

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

Please Read  
Application And  
Notes, if Any,  
Attached

## BUILDING INSPECTION PERMIT

Permit Number: 031108

This is to certify that Obery Eric & /n/a  
has permission to Change of use from 4 apartments to 4 commercial  
AT 22 Waverly St 146 A011001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine 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.

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

Notification of inspection must be given and work on permit must be completed before this building or part thereof is leased or otherwise used-in. **NO FURTHER NOTICES REQUIRED.**

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] 11/24/03  
Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 22 Waverly St

CBL 146 A011001

Issued to Obery Eric & /n/a

Date of Issue 06/14/2004

**This is to certify** that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 03-1108, 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

Change of use from 4 apartments to 4 condominiums

APPROVED OCCUPANCY

Use Group R2 Type 5B  
(Boca 1999)

Limiting Conditions:

None

This certificate supersedes  
certificate issued

Approved:

6/14/04

(Date)

*Jon Reed*

Inspector

*Jon Reed*

Inspector of Buildings

Notice: 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.

*ADD 6/15/04*

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

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

Permit No: 03-1108	Issue Date:	CBL: 146 A011001
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Location of Construction: 22 Waverly St	Owner Name: <i>Obery Eric &amp; Jean Dye</i>	Owner Address: 22 Waverly St	Phone:
Business Name: n/a	Contractor Name: n/a	Contractor Address: n/a Portland	Phone:
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: Change of Use - Condo Conversion	Zone: <b>R5</b>

Past Use: 4 units apartments	Proposed Use: 4 units condominiums	Permit Fee: \$1,056.00	Cost of Work: \$0.00	CEO District: 3
Proposed Project Description: Change of use from 4 apartments to 4 condominiums  <i>Legal Use: from (4) D.U.</i>		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <b>R2</b> Type: <b>5B</b> <i>11/24/03</i>	
		Signature: <i>[Signature]</i>		
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____				

Permit Taken By: kwd	Date Applied For: 09/08/2003	<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 checked="" type="checkbox"/> Wetland <i>No change of use permitted</i> <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan  Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: <i>11/19/03</i>	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  Date: _____	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied  Date: _____
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**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 \_\_\_\_\_

12/11/03 - Need fire doors installed for 1st flr  
units in order to issue cot O.

6-4-04 LT MAC & JAY Kelly Notable  
to do final Friday so re-scheduled  
for 6-7-04  
MM

6/7/04 Final w/ Jason Dye. Lt MAC on site. M. Collins  
still needs to do final. OK. OK clo JR.

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

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

Permit No: 03-1108	Date Applied For: 09/08/2003	CBL: 146 A011001
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Location of Construction: 22 Waverly St	Owner Name: Obery Eric &	Owner Address: 22 Waverly St	Phone:
Business Name: n/a	Contractor Name: n/a	Contractor Address: n/a Portland	Phone:
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Change of Use - Condo Conversion	

Proposed Use: 4 units condominiums	Proposed Project Description: Change of use from 4 apartments to 4 condominiums
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 11/18/2003

**Note:** 10/08/2003 The tenant notice is deficient because it does not contain the required information - see letter - **Ok to Issue:**   
also question on the vacated unit

1/17/03 Jason Dye called and said that he dropped off what I needed when I was on vacation a few weeks ago. That information is not attached to the permit application. I left a voice mail to let him know that I need a 2nd set of that required information.

11/18/03 Jason Dye brought in the information that I requested

- 1) 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.
- 2) 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.
- 3) This property shall remain a four (4) family dwelling. Any change of use shall require a separate permit application for review and approval.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Mike Nugent      **Approval Date:** 12/04/2003

**Note:** **Ok to Issue:**

- 1) No construction is authorized, simply a change in ownership

NO CONSTRUCTION IS AUTHORIZED UNDER THIS PERMIT.

**Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Lt. MacDougal      **Approval Date:** 11/20/2003

**Note:** **Ok to Issue:**

- 1) smoke detectors shall be hard wired with battery back-up
- 2) the boiler shall be enclosed in an one hour enclosure or enclosed with a domestic sprinkler
- 3) vertical openings shall be fire rated with a minimum of one hour rating

**Comments:**

09/15/2003-kwd: applicant had an old application, paid incorrect conversion fees. Owes us \$500.00. On hold until paid. Kwd

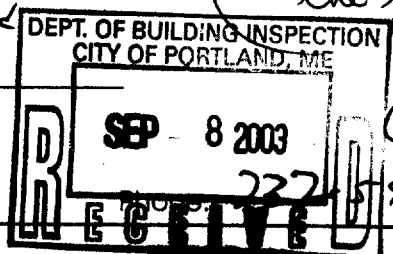
11/24/2003-mjn: Needs construction cost estimate and details NO CONSTRUCTION IS AUTHORIZED UNDER THIS PERMIT

03-1108

# 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>20-22 Waverly St. Portland 04103</u>		
Total Square Footage of Proposed Structure <u>5000 sq. ft.</u>	Square Footage of Lot <u>9600</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>146</u> Block# <u>A</u> Lot# <u>11</u>	Owner: <u>Jason Dye</u>	Telephone: <u>232-5417</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Jason Dye</u> <u>256 Veranda St.</u> <u>Portland, ME 04103</u>	Cost Of Work: \$ <u>15,000 (est.)</u> Fee: \$ <u>150.00</u> <u>4</u> units @ \$25.00 per unit \$ <u>500.00</u> <u>600.00</u>
Current use: <u>apartments</u> number of units: <u>4</u>	Bldg Fee <u>156.00</u> 4 units each <u>150.00</u> 4 units <u>300.00</u> <u>600.00</u> \$ <u>356.00</u>	
Purposed use <u>condos</u> number of units: <u>4</u>		
Project description: <u>Expand top units to 3rd floor adding 500 sq. ft. to each unit. - See plans attached</u>	expanding 2 units. 2 are the same	
Contractor's name, address & telephone: <u>to be determined</u>		
Who should we contact when the permit is ready: <u>Jason Dye</u>		
Mailing address: <u>256 Veranda St.</u> <u>Portland, ME 04103</u>	Cell	



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.

Pd in full 9/15

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes 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 applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official'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:	Date: <u>9/4/03</u>
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This is not a permit, you may not commence ANY work until the permit is issued

# BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

JD **Pre-construction Meeting:** Must be scheduled with your inspection team upon receipt of this permit. ~~Jay Reynolds~~, Development Review Coordinator at 874-8632 must also be contacted at this time, before any site work begins on any project other than single family additions or alterations.

NA **Footing/Building Location Inspection:** Prior to pouring concrete

NA **Re-Bar Schedule Inspection:** Prior to pouring concrete

NA **Foundation Inspection:** Prior to placing ANY backfill

NA **Framing/Rough Plumbing/Electrical:** Prior to any insulating or drywalling

JD **Final/Certificate of Occupancy:** Prior to any occupancy of the structure or use. NOTE: There is a \$75.00 fee per inspection at this point.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection

JD If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

JD **CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED**

[Signature]  
Signature of applicant/designee

12/5/03  
Date

[Signature]  
Signature of Inspections Official

12/5/03  
Date

CBL: 146 A 011 Building Permit #: 131108

Jason Dye  
256 Veranda Street  
Portland, ME 04103  
232-5417

October 22, 2003

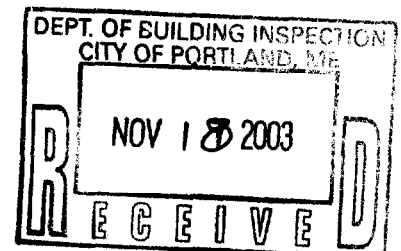
Marge Schmuckal  
City of Portland  
Department of Planning and Development  
Portland, ME 04101

Mrs. Schmuckal,

Attached are the revised intent letters for the condominium conversion at 20-22 Waverly St. Regarding the fourth vacant unit, it was vacant when I purchased the property on July 31, 2003. The previous owners had renovated that unit prior to selling so it had been vacant for at least a couple months prior to my purchase. Feel free to call me with any questions.

Thank you,

Jason Dye





Jason Dye  
256 Veranda Street  
Portland, ME 04103  
232-5417

November 17, 2003

Kathryn Vickery & Jenni LaChance  
22 Waverly, Apartment #1  
Portland, ME 04103

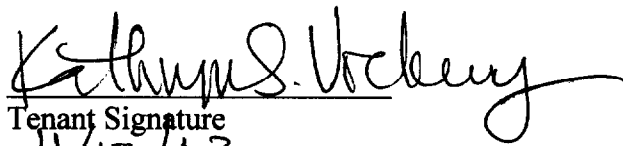
Kathryn & Jenni,

This letter is to inform you of my intention to convert 20-22 Waverly Street into 4 condominiums. You may purchase your unit(Unit #1) for \$155,000. If you choose not to purchase your unit you are given 120 days notice. Attached is a copy of the City of Portland's condominium conversion ordinance for your review. Feel free to call me with any questions.

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 874-8703).

Thank you,

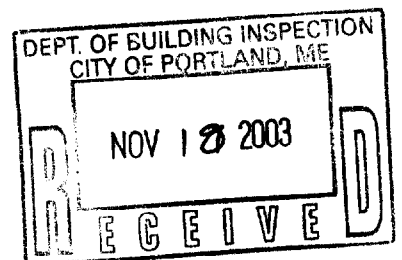
Jason Dye



Tenant Signature

11/17/03

Date



Jason Dye  
256 Veranda Street  
Portland, ME 04103  
232-5417

November 17, 2003

Justin & Ashley Boothby  
22 Waverly, Apartment #2  
Portland, ME 04103

Mr. & Mrs. Boothby,

This letter is to inform you of my intention to convert 20-22 Waverly Street into 4 condominiums. You may purchase your unit(Unit #1) for \$175,000. If you choose not to purchase your unit you are given 120 days notice. Attached is a copy of the City of Portland's condominium conversion ordinance for your review. Feel free to call me with any questions.

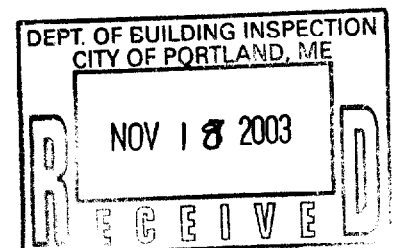
If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone 874-8703).

Thank you,

Jason Dye

  
Tenant Signature

11-17-03  
Date



Jason Dye  
256 Veranda Street  
Portland, ME 04103  
232-5417

November 17, 2003

Richard & Cheryl Talbot  
20 Waverly, Apartment #1  
Portland, ME 04103

Mr. & Mrs. Talbot,

This letter is to inform you of my intention to convert 20-22 Waverly Street into 4 condominiums. You may purchase your unit(Unit #1) for \$135,000. If you choose not to purchase your unit you are given 120 days notice. Attached is a copy of the City of Portland's condominium conversion ordinance for your review. Feel free to call me with any questions.

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 874-8703).

Thank you,

Jason Dye

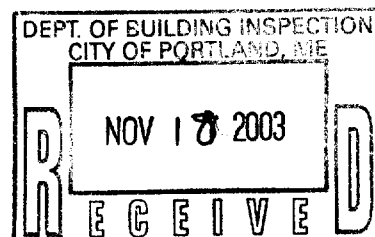
*Richard C. Talbot*

*Cheryl L. Talbot*

Tenant Signature

Date

*11/17/03*



Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Planning & Development  
Lee Urban, Director



**CITY OF PORTLAND**

October 8, 2003

Jason Dye  
256 Veranda Street  
Portland, ME 04103

*11/18/03  
received tenant  
revised notices  
And info on the  
vacant unit*

RE: 20-22 Waverly Street – 14-A-011 – R-5 zone – permit application #03-1108

Dear Jason,

I am in receipt of your permit application to convert the four dwelling unit at 20-22 Waverly Street from rental units to condominium units. Your required tenant notices of condominium conversion are deficient in the required information to be contained within them. Your permit will be on hold until this office receives the corrected, required information for condominium conversion.

Section 14-568 states that your notice of intent to convert SHALL contain a very specific statement to the tenants explaining their rights and who to call at City Hall if they have further questions. I do understand that you gave them copies of the ordinance with your notice. But your notice does need to contain this further information. When you have submitted revised notices to the tenants, please supply copies to me for further review of your permit application.

I will also need more information on the vacant fourth unit. When was the unit vacated? Who was the previous tenant? Why did the tenant leave? Any further information that you can supply on this tenant and the reason they left will help move along your permit. The entire purpose of the condominium conversion permit is to protect tenants and afford them specific rights. This office is in the position of ensuring those rights.

Your permit will not be reviewed further until all required information is submitted.

Very truly yours,

*Marge Schmuckal*  
Marge Schmuckal, Zoning Administrator

to be used primarily as a separate dwelling.  
(Ord. No. 213-81, § 608.3, 11-16-81)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Sec. 14-568. Protection of tenants.

(a) *Notice of intent to convert.* A developer shall give to each tenant written notice of intent to convert at least one hundred twenty (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 (4) consecutive years, the notice period shall be increased by thirty (30) additional days for each additional year, or fraction thereof, to a maximum of two hundred forty (240) additional days. The notice shall set forth specifically the rights of tenants under subsections (a) and (b) of this section and section 14-569, and shall 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~~ 874-8703).

If the notice specifies a date by which the tenant is required to vacate, the notice may also serve as a notice of termination under the applicable law of forcible entry and detainer, if it meets the requirements thereof. The notice shall be hand-delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within one hundred twenty (120) days after a tenant is required by a developer to vacate, the developer records a declaration of condominium.

# Condominium Conversion Application Part II

Jason Dye  
256 Veranda Street  
Portland, Me 04103

September 4, 2003

## **CODE COMPLIANCE:**

- 1) Notices of intents signed by tenants, dated, and attached.
- 2) List of tenants who were given letters;
  - \*Richard & Cheryl Talbot
  - \*Kathryn Vickery & Jenni LaChance
  - \*Justin & Ashley Boothby
  - \*Fourth unit is vacant.
- 3)Addresses of Tenants;
  - Richard & Cheryl Talbot  
20 Waverly, #1  
Portland, ME 04103  
Intent letter signed August 2, 2003
  
  - Kathryn Vickery & Jenni LaChance  
22 Waverly, #1  
Portland, ME 04103  
Intent letter signed August 5, 2003
  
  - Justin & Ashley Boothby  
22 Waverly, #2  
Portland, ME 04103  
Intent letter signed August 6, 2003
- 4) Yes.
- 5) No.
- 6) Exact incomes of tenants is unknown but is projected to be above the income limit set by the city of Portland. Each tenant was given a copy of the ordinance and income limit schedule with the intent letter.


# Application for Condominium Conversion

Jason Dye  
256 Veranda Street  
Portland, Me 04103

September 4, 2003

The purpose of this application is to convert my four family apartment building located at 20-22 Waverly Street to four condominiums. The two units on the first floor do not require any alterations. I propose expanding the second floor units to the third floor attic space to add second bedrooms to the units. Professional plans are attached. Richard and Cheryl Talbot, tenants in unit one on the 20 side of the building, have expressed interest in purchasing their unit.

Thank you,



Jason Dye  
232-5417

Jason Dye  
256 Veranda Street  
Portland, ME 04103  
232-5417

August 1, 2003

Kathryn Vickery & Jenni LaChance  
22 Waverly, Apartment #1  
Portland, ME 04103

Kathryn & Jenni,

This letter is to inform you of my intention to convert 20-22 Waverly Street into 4 condominiums. You may purchase your unit(Unit #1) for \$155,000. If you choose not to purchase your unit you are given 120 days notice. Attached is a copy of the City of Portland's condominium conversion ordinance for your review. Feel free to call me with any questions.

Thank you,

Jason Dye

Received by -  
Jenni LaChance  
Tenant Signature  
8/5/03  
Date

Received by:  
Kathryn S. Vickery



Jason Dye  
256 Veranda Street  
Portland, ME 04103  
232-5417

August 1, 2003

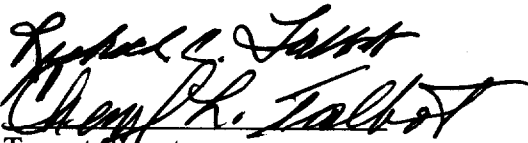
Richard & Cheryl Talbot  
20 Waverly, Apartment #1  
Portland, ME 04103

Mr. & Mrs. Talbot,

This letter is to inform you of my intention to convert 20-22 Waverly Street into 4 condominiums. You may purchase your unit(Unit #1) for \$135,000. If you choose not to purchase your unit you are given 120 days notice. Attached is a copy of the City of Portland's condominium conversion ordinance for your review. Feel free to call me with any questions.

Thank you,

Jason Dye

  
\_\_\_\_\_  
Tenant Signature  
08-02-2003

\_\_\_\_\_  
Date

Zoning Division  
Marge Schmuckal  
Zoning Administrator



Department of Urban Development  
Joseph E. Gray, Jr.  
Director

CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 20-22 Waverly St.

NUMBER OF UNITS: 4

TENANT NAME: Justin & Ashley Boothby

TENANT'S UNIT #: 22-#2

TENANT'S TEL. #: 878-2924

TENANT'S PRESENT ANNUAL INCOME: unknown

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: < 1 year

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: Jason Dye - 232-5417  
256 Veranda St. Portland

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: \_\_\_\_\_

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

- expansion to 3rd floor

- See plans attached

Jason Dye  
256 Veranda Street  
Portland, ME 04103  
232-5417

August 1, 2003

Justin & Ashley Boothby  
22 Waverly, Apartment #2  
Portland, ME 04103

Mr. & Mrs. Boothby,

This letter is to inform you of my intention to convert 20-22 Waverly Street into 4 condominiums. You may purchase your unit (Unit #1) for \$175,000. If you choose not to purchase your unit you are given 120 days notice. Attached is a copy of the City of Portland's condominium conversion ordinance for your review. Feel free to call me with any questions.

Thank you,

Jason Dye

Received on 8/6/03 Ashley Boothby  
Tenant Signature

\_\_\_\_\_  
Date

Zoning Division  
Marge Schmuckal  
Zoning Administrator



Department of Urban Development  
Joseph E. Gray, Jr.  
Director

CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 20-22 Waverly

NUMBER OF UNITS: 4

TENANT NAME: Vacant

TENANT'S UNIT #: 20-#2

TENANT'S TEL. #: —

TENANT'S PRESENT ANNUAL INCOME: —

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: —

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: Jason Dye 232-5417  
256 Veranda St. Portland

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: \_\_\_\_\_

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION – PLEASE DETAIL

expansion to 3rd floor  
See plans attached



CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 20-22 Waverly St.

NUMBER OF UNITS: 4

TENANT NAME: Richard & Cheryl Talbot

TENANT'S UNIT #: 20-#1

TENANT'S TEL. #: 878-7861

TENANT'S PRESENT ANNUAL INCOME: unknown

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: 6 years

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: Jason Dye 232-5417  
256 Veranda St. Portland 04103

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: \_\_\_\_\_

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

No alterations.

Zoning Division  
Marge Schmuckal  
Zoning Administrator



Department of Urban Development  
Joseph E. Gray, Jr.  
Director

CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 20-22 Waverly  
NUMBER OF UNITS: 4  
TENANT NAME: Kathryn Vickery & Jenni Lachance  
TENANT'S UNIT #: 22-#1  
TENANT'S TEL. #: 797-6619  
TENANT'S PRESENT ANNUAL INCOME: unknown  
NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: < 1 year

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: Jason D-je 232-5417  
256 Veranda St Portland 04103

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: \_\_\_\_\_

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL  
No Alterations.

*W 10 - 7 - 2003*

**Number of People in Household - Income Limit**

LIMITS EFFECTIVE FEBRUARY 20, 2003

**1 - \$32,750**

**2 - \$37,450**

**3 - \$42,100**

**4 - \$46,800**

**5 - \$50,550**

**6 - \$54,300**

**7 - \$58,050**

**8 - \$61,800**

*received  
3/12/03*

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: 146  
Block: A  
Lot: 11

Name of Owner: Jason Dye

Address: 256 Veranda St.

Telephone No.: 232-5417

Name of Project: Waverly Condominiums

No of Units to be Converted: 4

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 f.b.d.

Approved by: \_\_\_\_\_

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

	No. of units approved (circle)											
Fire Dept:	1	3	3	4	5	6	7	8	9	10	Date: _____	
Plumbing:	others	1	2	3	4	5	6	7	8	9	10	Date: _____
Elec:	others	1	2	3	4	5	6	7	8	9	10	Date: _____
Bldg. & Housing:	others	1	2	3	4	5	6	7	8	9	10	Date: _____

Comments: -



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
6. Have relocation referrals and assistance been provided to tenants on demand?  
yes      no      N/A

Condominium Conversion Permit Application, continued

PART III

PROJECT DATA

1. Assessor's reference, Chart, Block; Lot: 146, A, 11
2. Number of units before conversion:      3. Monthly rent (range)  
     4 units with 1 bedroom;                      (specify with or without util.)  
     \_\_\_\_\_ units with 2 bedrooms;                      \$775 to \$950  
     \_\_\_\_\_ units with 3 or more bedrooms;                      \_\_\_\_\_
4. Number of units after conversion:      5. Purchase Price (range)  
     2 units with 1 bedroom;                      \$135k to \$165k  
     2 units with 2 bedrooms;                      \$185k  
     \_\_\_\_\_ units with 3 or more bedrooms;                      \_\_\_\_\_
6. Length of time building owned by applicant? < 1 year
7. Are any building improvements, renovations, or modifications being made associated with this conversion that require a Building, Plumbing, Electrical, or Heating Permit  
 Yes X No \_\_\_\_\_ (Please circle applicable permit type.)
8. Type and cost of building improvements associated with this conversion that do not require permits:  
 \$ \_\_\_\_\_ exterior walls, windows, doors, roof  
 \$ \_\_\_\_\_ insulation  
 \$ 1000 interior cosmetic (wall/floor/refinishing, etc.)  
 \$ 1000 other (specify) exterior cosmetic  
 \_\_\_\_\_ none

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

	Unit Number:	1	2	3	4	5	6	7	8	9	10
a) Length of occupancy-		6	<1	<1	vacant						
b) Age of head of household-		60	26	32							
c) Number of children-		0	0	0							
d) Number of persons ages 60 or over-		0	0	0							
e) Will tenant purchase unit?		maybe	no	no							
f) If not, was (or will) relocation payment (be) made?		no	no	no							
g) If moving, check destination below:											
i) Same Neighborhood-											
ii) Elsewhere in Portland-											
iii) Out of Portland-											
iv) Unknown-		X	X	X							

Sec. 14-562. Reserved.  
Sec. 14-563. Reserved.  
Sec. 14-564. Reserved.

## ARTICLE VII. CONDOMINIUM CONVERSION

### Sec. 14-565. Purpose.

The purpose of this article is to regulate the conversion of rental housing to condominiums; to minimize the potential adverse impacts of such conversion on tenants; to ensure that converted such housing is safe and decent; and to maintain a reasonable balance of housing alternatives within the city for persons of all incomes. To these ends, this article shall be liberally construed. (Ord. No. 213-81, § 608.1, 11-16-81)

### Sec. 14-566. Applicability.

This article shall apply to the conversion of any rental unit to a condominium unit. (Ord. No. 213-81, § 608.2, 11-16-81)

### Sec. 14-567. Definitions.

For the purpose of this article, the following terms shall be defined as follows, unless otherwise clearly implied:

*Condominium* means any interest in real estate created pursuant to the Unit Ownership Act, 33 M.R.S.A. § 560 et seq., or its equivalent, as it may from time to time be amended.

*Developer* means and includes any person or other legal entity, but not including an established lending institution unless it is an active participant in a common promotional scheme, who, whether acting as principal or agent, records a declaration of condominium that includes real estate, any portion of which was previously a rental unit.

*Tenant* means and includes any occupant in lawful possession of a rental unit, whether by lease, sublease, or otherwise.

*Unit* means any building, or portion thereof, used or intended

to be used primarily as a separate dwelling.  
(Ord. No. 213-81, § 608.3, 11-16-81)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Sec. 14-568. Protection of tenants.

(a) *Notice of intent to convert.* A developer shall give to each tenant written notice of intent to convert at least one hundred twenty (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 (4) consecutive years, the notice period shall be increased by thirty (30) additional days for each additional year, or fraction thereof, to a maximum of two hundred forty (240) additional days. The notice shall set forth specifically the rights of tenants under subsections (a) and (b) of this section and section 14-569, and shall 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).

874-8703

If the notice specifies a date by which the tenant is required to vacate, the notice may also serve as a notice of termination under the applicable law of forcible entry and detainer, if it meets the requirements thereof. The notice shall be hand-delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within one hundred twenty (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.

(b) *Option to purchase.* For a sixty-day period following the giving of notice as required in subsection (a), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the sixty-day period, the developer may not convey or offer to convey the unit to any other person during the following one hundred eighty (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 sixty-day period. This subsection shall not apply to any rental unit that, when converted, will be restricted exclusively to nonresidential use. If, within two (2) years after a developer records a declaration of condominium, the use of any such unit is changed such that but for the preceding sentence, this subsection would have applied, the developer shall be presumed to have converted in violation of this article.

(Ord. No. 213-81, § 608.4, 11-16-81)

Sec. 14-569. 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 (2) months; provided that this requirement shall not apply to any tenant whose gross income exceeds eighty (80) percent of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development at the time 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 tenant's eligibility for relocation payments as provided herein.

(Ord. No. 213-81, § 608.5, 11-16-81)

Sec. 14-570. Conversion permit.

Before conveying or offering to convey a converted unit, the

developer shall obtain a conversion permit from the building inspection division of the department of planning and urban development. The permit shall issue only upon receipt of a completed application therefor in a form to be devised for that purpose, payment of a fee of twenty-five dollars (\$25.00) per unit, and a finding, upon inspection, that each unit, together with any common areas and facilities appurtenant thereto, is in full compliance with all applicable provisions of article II of chapter 6 (building code), article III of chapter 6 (electrical installations), article V of chapter 6 (minimum standards for dwellings) and article II of chapter 10 (fire prevention code) of this Code, and the Life Safety Code as adopted by the state. 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.

(Ord. No. 213-81, § 608.6, 11-16-81)

Sec. 14-571. Variation by agreement.

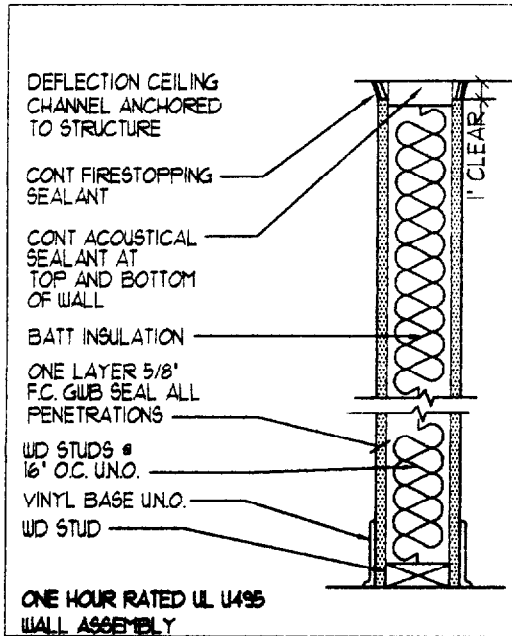
No provision of, or right conferred by, this article may be waived by a tenant, by agreement or otherwise, and any such waiver shall be void. Any attempt to require, encourage, or induce a tenant to waive any provision hereof, or right conferred hereby, shall be a violation of this article. Nothing herein shall be construed to void any term of a lease which offers greater rights than those conferred hereby.

(Ord. No. 213-81, § 608.7, 11-16-81)

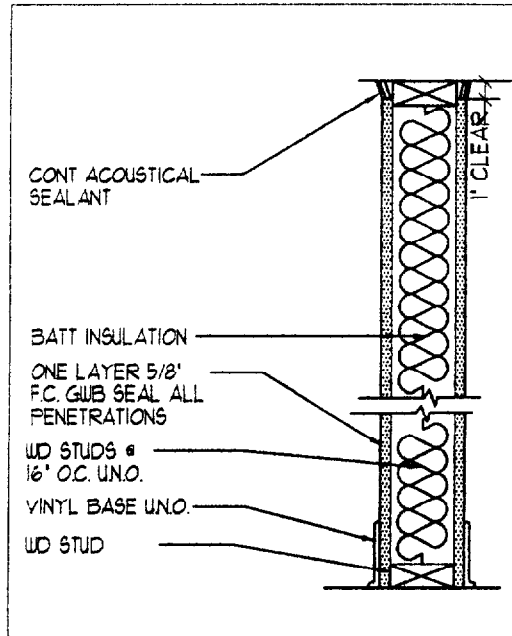
- Sec. 14-572. Reserved.
- Sec. 14-573. Reserved.
- Sec. 14-574. Reserved.
- Sec. 14-575. Reserved.
- Sec. 14-576. Reserved.
- Sec. 14-577. Reserved.
- Sec. 14-578. Reserved.
- Sec. 14-579. Reserved.
- Sec. 14-580. Reserved.
- Sec. 14-581. Reserved.
- Sec. 14-582. Reserved.

ARTICLE VIII. RESERVED\*

WALL DETAIL SHEET  
**BACK BAY BOUNDARY, INC.**  
 65 NEWBURY STREET  
 Portland, Maine 04101  
 207-774-2855  
 Fax 207-761-2010



3 5/8" METAL STUD-FULL HGT  
 ONE HOUR RATED



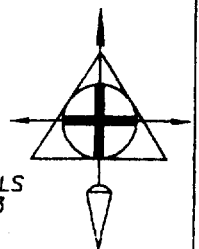
2x4 WD STUD-FULL HGT  
 ACOUSTICAL WALL



**Note:** This plan is made as an addendum to plans already submitted by Jason Dye in connection with planned changes to 20 - 22 Waverly Street Portland, ME.

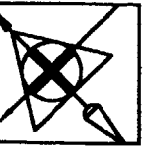
The design is intended for the infilling of doors and new partition walls requiring fire and acoustical ratings.

Final base molding material to be determined.  
 NOT drawn to scale.



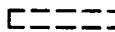

ROBERT T. GREENLAW, PLS  
 REGISTRATION NO. 2303  
 December 03, 2003





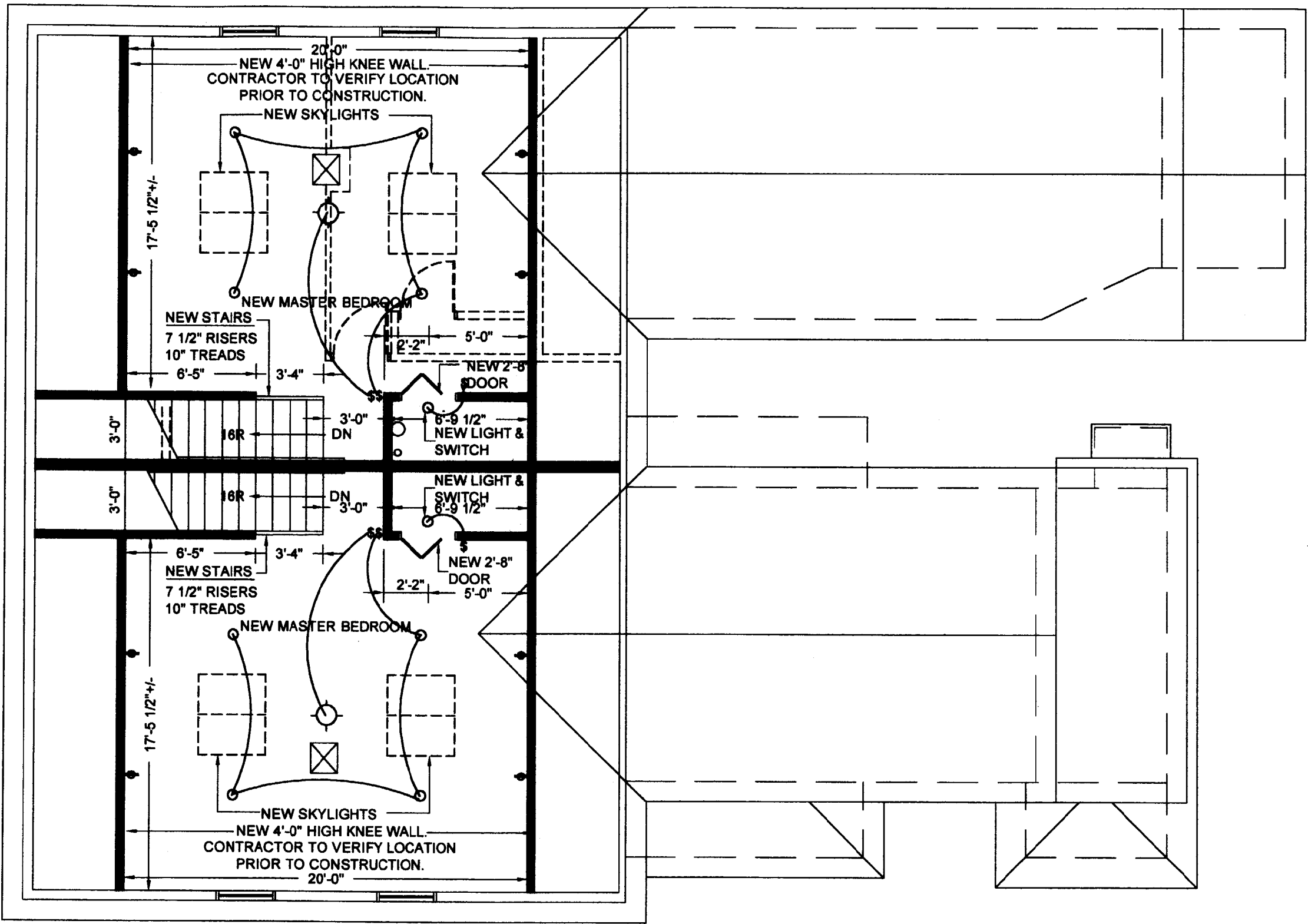
BACK BAY BOUNDARY, INC.  
 LAND SURVEYING  
 85 NEWBURY STREET  
 PORTLAND, ME 04101  
 207.774.2885  
 fax: 781.2010  
 backbayboundary@me.com

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 ALL RIGHTS RESERVED.

**LEGEND:**  
 WALLS TO BE REMOVED   
 WALLS TO BE ADDED 

\*\*NOTE: CONTRACTOR TO VERIFY ALL FRAMING SIZES PRIOR TO CONSTRUCTION.

EXISTING FLOOR FRAMING AT STAIR TO BE CUT AND REFRAMED IN PREPARATION FOR THE NEW 3'-0" STAIR OPENING. FRAMING TO MATCH EXISTING.

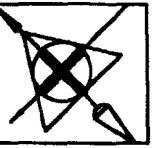


 **THIRD FLOOR**  
 0 4'-0" SCALE: 1/4" = 1'-0"

**Dye Condominiums**  
 20-22 Waverly St  
 Portland, Maine

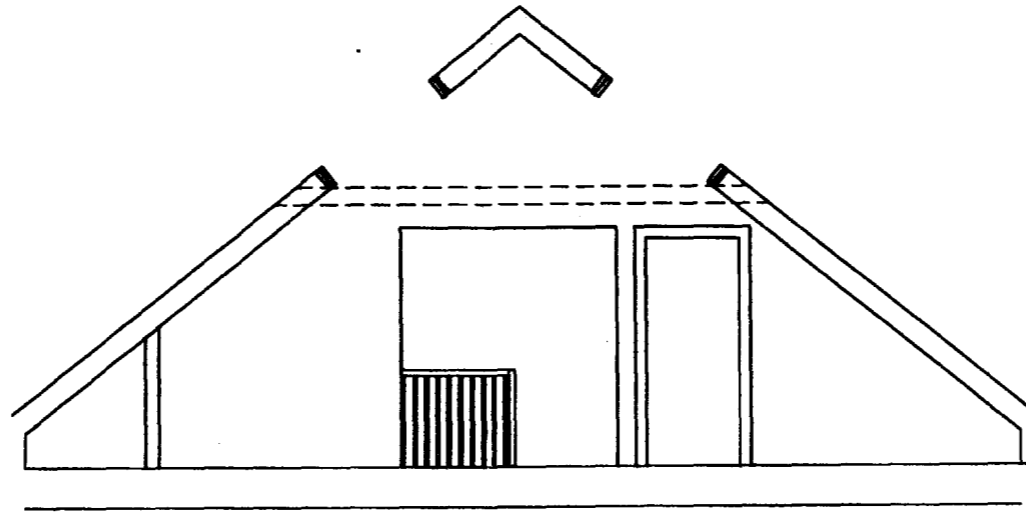
JOB: \_\_\_\_\_  
 DRAWN DATE: \_\_\_\_\_  
 PRINT: 08/24/09

**A3**



BACK BAY BOUNDARY, INC.  
 LAND SURVEYING  
 65 NEWBURY STREET  
 PORTLAND, ME 04101  
 207.774.2888  
 Fax: 781.2010  
 backbayboundary@comcast.com

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 BACK BAY BOUNDARY, INC.



**Dye Condominiums**  
 20-11 Waverly St.  
 Portland, Maine

*20-11 Waverly St.*

JOB: \_\_\_\_\_

DATE: \_\_\_\_\_

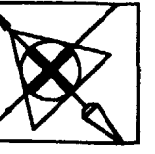
PRINT: \_\_\_\_\_

**A4**



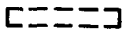

0 4'-0"

SCALE: 1/4" = 1'-0"

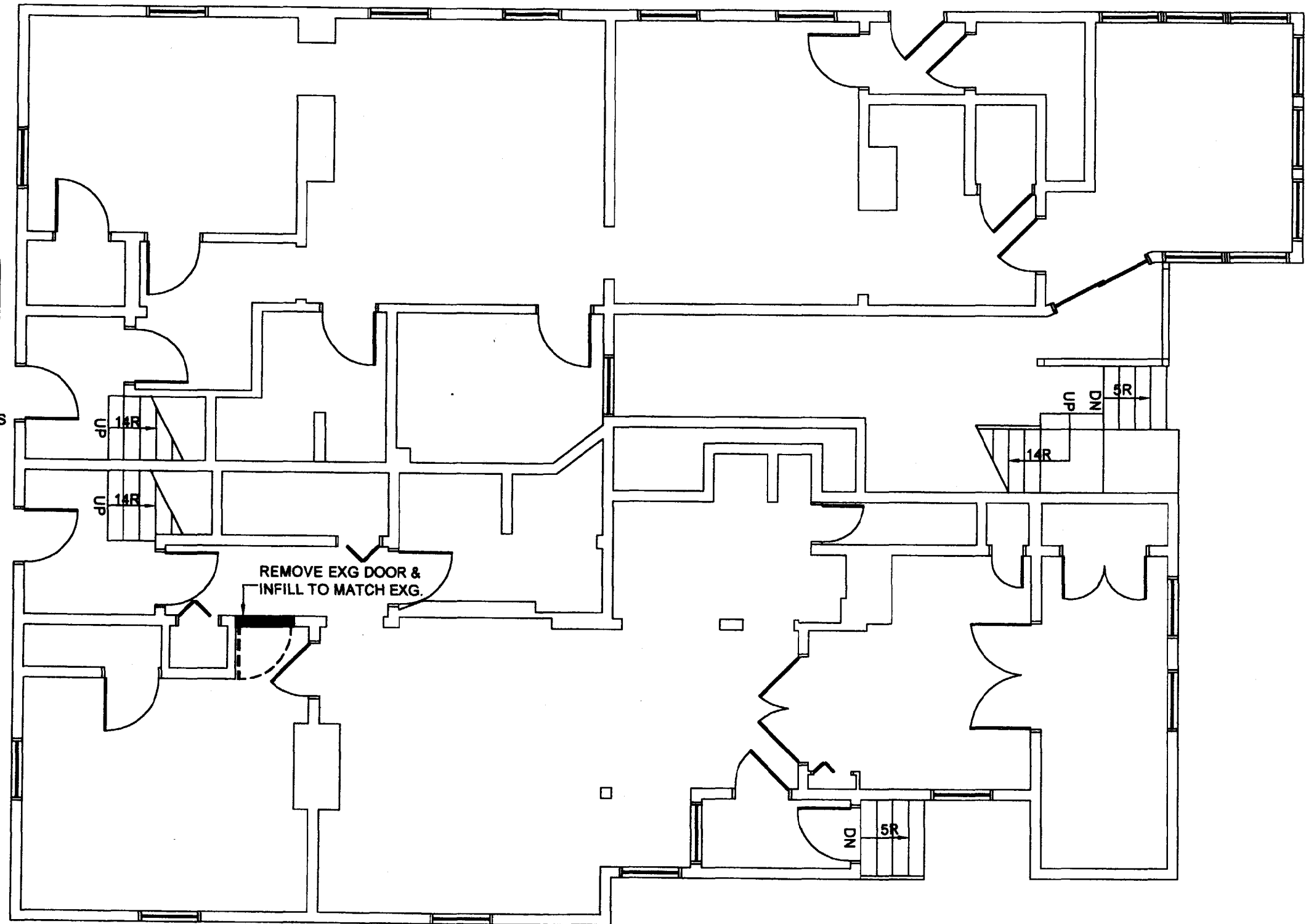


BACK BAY BOUNDARY, INC.  
 LAND SURVEYING  
 65 NEWBURY STREET  
 PORTLAND, ME 04101  
 207.774.3885  
 fax: 781.2010  
 backbayboundary@me.com

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 THE STATE OF MAINE  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 BOARD 2004, INC.

**LEGEND:**  
 WALLS TO BE REMOVED   
 WALLS TO BE ADDED 

**\*\*NOTE: CONTRACTOR TO VERIFY ALL FRAMING SIZES PRIOR TO CONSTRUCTION.**



 **FIRST FLOOR**  
 0 4'-0"

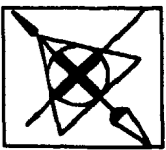
SCALE: 1/4" = 1'-0"

**Dye Condominiums**  
~~Portland, Maine~~  
 20 - 22 Newbury St.

JOB:

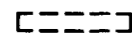

DATE: 08/24/05  
 PRINT: 08/24/05

**A1**

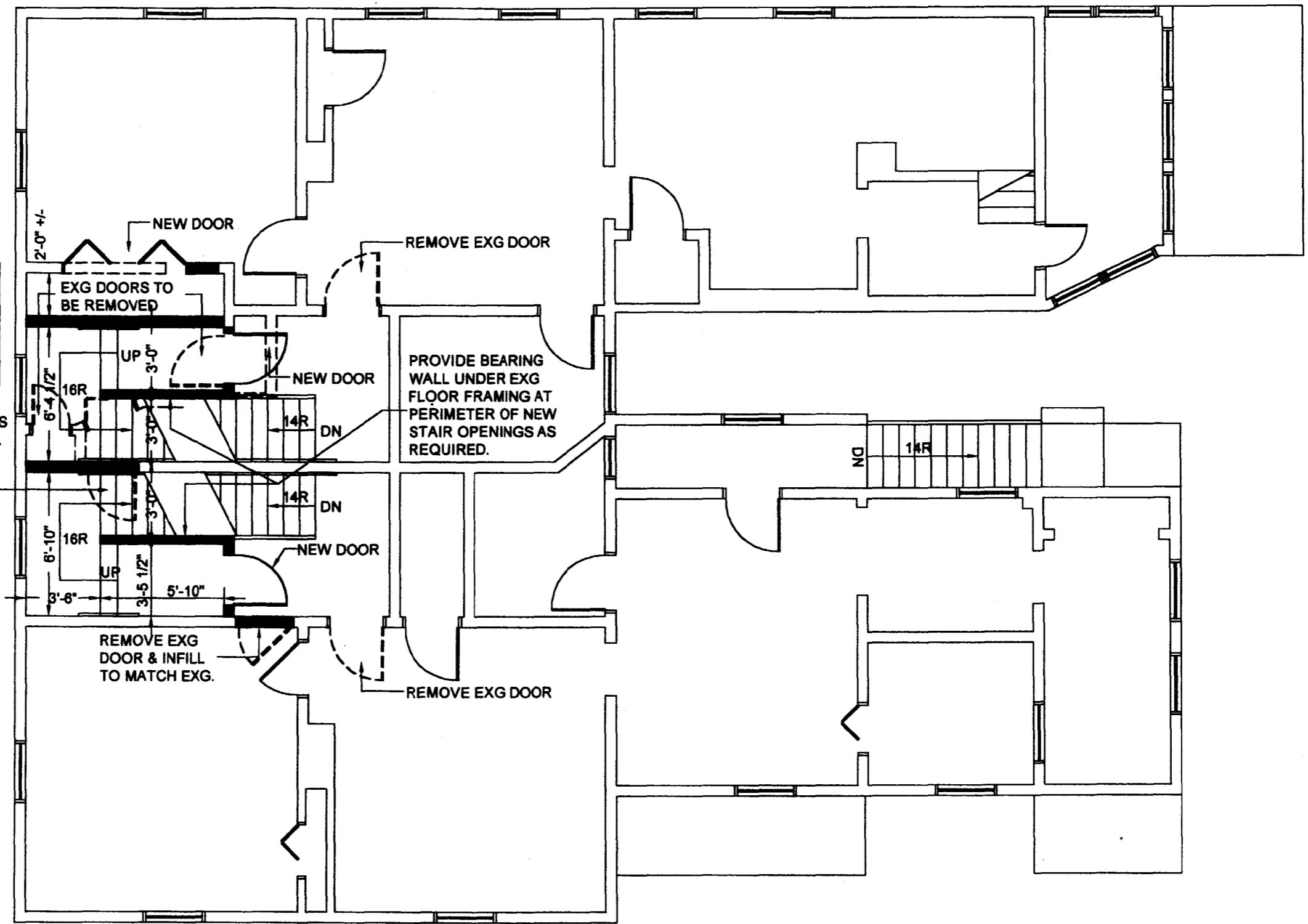



BACK BAY BOUNDARY, IN  
LAND SURVEYORS  
65 HENRY STREET  
PORTLAND, ME 04101  
207.774.5888  
fax 781.3010  
backbayboundary@aol.com

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BACK BAY BOUNDARY, INC.

**LEGEND:**  
WALLS TO BE REMOVED   
WALLS TO BE ADDED 

**\*\*NOTE: CONTRACTOR TO VERIFY ALL FRAMING SIZES PRIOR TO CONSTRUCTION.**



 **SECOND FLOOR**  
0 4'-0" SCALE: 1/4" = 1'-0"

20-22 Waverly St.

**Dye Condominiums**  
*Waverly Street*  
**Portland, Maine**

JOB: \_\_\_\_\_

DATE: \_\_\_\_\_  
PRINT: \_\_\_\_\_

**A2**



# CITY OF PORTLAND, MAINE

## Department of Building Inspections

Sept 26 20 03

Received from

Jason D Dye

Location of Work

20-22 Waverly St

Cost of Construction \$ \_\_\_\_\_

Permit Fee

\$ 500.00

Building (I1)  Plumbing (I5)  Electrical (I2)  Site Plan (U2)

Other

4 units conversion @ 150.00

CBL:

146 A011

Check #:

1214

Total Collected \$

300.00

# THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$10.00 or 10% whichever is greater.

WHITE - Applicant's Copy

YELLOW - Office Copy

PINK - Permit Copy

*[Handwritten signature]*



# CITY OF PORTLAND, MAINE

## Department of Building Inspections

Sept 8 2003

Received from Jason D Dye

Location of Work 80-23 Lehigh St

Cost of Construction \$ Bldg. Fee 156.00

Permit Fee \$ 4 units @ 25. 100.00  
4-1090 300.00

Building (IL)  Plumbing (I5)  Electrical (I2)  Site Plan (U2)

Other 470

CBL: 146 A011

Check #: 1211 Total Collected \$ 556.00

# THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$10.00 or 10% whichever is greater.

WHITE - Applicant's Copy  
YELLOW - Office Copy  
PINK - Permit Copy

*[Handwritten signature]*