT:

MAY 15, 1975

March 19, 1975

Mrs. Patricia A. Holman
40 Woodmoor Road
South Portland, Maine 04106

Re: 229 Cumberland Avenue, Portland, Maine
26-0-19

Dear Mrs. Holman:

As owner or agent of the above referred property, you were notified on Oct. 23, 1974, by Certified United States mail receipt #121840, to correct certain substandard conditions in violation of Chapter 307 of the City of Portland Municipal Codes "Minimum Standards for Housing". Several re-inspections have been made and we find that you have not complied with our request.

A final re-inspection was made on March 18, 1975, by Housing Inspector Gendreau and, as a result, you are heeeby ordered to correct the violations listed below on or before April 19, 1975.

Sincerely yours,
David C. Bittenbender
Acting Health Director

Inspector Donald C. Gendreau
D. Gendreau

By Kyle D. Noyes
Chief of Housing Inspections

EXISTING VIOLATIONS OF CHAPTER 307 OF THE CITY OF PORTLAND MUNICIPAL CODE — SECTION(S)

1. Replace the rotted, broken and missing decking, stringers and stairs - first floor left rear porch. — 3d
2. Point up the left rear exterior chimney. — 3e
3. Replace the missing bricks - left rear exterior chimney. — 3e
4. Replace the rotted and broken rails and decking of fire escape - second and third floor left middle exterior wall. — 10
5. Replace the broken support of fire escape - first floor left middle exterior wall. — 10
6. Repair the loose electric light fixture - cellar ceiling. — 8e
7. Provide a junction box for exposed connection -cellar ceiling. — 8e
8. Repair the leaking oil line to water heater - cellar floor. — 9c
9. Repair the rotted gutter - front exterior wall. — 3a

First Floor - front

10. Replace the missing putty - living room and kitchen windows. — 3c
11. Provide a cover for the exposed wiring - living room ceiling. — 8e
12. Repair the leaking faucet - bathroom lavatory. — 6d
13. Install a three-piece bath within the walls of this dwelling unit consisting of a lavatory, flush toilet and bathtub or shower. — 6a

continued .....

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered ..... 15¢
- ☐ Show to whom, date, & address of delivery .. 35¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered ..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery ..... 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	486770	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

Mrs. Patricia Holman

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO : 1974 [illegible] - 521-803

229 Cumberland Ave

LDN

229 Cumberland Ave. (NOHC 10-21-74)

	First Floor - rear	
14.	Replace the missing plaster on the kitchen wall.	3b
15.	Replace the missing putty - kitchen, living room and bedroom windows.	3c
16.	Replace the rotted sill - kitchen window.	3c
17.	Replace the leaking faucet - kitchen sink.	6d
18.	Replace the broken glass - living room window.	3c
19.	Install a three-piece bath within the walls of this dwelling unit consisting of a flush toilet, lavatory and bathtub or shower.	6a
	Second Floor - rear	
20.	Determine the reason and remedy the condition that causes signs of leakage on the kitchen and living room ceilings.	3b
	Third Floor	
21.	Determine the reason and remedy the condition that causes the bathroom ceiling to leak.	3b
22.	Repair or replace the loose sash - right front bedroom window.	3c
23.	Replace the broken parting bead - right front bedroom window.	3c
24.	Repair or replace the broken latch on fire escape door.	3c
	Second Floor - left	
	ADDITIONAL VIOLATIONS FOUND BY INSPECTOR GENDREAU ON MARCH 18, 1975	
25.	Replace the missing putty in the windows of the kitchen and bedroom.	3c
26.	Remove the peeling paint in the kitchen ceiling.	3b
27.	Replace the loose, missing plaster on the wall of the left rear bedroom.	3b
28.	Install a 3-piece bath within the walls of the dwelling unit consisting of a lavatory, flush toilet, and a bathtub or shower.	6a

LDN:rl

LDN/72

NOTICE OF HOUSING CONDITIONS

DU 5

CITY OF PORTLAND
Health Department - Housing Division
Telephone 775-5451 - Extension 448

26-0-19
Location: 229 Cumberland Avenue
Project: General
Issued: 10-21-74
Expires: 1.-21-74

Mrs. Patricia L. Holman
40 Woodmoor Road
South Portland, Maine 04106

Dear Mrs. Holman

An examination was made of the premises at 229 Cumberland Avenue Portland, Maine, by Housing Inspector Gendreau. Violations of Municipal Codes relating to housing conditions were found as described in detail below.

In accordance with provisions of the above mentioned Codes, you are requested to correct these defects on or before December21, 1974. You may contact this office to arrange a satisfactory repair schedule if you are unable to make such repairs within the specified time. We will assume the repairs to be in progress if we do not hear from you within ten days from this date and, on re-inspection within the time set forth above, will anticipate that the premises have been brought into compliance with Code Standards.

Your cooperation will help this Department in its goal to maintain all Portland residents in decent, safe and sanitary housing.

Very truly yours,

Arthur A. Hughson, CPH, MPH
Health Director

Inspector

By
Chief of Housing Inspections

EXISTING VIOLATIONS OF CHAPTER 307 - "MINIMUM STANDARDS FOR HOUSING"	Section(s)
*1. Replace the rotted, broken and missing decking, stringers and stairs - first floor left rear porch.	3-d
*2. Point up the left rear exterior chimney.	3-e
*3. Replace the missing bricks - left rear exterior chimney.	3-e
*4. Replace the rotted and broken rails and decking of fire escape - second and third floor left middle exterior wall.	10
*5. Replace the broken support of fire escape - first floor left middle exterior wall.	10
6. Repair the loose electric light fixture - cellar ceiling.	8-e
7. Provide a junction box for exposed connection - cellar ceiling.	8-e
*8. Repair the leaking oil line to water heater - cellar floor.	9-c
9. Repair the rotted gutter - front exterior wall.	3-a
First Floor - front	
10. Replace the missing putty - living room and kitchen windows.	3-c
11. Provide a cover for the exposed wiring - living room ceiling.	8-e
12. Repair the leaking faucet - bathroom lavatory.	6-d
*13. Install a three-piece bath within the walls of this dwelling unit consisting of a lavatory, flush toilet and bathtub or shower.	6-a
First Floor - rear	
14. Secure the loose thermostat - living room wall.	9-c
15. REplace the missing plaster on the kitchen wall.	3-b
16. Replace the missing putty - kitchen, living room and bedroom windows.	3-c
17. Replace the rotted sill - kitchen window.	3-c

continued -

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery ..... 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	121840	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

Mrs. Patricia A. Holmes

4. DATE OF DELIVERY | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

229 Cumberland Ave.

● GPO : 1974 O - 527-803

229 Cumberland Avenue - continued

First Floor - rear - continued

18.	Replace the leaking faucet - kitchen sink.	6-d
*19.	Replace the broken glass - living room window.	3-c
*20.	Install a three-piece bath within the walls of this dwelling unit consisting of a flush toilet, lavatory and bathtub or shower.	6-a

Second Floor - front

At the time of the survey, we were unable to gain access to this apartment. We suggest that if there are any conditions which need correcting in this apartment that you make the repairs while doing the work on the rest of the structure.

Second Floor - rear

21.	Determine the reason and remedy the condition that causes signs of leakage on the kitchen and living room ceilings.	3-b

Third Floor

22.	Determine the reason and remedy the condition that causes the bathroom ceiling to leak.	3-b
23.	Repair or replace the loose sash - right front bedroom window.	3-c
24.	Replace the broken parting bead - right front bedroom window.	3-c
25.	Repair or replace the broken latch on fire escape door.	3-c

* WHEN MAKING YOUR REPAIRS, FIRST PRIORITY IS TO BE GIVEN TO ITEMS WITH ASTERISKS, AS THEY CONSTITUTE EXTREME HAZARDS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF THIS STRUCTURE.

Inspection Services
Samuel P. Hoffses
Chief

CITY OF PORTLAND

Planning and Urban Development
Joseph E. Gray Jr.
Director

June 16, 1994

FRANKLIN SARA E
166 BRENTWOOD ST
PORTLAND ME 04103

Re: 229 Cumberland Ave
CBL: 026- - O-019-001-01
D: 6

Dear Ms. Franklin:

You are hereby notified, as owner or agent, that an inspection was made of the above referenced property. Violations of Article V of the Municipal Ordinance (Housing Code) were found as described in detail on the attached "Housing Inspections Report".

In accordance with the provisions of the above mentioned Code, you are hereby ordered to correct those defects within sixty (60) days. If you are unable to make such repairs within the specified time, you may contact this office to arrange a satisfactory repair schedule. If we do not hear from you within ten (10) days from this date, we will assume the repairs to be in progress and, on re-inspection within the time set forth above, will anticipate that the premises have been brought into compliance with the Housing Code Standards.

Please Note: You should consult this department to insure that any corrective action you should undertake complies with the building, plumbing, electrical, zoning and other Articles of the City Code.

Please contact this office if you have any questions regarding this order.

Your cooperation will aid this department in it's goal to maintain decent, safe, and sanitary housing for all of Portland's residents.

Sincerely,

Tammy Munson
Tammy Munson
Code Enforcement Officer

Marge Schmuckal
Marge Schmuckal
Asst. Chief of Inspection Services

HOUSING INSPECTION REPORT

Location: 129 Cumberland Ave
Housing Conditions Date: June 16, 1994
Expiration Date: August 15, 1994

Items listed below are in violation of Article V of the Municipal Codes, "Housing Codes", and must be corrected before the expiration date:

1.	INT - 1ST FL; APT #1 - BATHROOM NO VENTILATION	112.00
2.	INT - HALLS - THROUGHOUT - REPAIR CRACKED & DAMAGED GYPSUM	108.20