



Permitting and Inspections Department  
Michael A. Russell, MS, Director

September 15, 2017

YEE CHEUNGLUI H  
175 MIDDLE RD  
FALMOUTH, ME 04105

**CBL: 111 B006001**  
**Located at: 120 BAXTER BLVD**

**Certified Mail 7015 3010 0000 0201 1270**

Dear YEE CHEUNGLUI H,

An evaluation of the above-referenced property on **09/07/2017** shows that the structure fails to comply with Chapter 6.Article V. of the Code of Ordinances of the City of Portland, The Housing Code. Attached is a list of the violations.

This is a notice of violation pursuant to Section 6-118 of the Code. All referenced violations shall be corrected within **30** days of the date of this notice. A re-inspection of the premises will occur on **10/16/2017** at which time compliance will be required. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code.

This constitutes an appealable decision pursuant to Section 6-127 of the Code.

Please feel free to contact me if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$150.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$150.00 fee will be assessed for each inspection.

Sincerely,

/s/

A handwritten signature in black ink, appearing to read "Jason Duval", written over a horizontal line.

Jason Duval  
Code Enforcement Officer



Permitting and Inspections Department  
Michael A. Russell, MS, Director

September 15, 2017

YEE CHEUNGLUI H  
175 MIDDLE RD  
FALMOUTH, ME 04105

**CBL: 111 B006001**  
**Located at: 120 BAXTER BLVD**

**Certified Mail 7015 3010 0000 0201 1270**

Dear YEE CHEUNGLUI H,

NOTICE OF VIOLATION

An evaluation of the above-referenced property on **09/07/2017** revealed that this office has no record of a building permit being issued to this location.

The property is in violation of Section 14-52 of the Portland Zoning Ordinance as stated below:

Section 14-52 Conformity Required: No building or structure shall be erected, altered, enlarged, rebuilt, moved or used, and no premises shall be used unless in conformity with the provisions of this article.

This is also a Violation in pursuant to Section 105.1 of the 2003 International Building Code: An application shall be submitted to the code official for the following activities, and these activities shall not commence without a permit being issued in accordance with Section 105.0; construct or alter a structure, construct an addition, demolish or move a structure, make a change in occupancy, install or alter any equipment which is regulated by this code, move a lot line which affects an existing structure.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A of M.R.S.A. Section 4452 and Section 14-57 of the Portland Zoning Ordinance. This constitutes an appealable decision pursuant to Section 112 of the City of Portland Building Code.

You have thirty (30) days in which to complete and submit a building permit to this office which has been included for your convenience. A re-inspection will occur on **10/16/2017**. You will be contacted with a time to meet with me on site to confirm the removal of the illegal activity or compliance with an approved building permit.

You have the right to appeal this decision (section 112). If you wish to pursue an appeal you may contact Ann Machado, Zoning Administrator at 207-874-8709 to appear before the Zoning Board of Appeals.

If you have any questions you may contact me to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Duval', with a long horizontal stroke extending to the right.

Jason Duval  
Code Enforcement Officer

**CITY OF PORTLAND  
HOUSING SAFETY OFFICE**

389 Congress Street  
Portland, Maine 04101

**Inspection Violations**

|   |                           |                                   |                                      |
|---|---------------------------|-----------------------------------|--------------------------------------|
| <b>Owner/Manager</b><br>YEE CHEUNGLUI H |                           | <b>Inspector</b><br>Jason Duval   | <b>Inspection Date</b><br>9/7/2017   |
| <b>Location</b><br>120 BAXTER BLVD      | <b>CBL</b><br>111 B006001 | <b>Status</b><br>Violations Exist | <b>Inspection Type</b><br>Inspection |

| Code              | Int/Ext   | Floor | Unit No. | Area        | Compliance Date |
|-------------------|---|-------|----------|-------------|-----------------|
| 1) 50.041         | Interior  |       |          |             |                 |
| <b>Violation:</b> | NFPA 101- 7.2.2.4.1.1 STAIRS SHALL HAVE HANDRAILS; STAIRS AND RAMPS SHALL HAVE HANDRAILS ON BOTH SIDES, UNLESS OTHERWISE PERMITTED IN 7.2.2.4.1.5 OR 7.2.2.4.1.6.   |       |          |             |                 |
| <b>Notes:</b>     | Install handrails for the stairwell to the attic area and the stairwell to the basement.  |       |          |             |                 |
| 2) 50.122         | Interior  |       |          | Basement    |                 |
| <b>Violation:</b> | NFPA 70- 314.25 ELECTRICAL SWITCHES NEED COVERS; IN COMPLETED INSTALLATIONS, EACH BOX SHALL HAVE A COVER, FACEPLATE, LAMPHOLDER, OR LUMINAIRE CANOPY, EXCEPT WHERE THE INSTALLATION COMPLIES WITH 410.24(B).  |       |          |             |                 |
| <b>Notes:</b>     | Replace missing cover to electrical switch in basement stairwell.   |       |          |             |                 |
| 3) 50.124         | Interior  |       |          | Basement    |                 |
| <b>Violation:</b> | NFPA 70- 314.28 [C] ELECTRICAL PANELS NEED COVERS; All pull boxes, junction boxes, and conduit bodies shall be provided with covers compatible with the box or conduit body construction and suitable for the conditions of use. Where used, metal covers shall comply with the grounding requirements of 250.110.  |       |          |             |                 |
| <b>Notes:</b>     | Replace the missing panel covers in basement.   |       |          |             |                 |
| 4) 205            | Interior  |       |          | Through Out |                 |
| <b>Violation:</b> | SMOKE ALARMS / LEVEL; Smoke Alarms - One and Two-Family Dwellings: Single-station or multiple-station (interconnected) photoelectric smoke alarms must be powered by the building electrical system or powered by a 10-year non-replaceable battery and shall be positioned correctly on walls or ceilings: (1) within 21 feet of any door to a sleeping room and (2) in living areas separated by doors on each level of the dwelling unit and (3) including the basement. |       |          |             |                 |
| <b>Notes:</b>     | NFPA 101 (2009) 24.3.4.1(2)(3), 9.6.2.10, amended by City Code of Ordinances Section 10-3(i)<br>Replace the missing smoke alarms through out the dwelling, including basement and attic.  |       |          |             |                 |
| 5) 206            |   |       |          | Through Out |                 |
| <b>Violation:</b> | SMOKE ALARMS / BEDROOMS; Smoke Alarms - One and Two-Family Dwellings: Single-station or multiple-station (interconnected) photoelectric smoke alarms must be powered by the building electrical system or powered by a 10-year non-replaceable battery and shall be positioned correctly on walls or ceilings: in all sleeping rooms.   |       |          |             |                 |
| <b>Notes:</b>     | NFPA 101 (2009) 24.3.4.1(1), 9.6.2.10, amended by City Code of Ordinances Section 10-3(i)<br>Replace the missing smoke alarms in all of the bedrooms.   |       |          |             |                 |

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**CITY OF PORTLAND  
HOUSING SAFETY OFFICE**

389 Congress Street  
Portland, Maine 04101

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**Inspection Violations**

|   |                           |                                   |                                      |
|---|---------------------------|-----------------------------------|--------------------------------------|
| <b>Owner/Manager</b><br>YEE CHEUNGLUI H |                           | <b>Inspector</b><br>Jason Duval   | <b>Inspection Date</b><br>9/7/2017   |
| <b>Location</b><br>120 BAXTER BLVD      | <b>CBL</b><br>111 B006001 | <b>Status</b><br>Violations Exist | <b>Inspection Type</b><br>Inspection |

6) 207

Through Out

**Violation:** CARBON MONOXIDE ALARMS / LEVEL; Carbon Monoxide Alarms - One and Two-Family Dwellings: Single-station or multiple-station (interconnected) Carbon Monoxide alarms must be powered by the (A) building electrical system, or (B) 10-year non-replaceable battery and shall be positioned correctly on walls or ceilings: (1) on each level of the dwelling unit, and (2) including the basement.

NFPA 720 (2009) 9.5.1, 9.5.3, amended by State Law Title 25, Chapter 317 § 2468

**Notes:** Replace the missing CO alarms on every level of the dwelling (basement, first floor, second floor, attic area).

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7) 105.1

**Violation:** BUILDING W/O PERMIT; Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

**Notes:** Apply for an after the fact permit for the window replacement in the attic and the basement work.

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8) 6.004

**Violation:** NFPA 70- ARTICLE 406.11 DEFECTIVE ELECTRICAL RECEPTACLES; IN ALL AREAS SPECIFIED IN 210.52, ALL 125-VOLT, 15- AND 20- AMPERE RECEPTACLES SHALL BE LISTED TAMPER-RESISTANT RECEPTACLES.

**Notes:** Address the electrical issues in attic area. Wires coming out of receptacles and out of the wall.

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**Comments:** Only smoke detector in the entire dwelling is in basement (missing in common areas, bedrooms, attic space). No CO alarms in entire dwelling. Panel in basement needs breaker covers. Handrails needed for staircase in basement and staircase to attic space. Electrical issues in attic space and missing covers for light fixture in basement stairwell. Non code compliant window in attic space. Possible illegal kitchen area in basement. Sink may be too close to panel.



Permitting and Inspections Department  
Michael A. Russell, MS, Director

December 19, 2016

Yee Cheunglui H  
110 Marginal Way # 222  
Portland, ME 04104

CBL: 111 B006001

CERTIFIED & REGULAR MAIL: 70103090000232738375

Located At: 120 Baxter Blvd.  
RE: Notice of Violation

Mr. Yee:

A re-evaluation of the above-referenced property on 12/15/2016 revealed that work has been done at the property without proper permits, as required by the City of Portland Code of Ordinances §§ 6-16 (IRC R105.1, R105.8), 6-21 6-25, 6-51, and 14-463, and the consent agreement that you entered into with the City, effective June 28, 2011. There are also additional violations of the City's Building and Building Regulations and Land Use Code, as described further in the attached list of violations.

The City is willing to work cooperatively to create an appropriate action plan to address this situation and streamline all necessary permits. There are minimum safety standards that must be met. Accordingly, immediately discontinue the use of all rooms at the basement level as residential sleeping rooms (bedrooms) until all necessary plans have been submitted, City permits have been obtained, and required inspections are completed. This will require obtaining permits for any after-the-fact construction, change of use, or alteration of the property. If these permits are denied, then the changed use must be permanently discontinued, and any violations must be remedied to bring the property into full compliance with the City of Portland Code of Ordinances and state law.

You must submit fully completed permit applications to us by 01/06/2017. Additionally, a re-evaluation of the property will occur on 12/30/2016 to verify that the residential bedrooms on the basement level are vacated.

Failure to comply will result this matter being referred to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in the City of Portland Code of Ordinances §§ 1-15 and 6-1 and 30-A M.R.S. § 4452.

Portland, Maine



Yes. Life's good here.

Permitting and Inspections Department  
Michael A. Russell, MS, Director

This letter constitutes a decision from which you may appeal. If you have any questions, please do not hesitate to contact me at 207.874.8701.

Sincerely,

A handwritten signature in black ink, appearing to be "JR" or "Jonathan Rioux".

Jonathan Rioux,  
Inspections Manager

cc: Tenants of 120 Baxter Blvd.  
Anne Torregrossa, Associate Corporation Counsel

CITY OF PORTLAND PERMITTING AND INSPECTIONS DEPARTMENT  
 HOUSING SAFETY OFFICE  
 389 Congress Street, Rm. 26 Portland, Maine 04101  
 housingsafety@portlandmaine.gov  
 (207)756-8131

**NOTICE OF VIOLATION  
 AND ORDER TO CORRECT**

Certified Mail 7015 3010 0000 0200 9185 – October 25, 2016

|  |  |                                       |
|--|--|---------------------------------------|
| <b>Violator 1:</b><br>YEE, CHEUNGLUI H.  |  |                                       |
| <b>Location:</b><br>120 Baxter Boulevard | <b>CBL:</b><br>111 B006                              | <b>Inspection Date:</b><br>10/12/2016 |
| <b>Inspector:</b><br>Matt Sarapas        | <b>Inspection Type:</b><br>Housing Safety Inspection | <b>Status:</b><br>Failed              |

The City of Portland Housing Safety Office inspected this property, and found the life safety and housing code violations listed below, which you are hereby ordered to correct within the timeframes provided. If you require additional time to remedy the violations due to a substantial hardship, you must contact the Housing Safety Office to request additional time. You must sign and return this form to the Housing Safety Office no later than **October 28, 2016**. The Housing Safety Office reserves the right to reject or modify any proposed plan of action, and may require evidence of sufficient financial and technical capacity to complete the proposed plan. Please contact the Office with any questions.

**YOUR FAILURE TO SIGN AND RETURN THIS NOTICE BY THE DATE PROVIDED,  
 OR TO CORRECT ANY VIOLATION WITHIN THE APPLICABLE TIME FRAME,  
 MAY RESULT IN LEGAL ACTION AGAINST YOU, THE IMPOSITION OF CIVIL  
 PENALTIES, AND THE PURSUIT OF OTHER LEGAL REMEDIES.**

| <b>Violation</b>   | <b>Date for Compliance</b>                              |
|--|---|
| <p><b>SMOKE ALARMS/LEVEL.</b><br/>                     Multiple-station (interconnected) photoelectric smoke alarms must be powered by the building electrical system and shall be positioned correctly on walls or ceilings: (1) within 21 feet of any door to a sleeping room and (2) in living areas separated by doors on each level of the dwelling unit and (3) including the basement.</p> <p>NFPA 101 (2009) 24.3.4.1(2)(3), 9.6.2.10, amended by City Code of Ordinances Section 10-3(i).</p> <p><i>No smoke detectors observed on first or second floors. Temporary detection must be installed on</i></p> | <p>Immediate</p> <p>No later than November 21, 2016</p> |



CITY OF PORTLAND PERMITTING AND INSPECTIONS DEPARTMENT  
 HOUSING SAFETY OFFICE  
 389 Congress Street, Rm. 26 Portland, Maine 04101  
 housingsafety@portlandmaine.gov  
 (207)756-8364

|   |   |
|---|---|
| <p><b>SMOKE ALARMS/BEDROOMS.</b><br/>                 Multiple-station (interconnected) photoelectric smoke alarms must be powered by the building electrical system and shall be positioned correctly on walls or ceilings: in all sleeping rooms.</p> <p>NFPA 101 (2009) 24.3.4.1(1), 9.6.2.10, amended by City Code of Ordinances Section 10-3(i)</p> <p><i>Bedroom detection missing throughout. Unable to access attic sleeping area. Install compliant smoke alarms.</i></p>  | <p>Immediate</p> <p>No later than November 21, 2016</p> |
| <p><b>CARBON MONOXIDE ALARMS/LEVEL</b><br/>                 Single-station or multiple-station (interconnected) Carbon Monoxide alarms must be powered by the building electrical system or (B) 10-year non-replaceable battery and shall be positioned correctly on walls or ceilings: (1) on each level of the dwelling unit, and (2) including the basement.</p> <p>NFPA 720 (2009) 9.5.1, 9.5.3, amended by State Law Title 25, Chapter 317 § 2468</p> <p><i>No carbon monoxide detectors observed first or second floor. Unable to access attic sleeping area. Install compliant CO detectors.</i></p> | <p>Immediate</p> <p>No later than November 21, 2016</p> |

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|  |  |                                       |
|--|--|---------------------------------------|
| <b>Violator 1:</b><br>YEE, CHEUNGLUI H.  |  |                                       |
| <b>Location:</b><br>120 Baxter Boulevard | <b>CBL:</b><br>111 B006                              | <b>Inspection Date:</b><br>10/12/2016 |
| <b>Inspector:</b><br>Matt Sarapas        | <b>Inspection Type:</b><br>Housing Safety Inspection | <b>Status:</b><br>Failed              |

**VIOLATOR CERTIFICATION**

I agree to remedy the violations listed within the timeframes provided. If I require additional time to comply, I understand that I must contact the Housing Safety Office prior to the deadline to request an extension, which is entirely within the Office's discretion to grant or deny. If I fail to comply with this agreement, I understand that I am liable for penalties pursuant to the City of Portland Code of Ordinances §§ 1-15, 10-25, and 6-1, and 30-A M.R.S. § 4452 and may be subject to further legal action.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Violator 1

**SEEN AND AGREED**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Housing Safety Office