

ELECTRICAL INSTALLATIONS—

Permit Number 09719
Location 32 Wickham St
Owner David Lyons
Date of Permit 11/25/86
Final Inspection 1/9/87
by Inspector D. Lyons
Permit Application Register Page No. 131

INSPECTIONS: Service 12/19/86 by Russo
Service called on 12/19/86
Closing-in _____ by _____

PROGRESS INSPECTIONS: 12/4/86 _____
1/9/87 _____
5/22/87 _____

DATE:	REMARKS:
<u>12/19/86</u>	<u>Called for meters, 2nd & 3rd fl.</u>
<u>1/9/87</u>	<u>Polarity reversed in outfit 2nd fl.</u>
<u>1/9/87</u>	<u>Merle Leary will check the above.</u>
<u>5/22/87</u>	<u>Final for Cop & Completed.</u>

DATE 5/2 '87



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION

32 Oyster Point
Date of Issue

June 9, 1937

Issued to

David Swan that the building, premises, or part thereof, at the above location, built—altered—changed as to use under Building Permit No. _____ has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance 1927 Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Five Family

Limiting Conditions: None

This certificate supersedes certificate issued

Approved:

W. H. [Signature]
City Engineer

[Signature]
Inspector of Buildings

This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 32 Ordway Street

Issued to David Swen

Date of Issue June 9, 1987

~~This is to certify~~ that the building, premises, or part thereof, at the above location, built—altered
—~~repairs~~ to use under Building Permit No. 86/907, has had final inspection, has been found to conform
substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for
occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Limiting Conditions: **Entire**

Five Family

This certificate supersedes
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

David Swen
owner to order when property changes hands. Copy will be furnished to owner or lessee for one dollar.



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. # 1

Portland, Maine, Oct 9, 1986

PERMIT ISSUED

OCT 10 1986

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 86-907. pertaining to the building or structure comprised in the original application in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith, and the following specifications:

Location 32 Cushman Street Within Fire Limits? Dist. No.
Owner's name and address David Swan - 25 Prospect St. Brewer, Me. Telephone 775-6738
Lessee's name and address Telephone
Contractor's name and address Owner Telephone
Architect Plans filed No. of sheets
Proposed use of building 5 family No. families
Last use 3 family No. families
Increased cost of work none Additional fee none

Description of Proposed Work

To construct wood (pressure treated lumber) on rear of dwelling (driveway) serve from 3rd floor to ground, this was not included in original permit. fire space is built

Details of New Work

Is any plumbing involved in this work? no Is any electrical work involved in this work? no
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Material of underpinning Height Thickness
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining
Framing lumber—Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof

Approved:

Signature of Owner [Signature]
Approved: [Signature] Inspector of Buildings

INSPECTION COPY

FILE COPY

APPLICANT'S COPY

ASSESSOR'S COPY

5 MA. LEAN?



CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
INSPECTION SERVICES DIVISION

July 14, 1986

Mr. David Swan
25 Prospect Street
Brewer, Maine 04412

Re: 32 Cushman Street, Portland, Maine

Dear Sir:

Your application to change the use of 32 Cushman Street from a (3) three family dwelling to a (5) five family has been reviewed and a building permit is herewith issued subject to the following requirements.

Please read and implement the items listed on the building permit report.

If you have any questions on these requirements please call this office.

Sincerely,

P. Samuel Hoffses
Chief of Inspection Services

BUILDING PERMIT REPORT

DATE: July 14, 1986

ADDRESS: 32 Cushman Street

REASON FOR PERMIT: Change from 3 to 5 families

BUILDING OWNER: David Swan

CONTRACTOR: Owner

PERMIT APPLICANT Same

APPROVED: #1,2,3,4,5,6 DENIED

CONDITION OF APPROVAL OR DENIAL:

- ** 1.) All vertical openings shall be enclosed with construction having a fire rating of at least one(1) hour, including fire doors with self-closers.
- ** 2.) Each apartment shall have access to two(2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
- ** 3.) Each apartment shall be equipped with an approved single station smoke detector powered by the house current. The detector shall be located in an area which will provide protection for the sleeping areas.
- ** 4.) The boiler shall be protected by enclosing with one(1) hour fire rated construction including fire doors and ceiling, or by placing over the boiler; two(2) residential sprinkler heads supplied from the domestic water.
- ** 5.) Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches (1118 mm) above the floor. All egress or rescue windows from sleeping rooms must have minimum net clear openings of 5.7 square feet (0.53m²). The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm).



- ** 6.) In addition to any automatic fire alarm system required by Sections 1716.3.2 and 1716.3.3, a minimum of one single station smoke detector shall be installed in each guest room, suite or sleeping area in buildings of Use Groups R-1 and I-1 and in dwelling units in the immediate vicinity of the bedrooms in buildings of Use Group R-2 or R-3. When actuated, the detector shall provide an alarm suitable to warn the occupants within the individual unit (see Section 1717.3.1).

In buildings of Use Groups R-1 and R-2 which have basements, an additional smoke detector shall be installed in the basement. In buildings of Use Group R-3, smoke detectors shall be required on every story of the dwelling unit, including basements.

In dwelling units with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided the lower level is less than one full story below the upper level. If there is an intervening door between the adjacent levels, a smoke detector shall be installed on both levels.

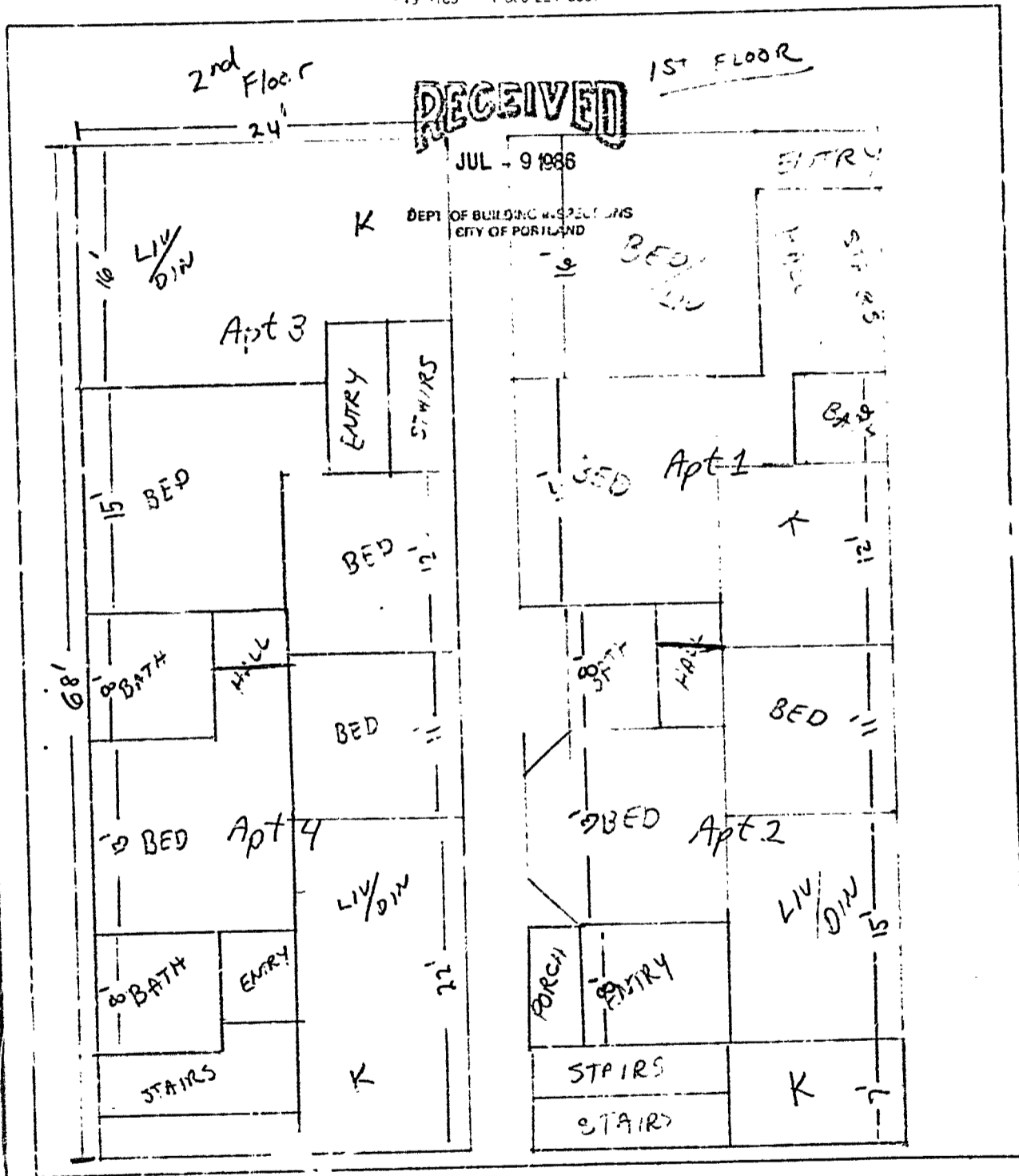
All detectors shall be installed in an approved location. Where more than one detector is required to be installed within an individual dwelling unit, the detectors shall be wired in such a manner that the actuation of one alarm will actuate all the alarms in the individual unit.

- 7.) 608.1 Attached garages: Private garages located beneath rooms in buildings of Use Groups R-1, R-2, R-3 or I-1 shall have walls, partitions, floors, and ceilings separating the garage space from the adjacent interior spaces constructed of not less than 1 hour fire-resistance rating. Attached private garages shall be completely separated from the adjacent interior spaces and the attic area by means of 1/2-inch gypsum board or equivalent applied to the garage side. The sills of all door openings between the garage and adjacent interior spaces shall be raised not less than 4 inches (102mm) above the garage floor. The door opening protectives shall be 1 3/4-inch solid core wood doors or approved equivalent.

608.1.1 Separation by breezeway: A garage separated by a breezeway not less than 10 feet (3048mm) in length from a building of Use Group R-3 may be of type 5B construction, but the junction of the garage and breezeway shall be firestopped to comply with the requirements of Section 1420.0.

GRANVILLE LUMBER CORPORATION

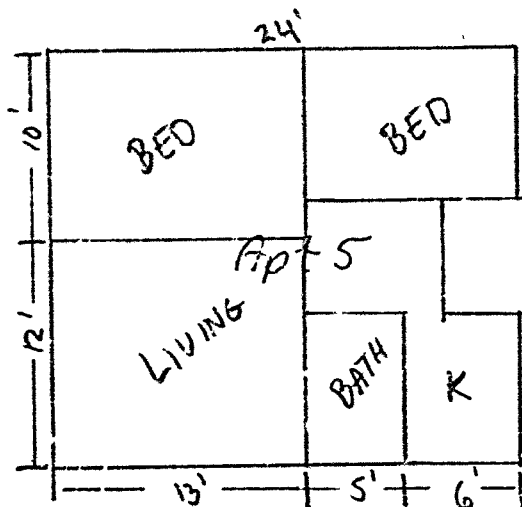
Bar Harbor Road Rt. 1A
P. O. Box 1240
East Jordan, Maine 04429
CONTRACTOR SALES • BUILDING MATERIAL
413-1183 1-800-221-6337



GRANVILLE LUMBER CORPORATION

Bar Harbor Road Rt 1A
P. O. Box 1240
East Haddam, Maine 04429
CONTRACTOR SALES • BUILDING MATERIAL
843-5183 1-800-221-5337

3rd Floor No Change



RECEIVED

JUL - 9 1986

DEPT OF BUILDING INSPECTION
CITY OF PORTLAND

Applicant: David Swan
Address: 32 Cushman St.
Assessors No.: 56-D-6

Date: July 2, 1986

CHECK-LIST AGAINST ZONING ORDINANCE

Date -
Zone Location - R-6
Interior or corner lot -
Use - Change of Use from 3 to 5 Families
Sewage Disposal -
Rear Yards -
Side Yards -
Front Yards -
Projections -
Height -
Lot Area - 5204 sq ft.
Building Area -
Area per Family - 1,000 sq ft.
Width of Lot -
Lot Frontage -
Off-street Parking -
Loading Bays -
Site Plan -
Shoreland Zoning -
Flood Plains -

BUILDING PERMIT REPORT

DATE: July 14, 1986
ADDRESS: 32 Cushman St.
REASON FOR PERMIT: Change of Use (3 to 5 family)
BUILDING OWNER: Daniel Swan
CONTRACTOR: Same
PERMIT APPLICANT: Daniel Swan
APPROVED: ✓ DENIED

CONDITION OF APPROVAL OR DENIAL:

- 1.) All vertical openings shall be enclosed with construction having a fire rating of at least one(1) hour, including fire doors with self-closers.
- 2.) Each apartment shall have access to two(2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
- 3.) Each apartment shall be equipped with an approved single station smoke detector powered by the house current. The detector shall be located in an area which will provide protection for the sleeping areas.
- 4.) The boiler shall be protected by enclosing with one(1) hour fire rated construction including fire doors and ceiling, or by placing over the boiler, two(2) residential sprinkler heads supplied from the domestic water.

*James P. Collins, Lieut.
Fire Prevention Bureau*

APPLICATION FOR PERMIT

PERMIT ISSUED

JUL 15 1986

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION 00907

ZONING LOCATION R-6 PORTLAND, MAINE .. July, 9, 1986

City Of Portland

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 32 Cushman St. Fire District #1 , #2
1. Owner's name and address David Swan 25 Prospect St. Brewer Telephone 989-3622
2. Lessee's name and address Telephone
3. Contractor's name and address Owner Telephone

Proposed use of building 5 family No. of sheets
Last use 3 family No. families
Material No stories Heat Style of roof Roofing

Other buildings on same lot
Estimated contractual cost \$ 10,000 Appeal Fees \$
Base Fee 70.00

FIELD INSPECTOR—Mr. @ 775-5451 ch of fee 25.00

TOTAL \$ 95.00

Change of use from 3 to 5 families with new apts. 1 on 1st and 1 on 2nd floor as per plans., alterations or structural changes as per plans. 2 sheets of plans.

Stamp of Special Conditions

PERMIT ISSUED WITH LETTER

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF NEW WORK

Is any plumbing involved in this work? YES/NO Is any electrical work involved in this work? yes
Is connection to be made to public sewer existing? If not, what is proposed for sewerage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation thickness, top bottom cellar
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing Lumber—Kind Dressed or full size? Corner posts Sills
Size Girder Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor 2nd 3rd roof
On centers: 1st floor 2nd 3rd roof
Maximum span: 1st floor 2nd 3rd roof
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE
BUILDING INSPECTION—PLAN EXAMINER
ZONING:
BUILDING CODE
Fire Dept.
Health Dept.
Others:

MISCELLANEOUS

Will work require disturbing of any tree on a public street?
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

Signature of Applicant Phone # same
Type Name of above David S. Swan 1 2 3

PERMIT ISSUED WITH LETTER

FIELD INSPECTOR'S COPY APPLICANT'S COPY OFFICE FILE COPY

MA. Leary

interior
10-14-92, letter written 10-22-92

Be advised hereby that we protest the following conditions of our residence at 32 Cushman St. apt 3, and that we seek their redress in a timely and forthright manner, to wit:

- 1) We object to the absence of any outdoor trash receptacles, and to the use of the basement and cellar stairwell for that use. While a suitable area exists and has been used successfully for that purpose, it has been locked and is therefore no longer available, yet it has not been replaced. This condition has led to complaints and citations by the city of Portland, yet full compliance with the city's order for remedy has not yet fully occurred.
- 2) We object to the privatization of the public easement leading both to the parking lot and to the basement by Gail Seger et ux, to the chaining of a large and hazardous object, namely, a gas-fired barbecue grill, across the path of steps leading to and from the basement.
- 3) We object to the personal harassment by telephone and in person from the Segers for conditions in the public easement which are beyond our control and within their own, that is, for the allergic reaction Mr. Seger has to cat (but, strangely, not dog hair or dander) which we have neither caused nor aggravated but which is within Mr. Seger's power to address both medicinally through any allergist and personally by the use of that part of his window which closes it.
- 4) We object to the personal harassment by telephone and in person from the Segers for conditions in the public easement which are beyond our control and within their own, that is, for the discomfort Mrs. Seger experiences with the sound of our coming and going through the easement to reach the parking space and the basement and to conduct our private business within those spaces and to leave those spaces. We suggest that not only is the noise of our coming and going not differentially more disturbing than that of the ambient ground and air traffic at those same hours, but that it is within the Segers' power to compensate by using that same part of their window which closes it or of their front door, again, by simply closing it, which could bring us all such relief as mentioned in item the third. We finally suggest that the ambient noise of traffic to the basement and activity within the basement might be effectively

reduced by the use of insulation readily available on the open market. We omit that we feel the placement of the Segers' rest area in that part of their apartment immediately adjoining the driveway seems to us an invitation to disturbed rest.

5) We object to the personal harassment by telephone and in person from Mr. and Mrs. David Baker for conditions within their rental which are not within our cause and control and which rest primarily with the condition of the building itself, to wit: the fact that even conversational noise within our third-floor apartment is clearly and distinctly audible to the Segers', who reside on the second, and that the sound of foot traffic is (according to Mr. Baker) audibly amplified by the absence of insulation on the second floor ceiling and of padded flooring on the third floor, coupled with the fact that the Bakers' rest area is directly located below our own activity area. We respectfully submit that, while the situation is probably deplorably disturbing, that it is far from true that it is a situation of our making, or that we are responsible for wholly correcting. We submit that the tenants on the second floor are free to change the orientation of their rest area so that it aligns with the one above it, and are further not restrained by us from insulating their ceiling area with readily available materials from the sound of normal foot traffic, and are not required to solve their problem by harassing us or haranguing us before our landlord.

6) We further object to the continued refusal of the landlord to install adequate safety devices on the property, that is, outside lighting and indoor fire alarms and extinguishers. And we consider the fire escape to be a safety hazard in that it extends to the ground, giving full and unimpeded access to our apartment windows by prowlers and burglars.

We further submit that we take the continued inattention to our grievance as indication of a cultural predisposition to see neighbors and tenants who are not of our persuasion as being somehow less welcome and less entitled than those who are, in violation of the Fair Housing Act.

Sincerely,

Ms. Janice Appel
Mr. Rory Holland

cc:

Mr. Lawrence Gardner, attorney at law
Mr. Peter Evans, attorney at law
Mrs. Tony Goncalves, Maine Association of Black Professionals
Mr. Asahni Rahim, President Coalition to End Housing Discrimination
Reverend Douglas Trottier, Woodfords Congregational Church
City of Portland, Dept. of Fire Safety, Lt. Galloway
City of Portland, Dept. of Building Inspections & Permits
Mr. David Swan
Mr. & Mrs. David Baker
Mr. & Mrs. Seger

met with R. Holland at 32 Cushman and discussed
- 2 complaints. Told him of waste contact over re: trash
which is the only thing covered by my office.

Inspection Services
Samuel P. Hoffses
Chief



Cushman
Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

October 29, 1992

David Swan
Hillside St
So. Portland, ME 04106

Re: 32 Cushman St

Dear Mr. Swan,

This office is in receipt of a list of complaints from your third floor tenant, Janice Appel, and her boyfriend Rory Holland, regarding the conditions at 32 Cushman St.

It is my understanding that the Fire Prevention Bureau has inspected the fire escape and safety devices at that location and has or will contact you with their recommendations.

The only other matter which comes under Municipal Ordinance is the trash complaint. As per our recent conversation, it is the responsibility of the property owner to provide watertight, covered, metal or plastic containers in which to store trash. It is the tenant's responsibility to place their trash in these containers and not allow accumulation of trash elsewhere on the premises.

The remainder of the "objections" voiced by your tenant appear to be of a personal nature and do not come under the jurisdiction of this office.

Sincerely,

Kalowe
Kathleen A. Lowe
Code Enforcement Officer

P. Samuel Hoffses
P. Samuel Hoffses
Chief of Inspection Services

cc: LT Wallace Garroway, Fire Prevention Bureau

November 24, 1992

To: Lt. Garroway
City of Portland
Fire Prevention Bureau

From: David C. Swan
55 Hillside Ave.
So. Portland, ME 04106

Dear Lt. Garroway,

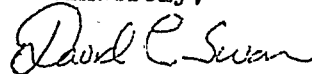
All the violations sighted in your inspection report will be corrected.

The proposed schedule of completion by item number will be as follows:

1. 12/9 Due to the expense involved I can not realistically project any sooner. The door to apartment #3 is the only door which is not fire rated. The remaining doors have 10 minute fire tags.
2. 1/93 The ballisters will be spaced at 4" on center continous to comply with code.
3. 1/93 Smoke detector to be installed.
4. 1/93 Tenant is to be written a message and a battery will be left for installation.
5. n/a Corrected.
6. n/a Corrected, grill is moved.
7. 1/93 Chimney clean-out to be cleaned along with annual boiler cleaning.
8. n/a Corrected, junction box is covered.

Thank you for bringing these safety precautions to my attention.

Sincerely,



David C. Swan
Landlord

November 24, 1992

To: Lt. Garroway
City of Portland
Fire Prevention Bureau

From: David C. Swan
55 Hillside Ave.
So. Portland, ME 04106

Dear Lt. Garroway,

As we discussed in our earlier meeting, I would like you to furnish me with a written response to the letter you received from Rory Holland on or about October 17th, 1992. In particular please address items #2 and #6 and in doing so please answer the following:

1. It is my understanding that there is NO law which disallows the storage of a gas grill on a porch.
Am I correct?
2. Upon your inspection of apartment #3 were there smoke detectors found?
3. I understand that fire extinguishers are NOT required by code.
Is this correct?
4. For safety reasons, a fire escape must go within easy stepping distance to the ground. Is my understanding correct?

Thank you for the timely and careful consideration to your response in my request.

Sincerely,



David C. Swan
Landlord

Fire Department



Joseph E. Thomas, Jr.
Chief of Department

CITY OF PORTLAND

January 11, 1993

David C. Swan
55 Hillside Ave
So. Portland, ME 04106

Re: 32 Cushman St

Dear M. Swan,

This letter is in response to your request for written documentation concerning 32 Cushman St.

1. You are correct in that there is no law which disallows the storage of the gas grill. However the question was not in reference to the storage of the grill, but the blocking of a means of egress. The grill, as it was positioned on the porch, was blocking a means of egress.
2. The smoke detector in apartment #3 was missing a battery.
3. Fire extinguishers are not required in the building.
4. A permanent, reasonably straight path of travel shall be maintained over the required exterior exit access. In other word, you are correct.

If I can be of further assistance please call 874-8405.

Sincerely,

LT Gaylen McDougall
LT Gaylen McDougall
Fire Prevention Bureau

John C. Cooper

*54 Hillsdale Ave SR
767-5636*

October 26, 1992

David Swan
25 Prospect St
Brewer, ME 04412

Re: 32 Cushman St

Dear Mr. Swan,

After receiving a letter of complaint from one of your tenants at the above referred address, I visited the building to determine if there were any Fire Code or Life Safety Code deficiencies. The following list of unsafe or hazardous conditions were found.

1. The interior stairways are unprotected vertical openings that lack self-closing, fire-resistance rated doors that comply with the requirements of Section 19-3.1 of N.F.P.A. 101 Life Safety Code, 1991 Ed.
2. The exterior stairway that serves as the second means of egress for the second and third floor units is not in compliance with the requirements for exterior stairs or fire escape. Ref Sections 5-2.2.2 and 5-2.8.
3. The second floor front unit has one smoke detector base that has no detector.
4. The third floor front unit has only one battery operated smoke detector and it has no battery. The occupants were advised to get a battery themselves, regardless of who is responsible for batteries, for their own protection.
5. The third floor window that is the access to the exterior stairs or fire escape has three latches and does not meet the requirements of Sections 5-2.2.2 or 5-2.8.
6. The storage and use of a propane gas grill on the side exterior porch is an obstruction to a means of egress and a violation of the Fire Prevention Code.
7. The chimney clean-out has a build up of soot and debris and must be cleaned out.
8. An uncovered electrical junction box was observed above the hot water heater.

No one was home at the 1st floor front, 1st floor rear, or 2nd floor rear. The above mentioned unsafe or hazardous conditions must be corrected without delay. Your plan of correction must be submitted within 14 days to the Fire Prevention Bureau or legal action will result without further notice.

Free to contact me at Fire Headquarters or City Hall if I can be of assistance.

Sincerely,

Wallace C. Garroway, Jr., LT
Fire Prevention Bureau

cc: Gary Wood, Corporation Counsel
Joseph E. Thomas, Jr., Fire Chief
P. Samuel Hoffses, Chief of Inspection Services
Ms. Janice Appel
Mr. Rory Holland
file

the above
Fire Co
or hazardous

that lack self
requirements
Ed.
Egress for the
the requirement
.2.2 and 5-2.8.
use that has no

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batteries, for their

exterior stairs or fire
requirements of Section

on the side exterior por
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and debris and must be

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floor rear, or 2nd floor rear
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lt without further notice.

CITY OF PORTLAND, MAINE
MEMORANDUM

DATE: 10/13/94

CBL 56-D-6

TO: Bill Giroux - Zoning Administrator
FROM: Community Development Office/P.L.H.P. Program
Loan Officer
SUBJECT: Verification of Legal Number of Units

We presently have an application for Loan/Grant for rehabilitation at:

32 Cushman St.

(ADDRESS)

The Owner is DAVID SWAN

(NAME)

The given number of units of the building is 5

Please verify whether the number of units given are legal under the
Zoning/Building Ordinance. LAND USE CODE

YES the number of units are legal

NO the number of units are not presently legal. The present
number of units is _____.

WDJ
SIGNED BY VERIFIER

Zoning Admin
TITLE

Fly

CITY OF PORTLAND, MAINE
MEMORANDUM

DATE: 10/13/94

CEL 56-D-6

TO: Rill Giroux -- Zoning Administrator
FROM: Community Development Office/P.L.H.P. Program
Loan Officer
SUBJECT: Verification of Legal Number of Units

We presently have an application for Loan/Grant for rehabilitation at:

32 Cushman St.
(ADDRESS)

The Owner is DAVID SWAN
(NAME)

The given number of units of the building is 5

Please verify whether the number of units given are legal under the
Zoning/Building Ordinances. LAND USE CODE

YES the number of units are legal

NO the number of units are not presently legal. The present
number of units is _____.

WDM
SIGNED BY VERIFIER

Zoning Adm.
TITLE

FEY

CITY OF PORTLAND, MAINE
MEMORANDUM

DATE: 10/13/94

CEL 56-D-6

TO: Bill Gargax - Zoning Administrator
FROM: Community Development Office/P.L.H.P. Program
Loan Officer
SUBJECT: Verification of Legal Number of Units

We presently have an application for Loan/Grant for rehabilitation at:

32 Cushman St.
(ADDRESS)

The owner is DAVID SWAN
(NAME)

The given number of units of the building is 5

Please verify whether the number of units given are legal under the
~~Zoning/Building Ordinance.~~ LAND USE CODE

YES the number of units are legal

NO the number of units are not presently legal. The present
number of units is _____.

WRM
SIGNED BY VERIFIER

Zoning Admin
TITLE



Photos yes no
 Date 7/21/71
 Proj. No. C.I. Ass'ts Zone Zone Viol
 Stories REAR ADD (SAR) (NSA) (NS) (ST) (P) Cow. Units Reg Units Est. Units

LOCATION	<u>32 Cumberland</u>	COM
OWNER		PEND
AGENT		
OWNER		
AGENT	<u>Richard [unclear] [unclear]</u>	
OWNER		
AGENT		ITS

Occupants	Information				Occupancy				Facilities				Violations	
	LOC.	RENT	PLANN.	PK. I.	RMS	PER.	ALL'D	LGRS	HEAT	BATH	FLSH	SK		H.W.
1.														
2.														
3.														
4.														
5.														
6.														
7.														
8.														

STRUCTURE SCHEDULE

STRUCTURE RATING

YARD

GARBAGE & RUBBISH

CONTAINERS COMPLY

DRAINAGE

FIRE VIOL.

STRUCTURE EXTERIOR

STEPS, STAIRS, PORCHES

FOUNDATION

WALLS

WINDOWS DOORS

ROOF, DRAINS

OUT. BUILDINGS

INFESTATION

RATS R. M. E. none

OTHER (SPEC)

EGRESS

QUAL YES NO

OBST'N

Remarks _____

Portland Health Dept.

CS-8

Inspector [Signature]

STRUCTURE INTERIOR

HALL, OBST'N

HALL, LIGHTING

HALL, FLOOR WALLS CEILING

STAIRWAYS

WINDOWS, AIRSHAFT

ELECT. WIRING

HEATING CENTRAL YES NO

STACKS FLUES, VENTS

CHIMNEY

EQUIPMENT, REPAIR

PLUMBING

SUPPLY LINE

WASTE LINE

BASEMENT

GEN'L SANIT'N

DAMPNSS R. D

STAIRS

LIGHTING

BASE DNL. UNIT

MIN 7' - 3"

DAMPNSS R. D

WINDOW 1/12 X 8"

QUAL EGRESS YES NO

PROHIBITED COMB'N USE

ASSOC. USE HAZARD

HAZARDOUS VENTS

C ✓ BB
BSL

NOTICE OF HOUSING CONDITIONS

CITY OF PORTLAND, MAINE

Department of Planning & Urban Development
Inspection Services Division
Tel. 775-5451 - Ext. 311 - 346

Robert J. & Joanne M. Doherty Jts.
162 Danforth Street
Portland, ME 04102

DJ 3

CH. 56 BLK. D LOT 6

LOCATION: 32 Cushman Street

PROJECT: NCP-NDP
ISSUED: July 18, 1985
EXPIRES: Sept. 18, 1985

Dear Mr. & Mrs. Doherty:

You are hereby notified, as owner or agent, that an inspection was made of the premises at 32 Cushman Street by Code Enforcement Officer Merlin Leary. Violations of Article V of the Municipal Ordinance (Housing Code) were found as described in detail on the attached "Housing Inspection Report".

In accordance with the provisions of the above-mentioned Code, you are hereby ordered to correct those defects on or before Sept. 18, 1985. If you are unable to make such repairs within the specified time, you may contact this office to arrange a satisfactory repair schedule. If we do not hear from you within ten (10) days from this date, we will assume the repairs to be in progress and, on re-inspection within the time set forth above, will anticipate that the premises have been brought into compliance with the Housing Code Standards.

Please Note: You should consult the inspection Services Division to insure that any corrective action you undertake complies with the building, plumbing, electrical, zoning and any other Article of the City Code.

Please contact this office if you have any questions regarding this order.

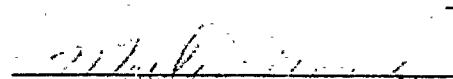
Your cooperation will aid this department in it's goal to maintain decent, safe, and sanitary housing for all of Portland's residents.

Very truly yours,

Joseph E. Gray, Jr., Director
Planning & Urban Development

By: 

P. Samuel Hoffses
Chief of Inspection Services


Code Enforcement Officer - Merlin Leary (5)

Attachments

jmr

HOUSING INSPECTION REPORT

OWNER: Robert J. & Joanne M. Dcherty Jts. LOCATION: 32 Cushman St. 56-D-6 NDP

CODE ENFORCEMENT OFFICER: Merlin Leary (5)

HOUSING CONDITIONS DATED: July 18, 1985 EXPIRES: Sept. 18, 1985

Items listed below are in violation of Article V of the Municipal Codes, "Housing Code", and must be corrected on or before the expiration date.

SEC. (S)

- * 1. FIRST, SECOND & THIRD FLOOR REAR - stairs - broken and rotted treads, fire escape. 116-2
- * 2. THIRD FLOOR REAR - floor - broken and rotted decking, fire escape. 116-2
- * 3. FIRST FLOOR RIGHT REAR PORCH - floor - broken and rotted decking. 108-4
- * 4. LEFT REAR CELLAR - window - broken glass. 108-3
- * 5. LEFT FRONT CELLAR - ceiling - loose and hanging romex and service cable. 113-2
- 6. OVERALL CELLAR - floor - flammable materials next to furnace. 109-4
- 7. FRONT EXTERIOR - roof - rotted gutter. 108-1
- * 8. FIRST FLOOR REAR - stairs - missing safety rails, fire escape. 116-2

FIRST FLOOR

- 9. BATHROOM - tub - cross connection. 111-1
- 10. MIDDLE BEDROOM - wall - missing switch cover. 113-2
- *11. REAR BEDROOM - ceiling - broken light fixture. 113-2

THIRD FLOOR

Not available at time of inspection.

*WHEN MAKING YOUR REPAIRS, FIRST PRIORITY IS TO BE GIVEN TO ITEMS WITH ASTERISKS, AS THEY CONSTITUTE EXTREME HAZARDS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF THIS STRUCTURE.

NOTE: At the time of the survey, we were unable to gain access to the Third Floor Apartment. We suggest that if there are any conditions which need correcting in this apartment, that you make the repairs while doing the work on the rest of the structure.

City of Portland

Housing Inspection Division

STRUCTURE INSPECTION SCHEDULE

1) Insp. Name M Leary

2) Insp. Date 7-17-55 3) Insp. Type NCIS 4) Proj. Code D111 5) Assr's: Chart 056 6) Bl. D 7) Lot 006 8) Census: Tract 5 9) Bk. 5 10) Insp. 5 11) Form No. 5

12) House No. 32 13) Sec. H. No. 3 14) Suff. 3 15) Direct 3 16) Street Name Cushman 17) St. Design. Street

18) Owner or Agent: Robert J. & Josephine M. Doherty 19) Status ABO 20) Bldg's Rat. ?

21) Address: 1421 Dainforth St 22) City and State: Portland, Maine Zip Code: 04107

23) D. Units 3 24) Occ. D. U. s' 3 25) Rm. Units 10 26) Occ. R. U. s' 10 27) No. Occupants 10 28) Com'l. U. DE 29) Bldg. Type 3 30) Stories 3 31) Const. Mat. Wood 32) Obs. NC

33) C.H. YES 34) Photo NO 35) Zoned For R-3 36) Actual Land Use RES 37) D.N. Yes 38) Lks. Ad. Bui. Fac. No 39) Disp. Y 40) Closing Date

Viol. No.	Remedy	Cond.	Violation Description	Ft. No.	Room Type	Area Type	Resp. Party	Code Sect. Viol.	Viol. Rem. Date
#1		BR RO	Heads	2 1/2	RE SPS		2	116-2	
#2		BR RO	Decking	3	RE Floor		2	116-2	
#3		"	"	1	RIR PD Fl		2	10F-4	
#4		BR Gloss			LEP CE	4 1/2	2	10F-3	
#5		LO/HR	Remove a Sp. ice S. L.		Lat. CE	CL	2	113-2	
#6			Flammable materials ^{next} to Furnace		Off CE	Floor	2	109-4	
#7		RO	Outlet		FR 1/2	RO	2	10F-1	
#8		MI	Safety Rails	1	RE SPS		2	116-2	

City of Portland

PLANNING AND URBAN DEVELOPMENT

DWELLING UNIT SCHEDULE

Inspection Services Division

ARTICLE 5 - HOUSING CODE

INSP DATE

1/17/12

OK 1st Inspection

INS?

FORM NO.

TENANT'S NAME

Francis Morin

Flr # Location Rm. # Pns # Pco # All'd Slp. Rm.

Child Un.10 1 - 6 + Lead Survey - Results Rent Rent Code Furn. Hot Water Dual Egrs. Ck'ing Heat Lav. Bath Flush

- KITCHEN**
- Plaster - L, C, M, - Ceiling/Walls 108-2
 - Windows - loose, broken glass, glaze 108-3
 - Sash/Frames - broken, missing, worn 108-3
 - Floor - loose, worn, dam., buckled 108-2
 - Doors - Knob/lk - miss.-Pan./Fram.dam. 108-3
 - Counter/Stor. Space Yes No
 - Sink - chip., crack., leaks 111-1
 - Range - improper stack, flue, vent 114-1
 - Refrigerator Space Yes No
 - Plumbing (a)6 (a)Water Sup. Hot Cold 111.3
 - Electrical (a) 113
 - Sanitation (a) 109
- LIVING ROOM**
- Plaster - L, C, M, - Ceil./Walls 108-2
 - Windows - loose, broken, glaze 108-3
 - Sash/Frames - broken, missing, worn 108-3
 - Floor - loose, worn, damaged 108-2
 - Door - knob/lk - miss. - panels/frames dam. 108-3
 - Electrical (c) 113
 - Sanitation (c) 109

- BATHROOM**
- Plaster - L, C, M - Ceiling/Walls 108-2
 - Window - loose, broken glass, glaze 108-3
 - Sash/Frames - broken, missing, worn 108-3
 - Floor - loose, worn, dam., buckled 108-2
 - Door - knob/lk - miss.-Pan./Fram. dam. 108-3
 - Toilet-Tnk-brkn, loose, leaks, seat, crkd. 111-1
 - Lavatory - chip., crkd, leaks, trap leaks 111-1
 - Batht. /shower- leaks, cross connect. 111-1
 - Ventilation Yes No 112
 - Plumb. (b)6(a)Water Sup. Hot/Cold 111-3
 - Electrical (b) 113
 - Sanitation (b) 109
- DINING ROOM**
- Plaster - L, C, M - Ceil/Walls 108-2
 - Windows - loose, broken, glaze 108-3
 - Sash/Frames - broken, missing, worn 108-3
 - Floor - loose, worn, damaged 108-2
 - Doors - Knobs/lk - miss. - panels/frames dam. 108-3
 - Electrical (d) 113
 - Sanitation (d) 109

Bedrooms and/or other rooms		CODE
<input type="checkbox"/>	Plaster - L, C, M - Ceiling/Walls	108-2
<input type="checkbox"/>	Windows - loose, broken, glaze	108-3
<input type="checkbox"/>	Sash/Frames - broken, missing, worn	108-3
<input type="checkbox"/>	Floors - loose, worn, damaged	108-2
<input type="checkbox"/>	Door - knobs/lk - miss.-Panels/Frames	dam. 108-3
<input type="checkbox"/>	Electrical (e)	113
<input type="checkbox"/>	Sanitation (e)	109
<input type="checkbox"/>	Clothes Closet	Yes No
<input type="checkbox"/>	Sanitation - Vermin	O R

Plumbing Electrical Sanitation - Vermin O R

REMARKS:

City of Portland

PLANNING AND URBAN DEVELOPMENT

DWELLING UNIT SCHEDULE

ARTICLE 5 - HOUSING CODE

Inspection Services Division

INSP DATE

INSP

FORM NO.

TENANTS NAME

Flr. # Location Bng. Tp. # Bms. Lt. Pco. # All'd Slp. Pn.

Child Un. 10	Child 1 - 6	+ Lead Survey - Results	Rent	Rent Code	Furn	Hot Water	Dual Egrs.	CK'ing	Heat	Lav.	Bath	Flush
								3	DV			

- KITCHEN**
- () Plaster - L, C, M, - Ceiling/Walls CODE 108-2
 - () Windows - loose, broken glass, glaze 108-3
 - () Sash/Frames - broken, missing, worn 108-3
 - () Floor - loose, worn, dam., buckled 108-2
 - () Doors - Knob/lk - miss.-Pan./Fram.dam. 108-3
 - () Counter/Stor. Space Yes No
 - () Sink - chip., crack., leaks 111-1
 - () Range - improper stack, flue, vent 114-1
 - () Refrigerator Space Yes No
 - () Plumbing (a)6 (a)Water Sup. Hot Cold 111.3
 - () Electrical (a) 113
 - () Sanitation (a) 109

- BATHROOM**
- () Plaster - L, C, M - Ceiling/Walls CODE 108-2
 - () Window - loose, broken glass, glaze 108-3
 - () Sash/Frames - broken, missing, worn 108-3
 - () Floor - loose, worn, dam., buckled 108-2
 - () Door - Knob/lk - miss.-Pan./Fram. dam. 108-3
 - () Toilet - bak-brkn, loose, leaks, seat, crkd. 111-1
 - () Lavatory - chip., crkd, leaks, trap leaks 111-1
 - () Bathtub/shower- leaks, cross connect. 111-1
 - () Ventilation Yes No 112
 - () Plumb. (b)6(a)Water Sup. Hot Cold 111-3
 - () Electrical (b) 113
 - () Sanitation (b) 109

- LIVING ROOM**
- () Plaster - L, C, M, - Ceil./Walls CODE 108-2
 - () Windows - loose, broken, glaze 108-3
 - () Sash/Frames - broken, missing, worn 108-3
 - () Floor - loose, worn, damaged 108-2
 - () Door - knob/lk - miss. - panels/frames dam. 108-3
 - () Electrical (c) 113
 - () Sanitation (c) 109

- DINING ROOM**
- () Plaster - L, C, M - Ceil/Walls CODE 108-2
 - () Windows - loose, broken, glaze 108-3
 - () Sash/Frames - broken, missing, worn 108-3
 - () Floor - loose, worn, damaged 108-2
 - () Doors - Knobs/lk - miss. - panels/frames dam. 108-3
 - () Electrical (d) 113
 - () Sanitation (d) 109

- Bedrooms and/or other rooms**
- () Plaster - L, C, M - Ceiling/Walls CODE 108-2
 - () Windows - loose, broken, glaze 108-3
 - () Sash/Frames - broken, missing, worn 108-3
 - () Floors - loose, worn, damaged 108-2
 - () Door - knobs/lk - miss.-Panels/Frames dam. 108-3
 - () Electrical (e) 113
 - () Sanitation (e) 109

- () Clothes Closet Yes No

Plumbing	Electrical	Sanitation - Vermin O R
----------	------------	-------------------------

REMARKS:

CERTIFICATE
OF
COMPLIANCE

DATE: June 11, 1987

DU: 3

CITY OF PORTLAND

Department of Planning & Urban Development
Housing Inspection Division
Telephone: 775-5451 - Extension 311 - 318

Mr. David Swan
32 Cushman Street
Portland, ME 04102

Re: Premises located at 32 Cushman Street 56-D-6 District 5

Dear Mr. Swan:

A re-inspection of the premises noted above was made on June 5, 1987
by Code Enforcement Officer Merlin Leary.

This is to certify that you have complied with our request to correct the violation of
the Municipal Codes relating to housing conditions as described in our "Notice of Housing
Conditions" dated July 18, 1985.


Thank you for your cooperation and your efforts to help us maintain decent, safe and
sanitary housing for all Portland residents.

In order to aid in the preservation of Portland's existing housing
inventory, it shall be the policy of this department to inspect each
residential building at least once every five years. Although a
property is subject to re-inspection at any time during the said
five-year period, the next regular inspection of this property is
scheduled for June 1992.

Sincerely yours,

Joseph E. Gray, Jr., Director of
Planning and Urban Development


P. Samuel Hoffmann,
Chief of Inspection Services


Code Enforcement Officer - Merlin Leary (5)

jm

NOTICE OF HOUSING CONDITIONS

CITY OF PORTLAND, MAINE

Department of Planning & Urban Development
Inspection Services Division
Tel. 775-5411 - Ext. 311 - 346

DU 3

CH. 56 BLK. D LOT 6

LOCATION: 32 Cushman Street

Robert J. & Joanne M. Doherty, Jts.
62 Danforth Street
Portland, ME 04102



PROJECT: NTP-NDP
ISSUED: July 18, 1985
EXPIRES: Sept. 18, 1985

David Swan 32 Cushman
Dear Mr. & Mrs. Doherty:

You are hereby notified, as owner or agent, that an inspection was made of the premises at 32 Cushman Street by Code Enforcement Officer Merlin Leary. Violations of Article V of the Municipal Ordinance (Housing Code) were found as described in detail on the attached "Housing Inspection Report".

In accordance with the provisions of the above-mentioned Code, you are hereby ordered to correct those defects on or before Sept. 18, 1985. If you are unable to make such repairs within the specified time, you may contact this office to arrange a satisfactory repair schedule. If we do not hear from you within ten (10) days from this date, we will assume the repairs to be in progress and, on re-inspection within the time set forth above, will anticipate that the premises have been brought into compliance with the Housing Code Standards.

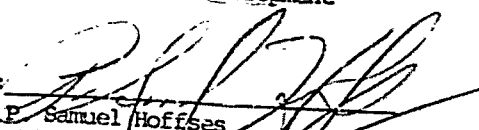
Please Note: You should consult the inspection Services Division to insure that any corrective action you undertake complies with the building, plumbing, electrical, zoning and any other Article of the City Code.

Please contact this office if you have any questions regarding this order.

Your cooperation will aid this department in it's goal to maintain decent, safe, and sanitary housing for all of Portland's residents.

Very truly yours,

Joseph E. Gray, Jr., Director
Planning & Urban Development

By: 
Samuel Hoffses
Chief of Inspection Services


Code Enforcement Officer Merlin Leary (5)

Attachments

jmr

HOUSING INSPECTION REPORT

OWNER: Robert J. & Joanne M. Doherty Jts. LOCATION: 32 Cushman St. 56-D-6 NDP

CODE ENFORCEMENT OFFICER: Merlin Leary (5)

HOUSING CONDITIONS DATED: July 18, 1985 EXPIRES: Sept. 18, 1985

Items listed below are in violation of Article V of the Municipal Codes, "Housing Code", and must be corrected on or before the expiration date.

SEC. (S)

- * 1. ~~FIRST, SECOND & THIRD FLOOR REAR - stairs - broken and rotted treads, fire escape.~~ 116-2
- * 2. ~~THIRD FLOOR REAR - floor - broken and rotted decking, fire escape.~~ 116-2
- * 3. ~~FIRST FLOOR RIGHT REAR PORCH - floor - broken and rotted decking.~~ 108-4
- 4. ~~LEFT REAR CELLAR - window - broken glass.~~ 108-3
- * 5. ~~LEFT FRONT CELLAR - ceiling - loose and hanging romex and service cable.~~ 113-2
- 6. ~~OVERALL CELLAR - floor - flammable materials next to furnace.~~ 109-4
- 7. ~~FRONT EXTERIOR - roof - rotted gutter.~~ 108-1
- * 8. ~~FIRST FLOOR REAR - stairs - missing safety rails, fire escape.~~ 116-2

FIRST FLOOR

- 9. ~~BATHROOM - tub - cross connection.~~ 111-1
- 10. ~~MIDDLE BEDROOM - wall - missing switch cover.~~ 113-2
- * 11. ~~REAR BEDROOM - ceiling - broken light fixture.~~ 113-2

THIRD FLOOR

~~Not available at time of inspection.~~

*WHEN MAKING YOUR REPAIRS, FIRST PRIORITY IS TO BE GIVEN TO ITEMS WITH ASTERISKS, AS THEY CONSTITUTE EXTREME HAZARDS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF THIS STRUCTURE.

NOTE: At the time of the survey, we were unable to gain access to the Third Floor Apartment. We suggest that if there are any conditions which need correcting in this apartment, that you make the repairs while doing the work on the rest of the structure.

REINSPECTION RECOMMENDATIONS

LOCATION 32 Cushman St

PROJECT NDP

INSPECTOR Leary

OWNER Robert Doherty

David S. ...

NOTICE OF HOUSING VIOLATIONS		HEARING NOTICE		FINAL NOTICE	
Issued	Expired	Issued	Expired	Issued	Expired

A reinspection was made of the above premises and I recommend the following action:

DATE	ACTION
<u>6-5-77</u>	<p>ALL VIOLATIONS HAVE BEEN CORRECTED Send "CERTIFICATE OF COMPLIANCE" POSTING RELEASE</p> <p>SATISFACTORY Rehabilitation in progress</p> <p>Time Extended To: _____</p> <p>Time Extended To: _____</p> <p>Time Extended To: _____</p> <p>UNSATISFACTORY Progress Send "HEARING NOTICE" "FINAL NOTICE"</p> <p>"NOTICE TO VACATE" POST Entire _____ POST Dwelling Units _____</p> <p>UNSATISFACTORY Progress "LEGAL ACTION" To be Taken _____</p>
<u>6-5-77</u>	<p>INSPECTOR'S REMARKS: <u>All violations corrected by new owner.</u></p> <p>INSTRUCTIONS TO INSPECTOR: _____</p>

Inspection Services
Samuel P. Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

April 22, 1993

David Swan
55 Hillside Ave
So. Portland, ME 04106

Re: 32 Cushman St
CBL: 056-D-006


Dear Mr. Swan,

I am sending you this letter to request an inspection at the property which you own or manage at the above listed address.

This is for the City of Portland's program to inspect all multi-family buildings in the City every 5 years.

Please contact me in this office at 874-8300 X8707 between 7:00-9:00AM or 3:00-3:30PM to make arrangements to inspect the building.

Sincerely,


Kathleen Lowe
Code Enforcement Officer

Inspection Services
Samuel P. Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

January 21, 1994

SWAN DAVID C
55 HILLSIDE AVE
SOUTH PORTLAND ME 04106

Re: 32 Cushman St
CBL: 056- - D-006-001-01
DU: 0

Dear Mr. Swan,

We recently received a complaint and an inspection was made at the above referenced address. As a result of the inspection, you are hereby notified to correct the following substandard housing conditions:

- | | |
|---|--------|
| 1. EXT - RIGHT SIDE - FIRE ESCAPE
MISSING BALLISTERS | 108.40 |
| 2. EXT - RIGHT SIDE - FIRE ESCAPE
INADEQUATE HANDRAIL | 108.40 |
| 3. EXT - RIGHT SIDE - FIRE ESCAPE
INADEQUATE REINFORCEMENTS AT LANDING | 108.40 |

The above mentioned conditions are in violation of Article V of the Municipal Code of the City of Portland, Maine, and must be corrected within 30 days. Failure to comply with this order may result in a complaint being filed for prosecution in District Court.

Sincerely,

Tammy Minson
Tammy Minson
Code Enforcement Officer

Samuel Hoffses
P. Samuel Hoffses
Chief of Inspection Services

