

CONSENT AGREEMENT

The parties, the City of Portland (the "City"), and Grantwey Apartments LLC ("Owner"), hereby enter into this Consent Agreement as follows:

WHEREAS, Owner is the owner and manager of a multi-unit residential property located at 12 Weymouth Street in Portland, Maine, shown as CBL 053 I011001 on the City of Portland Tax Maps (the "Property");

WHEREAS, Owner was issued a Notice of Violation ("NOV") on August 31, 2016, notifying Owner of certain code violations at the Premises, specifically, structurally unsound rear exterior stairs (the "Violation"), and was ordered to provide the City with a plan of action to repair the stairs within 30 days;

WHEREAS, Owner did not provide the required plan of action and did not correct the Violation;

WHEREAS, Owner was issued a second and third NOV on June 27, 2017 and August 9, 2017, respectively for the Violation and was again ordered to correct the Violation;

WHEREAS, after a fire at the Property, the building was posted against occupancy on August 31, 2017, and remains posted against occupancy;

WHEREAS, Owner still has not remedied the Violation; and

WHEREAS, the parties wish to settle this matter between them, and provide a date by which Owner will have fully remedied the Violation.

NOW THEREFORE, the parties agree to the following:


1. Owner agrees that the Property shall remain vacant and unoccupied until the Violation is remedied to the satisfaction of the City.

2. By no later than January 15, 2018, Owner agrees to submit a permit for the replacement of the rear exterior stairs, including plans stamped by a licensed design professional. Owner agrees to cooperate fully in the permitting process and diligently pursue the permit.
3. By no later than 60 days after the issuance of a permit to correct the Violation, Owner agrees to have completed the required work to install new rear exterior stairs and fully remedy the Violation. The Violation shall be remedied to the satisfaction of the relevant code enforcement official of the City.
4. If Owner fails to comply with any provision of this Agreement within the timeframes provided, Owners admit liability to the City of Portland for civil penalties in the amount \$45,700, which amounts to \$100 per day from the date of August 31, 2016 NOV until December 1, 2017. If Owner fails to comply with any provision of this Agreement within the timeframes provided, Owner further admits liability to the City for an additional \$200 per day from December 1, 2017 until the Violation is actually remedied.

SEEN AND AGREED,


Date: December 15, 2017

CITY OF PORTLAND


By: JONATHAN RIOUX
Its: INSPECTIONS DIRECTOR

Date: December 15, 2017

GRANTWEY APARTMENTS, LLC

X 
By: Gregory E. Harris
Its: Member