

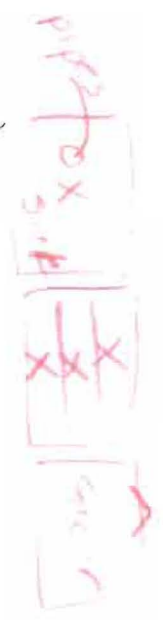
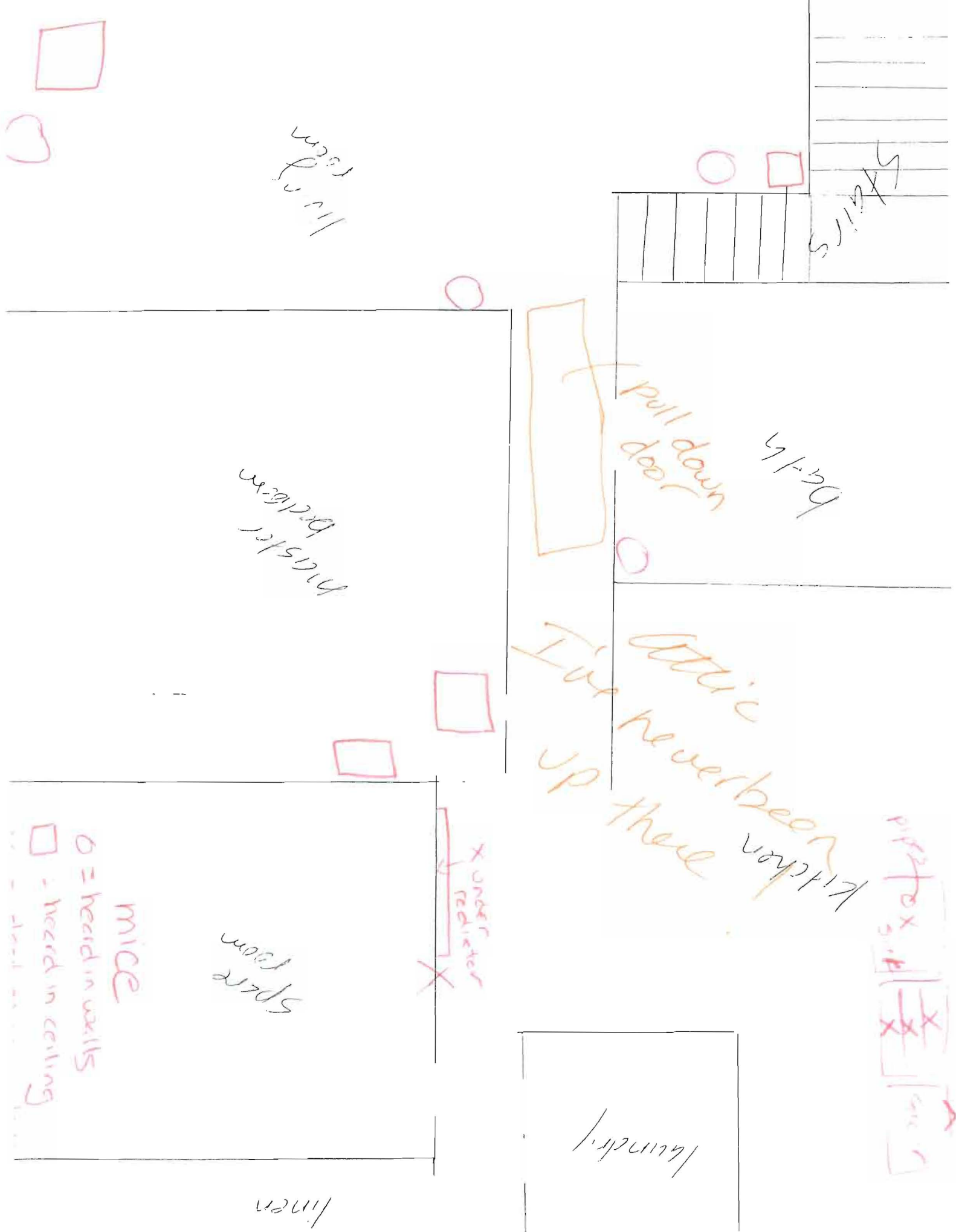
129 Stevens Ave #2 (Second Floor) Portland, Maine 04102

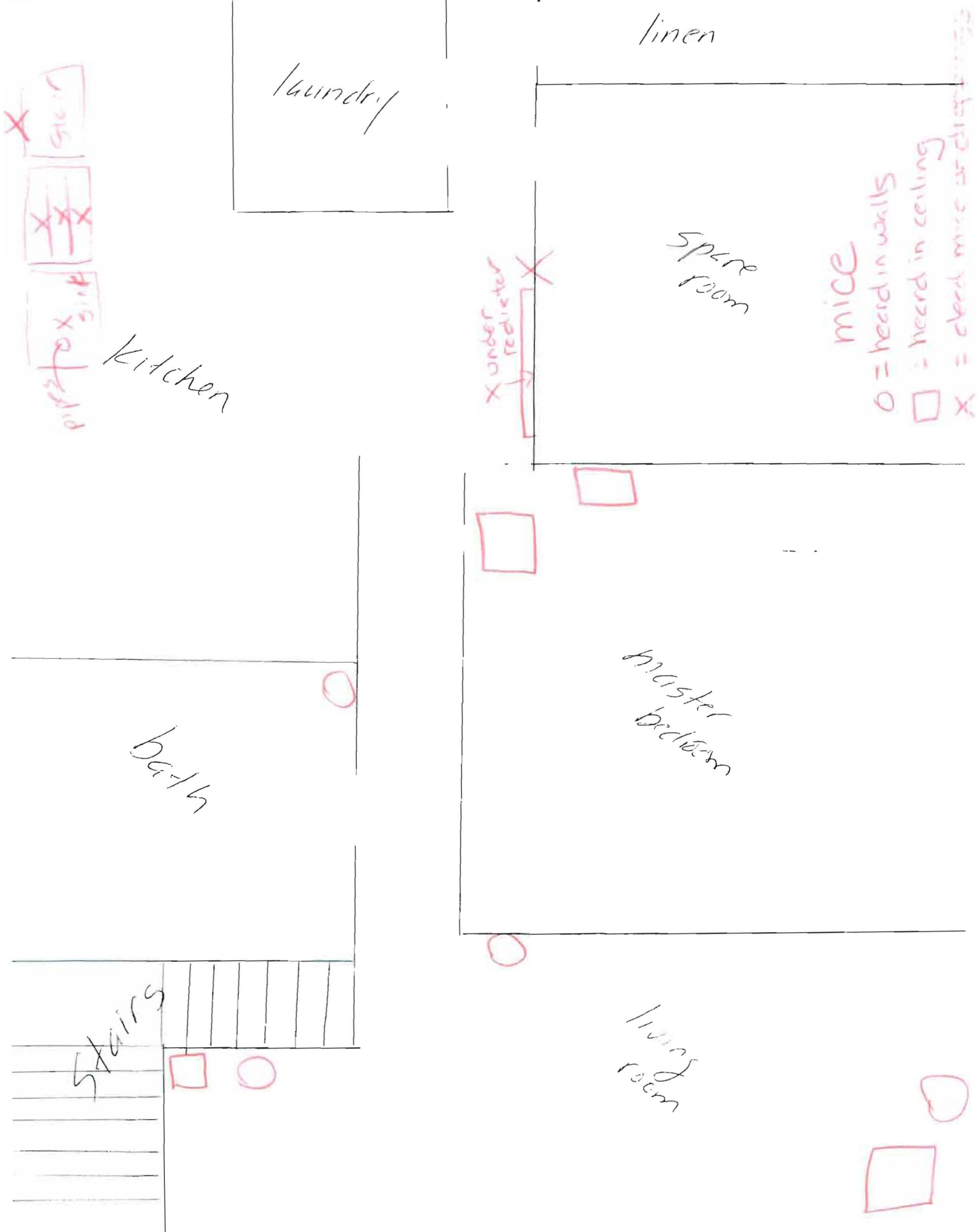
1. Central Air Conditioning broke six years ago. Mice began entering the building through CAC into the attic. Told LBS, he said he would not fix too expensive. He stated he would not remove unit because someone in the future might want it. He did purchase me one window air conditioning unit.
2. Shortly after CAC stopped working mice infiltrated central vacuum system. The mice would fall down into the condo and die in the "trap door". LBS never repaired the CVC.
3. First floor furnace chimney leak. Four month battle with condo association to fix the flashing around the chimney. Meanwhile water ran down inside of condo. Lifted up floor in kitchen. Ran down wall in laundry room straight through to basement where the basement insulation became wet around wiring. Laundry room wall wet and spongy. I expressed concerns there would be a fire. Wires were pushed aside.
4. Several times I have put glue down kitchen floor. Finally put furniture on it to hold it down. LBS also glued once. Stated that was good enough.
5. Halo around dishwasher on floor. Been there since I've lived here. Assumed the old dishwasher leaked and was replaced. When I moved in plastic wrapping still on parts of dishwasher. Realize now it is probably mold.
6. Are mice in the insulation in the dishwasher?
7. July 31, 2011 found mice droppings in kitchen drawers 2x in a week. Took out all drawers. Found significant droppings under bottom drawer. Same with under sink. Closed up holes, cleaned, bleached, and put down tin foil. Filled in hole at end of cabinets. Observed mice running into space and disappearing.
8. August 1, 2011 turned on stove and horrific odor. (urine smell) LBS told me to make arrangements to move and clean stove. Large man made hole behind stove. (Looks like someone kicked out the drywall to make room for the electric outlet.) August 11 stove removed – I had to take time off of work LBS stated he couldn't come and was going on vacation. August 18 new stove installed – again took time off of work. August 1 – 18 no stove. Mice droppings not as bad as under drawers.
9. Cat would catch mice in spring and fall. Up until this summer would only see mice if cat caught one. Would see droppings in drawers and under sink. Put out traps and cat would catch them. This year different having mice in the summer. Guinness caught mouse 8am on Thursday, August 24, 2011. Put it in a glass jar and saved for inspector. NOT a field mouse.
10. Every single year since the CAC broke that there were animals in the attic. LBS did nothing. Told me to purchase animal urine product and dispense. Could never find it. Told him I have never been in the attic and won't go up there if there are animals up there.
11. After second year in unit no hot water in bathtub or shower. After a year fixed shower. Never fixed tub. Have plenty of hot water everywhere but the bathtub. Told it was a valve on the tub and he wouldn't fix.

12. Furnace – lease states he'll have cleaned every year. Not cleaned this year. Last year burner servicer said serious problem with ash. It had built up in chimney to above the vent. Said he vacuumed it down but it needed to be cleaned. Mueller Plumbing spoke with LBS about issues. LBS asked me to coordinate having Mueller come in to get quote to put in new furnace. No new furnace, never addressed concern about ash. Never did anything. Furnace hasn't been cleaned in 2011. Ash has not been removed. (I reminded Lynn this spring about cleaning and when there was a cleaning special in July.)
13. Told LSB all the outlets have been installed upside down. Can't use some three prong appliances they pop out of the outlet. Did nothing.
14. When I moved in I was told there had not been anyone who smoked in the unit. I did not want to live in a unit where there had been smoking. I wasn't convinced this was true as the walls were gray with white squares where a frame had been. I painted the entire unit myself at my expense. I did not paint the entryway hallway as I didn't have proper ladders. LBS said he would paint. 9 years later he painted the hallway. The molding has never been painted since I moved in. Molding is "leaking". Dirigo painters told me the "leaking" is not sap, it is nicotine.
15. There are no carbon monoxide monitors/alarms and never have been.
16. I have never been provided a trash can with a lid. Private trash pickup was provided when I moved in. It stopped approximately 2 years ago. I always recycled even though the Condo Association did not. I told LBS this was a \$10 a month increase in rent as I had to now buy city trash bags. He would not discuss or address.
17. Toilet handle broken.
18. I have replaced two toilet seats at my expense. Apparently a large woman rented prior to me and the screw that holds the toilet seat in place has stripped.
19. The gutters have never been cleaned since I moved in. Water comes in everywhere. Last year I cleaned an 18 inch packed gutter out of pine needles on the driveway side as water was streaming into the side of the house and flooding the basement. Sent LBS photos.
20. For the past five years the deck stain is completely gone. Deck gets covered in mold and is beginning to rot. LBS insisted I not fix address it was the condo association issue. This year condo association told him it is the unit owners responsibility. I've been cleaning the deck. He told me to buy deck cleaner and clean it. I did. (He did say he would reimburse me for the cleaner.) For the last five years I've told him if he gets me the right stain or paint I'd paint the deck that it is going to rot. This year I started asking in April because I wanted to get it done to put out deck furniture. He didn't get back to me until late June about cleaning the deck. He has never addressed the mold and subsequent rot on the deck or about staining/painting the deck.
21. Silverfish problem. Turn on lights at night and all over bathroom and kitchen floor. Assume that is because of water issues.

129 Stevens Ave
Second Floor

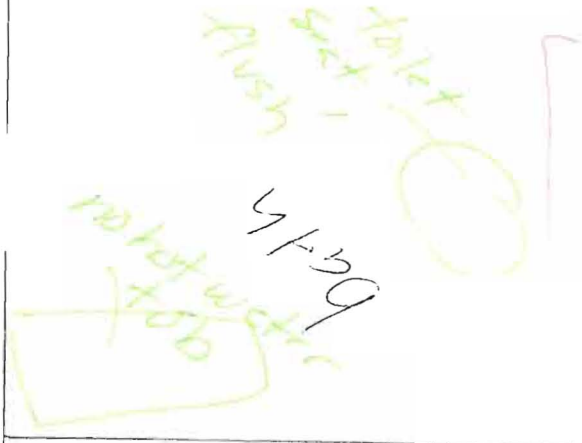




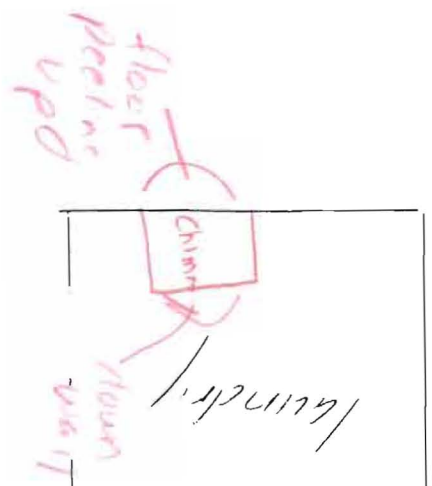
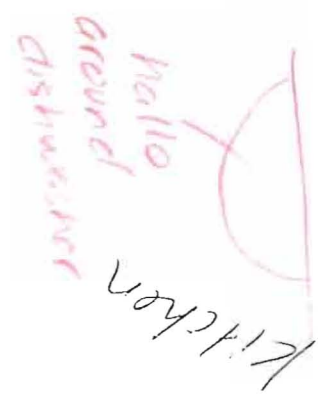


Stairs

Living room



cutters strip in inside



Master bedroom

cutters strip in inside

water

Spare room

linen

Gutters clogged

my furnace

unsate ash buildup
furnace summer 2016

Gutters clogged

Water

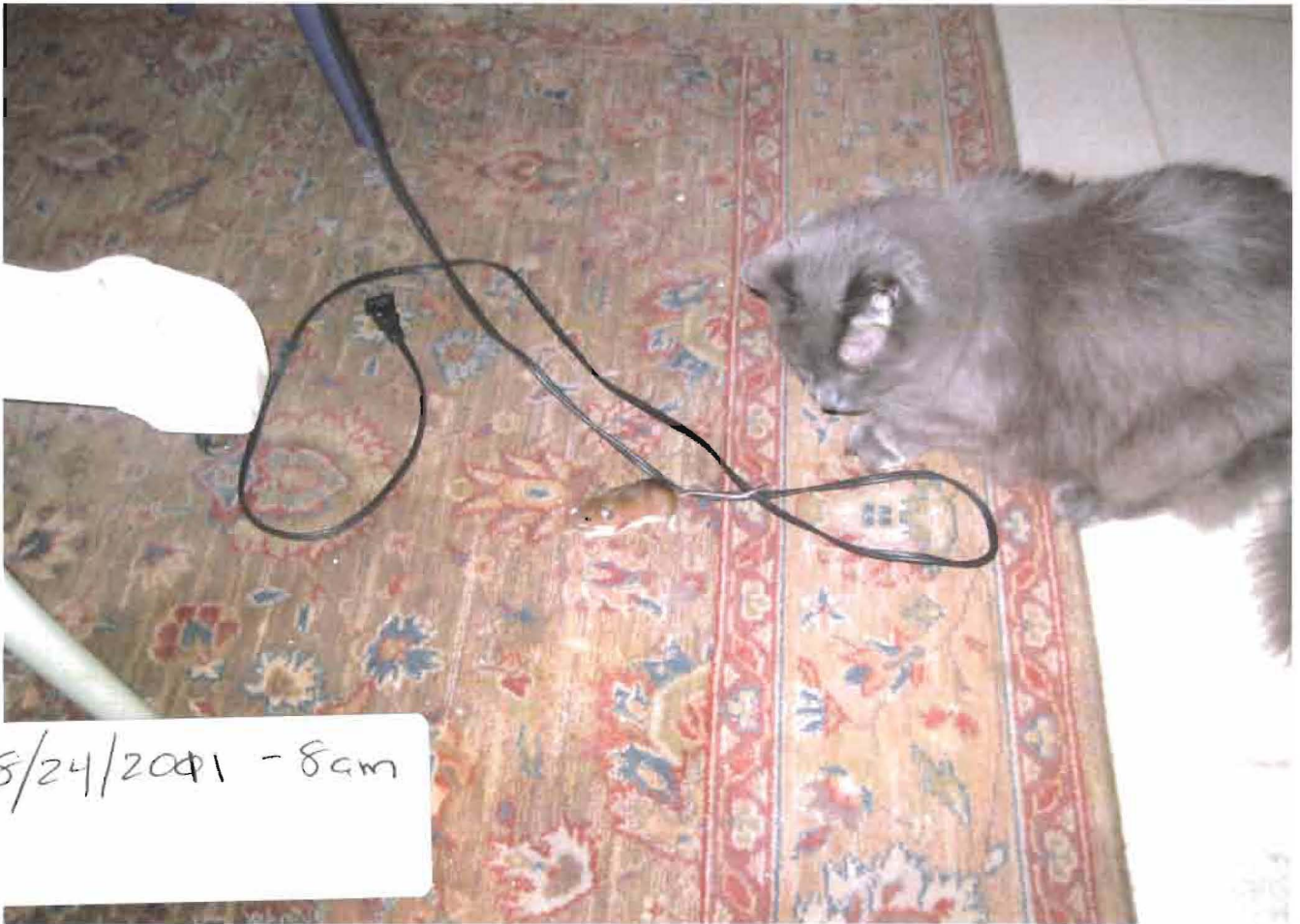
2nd floor oil tank

1st floor oil tank

Water dripping from ceiling from chimney

1st floor furnace

Stairs



8/24/2011 - 8am



8/24/2011
8am



8/24/2011
8am



8/24/2011
8am

~~Aug, 2011~~ 7/31/11
kitchen drawer



~~Aug, 2011~~ 7/31/11
under sink



~~Aug, 2011~~ = 7/31/11

under bottom kitchen
drawer next to stove



~~8/1/2011~~ ^{7/31/11} cleaned
& sealed off
openings sink



~~8/1/2011~~ ^{7/31/11} cleaned
& sealed off open-
ings under drawers



8/11/2011 drop in stove
removed and large
men made hole discovered
in drywell behind stove



feet chewed
off decorative
soap

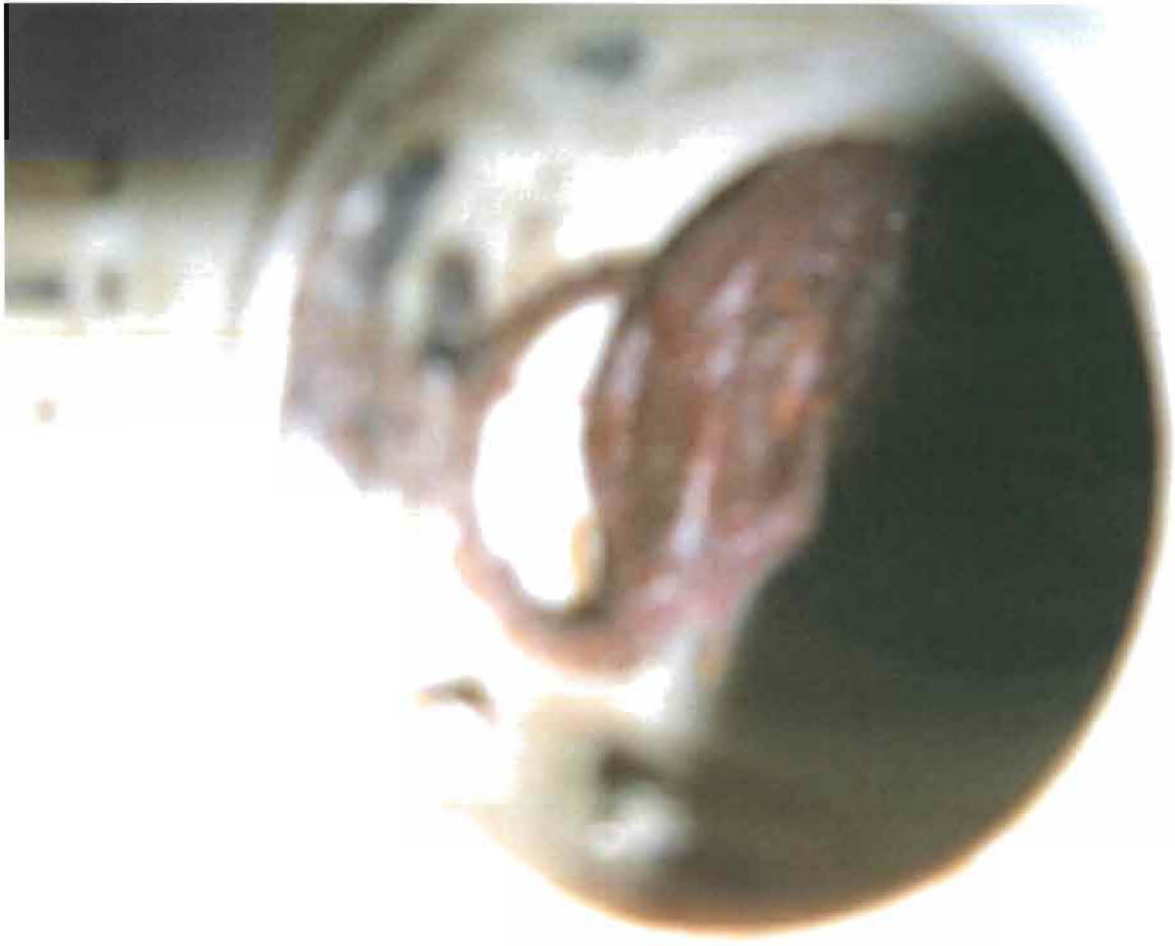
Rubber chewed
off ~~the~~ peeler



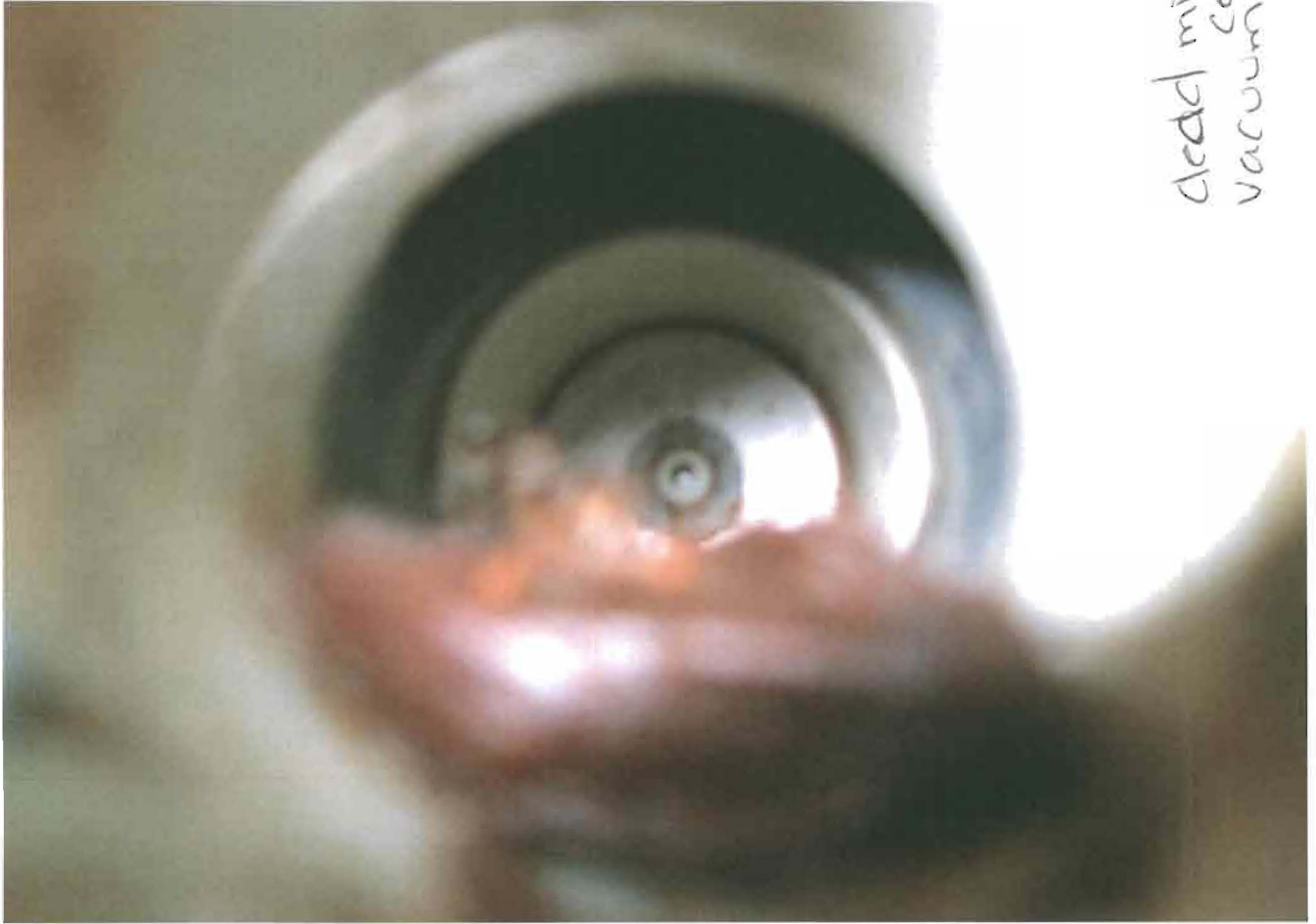
← after blade
even-out but before
putty & paint



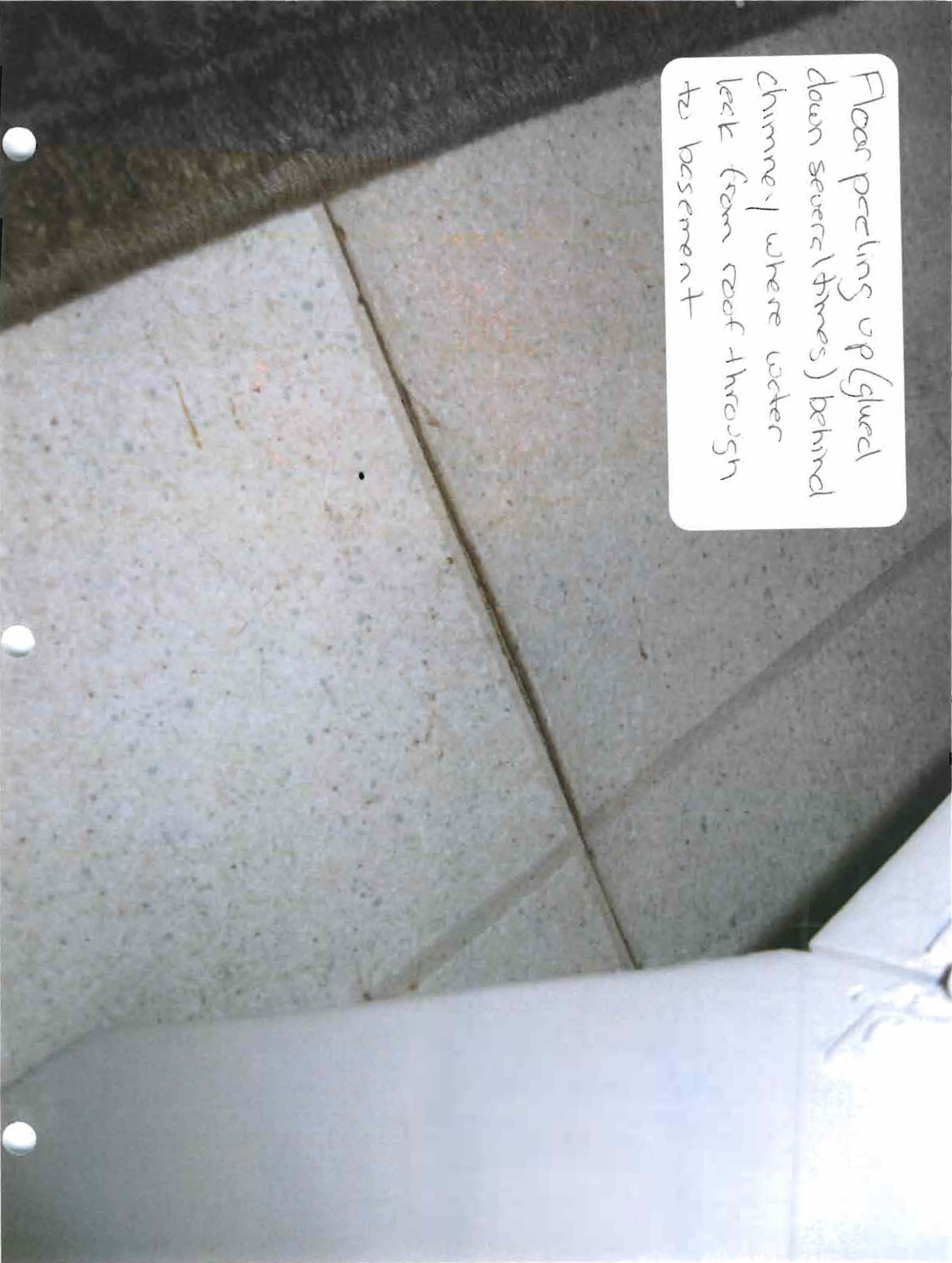
mice jumping between
wall & cabinet. spray
foam before trimmed



dedd mice in
central
vacuum tube

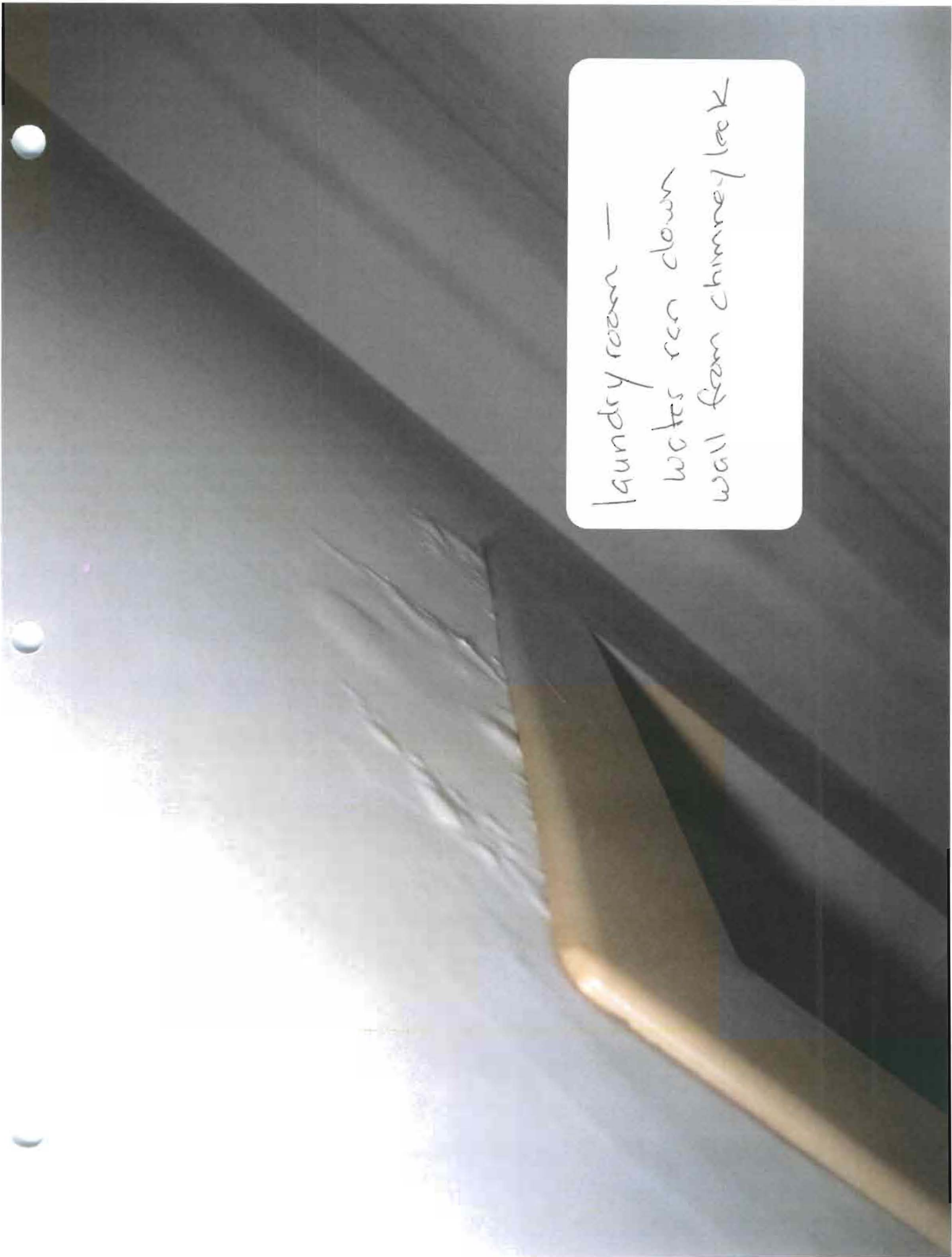


Floor peeling up (glued
down several times) behind
chimney, where water
leak from roof through
to basement

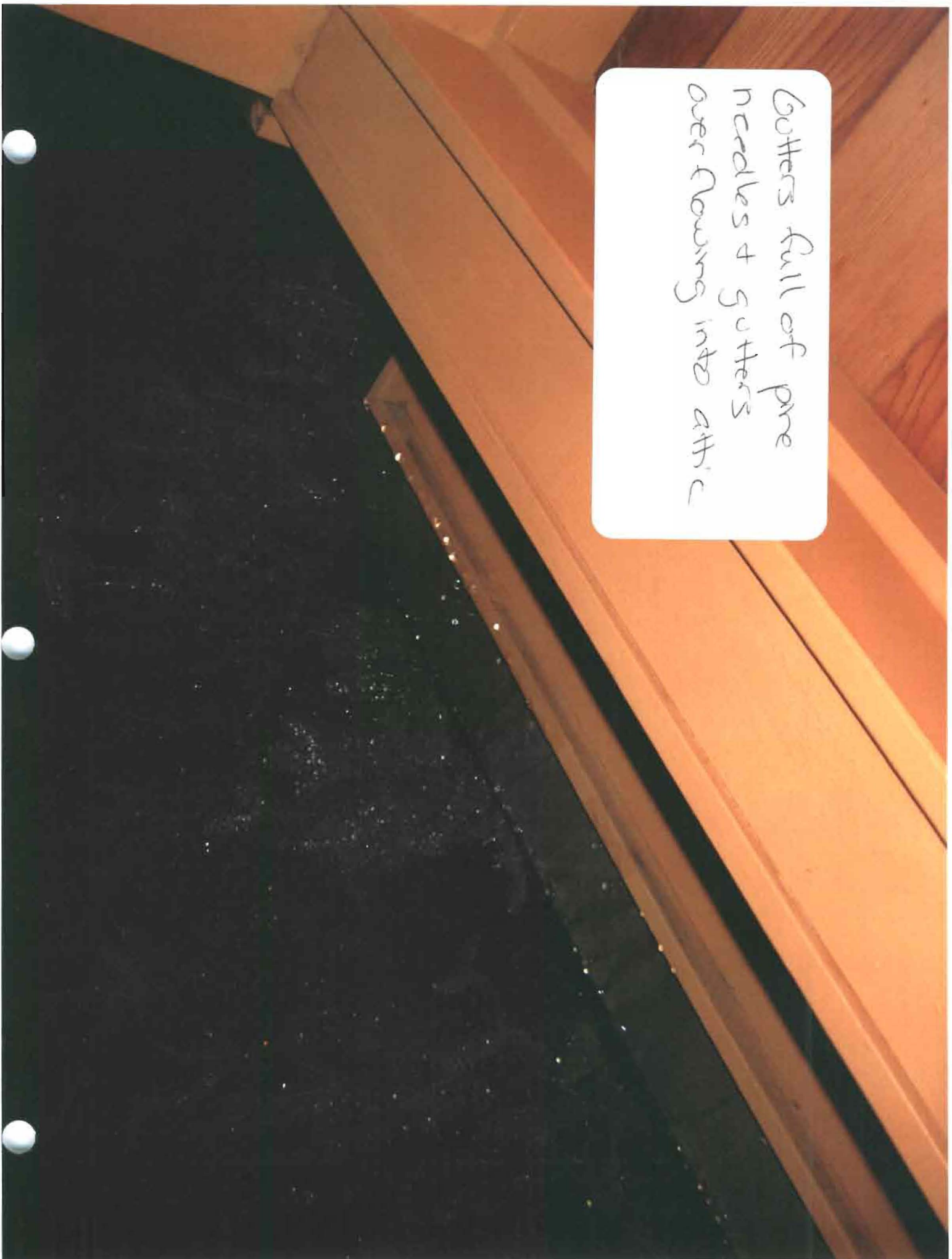


This is hard to see but
"hald" around dishwasher
discolored floor since I
moved in. Mold? Assumed
old dishwasher leaked &
was replaced.

laundry room —
water ran down
wall from chimney leak

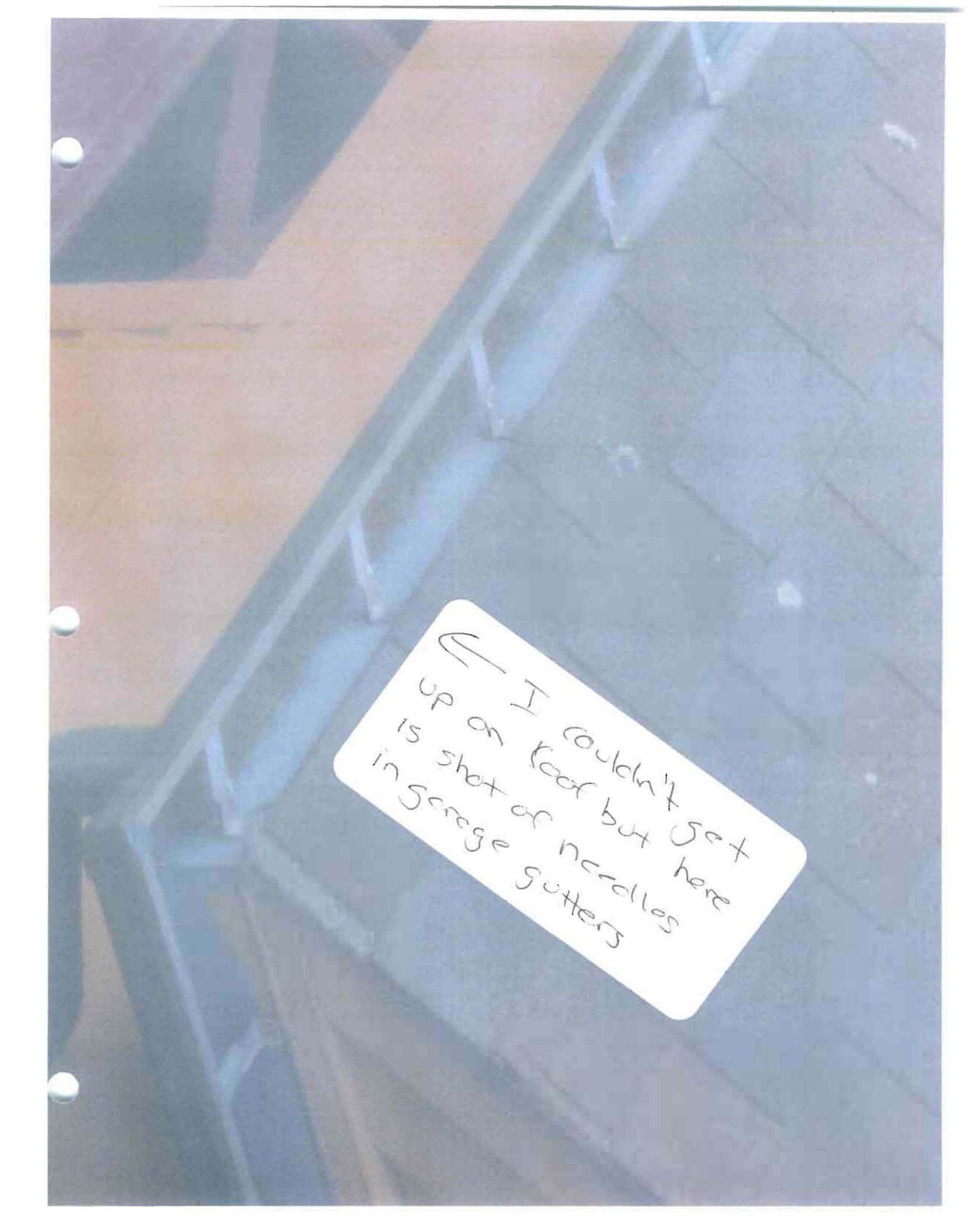


Gutters full of pine
needles + gutters
overflowing into attic

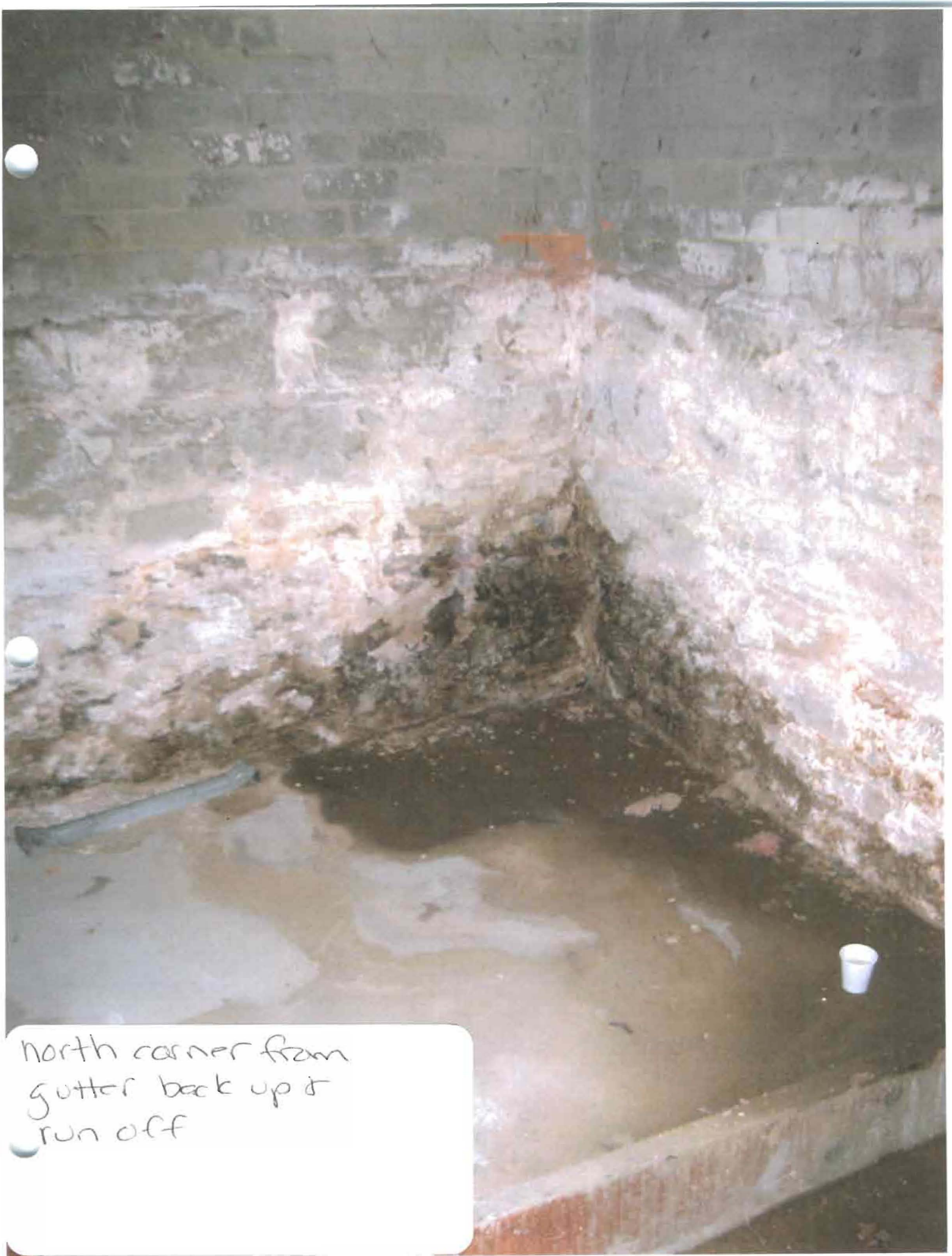


Gutters full of
Pine needles +
gutters overflowing
into attic



A photograph of a roof with a gutter. The gutter is a long, narrow channel running along the edge of the roof. The roof is covered in dark grey or black shingles. A handwritten note is attached to the gutter. The note is white with black text and a hand-drawn arrow pointing to the left. The text on the note reads: "I couldn't get up on roof but here is shot of nicrolles in garage gutters".

← I couldn't get up on roof but here is shot of nicrolles in garage gutters

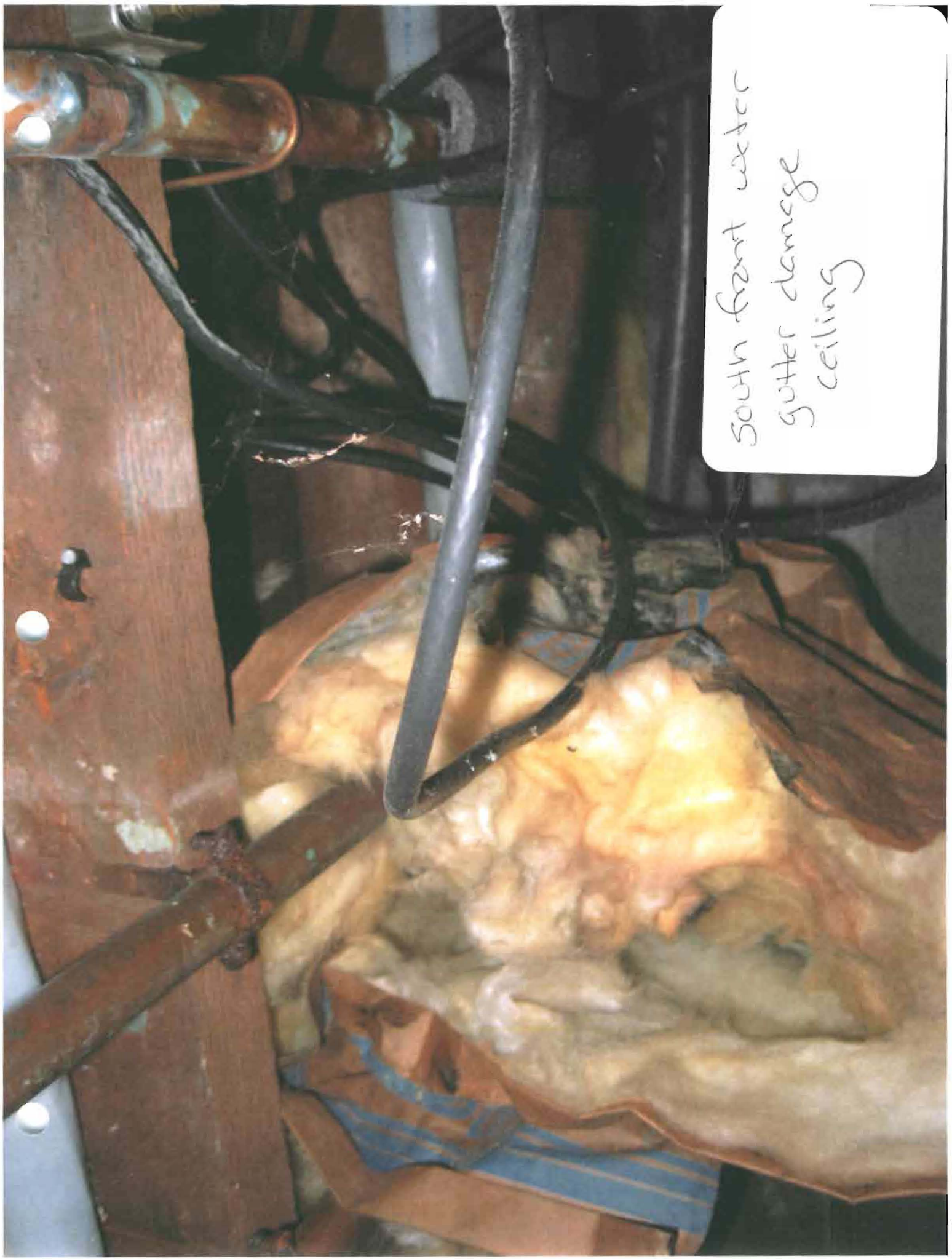


north corner from
gutter back up it
run off

South front gutter
water damage

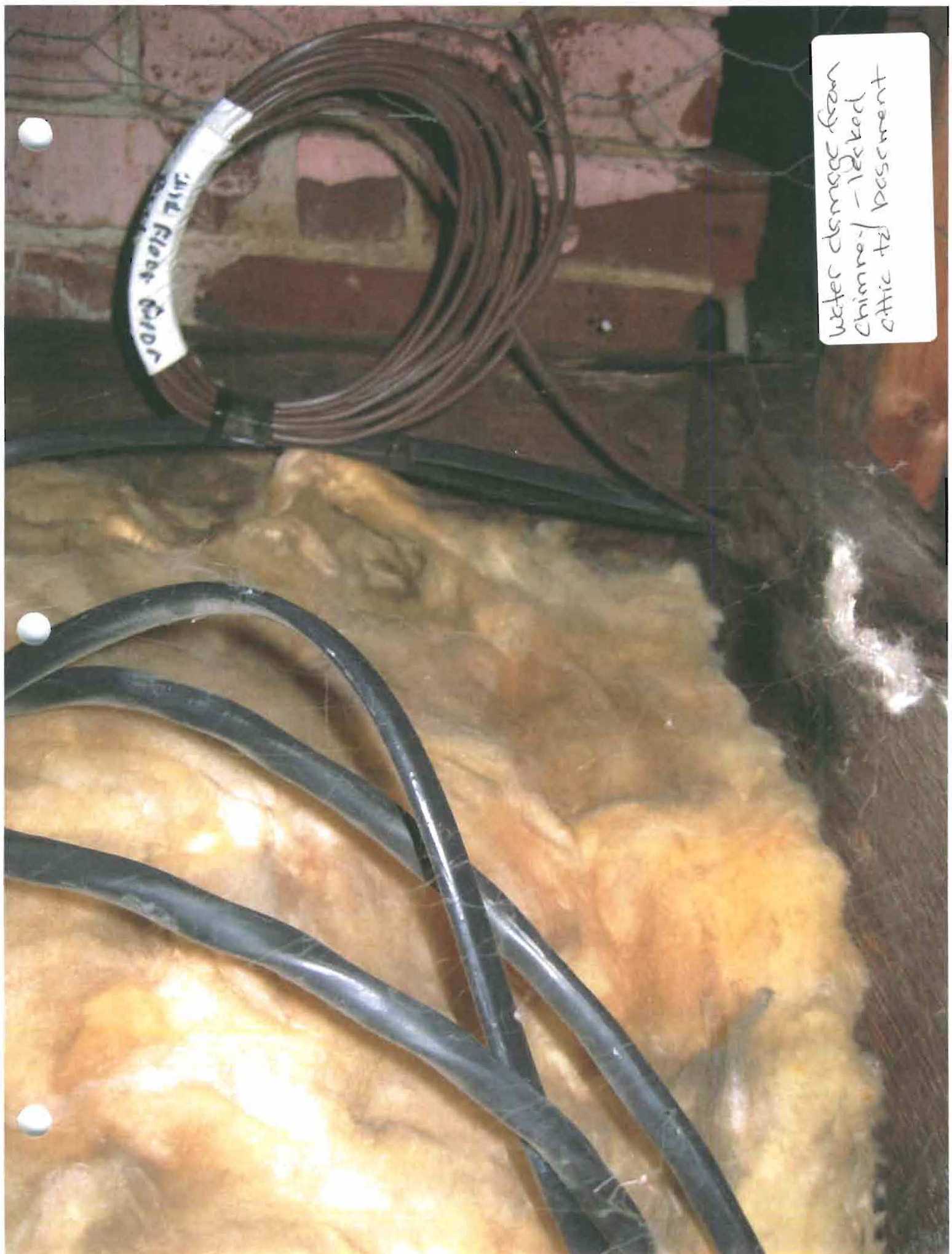


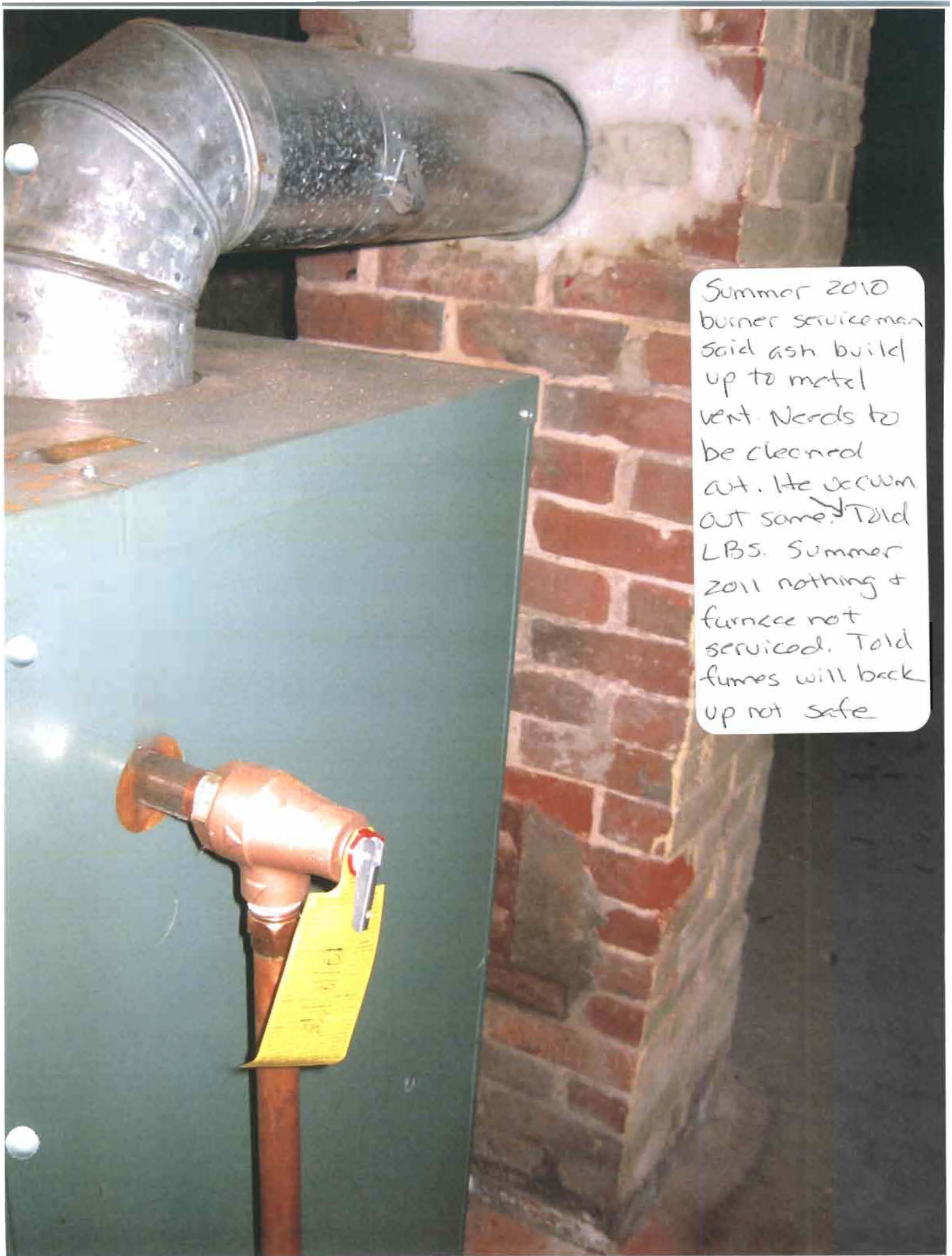
South front water
gutter damage
ceiling



2nd Floor 610P

Water damage from
Chimney - leaked
attic to basement





Summer 2010
burner serviceman
said ash build
up to metal
vent. Needs to
be cleaned
out. He screw
out some. Told
LBS. Summer
2011 nothing +
furnace not
serviced. Told
fumes will back
up not safe



mold + rot
on porch



nicotine
leaking
through
print
←

NOTICE OF TENANT'S INTENTION TO REPAIR DEFECT AND DEDUCT COST OF REPAIRS FROM FUTURE RENTAL PAYMENTS

TO: Lynn B Spensley

The unit which I rent from you is located at:

129 Stevens Ave. Unit 2, Portland, ME

Pursuant to Maine State Law, 14 M.R.S.A. §6026, no landlord may permit to exist in any rental unit any condition which endangers or materially impairs the health or safety of a tenant. According to this law, if you fail to correct the defect, the tenant may pay to have the defect corrected and may deduct the cost of repairs (up to \$500 or 1/2 the rent, whichever is greater) from future rental payments. This limit is increased to two times the monthly rent where a building is in foreclosure.

The unit that I rent from you is in violation of this law for the following reason(s):

- | | |
|---|---|
| <input type="checkbox"/> Faulty Heating System | <input type="checkbox"/> Insect Infestation |
| <input type="checkbox"/> Inadequate Heat | <input type="checkbox"/> Leaking Ceiling |
| <input type="checkbox"/> Faulty Sewage System | <input type="checkbox"/> Unfit Drinking Water |
| <input type="checkbox"/> Insufficient Hot Water or Water Pressure | <input type="checkbox"/> Faulty Electrical Wiring |
| <input type="checkbox"/> Unsafe Chimney | <input checked="" type="checkbox"/> Other <u>mice infestation</u> |

COMMENTS: (Describe the particular details of your situation; use other side if necessary.)

See attached e-mail

I hereby request that you correct this condition immediately. Please be advised that if you fail to do so within 14 days (or right away in the case of emergency), I will cause the repairs to be done and will deduct the amount of the repair costs from future rental payments.

SIGNED: [Signature] DATED: 5/22/2011

Deliver this notice in hand to your landlord, or send by certified mail. Return Receipt Requested. Keep a copy for your records.

Lynn Spensley
48 Booth Rd
Dedham MA 02026

August 21, 2011

RE: Certified Mail, Return Receipt Requested : **7000 16700005 3684 2098**

Dear Lynn,

I am not clairvoyant Lynn. You never asked to meet with me. You asked if you could stop by between 10:00 and 10:30 to look at the stove. I informed you I didn't know if I'd be home or not, but of course you were welcome to come and check out the stove. Incidentally, I do like the stove. Thank you. The workers were very pleasant and professional. I hadn't realized the old one was 20 years old and new stoves do so much more. Cooking is one of my favorite activities.

For SIX years I have told you about the mice. SIX YEARS. I told you SIX years ago about my consultation with an exterminator and how the mice were entering the building via the central air system. Your response was to say you would not fix the central air but would purchase me one window air conditioner. I then informed you mice were in the central vacuum system and it no longer worked. You did nothing. When I told you there were animals in the attic (I didn't know what kind but thought maybe squirrel.) You instructed me to purchase a product (coyote urine) I could never find and for me to place it in the attic. When I informed you I have never been in the attic and didn't want to go in the attic if there were animals up there, you did nothing. I told you, in writing, the lingering mice problem was my only concern in renewing my lease in June 2011. You did nothing. I don't know how much notice you require. When I told you there was now a major problem because of odor and it was discovered they were in the insulation in the stove, you waited 18 days to replace the stove. You did, however, go on vacation. I went 18 days without a stove and two nights could not sleep in the condo due to the odor. When the stove was removed it was obvious the mice were entering the condo from a large man-made hole behind the stove. I sent you photos. When I told you about the stove you instructed ME to check with the neighbors about whether or not they had mice and then to examine why I had mice if they didn't. You sent me the coyote urine and instructed me to administer it. When I got home at 9pm a package was outside my front door. I e-mailed you in the morning to let you know it had arrived. Your response was totally unacceptable, rude, and unprofessional. Lynn, if you should be upset with anyone, you should be upset with yourself and maybe a little embarrassed from your lack of response.

Guinness has been with me the entire 12 years I've lived here. I feed him wet food morning and evening. I leave dry food during the day. I remove it at night for the eight hours I'm sleeping. I leave water 24 hours a day. The only exception is when I go away for the weekend. I then leave a large bowl of dry food and water while I am gone. The only time there has ever been dry cat food out at night is when I am away for the weekend. That is not going to change until Guinness dies, which I fear will be soon. He's 20, near blind, and suffering from kidney failure. I understand your wife is a veterinarian. Please check with her to confirm this is a reasonable and normal feeding routine. She will inform you, very routine. Although you told me I could replace him, I will not be replacing him when he dies.

I think it is terrific you are going to stop by regularly. I have paid my rent on a timely basis, in full, well in excess of \$100,000 so far. Perhaps regular visits will help with regular maintenance of the unit and we will both feel better.

I am formally asking the mice be eradicated from 129 Stevens Ave, Unit 2. I will send this request via certified mail tomorrow.

Sincerely,

Kathleen M Mahoney

cc: Enclosure

Lynn,

8/20

1. The following dates are not workable for an exterminator

Aug 21
28
25

Sept 2 - 6
11
18
25

2. Sticks away is not for indoor use (living space)

3. Has a very strong animal urine odor. Please don't put any inside the condo.

Thanks



The mice are
entering via the
broken central
air duct. If
you close off the
vent that will help

COPY

left on machine
8/20 w/ attached
mills.

Mahoney, Kathleen

From: Lynn Spensley [lynnbspensley@gmail.com]
Sent: Monday, August 08, 2011 7:17 AM
To: Kathleen M. Mahoney
Subject: Re: stove

email address

Kathleen

I sent this on Saturday with regards to a Sunday morning visit. I do not have any open days to work on this issue until sometime after 8/17. I'll be in contact after on or after the 17th.

Lynn

On Mon, Aug 8, 2011 at 6:53 AM, Kathleen M. Mahoney <kathleen@maine.rr.com> wrote:

Hi Lynn,

If you mean this morning - anytime after 7:30. I get home between 5 and 5:30. I am out of the house by 7:30 - 7:45 most mornings. Let me know what day you are coming and I'll put Guinness in a back room.

Kathleen

---- Lynn Spensley <lynnbspensley@gmail.com> wrote:

=====

When is the earliest I can get access to the condo tomorrow morning?

Lynn Spensley Home Preservation
Interior Painting, Carpentry &
Window Replacement
Dedham MA

cell 207 450 3399 - only phone # I have

Home address

48 Booth Rd.
Dedham, MA
02026

Apparently sent
after 5pm Sat
evening (I was not
home after 5pm) w/ the
expectation I be
home Sunday AM. No
24 hr notice. No
reasonable time.

Landlord

Tenant

Kathleen M Mahoney

129 Stevens Ave #2

Portland, Maine 04102

Home – 772-0195

Office – 523-7360

e-mail – Kathleen@maine.rr.com