

284R Brackett Street

BRAMHALL



CITY OF PORTLAND
HEALTH DEPARTMENT
HOUSING DIVISION

3-4



Loc. 284 R. Brackett St.
Loc w/i S. Bramhall
Bldg X Fire X Elec Other X
Issued August 28, 1969
Expires September 28, 1969

Mr. Robert C. Kennedy, Jr.
284R. Brackett St.
Portland, Maine 04102

1-2

Dear Sir:

On August 26, 1969 an examination was made of the premises located at 284 R. Brackett Street, Portland, Maine

Non-compliance with the ordinances relating to housing conditions was found as detailed below. In accordance with the provisions of the above ordinance, you are hereby ordered to correct these defects according to specifications within the time limits allowed. Failure to comply with this notice will necessitate legal action.

Some repairs or improvements required will necessitate permits which are to be obtained from the Building Inspector, Health, Fire or other City Departments. These must be obtained before the work is started.

If any additional information is desired, visit or telephone the Housing Supervisor at this Office, Tel. 774-8221, extension 226. Kindly notify this office as soon as all corrections have been completed.

OK
3-78
DATE

Very truly yours,
Health Director

By Lyle D. Jones
Housing Supervisor

Responsibility of Owner or Agent ** Responsibility of Occupant

REPAIR and PUT IN GOOD ORDER all dilapidated and deteriorated parts of the structure as follows:

STRUCTURAL -

- a. ~~The foundation over all - replace loose bricks (inside and out).~~
- b. ~~The exterior walls - replace missing shingles.~~
- c. ~~The windows - putty the loose panes and repair the sash cords throughout.~~
- d. ~~The plaster on the kitchen ceiling in the left front apartment.~~
- e. ~~The worn floors in the kitchen and living room in the left front apartment.~~
- f. ~~The plaster on the walls in the bathroom and the middle bedroom in the left front apartment.~~
- g. ~~The plaster on the walls and ceiling of the kitchen, living room and bathroom in the right front apartment.~~
- h. ~~The damaged floor in the kitchen in the right front apartment.~~
- i. ~~The plaster on the front hall ceiling.~~

HEATING -

- a. ~~Clean the right front chimney by removing and properly disposing of all soot.~~
- b. ~~Point chimney where needed.~~

Also consider heating should have been placed chimneys
R.C.S.

CITY OF PORTLAND
HEALTH DEPARTMENT
HOUSING DIVISION



Loc. 284 R. Brackett St.
Loc w/i: S Granhall
Bldg X Fire X Elec Other X
Issued August 28, 1969
Expires September 28, 1969

3-2
Rehab - New
1-2
Mr. Robert C. Kennedy, Jr.
284R. Brackett St.
Portland, Maine 04102

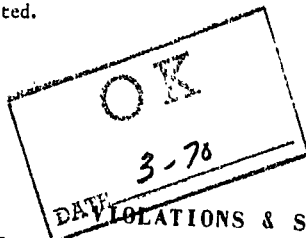
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at 284 R. Brackett Street, Portland, Maine

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correct these defects according to specifications within the time limits allowed. Failure to
comply with this notice will necessitate legal action.

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tained from the Building Inspector, Health, Fire or other City Departments. These must be ob-
tained before the work is started.

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this Office, Tel. 774-8221, extension 226. Kindly notify this office as soon as all corrections
have been completed.



Very truly yours,
Health Director

By Eugene D. Royce
Housing Supervisor

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as follows:

STRUCTURAL -

- a. ~~The foundation over all - replace loose bricks (inside and out).~~
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- h. ~~The damaged floor in the kitchen in the right front apartment.~~
- i. ~~The plaster on the front hall ceiling.~~

HEATING -

- a. ~~Clean the right front chimney by removing and properly disposing of all soot.~~
- b. ~~Point chimney where needed.~~

Star B under Heating should have been placed under chimneys
R.C.B.

PLUMBING -

- a. Check waste lines for improper drainage.

NUISANCES AND INSANITARY CONDITIONS -

- ~~a. Accomplish a general clean-up of the yard - remove all old boards at the left side of the structure.~~
- ~~b. Provide suitable, sufficient, water-tight, tightly covered metal garbage and rubbish containers to receive the accumulation of garbage and rubbish during the intervals between collections.~~
- ~~c. Accomplish a general clean-up of the cellar by removing and properly disposing of all litter and debris.~~
- ~~d. Accomplish a general clean-up of the interior of the entire structure by washing and cleaning the floors and walls. Also by removing and properly disposing of all litter.~~

The above mentioned conditions are in violation of Chapter 307 of the Municipal Code of the City of Portland and must be corrected on or before September 23, 1969.

RECEIVED

AUG 29 1969

Bramhall Hill Neighborhood
Conservation Program

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: Lyle D. Noyes, Housing Supervisor

FROM: Charles A. Lane, Assistant Corporation Counsel

SUBJECT: 284 Rear Brackett Street - Robert Kennedy

DATE: 8/15/69

In answer to the question raised by your recent memorandum, I attach herewith a letter to Mr. Kennedy asking him to comply with your department's request for an inspection. If he does not comply within one week from the date of my letter, I suggest that you contact Officer Labbe and obtain a search warrant.

After reviewing the Camara case and also the See case, it is my impression that the reasons set forth in the letter from Robert C. Bailey to you set forth sufficient grounds for the issuance of a search warrant.

Your file is being returned herewith.

Cal
Charles A. Lane, Assistant
Corporation Counsel

L:ds

August 15, 1969

C
O
P
Y

Mr. Robert Kennedy
284R Brackett Street
Portland, Maine

Re: Inspection by Housing Inspector

Dear Mr. Kennedy:

It has been brought to the attention of this office that the Housing Inspector had some difficulty in trying to arrange a convenient date with you for him to inspect your premises.

Among the reasons for the inspection are questions relating to the city's minimum code standards and also repairs to a sewer line which runs through your property.

Although the City may obtain a search warrant under the circumstances in order to inspect your premises, I trust that you will agree that such a procedure would be cumbersome for everyone involved. I therefore suggest that you contact Lyle D. Noyes, Housing Supervisor, here at City Hall within seven days from the date of receipt of this letter and arrange a mutually convenient time for an inspection of your property.

Very truly yours,

Charles A. Lane
Assistant Corporation Counsel

L:ds

cc: Lyle D. Noyes, Housing Supervisor ✓
Robert C. Bailey, Housing Inspector,
Bramhall Hill Neighborhood Conservation Program

MEMORANDUM

DATE: 8/8/69

TO: Mr. Charles Lane, Assistant to Corporation Council
FROM: Lyle D. Noyes, Housing Supervisor
SUBJECT: Warrant to Inspect Premises

Attached is a letter from Housing Inspector, Robert Bailey of the Bramhall Hill Program. He requests a warrant be issued in order to inspect the premises at 284R Brackett Street.

This would be the first such warrant obtained by the Housing Division since the "Camara Case" ruling, making a warrant necessary. I would therefore like the opportunity to receive council on this request at your earliest convenience.

Enclosure

BRAMHALL HILL NEIGHBORHOOD CONSERVATION PROGRAM

August 6, 1969

Lyle Hoyes:

I have received negative responses to my numerous calls on the dwellings and structure at 284 R. Brackett St. This is the property of Robert Kennedy. I once met Mr. Kennedy on the street and made an appointment to survey this property but Mr. Kennedy never kept this appointment. I have told the tenant in the other dwelling many times to have Mr. Kennedy contact the Bramhall office and he has never done this. I did explain to Mr. Kennedy that subject to his income he might be entitled to a grant to help bringing his property up to a minimum standard. I then went ahead and surveyed the exterior of the structure on July 24, 1969. During 1969 I have called at the property fifteen times from January to August and have also sent Mr. Kennedy a letter explaining his is one of only seven properties that have not been surveyed under the Bramhall Code Enforcement Program.

In my opinion Mr. Kennedy is not making any effort to maintain or keep his property up to the city minimum code standards. On a complaint at 286 Brackett St., I found that the sewer line leading from Mr. Kennedy's property passes through the basement of 286 Brackett St. Mr. Salamone, owner of the property at 286 Brackett street told me he has asked Mr. Kennedy to correct a broken sewer line leading from Mr. Kennedy's property through his cellar and that Mr. Kennedy has not done this.

The outside of the structure of Mr. Kennedy's at 284 R. Brackett street is Substandard and because of this and the sewer problem I request that a search warrant be issued for an inspector to inspect this structure to correct these conditions which are affecting other properties besides his own.

Yours truly,

Robert C. Bailey
Robert C. Bailey
Housing Inspector

RCB:mmm

My name is Lyle D. Noyes, Housing Supervisor for the City of Portland Housing Division.

I have personally examined the exterior of the one and one half story, frame, two-family house owned by Robert Kennedy, known as 281 Rear Brackett Street. It is substandard because of: 1. a broken sewer line 2. the foundation wall is cracked 3. the gutters, trim, and moldings are rotted 4. the chimneys need painting above the roof 5. the wall siding is loose.

I have learned from Robert Bailey, a City Housing Inspector, that the sewer line which flows from 284 Rear Brackett Street through the basement of the structure known as 284 Brackett Street is broken.

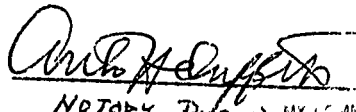
From the above information I have probable cause to believe that there is a broken sewer line which is substandard requiring immediate attention.

I have told Mr. Kennedy, the owner, and he has refused to allow me to enter without a search warrant.

August 26, 1969

Lyle D. Noyes
Housing Supervisor

Personally appeared, the above-named
Lyle D. Noyes and made oath that the above
Affidavit was true to the best of his own
information and belief.



NOTARY PUBLIC MY COM. EXPIRES
JUNE 19, 1970



SEARCH WARRANT

To the Sheriff of Cumberland County, or any of his deputies or any other authorized officer:

Affidavit having been made before me by Lyle D. Noyes that he has reason to believe that on the premises known as one and one-half story frame -- two-family house located at 284 R. Brackett Street, in the City/Town of Portland County of Cumberland and State of Maine, said premises being owned/occupied by Robert Kennedy

~~said premises being owned/occupied by a person or persons to the complainant unknown~~
there is now being concealed certain ~~person~~/property, to wit;

Sewer pipe not in conformity with Portland City Plumbing Code

As I am satisfied that there is probable cause to believe that the property/~~person~~ so described and used is being concealed on the premises above described, upon the following grounds:

Written Affidavit filed by Lyle D. Noyes and attached to this Warrant

You are hereby commanded to search the place named for the ~~person~~/property specified, serving this warrant and making the search in the daytime and if the ~~person~~/property be found there to seize it, prepare a written inventory of the ~~person~~/property seized, and bring the ~~person~~/property and the person in whose possession or custody the same was found before a District Judge, to wit Honorable Mark Barrett

~~* Being satisfied that the complainant is positive that the person/property is in the place to be searched and that it is necessary to prevent the removal of said person/property you are hereby authorized to search the place named in the right time~~

DATED, this 26th day of August 19 69.

Mark S. Barrett

District Judge
Complainant Justice

* Delete Sections not applicable.

STATE OF MAINE

Cumberland, ss.

DISTRICT COURT
District 9
Division of South Cumberland

AFFIDAVIT AND REQUEST FOR
SEARCH WARRANT

To Mark Barrett
holden at Portland
and State of Maine.

Judge, ~~Complaint Justice~~, of the District Court to be
in the County of Cumberland

Lyle D. Noyes
of Portland, a Housing Supervisor
in the County of Cumberland,
in said State of Maine, on oath complains that he has probable cause to believe and does believe
that on the premises known as one and one-half story frame - two-family house
located at 284 R. Brackett Street,
in the City/Town of Portland County of Cumberland
in said State, said premises being owned/occupied by
Robert Kennedy

~~* said premises being owned/occupied by person whose name is not known~~
There is now being concealed certain ~~person~~/property, to wit;
Sewer pipe not in conformity with Portland City Plumbing Code

that said ~~person~~/property (state reason for seizure)
Must be inspected for Code violations and owner refuses to allow said
inspection

WHEREFORE, the said Lyle D. Noyes prays that a warrant may issue
authorizing a search in the daytime of the above described premises, for said ~~person~~/property;
and that if said ~~person~~/property, or any part of the same be there found, the said
Robert Kennedy, or the person having said ~~person~~/
property in his custody or possession, may be arrested and held for examination as the law directs.

~~* The said~~
~~that the person whose name is not known~~
~~is in possession of the above described premises~~

Dated at Portland, this 26th day of August 1969.

Lyle D. Noyes

Subscribed and sworn to by the said
day of _____ 19____, before me

Mark G. Barrett
_____ District Judge
Complaint Justice

* Delete Sections not applicable.
CR-8-65 Rev.

Mr. Charles Lane, Assistant to Corporation Council

8/8/69

Lyle D. Noyes, Housing Supervisor

Warrant to Inspect Premises

Attached is a letter from Housing Inspector, Robert Bailey of the Bramhall Hill Program. He requests a warrant be issued in order to inspect the premises at 284R Brackett Street.

This would be the first such warrant obtained by the Housing Division since the "Camara Case" ruling, making a warrant necessary. I would therefore like the opportunity to receive council on this request at your earliest convenience.

CITY OF PORTLAND
HEALTH DEPARTMENT
HOUSING DIVISION



Loc. 284 R. Brackett St.
Loc w/i S **Granhall**
Bldg X Fire X Elec Other X
Issued August 28, 1969
Expires September 28, 1969

Mr. Robert C. Kennedy, Jr.
284 R. Brackett Street
Portland, Maine 04102

Dear Sir:

On August 26, 1969

an examination was made of the premises located

at 284R. Brackett Street, Portland, Maine

Non-compliance with the ordinances relating to housing conditions was found as detailed below.

In accordance with the provisions of the above ordinance, you are hereby ordered to correct these defects according to specifications within the time limits allowed. Failure to comply with this notice will necessitate legal action.

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If any additional information is desired, visit or telephone the Housing Supervisor at this Office, Tel. 774-8221, extension 226. Kindly notify this office as soon as all corrections have been completed.

Very truly yours,
Health Director

By _____
Housing Supervisor

VIOLATIONS & SPECIFICATIONS

Responsibility of Owner or Agent

** Responsibility of Occupant

REPAIR and PUT IN GOOD ORDER all dilapidated and deteriorated parts of the structure as follows:

STRUCTURAL -

- a. The foundation over-all - replace loose bricks (inside and out).
- b. The exterior walls - replace missing shingles.
- c. The windows - putty the loose panes and repair the sash cords throughout.
- d. The plaster on the kitchen ceiling in the left front apartment.
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- h. The damaged floor in the kitchen in the right front apartment.
- i. The plaster on the front hall ceiling.

HEATING -

- a. Clean the right front chimney by removing and properly disposing of all soot.
- b. Point chimney where needed.

PLUMBING -

- a. Check waste lines for improper drainage.

NUISANCES AND UNSANITARY CONDITIONS -

- a. Accomplish a general clean-up of the yard - remove all old boards at the left side of the structure.
- b. Provide suitable, sufficient, water-tight, tightly covered metal garbage and rubbish containers to receive the accumulation of garbage and rubbish during the intervals between collections.
- c. Accomplish a general clean-up of the cellar by removing and properly disposing of all litter and debris.
- d. Accomplish a general clean-up of the interior of the entire structure by washing and cleaning the floors and walls. Also by removing and properly disposing of all litter.

The above-mentioned conditions are in violation of Chapter 307 of the Municipal Code of the City of Portland and must be corrected on or before September 28, 1969.

Photos yes no

Date 8/26/69

Proj. No. C.I. BRIMBALL Ass'rs Zone Zone Viol

Stories 2 BEM ASYD SAN CS NA MS STP Com.Units Rmg Units Dvl.Units 2

LOCATION	<u>284 R. BRACKETT ST</u>	COMP	
OWNER AGENT	<u>Robert Kennedy</u>	PEND	
OWNER AGENT			
OWNER AGENT			
OWNER AGENT			
OWNER AGENT			
OWNER AGENT			
OWNER AGENT			
OWNER AGENT			

Occupants	Information	Occupancy										Facilities				Violations					
		LOC.	RENT	FURN.	WK. I.	RMS	PER.	ALL'D	LGRS	HEAT	BATH	FLSH	K.SK	H.W.	CK'G						
1. <u>Robert C. Kennedy</u>	<u>17</u>	<u>LF</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>3</u>	<u>1</u>	<u>44</u>	<u>X</u>	<u>C</u>	<u>S</u>	<u>P</u>	<u>X</u>	<u>V</u>	<u>E</u>	<u>G</u>					
2. <u>Michael Greenwood</u>	<u>372</u>	<u>RF</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>3</u>	<u>4</u>	<u>44</u>	<u>X</u>	<u>C</u>	<u>S</u>	<u>P</u>	<u>X</u>	<u>V</u>	<u>E</u>	<u>G</u>					
3.																					
4.																					
5.																					
6.																					
7.																					
8.																					

STRUCTURE SCHEDULE

STRUCTURE RATING Sub

YARD

GARRAGE & RUBBISH Old boards left side structure.

CONTAINERS COMPLY None.

DRAINAGE

ZONE VIOL.

STRUCTURE EXTERIOR

STEPS, STAIRS, PORCHES

FOUNDATION Point and Replace loose bricks inside + out

WALLS Replace missing shingles

WINDOWS, DOORS Putty throughout

ROOF, DRAINS

OUT BUILDINGS

INFESTATION

RATS R. D. E.

OTHER (SPECIFY)

EGRESS

DUAL YES NO SINGLE egress from left front side.

OBST'N

Remarks _____

STRUCTURE INTERIOR

HALL, OBST'N

HALL, LIGHTING

HALL, FLOOR WALLS CEILING Cracked ceiling + wall front hall.

STAIRWAYS

WINDOWS, AIRSHAFF

ELECT. WIRING

HEATING CENTRAL YES: NO

STACKS FLUP, VENTS Remove soot - Replace cover in RF chimney

CHIMNEY Point where necessary

EQUIPMENT, REPAIR

PLUMBING

SUPPLY LINE

WASTE LINE Check out for proper drainage

BASEMENT

GEN'L SANIT'N Clean up throughout

DAMPNSS no dirt floor RF of basement

STAIRS

LIGHTING

BASE DWL. UNIT

MIN 7' x 3'

DAMPNSS R. D. None

WINDOW 1/12 X 8'

DUAL EGRESS YES NO

PROHIBITED COMB'N USE

ASSOC. USE HAZARD

HAZARDOUS VENTS

Portland Health Dept.

OS-8

Inspector Bob Bailey

DWELLING UNIT

Location 284 R Brackett ST. Inspector Bailey Date 6
 D.U. Location Left Front Project Name/no. Bram Photos Yes No
 Occupant Robert C. Kennedy Jr. Allowed

Rent	Furn	Weekly Inc	Rooms	Bath	Flush	Lavatory	Hot Water	Cooking	Dual Egress	Heat
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3	S.P	Y	Y	F	6	No	C/O

KITCHEN

- Plaster - loose, cracked, missing - Ceiling/Walls
- Windows - loose, broken, not weathertight
- Sash Cords - broken, missing
- Floors - boards/flooring - loose, worn, damaged
- Doors - knobs - loose, missing Panels/frames dam.
- Counter top - loose, cracked, damaged
- Sink - worn, chipped, cracked, needs caulking
- Range - improper stack, flue, vent
- Plumbing (a)
- Electrical (a)
- Sanitation (a)

BATHROOM

- Plaster - loose, cracked, missing, Ceiling/Walls
- Windows - loose, broken glass, not weathertight
- Sash Cords - broken, missing, worn
- Floors - boards/flooring - loose, worn, damaged, buckled
- Doors - knobs - loose, missing. Panels/frames damaged
- Toilet - Tank, broken, loose, Leaks Seat, loose, cracked
- Lavatory - worn, chipped, cracked, needs caulking, trap leaks
- Ventilation - Yes No
- Plumbing (b)
- Electrical (b)
- Sanitation (b)

LIVING ROOM

- Plaster - loose, cracked, missing, Ceiling/Walls
- Windows - loose, broken, not weathertight
- Sash Cords - broken, missing
- Floors - boards/flooring - loose, worn, damaged
- Doors - knobs - loose, missing. Panels/frame dam.
- Electrical (c)
- Sanitation (c)

DINING ROOM

- Plaster - loose, cracked, missing, - Ceiling/Walls
- Windows - loose, broken, not weathertight
- Sash cords - broken, missing
- Floors - boards/flooring - loose, worn, damaged
- Doors - knobs - loose, missing. Panels/frame damaged
- Electrical (d)
- Sanitation (d)

Bed Rooms and/or other rooms

<input checked="" type="checkbox"/> W										
<input checked="" type="checkbox"/> WL										

-
- Plaster - loose, cracked, missing, - Ceiling/walls
- Windows - loose, broken, Not weathertight
- Sash cords - broken, missing
- Floors - boards/flooring - loose, worn, damaged
- Doors - knobs - loose, missing. Panels/frame damaged
- Electrical (e)
- Sanitation (e)

Plumbing

Electrical

Sanitation - Vermin O - R

Dwelling Need cleaning throughout

Remarks:

DWELLING UNIT

Location 284 R. Brackett ST.

Inspector Bailey

Date 8/26/69

D.U. Location Right Front

Project Name/no.

Photos

Yes

No.

Occupant Michael Greenwood

Allowed 4 1/2

Rent	Furn	Weekly Inc	Rooms	Bath	Flush	Lavatory	Hot Water	Cooking	Dual Egress	Heat
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3	S-P	Y	<input checked="" type="checkbox"/>	E	G	Yes	90

KITCHEN

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BATHROOM

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- Plumbing (b)
- Electrical (b)
- Sanitation (b)

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- Electrical (c)
- Sanitation (c)

DINING ROOM

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- Sash cords - broken, missing
- Floors - boards/flooring - loose, worn, damaged
- Doors - knobs - loose, missing. Panels/frame damaged
- Electrical (d)
- Sanitation (d) *None*

Bed Rooms and/or other rooms

Room	Plumbing	Electrical	Sanitation - Vermin
L-B			
S.C.M			

2ND FLY RE			
Plumbing		Electrical	Sanitation - Vermin O R

Remarks: