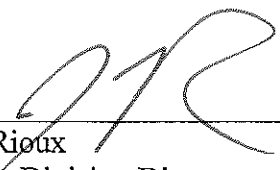


## APPLICATION FOR ADMINISTRATIVE INSPECTION WARRANT

I, Jonathan Rioux, being duly sworn, state the following:

1. I am the Inspections Director in the Permitting and Inspections Department with the City of Portland.
2. In connection with that position, I am responsible for overseeing the Housing Safety Office, which enforces various state and local building and land use laws and ordinances.
3. The Housing Safety Office also carries out probable cause and general area inspections of rental units within the City, which I also oversee.
4. I am authorized to carry out such inspections pursuant to the City of Portland Code of Ordinances § 6-117 and 30-A M.R.S. § 4452.
5. The City of Portland conducts routine, general area inspections of all rental properties in the City.
6. During these inspections, the City is inspecting for violations of building, housing, life safety, and land use laws and ordinances. This includes missing smoke and carbon monoxide detectors, poor housing conditions, and other conditions that may jeopardize the life or health of the occupants.
7. The City of Portland has probable cause to believe that violations of these state and local fire prevention laws and ordinances exist in rental properties in Portland, due to the high incidence of violations found in such inspections.
8. Such violations are found in close to 100% of all inspections.
9. The City has requested to inspect the property at 1958 Washington Avenue in Portland, which is a two-unit dwelling. However, the owner has not allowed an inspection.
10. Specifically, the City has sent several letters requesting an inspection and, on June 5, 2017, one of my Housing Safety Officers spoke with the owner, who refused to allow an inspection.
11. I have given the owner, Eric Patterson, written notice at least 24 hours in advance of presenting this application by delivering a copy by certified and regular mail.
12. For all of these reasons, I request that this Court issue an administrative inspection warrant pursuant to M.R. Civ. P. 80E.

Dated: 11-06-17

  
\_\_\_\_\_  
Jonathan Rioux  
Inspections Division Director

STATE OF MAINE  
COUNTY OF CUMBERLAND

Personally appeared the above-named Jonathan Rioux, and made oath that the foregoing statements are true to the best of his knowledge and belief.

  
\_\_\_\_\_  
Notary Public/Attorney at Law #4374

**ADMINISTRATIVE INSPECTION WARRANT**

STATE OF MAINE  
CUMBERLAND, ss

DISTRICT COURT  
PORTLAND, MAINE

TO: Eric Patterson  
1958 Washington Ave.  
Portland, Maine 04103

Jonathan Rioux, Inspections Division Director of the Permitting and Inspections Department of the City of Portland, has submitted an Application for Administrative Inspection Warrant swearing that he has authority to enter the structure located at 1958 Washington Avenue, Portland, Maine (the "Structure") for purposes of inspecting the premises for hazards pursuant to the City of Portland Code of Ordinances ("Portland Code") § 6-117 and 30-A M.R.S. § 4452; that the inspection is being conducted as part of a general area inspection of rental properties in the City of Portland; and that probable cause exists that there are violations of building, housing, life safety, and land use laws and ordinances in rental properties in the area due to the high incidence of violations found in such inspections. Mr. Rioux has also sworn that the owner of the Structure has refused to allow the City of Portland to inspect, despite requests. Having considered the Application, and the property owner having been given an opportunity to state his opposition, I find probable cause exists to believe that there are violations of the Portland Code at the Structure.

YOU ARE HEREBY COMMANDED to allow inspection of all areas of the Structure by Mr. Rioux and/or his designee, when he serves this warrant and makes inspection during the daytime for the purpose of inspecting violations at the Structure and to ensure compliance with Portland Code.

Dated:

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Judge, District Court

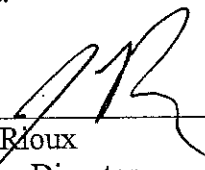
**NOTICE OF APPLICATION FOR ADMINISTRATIVE INSPECTION WARRANT**

TO: Eric Patterson  
1958 Washington Ave.  
Portland, Maine 04103

This is to notify you as the owner of the structure at 1958 Washington Avenue in Portland, Maine (the "Structure"), that on November 13, 2017 at 8:30 am, the City of Portland Permitting and Inspections Department intends to present an application for an Administrative Inspection Warrant to inspect the Structure. This application shall be made before the Maine District Court at 205 Newbury Street in Portland, Maine. You have the right to be present to state your opposition, if any, to the issuance of the warrant.

Dated:

9/20/17

  
\_\_\_\_\_  
Jonathan Rioux  
Inspections Director

This notice was sent by certified and regular mail to Eric Patterson, 1958 Washington Ave., Portland, Maine 04103 on September 20, 2017.

  
\_\_\_\_\_  
Anne M. Torregrossa, Esq.  
Associate Corporation Counsel