

8. WATER-DAMAGED APARTMENTS

All apartments that had had damage due to water seeping through the roof will be stain sealed and painted and brought back to proper condition. Work is now in progress.

STATE OF MAINE
CUMBERLAND, ss.

DISTRICT COURT
DISTRICT Nine
DIVISION of Southern
Cumberland
Civil Violation

CITY OF PORTLAND,
Plaintiff
V.

JAY SCHOCHET,
Defendant and
THE CODMAN COMPANY, INC.,
Defendant.

CITATION AND COMPLAINT FOR VIOLATION OF
CITY OF PORTLAND MUNICIPAL ORDINANCE
CHAPTER 307, MINIMUM STANDARDS FOR HOUSING.

To the Defendant JAY SCHOCHET & THE CODMAN COMPANY, INC.

This citation and complaint constitutes a commencement of a lawsuit by the Plaintiff against you for the collection of a fine of not less than \$50.00 and not more than \$1,000.00 for each day's alleged violation, pursuant to Portland Municipal Code Section 307.24. The alleged violation occurred on the 27th day of April, 1979, and ~~continued~~ continued through the 29th day of May, 1979, and consisted failure to correct Housing Code violations at the Codman-Danforth Heights Housing within a reasonable time after being so ordered by the Health Officer*, The Codman Company, Inc. being owner of record of the property and Jay Schochet is agent of the Codman Company, Inc. and exercises care and management of the property within the meaning of Chapter 307.

You are directed to appear in the said District Court at 142 Federal Street, Portland, Maine on the 29th day of June, 1979, at 9:00 o'clock in the A.M. to answer the above allegations orally.

IMPORTANT WARNING: FAILURE TO APPEAR AS DIRECTED HEREIN, CONSTITUTES A CLASS E CRIME AND MAY RESULT IN THE ISSUANCE OF A WARRANT OF ARREST. IN ADDITION, IF YOU FAIL TO ANSWER AT THE TIME STATED ABOVE, OR IF YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A DEFAULT MAY BE ENTERED BY THE CLERK AND JUDGMENT ENTERED THEREON. IF THIS OCCURS, YOUR EMPLOYER MAY BE ORDERED TO PAY PART OF YOUR WAGES TO THE PLAINTIFF, OR YOUR PERSONAL PROPERTY, INCLUDING BANK ACCOUNTS AND YOUR REAL ESTATE MAY BE TAKEN TO SATISFY THE JUDGMENT. DO NOT FAIL TO ANSWER AT THE SPECIFIED TIME.

If you believe that you have not committed the civil violation alleged herein, you should talk to a lawyer. If you feel you cannot afford to pay a fee to a lawyer, you may ask the office of the Clerk of District Court at the Cumberland County Courthouse or any other County Courthouse for information as to places where you may seek legal assistance.

Dated at Portland this 4th day of June, 1979.

* As defined in
Municipal Codes

PATRICIA CARON, Clerk of the Ninth
District Court

48 Salem St.
Danforth Heights

INVESTIGATIVE REPORT

RE: _____
(Property Inspected)

1. Person or persons to be charged (with residence):
Jay Schochet - business address only
2. Name of Attorney, if known:
Unknown
3. Name, address and telephone number of complainant if known:
*Principal complainant is MARY GAGE, 65 SUMMER ST, 104-C,
of CODMAN TENANTS ASSOCIATION.*
4. Name and address of Inspector or Inspectors who investigated violation and summary of personal observations of each with dates of observations:
Inspector M. Jough sent repair order 9-12-78. Numerous re-inspections later the condition remains uncorrected.
5. Code Sections Violated:
3-1
6. Facts constitution Violation:
Leaking roof
7. Basis for individual liability (owner/agent, etc.)
agent, certainly - part-owner, probably.
8. Description of Property involved (type and location):
Danforth Heights Housing Project, 48 Salem St.
9. Ownership indicia or deed references to property, including Assessors Chart/Block/Lot:
58-A-13

MEMO TO REQUEST LEGAL ACTION

Date: 5-31-79

TO: David Weiss

Assistant Corporation Counsel

FROM: Lyle D. Moran, Chief of Housing Inspections

May 23, 1979

Jay Schochet

SUBJECT: Request for legal action against

249 Starler Office Bldg, 20 Providence St., Boston, Mass. 02116

regarding Danforth Heights-Corbin Housing Project, 48 Salem St.

Mr. Charles Pace
HUD Services Office
1275 Chestnut Street
Manchester, N. H. 03103

Crucial roof leak, violation of 3-a
Dear Charles:

Enclosed are copies of recent housing inspection complaints on the Danforth Heights project. The Housing Inspector assigned to this case informs me that the only outstanding problem is that which is connected with the leaks in the apartments, which are identified on the September, 1978 violation list.

- ATTEMPTS TO GET Schochet Associates continue to be responsible for the correction of these violations. We have not made a complete inspection of the building. Whenever a tenant calls with a complaint our office follows up. The major problem continues to be the leakage resulting from the roof.
1. _____
 2. _____
 3. _____
 4. _____
 5. _____

We look forward to working with you to resolve the problems connected with the project.

Sincerely,

Joseph E. Gray, Jr., Director
Neighborhood Conservation Program

WITNESS:

M. Garth

Enclosures
JEG/ehw

MEMO TO REQUEST LEGAL ACTION

TO: David Laurie, Assistant Corporation Counsel Date 5-31-79

FROM: Lyle D. Noyes, Chief of Housing Inspections

SUBJECT: Request for legal action against Jay Schochet

720 Statler Office Bldg, 20 Providence St., Boston, Mass. 02116,

regarding Dauforth Heights-Codman Housing Project, 48 Salem St.

FACTS CONSTITUTING VIOLATIONS:

Overall roof leaks, violation of 3-a

ATTEMPTS TO OBTAIN VOLUNTARY COMPLIANCE:

1. Order dated 9-12-78
2. Numerous re-inspections (See enclosed packet of correspondence and data.)
3. Latest re-inspection 5-25-79
4. _____
5. _____

WITNESS:

H. Gough

X
March 14, 1979

Federal Management Co., Inc.
720 Statler Office Bldg.
20 Providence Street
Boston, Mass. 02116
Atten: Mr. Jay Schochet & Mr. Edward Rice

Dear Sirs: Re: 48 Salem Street, Portland, Maine NCP-WE 58-A-13

A recent inspection was made by Housing Inspector Gough of the property owned by you at 48 Salem Street, Portland, Maine. As a result of the inspection, you are hereby ordered to correct the following substandard housing conditions:


1. SIXTH FLOOR-RIGHT REAR EXTERIOR WALL - replace missing siding. 3a
2. FIRST & SECOND FLOORS- RIGHT MIDDLE HALL WINDOWS- replace broken glass. 3c
3. FIRST FLOOR LEFT FRONT-EXTERIOR WALL- replace broken downspout. 3a
4. THIRD FLOOR RIGHT- HALL WALL - repair broken emergency lights. 8e
5. SECOND & SIXTH FLOORS- MIDDLE HALL WALLS - replace missing plaster. 3b
6. BASEMENT # 1- CLOSET WALL-BEDROOM- repair leak in the rear bedroom. 3a

The above mentioned conditions are in violation of Chapter 307 of the Municipal Code of the City of Portland, Maine, and must be corrected on or before April 14, 1979.

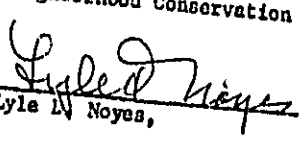
Failure to comply with this order may result in a complaint being filed for prosecution in District Court.

Sincerely yours,
Joseph E. Gray, Jr., Director
Neighborhood Conservation

Inspector


M. Gough

By


Lyle D. Noyes,



CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
INSPECTION SERVICES DIVISION

November 2, 1984

Federal Management Co., Inc.
Att: Mrs. Bette Anderson
720 Statler Office Building
Boston, MA 02116

Re: 48 Salem Street - Apartment #602

Dear Mrs. Anderson:

As owner or agent of the property located at 48 Salem Street, Apartment #602, Portland, Maine, you are hereby notified that as the result of a recent fire, Apartment #602 is hereby declared unfit for human occupancy, and is to be kept vacant so long as the following conditions continue to exist thereon.

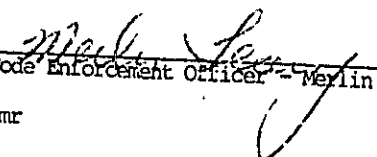
Article V - 120 - The property is damaged, decayed, deteriorated, insanitary and unsafe in such a manner as to create a serious hazard to the health, safety and general welfare of the occupants or the public.

Therefore, you will not occupy, permit anyone to occupy, or rent the above mentioned without the written consent of the Health Officer or his agent, certifying that the conditions have been corrected.

Failure to comply with this order may result in a complaint being filed for prosecution in District Court.

Sincerely yours,
Joseph E. Gray, Jr., Director of
Planning & Urban Development

By 
P. Samuel Hoffses,
Chief of Inspection Services


Code Enforcement Officer - Merlin Leary (5)

jmr

City of Portland, Maine
Fire Department

FEDERAL MANAGEMENT CO., INC.
720 STATLER OFFICE BLDG.
BOSTON, MA 02118

at: Bette Anderson

Federal Management Inc.

48 Salem Street

Portland, Maine

Re: Fire @ 48 Salem Street

Dear Sir:

On Oct. 5, 1984 a fire occurred in the building listed above, of which you are reported to be the owner ().

If permanent repair work is required for this building, you must obtain a permit from the Building & Inspection Dept. in City Hall before starting such work.

Very Truly Yours,

Joseph M. Donogh
Chief
Portland Fire Department

cc: Building & Inspection Dept.
Corporation Counsel
Health Dept. (Housing Div.)
City Assessor's (Mr. Lucci)

The fire was confined to a couch and rug with considerable smoke and water damage throughout apartment # 602.

Posting entire apartment for smoke damage
M/T