

FORBEARANCE AGREEMENT

The parties, the City of Portland (“the City”) and BK Properties LLC representative Shamayel Kargar (the “Owner”) enter into this Forbearance Agreement (“Agreement”) as of March 16, 2018.

WHEREAS, BK Properties LLC is the Owner of a residential property located at 613 Washington Ave. in Portland, Maine, (the “Property”) CBL 428 L022001 on the City of Portland Tax Maps;

WHEREAS, the legal use of the Property is two residential units;

WHEREAS, for more than ten years, the Owner has maintained an illegal third unit at the Property;

WHEREAS, the Owner has applied for a change of use permit (number 2017-01385) to increase the legal number of dwelling units within the building from 2 units to a total of 3 units;

WHEREAS, the Change of Use of the building requires the building to be protected throughout, with an NFPA 13R automatic fire sprinkler system;

WHEREAS, the City is willing to give BK Properties LLC additional time to install the required fire sprinkler system;

NOW, THEREFORE, in consideration of the mutual promises made by each party to the other, the parties wish to provide the required fire sprinkler protection of the Property as follows:

1. The City agrees to forbear from taking enforcement action with respect to the illegal third unit at the Property for a period not to exceed 18 months from the above date on this agreement provided the following are met:
 - a. By no later than May 1, 2019, BK Properties LLC or their designee will submit a complete and adequate City of Portland Water Based Fire Protection System permit for the Property.
 - b. By no later than August 31, 2019, BK Properties LLC or their designee will have completed the installation and had a final inspection of the required NFPA 13R automatic fire sprinkler system throughout the entire building located at 613 Washington Ave. Portland, Maine.
2. If the Owner fails to meet any obligations of this Agreement, the Owner agrees that the City may immediately post against occupancy the dwelling unit on the 3rd floor of the Property and BK Properties LLC will be given 30 day to remove the dwelling unit from the building.

SEEN AND AGREED,

Date: CITY OF PORTLAND

Jason Grant 3/16/2018
By: JASON GRANT
Its:

Date: BK Properties LLC / Shamayel Kargar

Shamayel Kargar 3/16/2018