

Back Bay Tower
401 Cumberland Avenue
Portland, Maine 04101
(207) 772-7050

September 21st, 2016

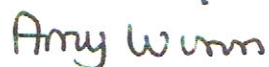
Anne M. Torregrossa
Associate Corporation Counsel
City of Portland
380 Congress Street
Portland, Maine 04101

Dear Ms. Torregrossa,

Enclosed please find the **Notice of Violation and Order to Correct**. I have also enclosed an invoice for the lighting that was found to be not working properly and a completed work order from Eastern Fire regarding a leak in our main dry system which was completed September 1st, 2016. This was not listed as a violation but was discovered during our inspection.

Please let me know if you require any additional information.

Sincerely,



Amy Winn, Property Manager

Enc: Notice of Intent to Prosecute

Notice of Violation and Order to Correct

TA Napolitano Invoice for Lighting Corrections

Completed Work Order for Dry System Pipe Replacement

(not listed as a violation but discovered during
Inspection)

Portland, Maine



Yes. Life's good here.

Danielle P. West-Chuhta
Corporation Counsel

Michael I. Goldman
Associate Counsel

Anne M. Torregrossa
Associate Counsel

Victoria E. Morales
Associate Counsel

NOTICE OF INTENT TO PROSECUTE

To Whom it May Concern,

Please see the attached Notice of Violation and Order to Correct from the City of Portland Fire Prevention Bureau. The Fire Prevention Bureau has referred this matter to me for prosecution in the event that you do not complete and return the required plan of action by the date contained in the Notice of Violation. Your failure to comply will result in the issuance of a summons for you to appear in court, and the imposition of civil penalties in the minimum amount of \$100 per violation per day.

Please contact the Fire Prevention Bureau at (207)874-8400 to resolve these outstanding violations. I look forward to your anticipated cooperation and appreciate your efforts to help keep the citizens of Portland safe.

Sincerely,

Anne M. Torregrossa
Associate Corporation Counsel
City of Portland

CITY OF PORTLAND
 FIRE PREVENTION BUREAU
 380 Congress Street, Portland, Maine 04101
 fireprevention@portlandmaine.gov
 (207) 874-8400

NOTICE OF VIOLATION AND ORDER TO CORRECT

September 9, 2016

Responsible Party 1: SEAFORTH HOUSING LLC 275 BATTERY ST STE 500 SAN FRANCISCO, CA 94111		Responsible Party 2: Winn Amy 401 Cumberland Avenue Portland, ME 04101
Location 0401 CUMBERLAND AVE	CBL 036 I037001	Inspection Date 8/22/2016
Inspector Sean Donaghue	Inspection Type FP Routine Inspection	Status Failed

The City of Portland Fire Department inspected this property, and found the fire and life safety code violations listed below, which you are hereby ordered to correct. You must complete the proposed date of completion column by proposing a reasonable timeframe to remedy each violation. This form must be received by the Fire Prevention Bureau no later than 9/30/2016. The Bureau reserves the right to reject or modify any proposed plan of action, and may require evidence of sufficient financial and technical capacity to complete the proposed plan. Please contact the Bureau with any questions.

YOUR FAILURE TO SUBMIT A PLAN OF ACTION BY THE DATE PROVIDED, OR TO CORRECT ANY VIOLATION WITHIN THE APPLICABLE TIME FRAME, MAY RESULT IN LEGAL ACTION AGAINST YOU, THE IMPOSITION OF CIVIL PENALTIES, AND THE PURSUIT OF OTHER LEGAL REMEDIES.

Violation	Proposed Date of Completion
<p>NFPA 101-7.9.3 EMERGENCY LIGHTS REQUIRE MAINTENANCE; 7.9.3 Periodic Testing of Emergency Equipment 7.9.3.1 Required emergency lighting systems shall be tested in accordance with one of the three options offered by 7.9.3.1.1, 7.9.3.1.2, or 7.9.3.1.3. 7.9.3.1.1 Testing of required emergency lighting systems shall be permitted to be conducted as follows: (1) Functional testing shall be conducted monthly with a minimum of 3 weeks and a maximum of 5 weeks between tests, for not less than 30 seconds, except as otherwise permitted by 7.9.3.1.1(2). (2) The test interval shall be permitted to be extended beyond 30 days with the approval of the authority having jurisdiction. (3) Functional testing shall be conducted annually for a minimum 1-1/2 hours if the emergency lighting system is battery powered. (4) The emergency lighting equipment shall be fully operational for the duration of the test required by 7.9.3.1.1(1) and (3). (5) Written records of visual inspections and tests shall be kept by the owner for inspection by the authority having jurisdiction.</p> <p>Likeablelocal above thermostat, Proactive in front entrance sitting area, unable to verify presence of backup lighting on the living floors (believe regular hallway lighting doubles as emergency lighting but unable to test and verify, please be prepared to help us test these lights on re-inspection), please review and test all emergency lights throughout the building</p>	<p><u>09 / 30 / 2016</u></p>

Violation	Proposed Date of Completion
<p>NFPA 101-7.10.9 TESTING AND MAINTENANCE EXIT SIGNS REQUIRE MAINTENANCE; 7.10.9.1 Inspections. Exit signs shall be visually inspected for operation of the illumination sources at intervals not to exceed 30 days. 7.10.9.2 Testing. Exit signs connected to, or powered with, a battery-operated emergency illumination source shall be tested and maintained in accordance with 7.9.3. 7.9.3 Periodic Testing of Emergency Equipment 7.9.3.1 Required emergency lighting systems shall be tested in accordance with one of the three options offered by 7.9.3.1.1, 7.9.3.1.2, or 7.9.3.1.3. 7.9.3.1.1 Testing of required emergency lighting systems shall be permitted to be conducted as follows: (1) Functional testing shall be conducted monthly with a minimum of 3 weeks and a maximum of 5 weeks between tests, for not less than 30 seconds, except as otherwise permitted by 7.9.3.1.1(2). (2) The test interval shall be permitted to be extended beyond 30 days with the approval of the authority having jurisdiction. (3) Functional testing shall be conducted annually for a minimum 1-1/2 hours if the emergency lighting system is battery powered. (4) The emergency lighting equipment shall be fully operational for the duration of the test required by 7.9.3.1.1(1) and (3). (5) Written records of visual inspections and tests shall be kept by the owner for inspection by the authority having jurisdiction.</p> <p>16 floor by 1607, Colonial directly above front entry door, 1st floor exercise room near rear door. Please review and test all exit signs in the building</p>	<p>08/30/2016</p>
<p>NFPA 101- 7.2.1.15.8 FIRE DOOR ASSEMBLY REQ REPAIR; Door openings not in proper operating condition shall be repaired or replaced without delay.</p> <p>Main stairwell located directly ahead of main entry door fire door doesn't close completely</p>	<p>08/23/16</p>
<p>NFPA 70- 4.10.8 BROKEN LIGHT FIXTURE; Luminaries shall be installed such that the connections between the luminaire conductors and circuit conductors can be inspected without requiring the disconnection of any part of the wiring unless the luminaries are connected by attachment plugs and receptacles.</p> <p>Believe between floor 6 and 7, one light in stairwell is not illuminated at all</p>	<p>08/30/16</p>
<p>PORTLAND FIRE DEPARTMENT CHAPTER 10 FIRE ALARM INSPECTION STICKER REQUIRED; Provide annual fire alarm inspection sticker at the annunciator. This sticker must be provided by a licensed master fire alarm company. A list of licensed master fire alarm companies can be found at: www.portlandmaine.gov/fireprevention.</p> <p>Current City of Portland inspection sticker isn't displayed, 12-14-13 is the current next inspection date</p>	<p>08/22/16</p>
<p>NFPA 13 SPRINKLER SYSTEM INSPECTION TAG; NFPA 13 covers the annual maintenance, inspection, and record keeping requirements for sprinkler system inspection tags.</p>	<p>___/___/___</p>
<p>NFPA 13- 8.1.2 SPRINKLER SYSTEM REQUIRES SERVICE; System valves and gauges shall be accessible for operation, inspection, tests, and maintenance.</p> <p>Active leak of the wet system noted in the sprinkler room</p>	<p>___/___/___</p>
<p>NFPA 70 MISSING BOX COVERS; Refer to NFPA 70, National Electrical Code, on standards for missing box covers.</p> <p>Pool mechanical room in upper parking level, above heaters, large open junction box with exposed wiring connections present</p>	<p>08/30/16</p>
<p>NFPA 1 EXCESSIVE/DISORDERLY STORAGE; Reference NFPA 1 for excessive fuel-load.</p> <p>Upper parking level electrical switchboard room requires significant removal of storage/debris, nothing is allowed within 36" in the front and up to 30" to the sides of any electrical panel</p>	<p>09/20/16</p>
<p>NFPA 1 EXCESSIVE/DISORDERLY STORAGE; Reference NFPA 1 for excessive fuel-load.</p> <p>Electrical rooms on every living floor require removal of storage/debris. Nothing is allowed with 36" in front of or within 30" to the side of any electrical panel. Please remove debris from electrical rooms on every living floor.</p>	<p>09/20/16</p>

Violation	Proposed Date of Completion
PORTLAND FIRE DEPARTMENT CHAPTER 10 FIRE ALARM SYSTEM REQUIRES SERVICE; Fire alarm system requires service by a licensed master fire alarm company. A list of licensed master fire alarm companies can be viewed at: www.portlandmaine.gov/fireprevention . Main panel and remote panel in garage shall be in compliance. Correct "trouble" condition on garage panel. Provide test documentation that confirms alarm arrangement.	____/____/____

VIOLATOR CERTIFICATION

I agree to remedy the violations listed within the timeframes provided. If I require additional time to comply, I understand that I must contact the Fire Prevention Bureau prior to the deadline to request an extension, which is entirely within the Bureau's discretion to grant or deny.

I further understand that it is my responsibility to schedule a reinspection of my property once the violations have been remedied to do so. My failure to schedule a reinspection shall be deemed an admission that the violations have not been remedied.

If I fail to comply with this agreement, I understand that I am liable for penalties pursuant to the City of Portland Code of Ordinances §§ 1-15 and 10-25, and 30-A M.R.S. § 4452 and may be subject to further legal action.

09/21/2016
Date

Amy Wynn
Responsible Party

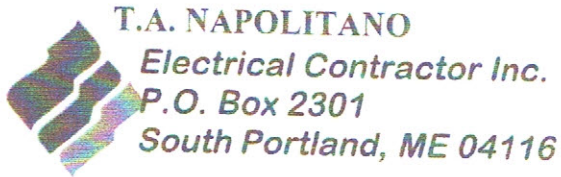
Date

Responsible Party

SEEN AND AGREED

Date

Fire Prevention Bureau



We accept - Visa - Mastercard- Discover-American Express		
Card Number		CVV Code*
Signature		Exp. Date
Date	Invoice #	Balance Due
8/30/2016	37530	\$937.80
Authorized Amount		

Back Bay Towers
Attn; Amy Winn
401 Cumberland Avenue
Portland, ME 04102

CVV* - 3 digit code on back of visa, m/c, and discover cards
 or 4 digit code on front of american express card

Please check box if address is incorrect or has changed, and indicate change(s) on reverse side.

New e-mail address? Enter here: _____

T.A. NAPOLITANO
 Electrical Contractor Inc.
 P.O. Box 2301
 South Portland, ME 04116
 Phone # 207-799-0538

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT.

Invoice

Invoice #
37530

Qty	Description	Rate	Amount
	1. Replace exit 2. Replace burnt lamps in stairway 3. Install J-boxes		
1	Total Materials- J-box covers, florescent lamps, misc connectors	157.80	157.80
10	Labor Rate per Hour 8/24/16 TN	78.00	780.00

A service charge of 1.5% per month (18% annually) will be charged on all balances not paid within 30 days. A 40% fee based on unpaid balance of your account will be charged for any accounts placed with our collections agency

Total	\$937.80
Payments/Credits	\$0.00
Balance Due	\$937.80

Eastern Fire

IFS EFP

WHITE COPY TO OFFICE

Auburn Ph 207.795.6314 * Fax 207.782.0566
 Bangor Ph 207.942.8014 * Fax 207.942.5202
 170 Kinyhawk Ave, Auburn, ME 04210
 408 Harlow St, Bangor, ME 04401

INVOICE
 TO
 Back Bay Towers
 401 Cumberland Ave.
 Portland Me.

Work Order No:

75940

DATE 9-1-16 TN

CUST. PO#

Check one SPRK ALARM GAS

CHECK LIST

Alarm system normal
 Alarm Co called
 FD called
 CVs open
 Comp on
 QOD on
 Alarm line on
 Fire pump on
 Y = Yes / N = No
 Blank = NA
 Explain All N's

JOB NAME

JOB LOCATION

JOB ADDRESS

CONTACT

PHONE

MATERIALS USED

From (pipe listed at shop.)
 2) 3" copl. nss
 1) 1/4" air gauge

System owner is responsible for maintaining adequate heat to prevent freezing, draining low point condensation, providing electricity and promptly reporting and responding to any alarm or supervisory conditions. System owner should purchase copies of applicable NFPA Standards (nfpa.org) including, but not limited to, NFPA 25 and 72.

FIELD PURCHASED MATERIALS AND RENTALS

	Arrive Time	AM or PM	LABOR	HRS	RATE	AMOUNT	DESCRIPTION OF WORK REMAINING	
							Complete <input checked="" type="checkbox"/>	Open <input type="checkbox"/>
1.	Depart Time	AM or PM	Foreman					
2.	Off hrs call out	Y or N	Helper					
3.	Worker Names		Design					
4.			Fab					
ACCEPTED BY <i>Amey Leann</i>			Material					
FOREMAN <i>Alan Leann</i>			Rental					
OFFICE USE			Other					
DATE 9-1-16			TOTAL					

1. Non-quoted job (T&M) start TN for remaining work (check one)

2. Quoted job installation % complete for billing (TN will remain open till 100%):

3. If RFQ attached please email for follow up to: