

**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 02-0839	Issue Date: AUG 28 2002	CBL: 056 D002001
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Location of Construction: 46 Cushman St	Owner Name: Spring Street Properties Llc	Owner Address: 322 Spring St	Phone: 773-9606
Business Name:	Contractor Name: Applicant	Contractor Address: Portland	Phone:
Lessee/Buyer's Name:	Phone:	Permit Type: Change of Use - Condo Conversion	Zone: R-6

Past Use: Multi Family/4 Units	Proposed Use: Multi Family/4 Units	Permit Fee: \$430.00	Cost of Work: \$430.00	CEO District: 3
Proposed Project Description: Change of Use/Condo Conversion		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R-2 Type: SB BOCA 99	
		Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i>

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)

Action:  Approved  Approved w/Conditions  Denied

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Permit Taken By: gad	Date Applied For: 07/29/2002	<b>Zoning Approval</b>
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.  2. Building permits do not include plumbing, septic or electrical work.  3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
	Date: <i>8/22/02</i>	Date: _____	Date: _____

*any exterior work requires separate review*  
 DA 8/22/02  
 Exterior Alterations previously approved by HP.

**CERTIFICATION**

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

SIGNATURE OF APPLICANT \_\_\_\_\_ ADDRESS \_\_\_\_\_ DATE \_\_\_\_\_ PHONE \_\_\_\_\_

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ DATE \_\_\_\_\_ PHONE \_\_\_\_\_

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read  
Application And  
Notes, if Any,  
Attached

BUILDING INSPECTION

## PERMIT

Permit Number: 020839

This is to certify that Spring Street Properties Llc / Applicant

has permission to Change of Use/Condo Conversion

AT 46 Cushman St 056 D002001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Notification of inspection must be given and when permission is procured before this building or part thereof is lashed or enclosed-in. 24 HOUR NOTICE IS REQUIRED.

Apply to Public Works for street line and grade if nature of work requires such information.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

### OTHER REQUIRED APPROVALS

Fire Dept. [Signature]  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
Department Name

[Signature]  
Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

Application ID Number 2-0839

Department Building

Status Approved with Conditions

Tammy Munson

Comments

08/23/2002

08/22/2002

OK to Issue Permit

Tammy Munson

08/23/2002

07/30/2002

gad

08/23/2002

tmm

Application ID Number: 2-0839

Department: Zoning

Status: Approved with Conditions

Reviewer: Marge Schmuckal

Comments: 46 Cushman St

Approval Date: 08/20/2002

Issue Date: 07/31/2002

Approved by: Marge Schmuckal Date: 08/20/2002

This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

This property shall remain a four (4) family dwelling. Any change of use shall require a separate permit application for review and approval.

This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. Without special approvals.

ANY exterior work requires a separate review and approval thru Historic Preservation

PLEASE NOTE: Under the City's Condominium conversion regulations, A) BEFORE a developer offers to convey a converted unit, a conversion permit shall be obtained. B) Rent may not be altered during the official noticing period unless expressly provided in a preexisting written lease. C) For a sixty (60) day period following the notice of intent to convert, the tenant has an exclusive and irrevocable option to purchase during which time the developer may not convey or offer to convey the unit to any other person. D) The developer shall post a copy of the permit in a conspicuous place in each unit, and shall make copies available to prospective purchasers upon request. E) If a tenant is eligible for tenant relocation payments, they SHALL be paid a CASH PAYMENT BEFORE the tenant is required to vacate.

Your tenant in #2-R was given only a 120 day notice. Under the Condominium Conversion guidelines, she is allowed a minimum of 210 day notice since she is a tenant of 7 years. This permit is conditioned upon her notice being extended to the 210 day notice. Any other allowances under the ordinance would also be in effect.

Created Date: 07/30/2002 By: gad

Approval Date: 08/20/2002 By: mes

Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Urban Development  
Lee Urban, Director



**CITY OF PORTLAND**

August 1, 2002

Dear Tenant of 46 Cushman Street

I wanted to update the correct income guidelines for rental reimbursement that was given to you by your landlord as part of the Condominium Conversion notification. The present 80% of median income is as shown on the attached paperwork.

If you have any questions regarding this schedule, or any other condominium conversion questions, please feel free to contact me.

Very truly yours,

Marge Schmuckal  
Zoning Administrator  
874-8695

**AMENDMENT TO INCOME GUIDELINES****FY 2002 HUD INCOME LIMITS**

Effective March 7, 2002

Family Number:	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
50% of median	\$18,850	\$21,550	\$24,250	\$26,950	\$29,100	\$31,250	\$33,400	\$35,550
60% of median	\$22,620	\$25,860	\$29,100	\$32,340	\$34,920	\$37,500	\$40,080	\$42,660
80% of median	\$30,200	\$34,500	\$38,800	\$43,100	\$46,550	\$50,000	\$53,450	\$56,900



## CITY OF PORTLAND

# Condominium Conversions

The permit fee is \$25.00 per unit. There is an additional fee for any building alterations.

Condo conversions are not a change of use, they are a change of ownership. It concerns the ownership of building areas not land. Subdivision is not involved. Only the legal number of units may be condominiumized. Any illegal units shall be removed or made legal by proper permitting.

**The purpose of this ordinance is to protect existing tenants and to ensure that converted housing is safe and decent.**

Notice of intent to convert: All tenants shall be given a minimum of 120 days before the tenant is required to vacate. A tenant of more than 4 consecutive years shall have the minimum notice period increased 30 days for each additional year to a maximum of 240 additional days.

0-4 years = 120 day notice	9 years = 270 day notice
5 years = 150 day notice	10 years = 300 day notice
6 years = 180day notice	11 years = 330 day notice
7 years = 210 day notice	12+ years = 360 day notice – (maximum)
8 years = 240 day notice	

60 days after their notice, the tenant has an exclusive an irrevocable option to purchase the unit that the tenant possesses. For the next 180 days, the developer/owner can not offer a more favorable price or terms to any other person unless the same terms are offered to the original tenant.

Relocation payments: If the tenant does not purchase, the developer shall (before the tenant vacates) make a cash payment to the tenant in the amount of rent for the proceeding two (2) months only if the tenant meets the current 80% of the low/mode income, adjusted for family size, as given to the City of Portland by the Federal Government. Additionally, the developer shall provide other assistance to the tenant in the form of reasonable accommodations, referrals, and determining tenant eligibility.

**PLEASE READ SPECIFIC ORDINANCE FOR EXACT INFORMATION**

02 - 0839

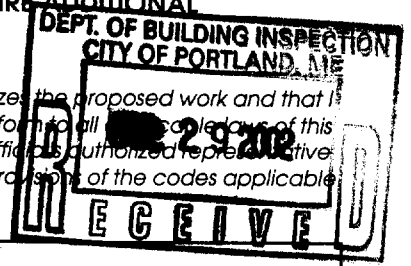
# All Purpose Building Permit Application

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.

Location/Address of Construction: <u>46 CUSHMAN ST.</u>		
Total Square Footage of Proposed Structure <u>4100±</u>	Square Footage of Lot <u>6000±</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>S6</u> Block# <u>D</u> Lot# <u>2</u>	Owner: <u>SPRING STREET PROPERTIES, LLC</u> <u>(JOSSA TACKA - MANAGER)</u>	Telephone: <u>773-9606</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Pd 4 COLO</u> <u>@ 75.00</u> <u>Colo 300,00</u> <u>Bldg Fee 130.00</u>	Cost Of Work: \$ <u>30,00</u> Fee: \$ <u>4</u> units @ \$25.00 per unit \$ <u>100</u> <u>TOTAL \$430.00</u>
Current use: <del>APT.</del> <u>BLDB.</u>	number of units: <u>4</u>	<u>HAD BEEN USED AS 5 UNIT</u> <u>PRIOR TO MY PURCHASE, BUT</u> <u>WAS ONLY LEGAL AS</u> <u>4 UNIT</u>
Purposed use <u>CONDOMINIUM</u>	number of units: <u>4</u>	
Project description: <u>- COMBINING 2 - FIRST FLOOR UNITS (ONE WAS ILLEGAL) INTO ONE UNIT</u> <u>AND CHANGING EXISTING 2 UNITS (APTS) ON 2ND FLOOR AND ONE EXISTING ON 3RD FLOOR INTO</u> <u>CONDOMINIUMS. BUILDING PERMIT APPLICATION ALREADY SUBMITTED WITH INITIAL SCOPE OF</u> <u>WORK FOR UPGRADES AND RE-HAB.</u>		
Contractor's name, address & telephone: <u>SPRING STREET PROPERTIES, LLC (JOSSA TACKA</u> <u>MANAGER</u>		
Who should we contact when the permit is ready: <u>↗</u>		
Mailing address: <u>322 Spring St</u> <u>PORTLAND, ME 04102</u>		Phone: <u>773-9606</u> <u>Self</u>

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorized 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 regulations of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Officer'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 of applicant: <u>[Signature]</u>	Date: <u>7-29-02</u>
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This is not a permit, you may not commence ANY work until the permit is issued



CONDOMINIUM CONVERSION PERMIT  
CITY OF PORTLAND, MAINE  
PART I

To the Chief of Building and Inspection Services, Portland, Maine, the undersigned hereby applies for a Condominium Conversion Permit.

Location of Project:

Assessor's chart: 56

Block: D

Lot: 2

Name of Owner:

SPRING STREET PROPERTIES, LLC (JOSEPH TACKA-MANAGER)

Address:

322 SPRING ST. PORTLAND, ME 04102

Telephone No.:

773-9606

Name of Project:

STEWENSON-PICKARD HOUSE CONDOMINIUMS

No of Units to be Converted:

4 (BUILDING HAD BEEN USED AS SUITS PRIOR TO NEW OWNER, BUT WAS ONLY A LEGAL 4 UNIT)

No. of Units applying for:

4

No. of Units in structure

4

Date on which Declaration of Condominiums was filed in Cumberland County Registry of Deeds WILL BE FILED IN AUGUST OF 2002

Approved by:

ZONING:

R-6

Date:

No. of units approved (circle)

Fire Dept:

1 3 3 4 5 6 7 8 9 10  
others

Date: \_\_\_\_\_

Plumbing:

1 2 3 4 5 6 7 8 9 10  
others

Date: \_\_\_\_\_

Elec:

1 2 3 4 5 6 7 8 9 10  
others

Date: \_\_\_\_\_

Bldg. & Housing:

1 2 3 4 5 6 7 8 9 10

Date: \_\_\_\_\_

Comments:

Condominium Conversion Permit Application, continued

PART III

PROJECT DATA

1. Assessor's reference, Chart, Block; Lot: 56-D-2
2. Number of units before conversion: 5 units with 1 bedroom; — units with 2 bedrooms; — units with 3 or more bedrooms;   
(ONE WAS ILLEGAL UNIT AND WAS VACANT WHEN WE BOUGHT IT)
3. Monthly rent (range) (specify with or without util.) \$450 to \$625 + UTILITIES
4. Number of units after conversion: 3 units with 1 bedroom; 1 units with 2 bedrooms; — units with 3 or more bedrooms;
5. Purchase Price (range) EXPECT \$120,000 to \$148,000  
ASKING \$198,000
6. Length of time building owned by applicant? SINCE MAY 2002
7. Are any building improvements, renovations, or modifications being made associated with this conversion that require a Building, Plumbing, Electrical, or Heating Permit  
 Yes  No  (Please circle applicable permit type.)
8. Type and cost of building improvements associated with this conversion that do not require permits:  
\$20,000 exterior walls, windows, doors, roof  
\$ — insulation  
\$60,000 interior cosmetic (wall/floor/refinishing, etc.)  
\$ 3,000 other (specify) RE-PAVE DRIVEWAY; LANDSCAPE  
— none

CONDOMINIUM CONVERSION APPLICATION  
PART II

CODE COMPLIANCE:

1. Please attach copy of Notice of Intent to this application.
2. Attach also a list of names of tenants or occupants to whom letters were sent.
3. Please include addresses of those receiving notices of intent and dates such notice was received. (Please give apt. number wherever possible)
4. Have notices of intent been given to tenants in accordance with Chapter 608.4 of the Municipal Code entitled "Condominium Conversion Ordinance"?

yes

no

5. Have relocation payments been made to eligible tenants in accordance with Chapter 608.5 of the Municipal Code? yes

no

-NON 4 YET, BUT EXPECT TO  
MAKE PAYMENT TO CYNTHIA BAINES- UNIT - 2-R

6. Have relocation referrals and assistance been provided to tenants on demand? yes

no

-NO REQUESTS TO DATE

9. For each converted rental unit supply the following information on last tenants prior to conversion:

PREVIOUS UNIT NAMES - 1-F 2-F 2-R 3  
 Unit Number: 1 2 3 4 5 6 7 8 9 10

	1	2	3	4	5	6	7	8	9	10
a) Length of occupancy-	1/2 year	1 1/2 yrs	7 1/2 yrs	1/2 yr.						
b) Age of head of household-	25±	25±	35±	25±						
c) Number of children-	-	-	-	-						
d) Number of persons ages 60 or over-	-	-	-	-						
e) Will tenant purchase unit?	NO	NO	NO	NO						
f) If not, was (or will) relocation payment (be) made?	NO	NO	YES	NO						
g) If moving, check destination below:										
i) Same Neighborhood-										
ii) Elsewhere in Portland-	YES			YES						
iii) Out of Portland-		YES								
iv) Unknown-			YES							

46 Cushman Street, Portland, ME -- Conversion from 5 Unit apt building to 4 Condomiums

Tenant List

	Tenant(s)	Address		Date notice received	
Apt # 1-F	Amanda Robinson	46 Cushman St.	<i>less than a year</i>	4/30/02	
Apt # 2-F	Amy McQuarrie	46 Cushman St.	<i>4 yr. tenant</i>	4/30/02	
Apt #2-R	Cynthia Baines	46 Cushman St.	<i>since 1994 8 yrs</i>	4/30/02	<i>only received a 120 Notice Needs A 240 Day</i>
Apt # 3	Dani Lovett	46 Cushman St.	<i>less than a year</i>	4/30/02	
Apt # 1-R	This unit was vacant at purchase and since building is only legal for 4 units it has remained empty. It will be combined with the other first floor unit to make a 2 bedroom unit.				



CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 46 CUSHMAN ST.

NUMBER OF UNITS: 4

TENANT NAME: AMY McQUAMIE

TENANT'S UNIT #: 2-F

TENANT'S TEL. #: TENANT MOVED OUT - JUNE 1, 2002 - 253-1799 OLD PHONE # WAS

TENANT'S PRESENT ANNUAL INCOME: UNKNOWN

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: 8/98 MOVED IN

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: SPAWB STREET PROPERTIES, LLC -  
Joseph TACCA (MANAGER), 322 SPRING ST. PORTLAND, ME 04102

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: SAM

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

REPLACE/REPAIR APPROX 75% OF ROOF SHINGLES, REPAIR EXTERIOR WOODWORK AS  
NECESSARY & PAINT EXTERIOR, REPLACE 10 WINDOWS w/NEW ONES, INTERIOR - KITCHENS & BATHS -

REPLACE MOST EXISTING FIXTURES, UPGRADE WIRING WHERE NECESSARY, SHEET ROCK WALLS  
& CEILING WHERE NECESSARY, INSTALL NEW FLOORING ON SAND (REFINISH EXISTING  
FLOORS. BUILDING HAD BEEN USED AS 5 UNITS PRIOR TO PURCHASE BY NEW OWNER. WE  
WILL BE COMBINING 2 FIRST FLOOR UNITS TO MAKE ONE AND RETURN BUILDING TO 4 UNITS.  
Room 315 - 389 Congress Street - Portland, Maine 04101 (207) 874-8695 - FAX: (207) 874-8716 - TTY: (207) 874-8936  
ADDITIONAL STORAGE AREAS WILL BE CREATED IN BASEMENT, DRIVEWAY WILL BE PAVED.

Joseph Tacka  
322 Spring Street  
Portland, ME 04102

Amy McQuarrie  
46 Cushman Street Unit # 2F  
Portland, ME 04102

May 1, 2002

Dear Amy,

This letter will serve as notice to you of our intent to convert the property at 46 Cushman Street in Portland, ME 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:

The developer shall give to each existing tenant written notice of intent to convert at least 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 consecutive years, the notice shall be increased by 30 additional days for each additional year, or fraction thereof, to a maximum of 240 additional days. The notice shall set forth the rights under these sections and 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: 775-5451)."

No tenant may be required by a developer to vacate without having been given notice as required herein, except for reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within 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.

**Option to Purchase.** For a sixty-day period following the giving of notice as required by this ordinance, the developer shall grant to the tenant an exclusive and irrevocable option to purchase their unit. This option may not be assigned. If the tenant does not purchase or contract to purchase their unit during the sixty day option period, the developer may not convey or offer to convey the unit to any other person during the following 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 60 day period. **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 months; provided that this requirement shall not apply to any tenant whose gross income exceeds 80% of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Dept. of Housing and Urban Development at the time the 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 tenants eligibility for relocation payments as provided herein.

**80% Median Income of Portland SMSA guideline:**

1 Person	2 Person	3 Person
\$27,450	\$31,350	\$36,300

Our plan at this time is to begin exterior renovations in late May and to do interior renovations as tenants move out of their units. If you plan on leaving sooner than the 120 day notice period, we will need a 30 day notice(from the 1st of the month) before you leave.

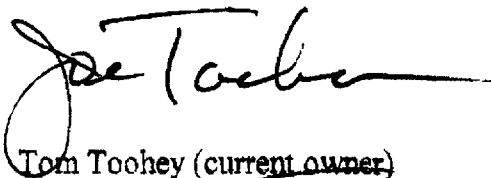
We realize you will have many questions and concerns about this process. Please feel free to talk with me about them and we will do whatever we can to answer them.

If you have interest in purchasing your unit in "as is" condition or for the price at which we plan on selling it after it is renovated, please let me know about your interest and we can discuss it further. If you do not plan to accept your option to purchase your unit, please sign the attached addendum.

Sincerely,

Tenant acknowledgment of receipt of notice,

Joe Tacka (developer)



Signed



Dated

5/1/02

Tom Toohey (current owner)







CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 46 CUSHMAN ST.

NUMBER OF UNITS: 4

TENANT NAME: CYNTHIA BAWES

TENANT'S UNIT #: 2-R

TENANT'S TEL. #: 871-5919

TENANT'S PRESENT ANNUAL INCOME: \$13,000 in 2001

*over 7 yrs  
should be  
210 Day  
Notice*

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: SINCE - 10/94

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: SPAWB STREET PROPERTIES, LLC -  
JOSEPH TACCA (MANAGER), 322 SPRING ST. PORTLAND, ME 04102

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: SAME

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

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AND CEILING WHERE NECESSARY. INSTALL NEW FLOORING ON SAND (REFINISH EXISTING  
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ADDITIONALLY STORAGE AREAS WILL BE CREATED IN BASEMENT, DRIVEWAY WILL BE PAVED.

Joseph Tacka  
322 Spring Street  
Portland, ME 04102

Cindy Baines  
46 Cushman Street Unit # 2R  
Portland, ME 04102

May 1, 2002

Dear Cindy,

This letter will serve as notice to you of our intent to convert the property at 46 Cushman Street in Portland, ME 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:

The developer shall give to each existing tenant written notice of intent to convert at least 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 consecutive years, the notice shall be increased by 30 additional days for each additional year, or fraction thereof, to a maximum of 240 additional days. The notice shall set forth the rights under these sections and 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: 775-5451)."

→ NO  
240 DAYS  
must be  
correct

No tenant may be required by a developer to vacate without having been given notice as required herein, except for reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within 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.

**Option to Purchase.** For a sixty-day period following the giving of notice as required by this ordinance, the developer shall grant to the tenant an exclusive and irrevocable option to purchase their unit. This option may not be assigned. If the tenant does not purchase or contract to purchase their unit during the sixty day option period, the developer may not convey or offer to convey the unit to any other person during the following 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 60 day period. **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 months; provided that this requirement shall not apply to any tenant whose gross income exceeds 80% of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Dept. of Housing and Urban Development at the time the 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 tenants eligibility for relocation payments as provided herein.

80% Median Income of Portland SMSA guideline:

1 Person	2 Person	3 Person
\$27,450	\$31,350	\$36,300

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We realize you will have may questions and concerns about this process. Please feel free to talk with me about them and we will do whatever we can to answer them.

If you have interest in purchasing your unit in "as is" condition or for the price at which we plan on selling it after it is renovated, please let me know about your interest and we can discuss it further. If you do not plan to accept your option to purchase your unit, please sign the attached addendum.

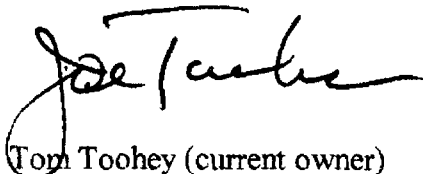
Sincerely,

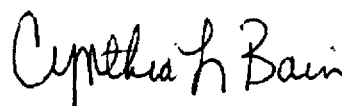
Tenant acknowledgment of receipt of notice,

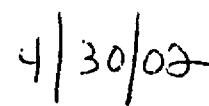
Joe Tacka (developer)

Signed

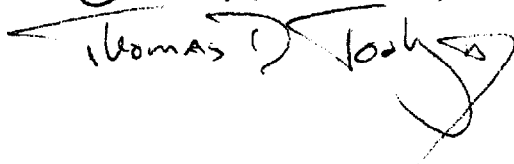
Dated







Tom Toohey (current owner)





CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 46 CUSHMAN ST.

NUMBER OF UNITS: 4

TENANT NAME: DANI LOVETT

TENANT'S UNIT #: 3

TENANT'S TEL. #: TENANT MOVED OUT JUNE 1, 2002 - 773-0620 OLD PHONE #

TENANT'S PRESENT ANNUAL INCOME: UNKNOWN

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: FEBRUARY 2002 MOVED IN

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: SPAWB STREET PROPERTIES, LLC -  
JOSEPH TACKLA (MANAGER), 322 SPRING ST. PORTLAND, ME 04102

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: SAME

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

REPLACE/REPAIR APPROX 75% OF ROOF SHINGLES, REPAIR EXTERIOR WOODWORK AS  
NECESSARY & PAINT EXTERIOR, REPLACE 10 WINDOWS W/NEW ONES, INTERIOR - KITCHENS & BATHS -

REPLACE MOST EXISTING FIXTURES, UPGRADE WIRING WHERE NECESSARY, SHEET ROCK WALLS  
AND CEILING WHERE NECESSARY. INSTALL NEW FLOORING ON SAND (REPAIRS EXISTING &  
FLOORS. BUILDING HAS BEEN USED AS 5 UNITS PRIOR TO PURCHASE BY NEW OWNER. WE  
WILL BE COMBINING 2 FIRST FLOOR UNITS TO MAKE ONE AND RETURN BUILDING TO 4 UNITS.  
Room 315 - 389 Congress Street - Portland, Maine 04101 (207) 874-8695 - FAX: (207) 874-8716 - TTY: (207) 874-8936

Joseph Tacka  
322 Spring Street  
Portland, ME 04102

Dani Lovett  
46 Cushman Street Unit # 3  
Portland, ME 04102

May 1, 2002

Dear Dani,

This letter will serve as notice to you of our intent to convert the property at 46 Cushman Street in Portland, ME 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:

The developer shall give to each existing tenant written notice of intent to convert at least 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 consecutive years, the notice shall be increased by 30 additional days for each additional year, or fraction thereof, to a maximum of 240 additional days. The notice shall set forth the rights under these sections and 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: 775-5451)."

No tenant may be required by a developer to vacate without having been given notice as required herein, except for reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within 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.

**Option to Purchase.** For a sixty-day period following the giving of notice as required by this ordinance, the developer shall grant to the tenant an exclusive and irrevocable option to purchase their unit. This option may not be assigned. If the tenant does not purchase or contract to purchase their unit during the sixty day option period, the developer may not convey or offer to convey the unit to any other person during the following 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 60 day period. **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 months; provided that this requirement shall not apply to any tenant whose gross income exceeds 80% of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Dept. of Housing and Urban Development at the time the 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 tenants eligibility for relocation payments as provided herein.

80% Median Income of Portland SMSA guideline:

1 Person	2 Person	3 Person
\$27,450	\$31,350	\$36,300

Our plan at this time is to begin exterior renovations in late May and to do interior renovations as tenants move out of their units. If you plan on leaving sooner than the 120 day notice period, we will need a 30 day notice(from the 1st of the month) before you leave.

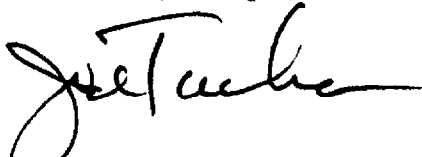
We realize you will have may questions and concerns about this process. Please feel free to talk with me about them and we will do whatever we can to answer them.

If you have interest in purchasing your unit in "as is" condition or for the price at which we plan on selling it after it is renovated, please let me know about your interest and we can discuss it further. If you do not plan to accept your option to purchase your unit, please sign the attached addendum.

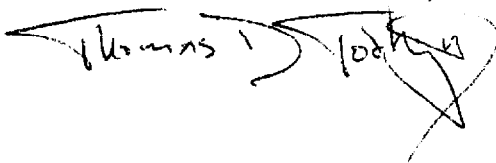
Sincerely,

Tenant acknowledgment of receipt of notice,

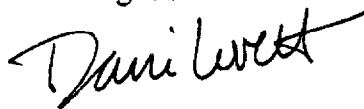
Joe Tacka (developer)



Tom Toohey (current owner)



Signed



Dated

01 May 02



CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 46 CUSHMAN ST.  
NUMBER OF UNITS: 4  
TENANT NAME: AMANDA ROBINSON  
TENANT'S UNIT #: 1-F  
TENANT'S TEL. #: TENANT MOVED OUT JULY 3, 2002. OLD PHONE # WAS 408-5415  
TENANT'S PRESENT ANNUAL INCOME: UNKNOWN  
NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: Moved in Feb. 2002

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: SPAW6 STREET PROPERTIES, LLC -  
Joseph TACKA (MANAGER), 322 SPRING ST. PORTLAND, ME 04102

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: SAME

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Room 315 - 389 Congress Street - Portland, Maine 04101 (207) 874-8695 - FAX: (207) 874-8716 - TTY: (207) 874-8936  
ADDITIONAL STORAGE AREAS WILL BE CREATED IN BASEMENT, DRIVEWAY WILL BE PAVED.

Joseph Tacka  
322 Spring Street  
Portland, ME 04102

Amanda Robinson  
46 Cushman Street Unit # 1F  
Portland, ME 04102

May 1, 2002

Dear Amanda,

This letter will serve as notice to you of our intent to convert the property at 46 Cushman Street in Portland, ME 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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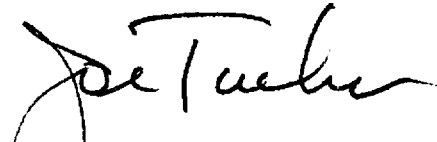
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Sincerely,

Tenant acknowledgment of receipt of notice,

Joe Tacka (developer)



Tom Toohey (current owner)



Signed



Dated

5/1/02