

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

BUILDING INSPECTION

PERMIT

Permit Number: 070270

PERMIT ISSUED
MAR 30 2007
CITY OF PORTLAND

This is to certify that MILLER STEVEN M & BRIGIDA R COMOLLIJTS

has permission to Change of Use - 2 unit residential to 2 unit Commercial

AT 43 WAVERLY ST

146 B016001

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

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

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

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

OTHER REQUIRED APPROVALS

Fire Dept. _____

Health Dept. _____

Appeal Board _____

Other _____

Department Name

Thomas Mally 3/28/07
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 07-0270	Issue Date:	CBL: 146 B016001
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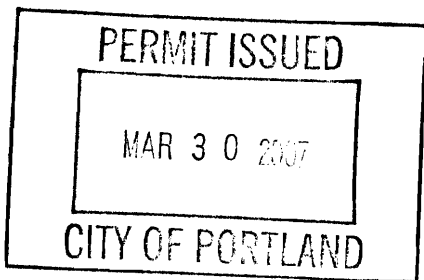
Location of Construction: 43 WAVERLY ST	Owner Name: MILLER STEVEN M & BRENDA	Owner Address: 43 WAVERLY ST	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	Zone: R5

Past Use: 2 Unit Residential	Proposed Use: 2 unit Condo - Change of Use - 2 unit residential to 2 unit Condo <i>legal use: 2 du (per municipality)</i>	Permit Fee: \$450.00	Cost of Work: \$450.00	CEO District: 4
Proposed Project Description: Change of Use - 2 unit residential to 2 unit Condo		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: SB IRC 2003	
		Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i> 3/28/07
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: Idobson	Date Applied For: 03/19/2007	Zoning Approval		
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> <i>OK w/conditions</i> Date: <i>3/20/07</i> <i>ABM</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 <i>[Signature]</i> 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

City of Portland, Maine - Building or Use Permit

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

Permit No: 07-0270	Date Applied For: 03/19/2007	CBL: 146 B016001
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Location of Construction: 43 WAVERLY ST	Owner Name: MILLER STEVEN M & BRENDA	Owner Address: 43 WAVERLY ST	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	

Proposed Use: 2 unit Condo - Change of Use - 2 unit residential to 2 unit Condo	Proposed Project Description: Change of Use - 2 unit residential to 2 unit Condo
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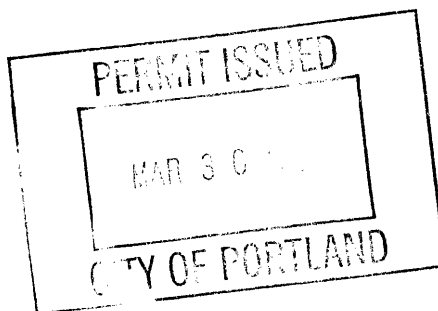
Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 03/20/2007
Note: **Ok to Issue:**

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) PLEASE NOTE: Under the City's Condominium Conversion regulations, if a tenant makes a decision not to purchase their unit and also decides not to remain in the building after their notification, that tenant has the right to move without penalty. If that protected tenant is under the 80% low/moderated income limit guidelines, there is still a requirement on the owner/developer to pay that tenant relocation payments as stated in the ordinance prior to vacating the unit. That tenant has not lost any rights under this ordinance by making a choice to move and vacate their unit after notification.

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

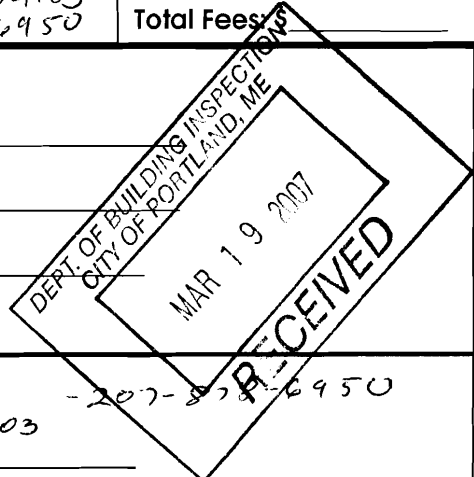
Dept: Building **Status:** Approved **Reviewer:** Residential Plan Revie **Approval Date:** 03/28/2007
Note: **Ok to Issue:**



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>41-43 WAVERLY ST / PORTLAND, ME / 04103</u>		
Total Square Footage of Proposed Structure <u>3,714 SF</u>	Square Footage of Lot <u>9,793 Sq FT</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>146</u> Block# <u>B-016</u> Lot# <u>001</u>	Owner: <u>STEVEN M. Miller</u> <u>BRENDA R. Comolli</u>	Telephone: <u>207-878-6950</u>
Lessee/Buyer's Name (if Applicable) <u>NA</u>	Applicant name, address & telephone: <u>STEVEN M. Miller</u> <u>43 WAVERLY ST.</u> <u>PORTLAND, ME 04103</u> <u>207-878-6950</u>	Cost Of Work: \$ _____ Fee: \$ _____ C of O Fee \$ _____ Total Fees \$ _____
Current use: <u>HOME / RENTAL Units</u>		
If the location is currently vacant, what was prior use: <u>-</u>		
Approximately how long has it been vacant: <u>-</u>		
Proposed use: <u>CONDOMINIUM CONVERSION 2</u>		
Project description:		
Contractor's name, address & telephone: <u>STEVEN M. Miller</u> <u>43 WAVERLY ST.</u> <u>PORTLAND, ME 04103</u> <u>-207-878-6950</u>		
Who should we contact when the permit is ready: _____		
Mailing address: <u>ABOVE</u>		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: 207-878-6950		



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

I hereby certify that I am the Owner of record of the named property, or that the owner of record 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: <u>Steve M. Miller</u> <u>Brenda R. Comolli</u>	Date: <u>3/22/07</u>
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**This is NOT a permit, you may not commence ANY work until the permit is issued.
If you are in a Historic District you may be subject to additional permitting and fees with the**

Submit with Condominium Conversion Permit Application

Project Data:

Address: 41-43 WAVERLY ST / PORTLAND, ME / 04103

C-B-L: 146 B-016 001

Number of Units in Building: 2

Tenant Name	Tenant Tel#	Occup. Length	Date of Notice	Eligible for \$?
Unit 1 HINDA JORDAN	207 450-7535	2 yrs	01/24/07	yes
Unit 2				
Unit 3				
Unit 4				
Unit 5				
Unit 6				
Unit 7				
Unit 8				

If more units, submit same information on all units

Length of time building owned by applicant 10.5 yrs

Are any building improvements, renovations, or modifications being made associated with this conversion that requires a building, plumbing, electrical, or heating permit?

YES _____ NO X (check one)

Type and cost of building improvements associated with this conversion that do not require permits:

\$ 2,000 Exterior walls, windows, doors, roof

\$ 800 Insulation

\$ 6,000 Interior cosmetics (walls/floors/hallways/refinishing, etc.)

\$ 2,000 Other (specify) - LANDSCAPING

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**Waverly Street Development, LLC
43 Waverly Street
Portland, ME 04103**

January 24, 2007

VIA HAND DELIVERY

TO TENANT: LINDA JORDAN
43 Waverly Street
Portland, ME 04103

RE: **43 Waverly Street, Portland, Maine**
Notification of Condominium Conversion

Dear LINDA:

This letter will serve as notification to you of our intent to convert our property at 43 Waverly Street, Portland, Maine from rental units to condominium units. In doing this we are required to follow the City of Portland's land use ordinance Article VII on Condominium Conversion. The following information spells out the guidelines for the "Protection of Tenants" as described in Sec. 14-568 and Sec. 14-569:

Notice of Intent. The developer shall give to each existing tenant written notice of intent to convert land at least 120 days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four consecutive years, the notice shall be increased by 30 additional days for each additional year, or fraction thereof, to a maximum of 240 additional days. The notice shall set forth the rights under these sections and contain the following statement: "If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 775-5451)."

No tenant may be required by a developer to vacate without having been given notice as required herein, except for reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within 120 days after a tenant is required by a developer to vacate, the developer records a declaration of condominium without having given notice as required herein, the developer shall be presumed to have converted in violation of this article.

Option to Purchase. For a sixty-day period following the giving of notice as required by this ordinance, the developer shall grant to the tenant an exclusive and irrevocable option to purchase their unit. This option may not be assigned. If the tenant does not purchase or contract to purchase their unit during the sixty day option period, the developer may not convey or offer to convey the

unit to any other person during the following 180 days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional 60 day period.

Relocation Payments. If the tenant does not purchase the unit, the developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by tenant for the immediately preceding two months; provided that this requirement shall not apply to any tenant whose gross income exceeds 80% of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Dept. of Housing and Urban Development at the time the notice is given as required in Section 14-568(a). Additionally, the developer shall, upon demand, provide assistance to the tenant in the form of referrals to other reasonable accommodations and in determining the tenant's eligibility for relocation payments as provided herein.

Currently, eighty percent (80%) of the Median Income of the Portland SMSA guideline, adjusted for family size, is as follows:

1 Person	2 Person	3 Person
\$38,200	\$43,650	\$49,100

You will be contacted when the units in your building are offered for sale to the public, and you will be informed of the asking price for your particular unit. We will be listing the units for sale with a real estate broker, Ed Gardner of Ocean Gate Realty, and if you are interested in discussing financing arrangements or any other purchase details with him, we will arrange for a meeting with him.

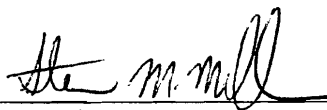
If your unit becomes under contract to be purchased, we will give you a minimum 30 days notice to vacate from the first day of the month. If you decide not to purchase your unit, we will expect a 30-day notice (from the first day of the month) before your vacating.

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

If you do not plan to accept your option to purchase your unit as described herein, please sign the attached Addendum.

Very truly yours,

Waverly Street Development, LLC

By: 
Steven Miller
Its: Manager

Enclosure

ADDENDUM
to
Notification Letter re: Intent to Convert Rental Units to Condominiums
43 Waverly Street, Portland, Maine

I/we have been notified of the proposed purchase price for the unit identified below, and I/we hereby _____ ACCEPT/ X DECLINE the option to purchase the unit as contained on the attached notice dated JAN. 24, 2007.

Unit # 43
WAVERLY
ST.

Signed: Linda Jnda
Name: _____

Dated: 2-9-07

Signed: _____
Name: _____

Dated: _____

Please return to:
Waverly Street Development, LLC
C/O Douglas Britton, Esq.
Drummond & Drummond, LLP
One Monument Way
Portland, ME 04103