

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

# CITY OF PORTLAND

## BUILDING INSPECTION

# PERMIT

Permit Number: 061512

Please Read Application And Notes, If Any, Attached

**PERMIT ISSUED**  
NOV - 8 2006  
CITY OF PORTLAND

This is to certify that Musteikis Edmund /n/ a

has permission to Change of Use Condo conversion

AT 1415 Congress St 194 C026001

provided that the person or persons firm or person 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 when permission procured before this building or part thereof is started or service closed-in. 4 HOUR NOTICE 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 M. Manley* 11/2/06  
Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

# 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.

A Pre-construction Meeting will take place upon receipt of your building permit.

- Footing/Building Location Inspection: Prior to pouring concrete
- Re-Bar Schedule Inspection: Prior to pouring concrete
- Foundation Inspection: Prior to placing ANY backfill
- Framing/Rough Plumbing/Electrical: Prior to any insulating or drywalling
- (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

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

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

*[Signature]* 11/8/06  
Signature of Applicant/Designee Date  
*Donna Martin Admin* 11 8 06  
Signature of Inspections Official Date

CBL: 194 C 026 Building Permit #: 061512

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

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

Permit No: 06-1512	Issue Date:	CBL: 194 C026001
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Location of Construction: 1415 Congress St	Owner Name: Musteikis Edmund	Owner Address: 1415 Congress St	Phone:
Business Name:	Contractor Name: n/ a	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	Zone: <b>(R5) R3</b>

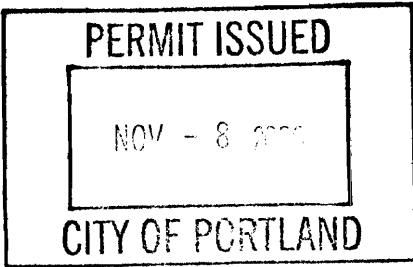
Past Use: Residential 2 units	Proposed Use: Residential 2 unit condo; Change of Use Condo conversion	Permit Fee: \$450.00	Cost of Work: \$450.00	CEO District: 3
<i>legal use: 2 dwelling units (permit 06-0345)</i>		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <b>N3</b> Type: <b>SB</b>  <b>IRC 2003</b>	

Proposed Project Description: Change of Use Condo conversion	Signature:	Signature: <i>Jm 11/2/06</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: dmartin	Date Applied For: 10/13/2006	<b>Zoning Approval</b>
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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..

<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <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"/> <i>ok w/conditions</i> Date: <i>10/31/06</i> <i>ASB</i>	<b>Zoning Appeal</b> <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: _____	<b>Historic Preservation</b> <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: _____ <i>ASB</i>
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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

<b>Permit No:</b> 06-1512	<b>Date Applied For:</b> 10/13/2006	<b>CBL:</b> 194 C026001
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<b>Location of Construction:</b> 1415 Congress St	<b>Owner Name:</b> Musteikis Edmund	<b>Owner Address:</b> 1415 Congress St	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> n/ a	<b>Contractor Address:</b> Portland	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Condo Conversion	

<b>Proposed Use:</b> Residential 2 unit condo; Change of Use Condo conversion	<b>Proposed Project Description:</b> Change of Use Condo conversion
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Ann Machado      **Approval Date:** 10/31/2006

**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 as two residential condominium units. Any change of use shall require a separate permit application for review and approval.

**Dept:** Building      **Status:** Pending      **Reviewer:** Residential Plan Revie      **Approval Date:**

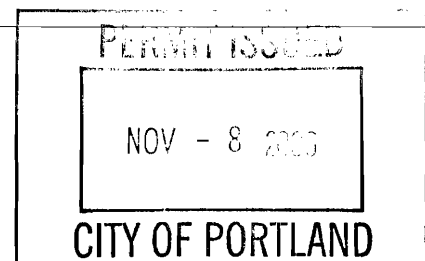
**Note:** **Ok to Issue:**

- 1) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.
- 2) This is a Change of Use ONLY permit. It does NOT authorize any construction activities.

**Comments:**

10/26/2006-amachado: Called Edmund Musteikis. He was not home but I left a message with the person there to have him call me about the notice of intent to convert. The notice of the intent to convert is incomplete. The ordinance states that the specific statement in Section 14-568 must be included but the notice did not include the specific statement. The notice did say that copy of the sections 14-568 & 14-569 were attached to the notice but they are not with the notice that was submitted with the permit. We need to know if the tenant was told about his right to purchase the unit.

10/31/2006-amachado: All conditions of the notice of intent to convert have been met.



# 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>1415 CONGRESS ST. PORTLAND ME 04102</u>		
Total Square Footage of <sup>EXISTING</sup> Proposed Structure <u>4499</u>	Square Footage of Lot <u>1410</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>194</u> Block# <u>C</u> Lot# <u>26</u>	Owner: <u>EDMUND MUSTEIKIS</u>	Telephone: <u>780-6416</u>
Lessee/Buyer's Name (if Applicable) <u>NA</u>	Applicant name, address & telephone: <u>EDMUND MUSTEIKIS 780-6416</u> <u>1415 CONGRESS ST. 04102</u>	Cost Of Work: \$ <u>NA</u> Fee: \$ _____
Current use: <u>APTS.</u>		
If the location is currently vacant, what was prior use: <u>NA</u>		
Approximately how long has it been vacant: <u>NA</u>		
Proposed use: <u>CONVERSION OF 2 UNIT TO CONDOS</u> Project description:		<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;">                 DEPT. OF BUILDING INSPECTION                  CITY OF PORTLAND, ME  <div style="border: 1px solid black; padding: 5px; width: 100px; margin: 5px auto;">                     OCT 13 2005                 </div>                 RECEIVED             </div>
Contractor's name, address & telephone:		
Who should we contact when the permit is ready: <u>NA</u>		
Mailing address:		
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: <u>780-6416</u>		

**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>Edmund J. Musteikis</u>	Date: <u>10/10/06</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 Planning Department on the 4<sup>th</sup> floor of City Hall**

#550-

NOTICE OF INTENT TO CONVERT PREMISES TO CONDOMINIUM

To: Derek Musteikis a tenant at 1415 Congress Street, Portland, ME.

From: Edmund J. Musteikis, Landlord  
1415 Congress Street  
Portland, ME 04102

Date: 4/29/06

You are hereby notified that, as owner of the building at 1415 Congress Street, Portland, Maine, I intend to convert said building to a condominium pursuant to Maine law and the Ordinances of the City of Portland.

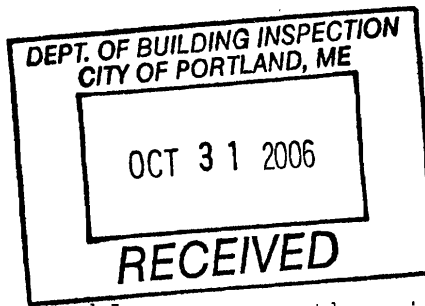
Whereas your tenancy is on a month to month basis, you are hereby further notified and requested to vacate the premises by 8/29, 2006

**YOU HAVE SPECIFIC RIGHTS PURSUANT TO SECTIONS 14-568 AND 14-569 OF THE CITY OF PORTLAND CODE OF ORDINANCES, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE. PLEASE READ THESE SECTIONS CAREFULLY, AND IF YOU DO NOT UNDERSTAND THEM YOU SHOULD SEEK LEGAL HELP OR CONTACT THE BUILDING INSPECTION DIVISION, DEPARTMENT OF PLANNING AND URBAN DEVELOPMENT, CITY OF PORTLAND, 389 CONGRESS STREET, PORTLAND, MAINE 04101 (telephone: 874-8703)**

Derek Musteikis  
I, DEREK MUSTEIKIS, hereby acknowledge receipt of a copy of this Notice with the attached Code of Ordinances provisions.

Date: 4/30/06

Derek Musteikis  
Tenant



City of Portland  
Code of Ordinances  
Sec. 14-567

Land Use  
Chapter 14  
Rev.7-5-06

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: 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

T-Ver read this and am fully aware of my RIGHTS  
DEREK MUSTEIKIS (Derek Musteikis)  
10/30/06

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

I am fully aware of my rights  
DEREK MUSTEBA'S (electronic)  
10/30/06






# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

*Lee Urban- Director of Planning and Development  
Marge Schmuckal, Zoning Administrator*

## Number of People in Household - Income Limits

Limits Effective March 2005

1	-	\$36,050
		
2	-	\$41,200
3	-	\$46,350
4	-	\$51,500
5	-	\$55,650
6	-	\$59,750
7	-	\$63,900
8	-	\$68,000

\* ILLNESS (LONG TERM - DIALYSIS, TRANSPLANTS) RESULTED IN ERRATIC FULL/PART TIME EMPLOYMENT. I DISCUSSED THIS WITH LEE AS WELL AS CORRECT PROCEDURES TO FOLLOW RE THIS APPLICATION.

Submit with Condominium Conversion Permit Application

Project Data:

Address: 1415 CONGRESS ST. PORTLAND, ME 04102

C-B-L: 194 C 26

Number of Units in Building: 2

Tenant Name	Tenant Tel#	Occup. Length	Date of Notice	Eligible for \$?
Unit 1 DEREK MUSTEIKIS	8791444	*	4/29/06	
Unit 2 LANDLORD (ED MUSTEIKIS)				
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 14 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  (check one)

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

\$ 9000 Exterior walls, windows, doors, roof

\$ 150 Insulation

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

\$ → Other (specify) CERAMIC TILE FLOORING: } \$18,000 APPROX  
 A. 3 BATHROOMS  
 B. 4 ENTRY/EXIT HALLS



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 1415 Congress St CBL 194 C026001

Issued to Musteikis Edmund /n/ a

Date of Issue 11/20/2006

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. 06-1512, 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  
entire building

APPROVED OCCUPANCY  
Use Group R3 Type: 5B  
IRC 2003  
Residential Two Unit Condominium

**Limiting Conditions:** This is a Change of Ownership permit only. This does not certify compliance of the existing structure with I.R.C. 2003.

This certificate supersedes certificate issued

Approved: 11.21.2006 *Stephen Hunt*  
(Date) Inspector

*Debbie Bourke* 11/21/06  
Inspector of Buildings