Portland, Maine | Yes. Life's good here.

Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 02/09/17

# Department of Permitting and Inspections

## *Electronic Signature and Fee Payment Confirmation*

*Notice: Your electronic signature is considered a legal signature per state law.*

By digitally signing the attached document(s), you are signifying your understanding that this is a legal document and your electronic signature is considered a ***legal signature*** per Maine state law. You are also signifying your intent on paying your fees by the selections below.

1. Once the complete application package has been received by us, and entered into the system
2. You will receive an e-mailed invoice from our office which signifies that your electronic permit application and corresponding paperwork have been entered, ready for payment, to begin the process.
3. You then have the following four (4) payment options:

☐ provide an on-line electronic check or credit/debit card (we accept American Express, Discover, VISA, and MasterCard) payment

☐ call the Inspections Office at (207) 874-8703 and speak to an administrative representative to provide a credit/debit card payment over the phone

☐ hand-deliver a payment method to the Inspections Office, Room 315, Portland City Hall

☑ deliver a payment method through the U.S. Postal Service, at the following address:

**City of Portland**
**Department of Permitting and Inspections**
**389 Congress Street, Room 315**
**Portland, Maine 04101**

By signing below, I understand the review process starts only once my payment has been received. After all approvals have been met and completed, I will then be issued my permit and it will be sent via e-mail. ***No work shall be started until I have received my permit.***

Applicant Signature: _____ Date: 10/11/16

I have provided digital copies and sent them on: Date: 10/12/16

NOTE: All electronic paperwork must be delivered to buildinginspections@portlandmaine.gov or by physical means ie; a thumb drive or CD to the office.

# General Building Permit Application

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If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

| | | |
|---|---|---|
| **Address/Location of Construction:** 773 Congress Street | | |
| **Total Square Footage of Proposed Structure:** | 5283 | |
| **Tax Assessor's Chart, Block & Lot**<br>Chart# 47 Block# A Lot# 16 | **Applicant Name:** 773 Congress, LLC<br>Address 110 Marginal Way Suite 292<br>City, State & Zip Portland, Maine 04101 | Telephone: 807-9218<br>Email: jbenn617@gmail.com |
| **Lessee/Owner Name:**<br>(if different than applicant)<br>Address:<br>City, State & Zip:<br>Telephone<br>E-mail: | **Contractor Name:**<br>(if different from Applicant)<br>Address:<br>City, State & Zip:<br>Telephone<br>E-mail: | Cost of Work: $ Admin fee - $750<br>C of O Fee: $ 500<br>Historic Rev $<br>Total **Fees:** $ 1250.00 |

**Current Use** (i.e. single family) vacant

**If vacant, what was the previous use?** 4 family plus one commercial unit

**Proposed Specific use:** mixed-use condominium (4 residential, 1 commercial)

Is property part of a subdivision? If yes, please Name

**Project description:** Conversion of 4-family rental building with one commercial unit to four residential condominiums with one commercial condominium unit

**Who should we contact when the permit is ready:** Nathaniel R. Huckel-Bauer

**Address:** Drummond & Drummond, LLP

**City, State & Zip:** One Monument Way, Portland, Maine 04101

**E-mail Address:** nhb@ddlaw.com

**Telephone:** 774-0317

**Please submit all of the information outlined on the applicable checklist. Failure to do so causes an automatic permit denial.**

In order to be sure the City fully understands the full scope of the project, the Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Department of Permitting and Inspections on-line at www.portlandmaine.gov, or stop by the office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

**Signature:** **Date:** 10/11/16

**This is not a permit; you may not commence ANY work until the permit is issued.**

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## *SUBMIT WITH CONDOMINIUM CONVERSION PERMIT APPLICATION*

## PROJECT DATA:

**ADDRESS:** 773 Congress Street

**Chart/Block/Lot(CBL):** 47-A-16

**Number of legal dwelling unit in building:** 4

| | Tenant Name | Tenant Telephone # | Occupancy Length | Date of Notice | Eligible for $? |
|---|---|---|---|---|---|
| Unit 1: | Camille Robbins | unknown | since 6/1/15 | 9/28/16 | No |
| Unit 2: | Adrienne Stauffer | unknown | since 1/1/15 | 9/28/16 | No |
| Unit 3: | Christine Remillard | unknown | since 12/1/14 | 9/28/16 | No |
| Unit 4: | Vacant on purchase (see attached email from prior property manager) | | | | |
| Unit 5: | Commercial unit - vacant on purchase | | | | |
| Unit 6: | | | | | |
| Unit 7: | (Tenant notice letters hand delivered to tenant mailboxes and under unit doors | | | | |
| Unit 8: | | | | | |
| Unit 9: | | | | | |
| Unit 10: | | | | | |

***If more than 10 units, submit same information on all units on a separate piece of paper (or back of this one)***

Length of time building owned by applicant: since 8/30/16 (1.5 months)

Are any building improvements, renovations, or modifications being made associated with this conversion that requires a building, plumbing, electrical or HVAC permit? YES X NO____ (check ONE)

Type and cost of building improvements, associated with this conversion, that do NOT require permits:

$ 10,000 Exterior walls, windows, doors, roof

$ _____ Insulation

$ 35,000 Interior Cosmetics (walls/floors/hallways/refinishing, etc.)

$ _____ OTHER (specify)

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**773 Congress, LLC**
110 Marginal Way, Suite 292
Portland, ME 04101

September 28, 2016

By hand delivery
Adrienne Stauffer and all other occupants
773 Congress Street #2
Portland, Maine 04101

RE: 773 Congress Street, Portland, Maine
Notification of Condominium Conversion

Dear Adrienne Stauffer:

This letter will serve as notification to you of our intent to convert our property at 773 Congress Street, Portland, Maine from rental units to condominium units. In doing this we are required to follow the City of Portland's land use ordinance Article VII on Condominium Conversion. The following information spells out the guidelines for the "Protection of tenants" as described in Sec. 14-568 and Sec. 14-569:

Sec. 14-568. Protection of Tenants.

(a) Notice of intent to convert. A developer shall give to each tenant written notice of intent to convert at least one hundred twenty (120) days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four (4) consecutive years, the notice period shall be increased by thirty (30) additional days for each additional year, or fraction thereof, to a maximum of two hundred forty (240) additional days. The notice shall set forth specifically the rights of tenants under subsections (a) and (b) of this section and section 14-569, and shall contain the following statement:

*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, Maine 04101 (telephone: 874-8703).*

If the notice specifies a date by which the tenant is required to vacate, the notice may also serve as a notice of termination under the applicable law of forcible entry and detainer, if it meets the requirements thereof. The notice shall be hand-delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be

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effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within one hundred twenty (120) days after a tenant is required by a developer to vacate, the developer records a declaration of condominium without having given notice as required herein, the developer shall be presumed to have converted in violation of this article.

(b) Option to purchase. For a sixty-day period following the giving of notice as required in subsection (a), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the sixty-day period, the developer may not convey or offer to convey the unit to any other person during the following one hundred eighty (180) days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional sixty-day period. This subsection shall not apply to any rental unit that, when converted, will be restricted exclusively to nonresidential use. If, within two (2) years after a developer records a declaration of condominium, the use of any such unit is changed such that but for the preceding sentence, this subsection would have applied, the developer shall be presumed to have converted in violation of this article.

Sec. 14-569. Relocation payments.

If the tenant does not purchase the unit, the developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two (2) months; provided that this requirement shall not apply to any tenant whose gross income exceeds eighty (80) percent of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development at the time notice is given as required in section 14-568(a). Additionally, the developer shall, upon demand, provide assistance to the tenant in the form of referrals to other reasonable accommodations and in determining the tenant's eligibility for relocation payments as provided herein.

Currently, eighty percent (80%) of the Median Income of the Portland SMSA guideline, adjusted for family size, is as follows:

| 1 Person | 2 Person | 3 Person | 4 Person | 5 Person | 6 Person |
|---|---|---|---|---|---|
| $43,050 | $49,200 | $55,350 | $61,450 | $66,400 | $71,300 |

The units in your building will undergo substantial renovations before being offered for sale to the public. If you are interested in purchasing your unit, please contact us so we can discuss pricing details. We will need your unit to be vacant to accommodate the planned

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renovations. Since you have been a tenant at the property for less than four years and we are ready to proceed with renovations as soon as your unit is available, we will need you to vacate your unit no later than 120 days from this notice. If you intend to vacate your unit sooner, please let us know so we can plan accordingly.

If you have any questions about this, please contact:

Jeremy Benn, Manager
773 Congress, LLC
110 Marginal Way, Suite 292
Portland, ME 04101
jeremy@joeflynnrealestate.com

Very truly yours,

773 Congress, LLC

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**773 Congress, LLC**
110 Marginal Way, Suite 292
Portland, ME 04101

September 28, 2016

By hand delivery
Christine Remillard and all other occupants
773 Congress Street #3
Portland, Maine 04101

RE: 773 Congress Street, Portland, Maine
Notification of Condominium Conversion

Dear Christine Remillard:

This letter will serve as notification to you of our intent to convert our property at 773 Congress Street, Portland, Maine from rental units to condominium units. In doing this we are required to follow the City of Portland's land use ordinance Article VII on Condominium Conversion. The following information spells out the guidelines for the "Protection of tenants" as described in Sec. 14-568 and Sec. 14-569:

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*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, Maine 04101 (telephone: 874-8703).*

If the notice specifies a date by which the tenant is required to vacate, the notice may also serve as a notice of termination under the applicable law of forcible entry and detainer, if it meets the requirements thereof. The notice shall be hand-delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be

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(b) Option to purchase. For a sixty-day period following the giving of notice as required in subsection (a), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the sixty-day period, the developer may not convey or offer to convey the unit to any other person during the following one hundred eighty (180) days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional sixty-day period. This subsection shall not apply to any rental unit that, when converted, will be restricted exclusively to nonresidential use. If, within two (2) years after a developer records a declaration of condominium, the use of any such unit is changed such that but for the preceding sentence, this subsection would have applied, the developer shall be presumed to have converted in violation of this article.

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The units in your building will undergo substantial renovations before being offered for sale to the public. If you are interested in purchasing your unit, please contact us so we can discuss pricing details. We will need your unit to be vacant to accommodate the planned

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If you have any questions about this, please contact:

Jeremy Benn, Manager
773 Congress, LLC
110 Marginal Way, Suite 292
Portland, ME 04101
jeremy@joeflynnrealestate.com

Very truly yours,

773 Congress, LLC

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**773 Congress, LLC**
110 Marginal Way, Suite 292
Portland, ME 04101

September 28, 2016

By hand delivery
Camille Robbins and all other occupants
773 Congress Street #1
Portland, Maine 04101

RE: 773 Congress Street, Portland, Maine
Notification of Condominium Conversion

Dear Camille Robbins:

This letter will serve as notification to you of our intent to convert our property at 773 Congress Street, Portland, Maine from rental units to condominium units. In doing this we are required to follow the City of Portland's land use ordinance Article VII on Condominium Conversion. The following information spells out the guidelines for the "Protection of tenants" as described in Sec. 14-568 and Sec. 14-569:

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If you have any questions about this, please contact:

Jeremy Benn, Manager
773 Congress, LLC
110 Marginal Way, Suite 292
Portland, ME 04101
jeremy@joeflynnrealestate.com

Very truly yours,

773 Congress, LLC

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## Huckel-Bauer, Nathaniel R.

**From:** Ryan Priest <Ryan@southernmainerentals.com>
**Sent:** Wednesday, September 28, 2016 3:37 PM
**To:** Huckel-Bauer, Nathaniel R.
**Subject:** Re: 773 Congress unit 4 - vacant on sale

Confirmed

Ryan Priest, President
*Southern Maine Rentals, LLC*
91 Auburn St STE 1075
Portland ME 04103
Office: 207-776-4598

On Sep 28, 2016, at 11:26 AM, Huckel-Bauer, Nathaniel R. <NHuckel-Bauer@DDLAW.COM> wrote:

> Ryan, can you confirm that 773 Congress Street residential unit 4 was vacant at the time of the sale to 773 Congress, LLC (August)? They need the info for a permit application.
>
> Thanks
>
> Nate
>
> Nathaniel R. Huckel-Bauer, Esq.
> Drummond & Drummond, LLP
> One Monument Way
> Portland, ME 04101
> (207) 774-0317 (tel)
> (207) 761-4690 (fax)
>
> Connect with me on LinkedIn: http://www.linkedin.com/in/nhuckelbauer
>
> Nate's bio: www.ddlaw.com/nhuckelbauer.html
>
> Firm website: www.ddlaw.com

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CONFIDENTIALITY NOTICE: The information contained in this message and any attachments is legally privileged and confidential intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message or any attachments is strictly prohibited. If you are not the intended recipient, please reply to the sender that this message was misdirected, delete the message and any attachments and do not retain any copies. This message and any attachments may contain opinions, conclusions, and other information that do not relate to the official business of Drummond & Drummond, LLP. If so, Drummond & Drummond, LLP does not endorse them.