

6 November 2015

Assistant Fire Chief Keith Gautreau
380 Congress Street
Portland, Maine 04101

Re: Solution Plans for Inspection Violations
130 Park Avenue - POA
Portland, Maine 04101

Dear Chief Gautreau:

With regard to the attached list of fire code violations concerning the fire escape on the above-mentioned building, I am writing to advise you of both the steps we have taken so far as well as steps planned for the future. There are two violations listed, both relating to the fire escape; these are the primary issues we have addressed.

The first violation says that the drop ladder is "unable to use", which is not the case and never has been. The ladder is lowered every spring to make sure that it is functional and that a smaller person (such as a woman) would be able to unhook it easily so it will drop quickly and correctly. When we received the City of Portland fire department sheet of Inspection Violations, my husband lowered the ladder again, for the second time in four months, to be sure there had been no changes in its function. There were none. Once again, the ladder dropped easily and smoothly, although it is very difficult for one person to raise and reconnect it in the up position.

The second violation said the "connection to the building is doubtful". Thanks to a plow truck some years ago, there was a slight crease in one of the braces that hold the balcony part of the fire escape to the building, but the whole structure was firmly attached and in place, not loose or wobbly at all, and did not seem to affect the function of the fire escape. However, in the interest of trying to meet city requirements, we hired Robert Dee of 489 Ocean Street, South Portland, a metal fabricator who has been in business since 1978. He is also a metal

fabrication consultant, as well as an instructor in metal fabrication at Biddeford Center for Technology and Southern Maine Community College. Mr. Dee inspected the entire structure, replaced the brace with the crease and put new bolts in it and the area surrounding it -- even though his opinion was that the crease did not affect the strength of the structure. On Saturday, October 17th, he completed this work. He also told us that although it would not in any way affect the safety of the fire escape, we took to heart your instructions to paint it. It was scraped down and painted and as of November 7th, that work is now complete. Mr. Dee is in the process of writing us a letter for you listing his credentials, the scope of his work and his view of the structural integrity of the fire escape. As soon as we get this letter, we will forward it to you.

We also have removed as much of the staining on the side of the building under the fire escape and plan to paint that section of wall, even though this has nothing to do with the safety of the fire escape. How far we get with this painting will depend largely on the weather. If it stays warm enough for the paint to adhere, we might be able to finish this fall. Otherwise, it will be done in the spring.

Although the fire department did not mention any inside issues, this building was inspected from top to bottom by former Chief McDougall, at which time he advised us of all pertinent ordinances. At that time, the city required one smoke detector inside each bedroom. We have since learned that the city now also wants one smoke detector outside but in the general area of each bedroom, so we are adding one more detector to each apartment (these are one-bedroom apartments). At the same time, we are replacing the current plug-in CO2 detectors with combination smoke detectors in order to discourage tenants from unplugging the CO2 detectors when they need an extra receptacle. All equipment has been purchased and some has been installed. We have been taking advantage of the good weather to do the outside work; changing the detectors will be completed as soon as possible.

Otherwise, as far as we know, we have all necessary sprinklers (over the furnace), fire doors and self-closers, plus extra sprinklers over all washers and dryers and fire extinguishers in each apartment. There are no grills anywhere on this property and smoking is prohibited everywhere -- both indoors and out, as well as anywhere on the entire property. Our lease has a specific waiver attached with a penalty of instant 7-day eviction should this provision be violated by any tenant.

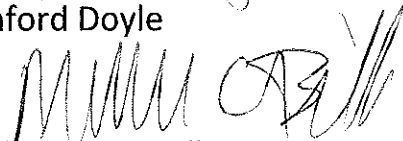
This building has had random fire department inspections during the years we have owned it (since 1997), as well as annual inspections by Portland Housing for our one PHA tenant (who has been a resident for 17 years) and we have never been notified of any violations. No one ever notified us either by letter or phone of the inspection supposedly made on June 11, 2012. We did hear about the inspection made on September 13, 2015, from the tenant who was home alone with her baby. She told me she felt the firemen who came were excessively intimidating, so she made sure they had our correct telephone number and suggested they call us in order to inspect the fire escape since she has no access to the two apartments connected to it. We never heard from anyone until we received notification of the fire department's intent to prosecute us.

We do not reside in the building and our tenants are for the most part not home during the day, but we can be reached at 799-7945 and would be happy to meet with any Fire Department representative to review the building at any time.

Very truly yours,



Linford Doyle



William C. Bovill

WCB/kjb