

5-7 Cherry Street 67-G-6-13



REFERRAL MEMORANDUM

HOUSING INSPECTIONS DIVISION  
DEPARTMENT OF NEIGHBORHOOD  
CONSERVATION

To: *St. Collins, 2nd Convention*  
From: *K. Carroll, Code Enforcement*  
Subject: *5-7 Cherry St., (67-G.13)*  
Conditions or Defects: *File*

Date: *April 8, 1981*

*3rd floor dwelling unit in this bldg.  
does not have proper egress.  
Please check and advise.*

*Note: Owners are  
Felix & Nancy Atienya  
5-7 Cherry St.  
Portland, Maine*

*K. Carroll*

cc: *W. Hilton / R. Pierce*

The responsible department or division is requested to reply on this form and return the form to the Housing Inspections Division, Room \_\_\_\_\_

Reply:

Date:

Instructions: Inspectors will complete this form in triplicate retaining one copy for the tickler file and two copies to the street file. The original will be sent to the responsible division or city department.

CITY OF PORTLAND, MAINE  
MEMORANDUM

File

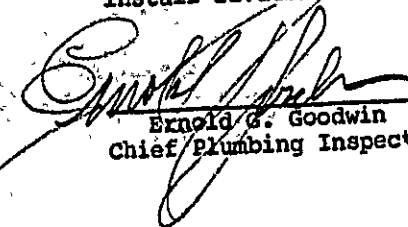
DATE: 7-31-80

TO: G. Bartlett  
FROM: Ernold G. Goodwin, Chief Plumbing Inspector  
SUBJECT: 5-7 Cherry Street

Upon inspection of this building at 5-7 Cherry Street this morning, I was unable to get into the 1st or 2nd floors of same.

However, was able to inspect 3rd floor bathroom and I find it feasible to install a lavatory in this bathroom.

I talked with the gentlemen in this apartment and they tell me the other bathrooms are much larger so on that assumption they could install lavatories in those also.

  
Ernold G. Goodwin  
Chief Plumbing Inspector

file

REFERRAL MEMORANDUM

HOUSING INSPECTIONS DIVISION  
DEPARTMENT OF NEIGHBORHOOD  
CONSERVATION

To: St. William Collins  
From: Clayton Bartlett (x 313)  
Subject: 5-7 Cherry St.

Date: 7/30/80

Conditions or Defects:

Would you please check to second means of egress from the third floor apartment.

I'd like to get an answer this week so I can pass on your judgement to the owner.

Clayton C. Bartlett

The responsible department or division is requested to reply on this form and return the form to the Housing Inspections Division, Room 315

Reply:

Date:

BOTH ALTERNATE MEANS OF EGRESS FROM THE THIRD FLOOR ARE ILLEGAL. THE LADDER TO THE PORCH ROOF SERVICES NO PURPOSE. THE INSIDE STAIRWAY IS ILLEGAL BECAUSE IT DOES NOT TERMINATE ON THE OUTSIDE OF THE BUILDING

FFDillet M. Campbell

Instructions: Inspectors will complete this form in triplicate retaining one copy for the tickler file and two copies to the street file. The original will be sent to the responsible division or city department.

NOTICE OF HOUSING CONDITIONS

DU 3

CITY OF PORTLAND  
 Department of Urban Development  
 Housing Inspections Division  
 Tel. 775-5451 - Ext. 311 - 312

Ch.-Bl.-Lot: 67-G-13  
 Location: 5-7 Cherry Street  
 Project: NCP-LBY  
 Issued: July 29, 1980  
 Expired: October 29, 1980

Felix Y. Atienza  
 5 Cherry Street  
 Portland, Maine 04102

Dear Mr. Atienza:

An examination was made of the premises at 5-7 Cherry Street  
 Portland, Maine by Housing Inspector Gayton Bartlett. Violations of Municipal  
 Codes relating to housing conditions were found as described in detail below.

In accordance with provisions of the above mentioned Codes, you are requested to  
 correct these defects on or before October 29, 1980. You may contact this  
 office to arrange a satisfactory repair schedule if you are unable to make such  
 repairs within the specified time. We will assume the repairs to be in progress if  
 we do not hear from you within ten days from this date and, on reinspection within  
 the time set forth above, will anticipate that the premises have been brought into  
 compliance with Code Standards. Please contact this office if you have any questions  
 regarding this Notice.

Your cooperation will help this Department in its goal to maintain all Portland  
 residents in decent, safe and sanitary housing.

Very truly yours,  
 Joseph E. Gray, Jr., Director  
 Urban Development

Inspector Gayton Bartlett

By Lyle D. Noyes  
 Housing Code Administrator

EXISTING VIOLATIONS OF CHAPTER 307 - "MINIMUM STANDARDS FOR HOUSING"		Section(s)
* 1. FIRST FLOOR FRONT - steps - repair/replace rotten railing.		3-d
* 2. THIRD FLOOR REAR - hall - install adequate lighting.		3-c
* 3. THIRD FLOOR REAR - hall - replace missing step.		3-d
4. THIRD FLOOR FRONT HALL - wall - determine and remedy condition showing signs of leakage.		3-b
5. FIRST FLOOR REAR HALL - wall and ceiling - repair/replace damaged plaster and sheetrock.		3-b
6. CELLAR - furnace - install missing thermal cutoff switch.		4-c
7. OVERALL EXTERIOR - walls and trim - remove peeling paint.		3-a
<b>FIRST FLOOR</b>		6-d
* 8. BATHROOM - install missing lavatory.		6-d
<b>SECOND FLOOR</b>		6-d
* 9. BATHROOM - install missing lavatory.		6-d
10. LIVING ROOM, RIGHT MIDDLE BEDROOM - ceiling - determine and remedy condition showing signs of leakage.		3-b

Continued:

247 Cherry Street MCP-LBY 61-2-17 404C - July 2, 1960 - continued:

SECOND FLOOR - CONTINUED

- #11. LIVING ROOM, UNIT - windows - repair/replace broken glass. 3-c
- #12. LEFT HALL B. DROR - ceiling - remove peeling paint. 3-b
- IN LIVING ROOM
- #13. HALL AND CEILING - replace missing wall covering. 3-b
- #14. BATHROOM - install missing lavatory. 6-d
- #15. LIVING ROOM - window - repair/replace broken glass. 3-c
- #16. Provide approved fuel access from this dwelling unit. 10

WHEN MAKING YOUR REPAIRS, FIRST PRIORITY IS TO BE GIVEN TO ITEMS WITH ASTERISKS, AS THEY CONSTITUTE EXTREME HAZARDS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF THIS STRUCTURE.

We suggest you contact the City of Portland Building Inspection Department, 30 Congress Street, Tel 725-5451 - to determine if any of the items listed above require a building or other attention per it.

jar

City of Portland

NEIGHBORHOOD CONSERVATION  
STRUCTURE INSPECTION SCHEDULE

Housing Inspection Division

1) Insp. Name BARTLET

2) Insp Date	3) Insp Type	4) Proj Code	5) Assr's: Chart	6) Bl	7) Lot	8) Census: Tract	9) Blk.	10) Insp.	11) Form No.			
7/28/80		NCP-187	67	G	13			16				
12) Hous No	13) Sec. H No.	14) Suff	15) Direct	16) Street Name			17) St. Design.					
5-7				CHERRY			ST					
18) Owner or Agent:							19) Status	20) Bldg's Rat.				
FELIX Y. ATIENZA							00	3				
21) Address:							Zip Code: 04102					
5 CHERRY ST												
22) City and State							PTLD, ME					
23) D Units	24) Occ D U s	25) Rm Units	26) Occ. R. U s	27) No Occupants	28) Com'l U.	29) Bldg. Type	30) Stories	31) Const. Mat.	32) O. Bs.			
3	3			8		DE	3	WO				
33) C. H.	34) Photo	35) Zoned For	36) Actual Land Use	37) D. D.	38) Lks. Ad. Bth. Fac.	39) Disp.	40) Closing Date					
YES	NO	RE	RE		Yes	(No)						
Viol No	Remedy	Cond.	Violation Description			Fl. NO	Loc.	Room Type	Area Type	Resp. Party	Code Sect. Viol.	Viol. Rem. Date
* 1	RE/RE	BO	RAILING			1st	FR	SP'S		2	3D	
<del>2</del>	<del>RE</del>	<del>BO</del>	<del>RAILING</del>			<del>3</del>	<del>RE</del>	<del>NA</del>		<del>2</del>	<del>3D</del>	
* 3	RE	MI	INSTALL ADEQUATE LIGHTING			3	RE	NA		2	8c	
* 4	RE	MI	STEP			3	RE	NA		2	3D	
* 6	RE/RE	BO	SNOWING SIGNS OF LEAKAGE			3	FR	NA	WA	2	3B	
* 57	RE/RE	DAM	PLASTER & SHEETROCK			1	RE	NA	CL	2	3B	
* 68	INSTALL	MI	THERMAL CUTOFF					CE	FU	2	9c	
* 69	RM	RE	PAINT			0A	EY	WAS/FR		2	3A	

City of Portland

Department of Neighborhood Conservation

Housing Inspection Division

DWELLING UNIT SCHEDULE

1) INSP. Date

07 28 80

2) INSP.

16

3) FORM NO.

4) TENANT'S NAME

OWNER

5) Flr. #

1

6) Location

OA

7) Rmg. Tp.

DU

8) #Rms.

6

9) #Peo.

3

10) #All'd

9

11) Slip

2

12) Child

13) Child

14)

15) Rent

16) Rent Code

17) Furn.

18) Heat

19) Hot Water

20) Dual Egress

21) Ck'ng

22) Lav.

23) Bath

24) Flush

Viol. No.

Remedy

Cond.

Violation

\*9

INSTALL

MI

LAVATORY

OFF

YES

YES

LE

PL

OB

PF

Location

Room Type

Area Type

Resp. Party

Code Sect. Violated

Violation Rem.-Date

BA

2

60



City of Portland

Department of Neighborhood Conservation

Housing Inspection Division

DWELLING UNIT SCHEDULE

1) INSP. Date: 07 28 80  
 2) INSP. 116  
 3) FORM NO.  
 4) TENANT'S NAME  
 5) Flr. #: 2  
 6) Location: OA  
 7) Rmg. Tp.: DU  
 8) #Rms.: 6  
 9) #Peo.: 3  
 10) #All'd: 9  
 11) Slp. R.: 3

12) Child Under 10  
 13) Child 1-6  
 14)  
 15) Rent  
 16) Rent Code  
 17) Fura.  
 18) Heat: OFF  
 19) Hot Water: YES  
 20) Dual Egress: YES  
 21) Ck'ng: LE  
 22) Lav.: PL  
 23) Bath: OB  
 24) Flush: PF

Viol. No.	Remedy	Cond.	Violation	Location	Room Type	Area Type	Resp. Party	Code	Sect. Violated	Violation Rem. - Date
*10	INSTALL	MI	LAVATORY		LI	CL	2	3B		
X1	DET/REH COND		SHOWING SIGNS OF LEAKAGE	RIM	BE	CL	2	3B		
X2	RR/RE	BR	GLASS		LI	WI	2	3C		
X3	RM	PE	PAINT	LEM	BE	CL	2	3B		

City of Portland

Department of Neighborhood Conservation

Housing Inspection Division

DWELLING UNIT SCHEDULE

2) INSP.

3) FORM NO.

1) INSP. Date  
07 28 80

5) Flr. # 3 6) Location OA 7) Rmg. Tp. DU 8) #Rms. 4 9) #Peo. 2 10) #All'd. 6 11) Slip. R. 2

4) TENANT'S NAME

12) Child Under 10 13) Child 1-6 14) 15) Rent 16) Rent Code 17) Furn. 18) Heat 19) Hot Water 20) Dual Egress 21) Ck'ng 22) Lav. 23) Bath 24) Flush

Viol. No.	Remedy	Cond.	Violation	Location	Room Type	Area Type	Resp. Party	Code Sect. Violated	Violation Rem.-Date
*13	RE	MI	WALL COVERING	RE	BE	WA/CL	2	3B	
*14	INSTALL	MI	LAVATORY		BA		2	6D	
*15	RAISE	GR	GLASS		LI	WI	2	3C	
*16	PROVIDE		APPROVED DUAL EGRESS FROM THIS DWELLING UNIT.				2	10	

REFERRAL MEMORANDUM

To: St. William Collins  
From: Hayton Bartlett (x 313)  
Subject: 5-7 Cherry St.

HOUSING INSPECTIONS DIVISION  
DEPARTMENT OF NEIGHBORHOOD  
CONSERVATION

Date: 7/30/80

Conditions or Defects:

Would you please check to second means of  
egress from the third floor apartment.  
I'd like to get an answer this week so I can pass on  
your judgement to the owner.

Hayton C. Bartlett

The responsible department or division is requested to reply on this form and return the  
form to the Housing Inspections Division, Room 315

Reply:

Date:

Instructions: Inspectors will complete this form in triplicate retaining one copy for  
the tickler file and two copies to the street file. The original will be sent to the  
responsible division or city department.

October 31, 1979 ✓

Felix Atienza  
5-7 Cherry Street  
Portland, Maine 04102

Re: 5-7 Cherry Street 67-G-13  
NCP-Libbytown X

Dear Mr. Atienza:

The Housing Inspections Division of the Department of Neighborhood Conservation has recently completed an exterior inspection of your property in conjunction with the above referred program.

Congratulations are extended to you for the general condition of your property which was found to meet the standards established by the City's Housing Code. We did, however, note the following items that could cause future problems.

Peeling paint exterior walls.

Good maintenance is the best way to protect the value of your property and neighborhood.

Please feel free to call on us if we can be of assistance to you.

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

By Lyle D. Noyes  
Lyle D. Noyes,  
Chief of Housing Inspections

Inspector M. Gough  
M. Gough

dld

CITY OF PORTLAND

City of Portland

NEIGHBORHOOD CONSERVATION  
Check Off Sheet  
STRUCTURE INSPECTION SCHEDULE

Housing Inspection Division

1) Insp. Name Quayle

OK 1ST  
EXT

2) Insp. Date	3) Insp. Type	4) Proj. Code	5) Assr's Chart	6) Bl.	7) Lot	8) Census Tract	9) Blk.	10) Insp.	11) Form No.	
1082-74	NCP	WPK	17 G 13					13	191216	
12) Hous No.	13) Sec. H. No.	14) Suff.	15) Direct	16) Street Name			17) St. Design.			
5-7				CHERRY						
18) Owner or Agent: FELIX ATIENZA							19) Status	20) Bldg's Rat.		
							00	1		
21) Address: SAME							Zip Code			
22) City and State:										

23) D. Units	24) Occ. D. U.'s	25) Rm Units	26) Occ. R. U.'s	27) No. Occupants	28) Com'l U.	29) Bldg. Type	30) Stories	31) Const. Mat.	32) O. B's
2	2				0	DE	2	WD	NO
33) C.H.	34) Pho.	35) Zoned For	36) Actual Land Use	37) D.D.	38) Lks. Ad. Bth. Fac.		39) Disp.	40) Closing Date	
	NO	RS	RS		Yes No				

EXTERIOR - Structure		Cd. Viol.	INTERIOR - Structure		Cd. Viol.
Foundation	EX/FO	3a	Light	LI	8e
Walls	EX/WA PK PAINT EX WA	3a	Elec. Wiring	EW	3b
Roof	RO	3d	Floors	FL	3b
Porch	PO	3d	Walls	IN/WA	3b
Stairs	EX/SR	3d	Ceilings	CE	3c
Steps	SP	3c	Windows	IN/WI	3c
Doors	DO	3c	Airshafts	AS	3a
Windows	EX/WI	3a	Roof Rafters	ROR	4e
Eaves	EA	3a	Sanitation	SAN	3d
Trim	TR	3e	Stairways	IN/SRW	3d
Chimney	EX/CH	3a	Stair Treads	SRT	6d
Gutters	GU	3a	Wastelines	WSL	6c
Roof Drains	RD	3d	Supply Lines	SUL	3e
Bulkhead	BU	4e	Stacks	ST	3e
Outbuildings	GR - SH		Flues	FU	3e
Yard	YA	4d	Vents	VE	3e
Garbage	GA	4d	Chimney	IN/Ch	9c
Rubbish	RU	4d	Heating Equip. Furnace - FU	Spaceheater - SPH	4b
Containers	CO	3a	Bsmt. Sanitation Litter - LI	Debris - DE	3a
Drainage	DR	4e	Dampness - DM		8c
Infestation	IN-CR-FL	4e	Lighting	BS/LI	8e
Rats	RA	4e	Elec. Panel	EL/PA	3d
Other		10	Stairs	BS/SR	3a
Fire Escape	FE	10	Foundation	IN/FO	3a
Dual Egress	DE		Floor Joists	FL/JO	3a
Driveways	DW		Carrying Timbers	CA/TI	3a
Walks	WA		Sills	SI	5f
Fences	FN		Bsmt. D. U. Conforms	BDU	

Remarks on reverse side

CERTIFICATE  
OF  
COMPLIANCE

CITY OF PORTLAND  
Health Department - Housing Inspections Division  
Telephone: 775-5451 - Extension 448

November 10, 1975 ✓

Mr. Edward A. Keites  
5 Cherry Street  
Portland, Maine 04102

Re: Premises located at 5-7 Cherry Street, Portland, Maine 67-6-13

Dear Mr. Keites:

A re-inspection of the premises noted above was made on November 10, 1975  
by Housing Inspector MacIsaac.

This is to certify that you have complied with our request to correct the violation of  
the Municipal Codes relating to housing conditions as described in our "Notice of  
Housing Conditions" dated Sept. 9, 1975.

Thank you for your cooperation and your efforts to help us maintain decent, safe and  
sanitary housing for all Portland residents.

In order to aid in the preservation of Portland's existing  
housing inventory, it shall be the policy of this department  
to inspect each residential building at least once every  
five years. Although a property is subject to re-inspection  
at any time during the said five year period, the next regular  
inspection of this property is scheduled for 1980.

Sincerely yours,

David C. Bittenbender  
Health Director

By *[Signature]*  
Chief of Housing Inspections

Inspector *B. MacIsaac*

B. MacIsaac

LDN:rl

1dm/72

NOTICE OF HOUSING CONDITIONS

DU 3

CITY OF PORTLAND  
Health Department - Housing Division  
Telephone 775-5451 - Extension 448  
Mr. Edward A. Keites  
5 Cherry Street  
Portland, Maine 04102

Ch.-Bl.-Lot:  
Location:  
Project:  
Issued:  
Expires:

67-6-6-13  
5-7 Cherry Street  
General  
Sept. 9, 1975  
Nov. 10, 1975

OK  
11-1-75  
DATE \_\_\_\_\_

Dear Mr. Keites:

An examination was made of the premises at 5-7 Cherry Street, Portland, Maine, by Housing Inspector MacIsaac. Violations of Municipal Codes relating to housing conditions were found as described in detail below.

In accordance with provisions of the above mentioned Codes, you are requested to correct these defects on or before Nov. 10, 1975. You may contact this office to arrange a satisfactory repair schedule if you are unable to make such repairs within the specified time. We will assume the repairs to be in progress if we do not hear from you within ten days from this date and, on re-inspection within the time set forth above, will anticipate that the premises have been brought into compliance with Code Standards.

Your cooperation will help this Department in its goal to maintain all Portland residents in decent, safe and sanitary housing.

Sincerely yours,  
David C. Bittanbender  
(Acting)  
Health Director

Inspector B. MacIsaac  
B. MacIsaac

By [Signature]  
Chief of Housing Inspections

EXISTING VIOLATIONS OF CHAPTER 307 - "MINIMUM STANDARDS FOR HOUSING" - Section(s) 3a

11-10 Point up the rear chimney above-roofline.

LDN:ri

INSPECTION RECOMMENDATIONS

INSPECTOR M. C. ISAAC

LOCATION 5-7 CHERRY  
 PROJECT GEN  
 OWNER KEITES

NOTICE OF HOUSING CONDITIONS		HEARING NOTICE		FINAL NOTICE	
Issued	Expired	Issued	Expired	Issued	Expired
9-9-75	11-10-75				

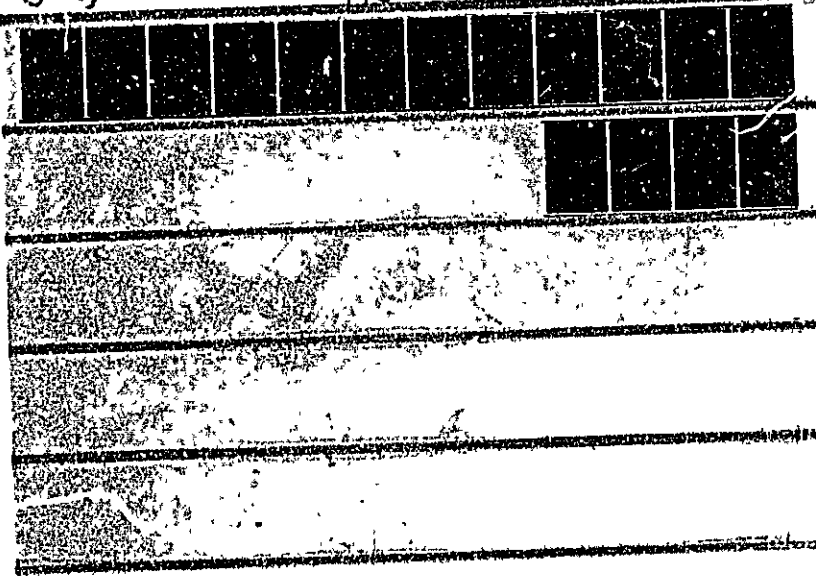
A reinspection was made of the above premises and I recommend the following actions:

DATE	BY	RECOMMENDATION
11-10-75	BM	ALL VIOLATIONS HAVE BEEN CORRECTED ✓ Send "CERTIFICATE OF COMPLIANCE" ✓ "POSTING RELEASE" _____
		SATISFACTORY Rehabilitation In Progress Time Extended To _____ Time Extended To _____ Time Extended To _____
		UNSATISFACTORY Progress Send "HEARING NOTICE" _____ "FINAL NOTICE" _____
		"NOTICE TO VACATE" _____ POST Entire _____ POST Dwelling Units _____
		UNSATISFACTORY Progress Request "LEGAL ACTION" Be Taken _____
		INSPECTOR'S REMARKS: _____ _____ _____ _____ _____ _____ _____ _____ _____
		INSTRUCTIONS TO INSPECTOR: _____ _____ _____ _____



5-57 CHERRY STREET

Housing



NOTICE OF HOUSING CONDITIONS

DU 3

CITY OF PORTLAND  
 Department of Urban Development  
 Housing Inspections Division  
 Tel. 775-5451 - Ext. 311 - 312

Ch.-Bl.-Lot: 67-G-13  
 Location: 5-7 Cherry Street  
 Project: NCP-LBY  
 Issued: July 29, 1980  
 Expired: October 29, 1980

Felix Y. Atienza  
 5 Cherry Street  
 Portland, Maine 04102



Dear Mr. Atienza:

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Your cooperation will help this Department in its goal to maintain all Portland  
 residents in decent, safe and sanitary housing.

Very truly yours,  
 Joseph E. Gray, Jr., Director  
 Urban Development

Inspector J. T. Bartlett  
 Gayton Bartlett

By \_\_\_\_\_  
 Lyle D. Noyes  
 Housing Code Administrator

EXISTING VIOLATIONS OF CHAPTER 307 - "MINIMUM STANDARDS FOR HOUSING" Section(s)

- |                                                                                                                       |     |
|-----------------------------------------------------------------------------------------------------------------------|-----|
| <del>1. FIRST FLOOR FRONT - steps - repair/replace rotted railing.</del>                                              | 3-d |
| <del>2. THIRD FLOOR REAR - hall - install adequate lighting.</del>                                                    | -c  |
| <del>3. THIRD FLOOR REAR - hall - replace missing step.</del>                                                         | 3-d |
| <del>4. THIRD FLOOR FRONT HALL - wall - determine and remedy condition showing signs of leakage.</del>                | 3-b |
| <del>5. FIRST FLOOR REAR HALL - wall and ceiling - repair/replace damaged plaster and sheetrock.</del>                | 3-b |
| <del>6. CELLAR furnace - install missing thermal cutoff switch.</del>                                                 | -c  |
| <del>7. OVERALL EXTERIOR - walls and trim - remove peeling paint.</del>                                               | 3-a |
| <br>                                                                                                                  |     |
| <del>FIRST FLOOR</del>                                                                                                |     |
| <del>BATHROOM - install missing lavatory.</del>                                                                       | 6-d |
| <br>                                                                                                                  |     |
| <del>SECOND FLOOR</del>                                                                                               |     |
| <del>BATHROOM - install missing lavatory.</del>                                                                       | 6-d |
| <del>10. LIVING ROOM, RIGHT MIDDLE BEDROOM - ceiling - determine and remedy condition showing signs of leakage.</del> | 3-b |

Continued:

5-7 Cherry Street MCP-LBY 67-G-13 NOHC - July 29, 1980 Continued:

SECOND FLOOR CONTINUED

~~11. LIVING ROOM, DEN - windows - repair/replace broken glass. 3-c~~  
~~12. LEFT MIDDLE BEDROOM - ceiling - remove peeling paint. 3-b~~

THIRD FLOOR

~~13. RIGHT BEDROOM - wall and ceiling - replace missing wall covering. 3-b~~  
~~14. BATHROOM - install missing lavatory. 6-d~~  
~~15. LIVING ROOM - window - repair/replace broken glass. 3-c~~  
~~16. Provide approved dual egress from this dwelling unit. 10~~

\*WHEN MAKING YOUR REPAIRS, FIRST PRIORITY IS TO BE GIVEN TO ITEMS WITH ASTERISKS, AS THEY CONSTITUTE EXTREME HAZARDS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF THIS STRUCTURE.

We suggest you contact the City of Portland Building Inspection Department, 389 Congress Street, Tel 775-5451 - to determine if any of the items listed above require a building or alteration permit.

jar

NOTICE OF HOUSING CONDITIONS

DU 3

CITY OF PORTLAND  
 Department of Urban Development  
 Housing Inspections Division  
 Tel. 775-5451 - Ext. 311 - 312

Ch.-Bl.-Lot: 67-G-13  
 Location: 5-7 Cherry Street  
 Project: NCP-LBY  
 Issued: July 29, 1980  
 Expired: October 29, 1980

Felix Y. Atienza **774-6840**  
 5 Cherry Street  
 Portland, Maine 04102

Dear Mr. Atienza:

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Your cooperation will help this Department in its goal to maintain all Portland  
 residents in decent, safe and sanitary housing.

Very truly yours,  
 Joseph E. Gray, Jr., Director  
 Urban Development

Inspector Gayton C. Bartlett  
 Gayton Bartlett

By Lyle D. Noyes *LBN*  
 Lyle D. Noyes  
 Housing Code Administrator

EXISTING VIOLATIONS OF CHAPTER 307 - "MINIMUM STANDARDS FOR HOUSING" Section(s)

- |                                                                                                            |                |
|------------------------------------------------------------------------------------------------------------|----------------|
| <del>1. FIRST FLOOR FRONT - steps - repair/rep. acc. rotted railing</del>                                  | <del>3-d</del> |
| 2. THIRD FLOOR REAR - hall - install adequate lighting.                                                    | 8-c            |
| 3. THIRD FLOOR REAR - hall - replace missing step.                                                         | 3-d            |
| 4. THIRD FLOOR FRONT HALL - wall - determine and remedy condition showing signs of leakage.                | 3-b            |
| <del>5. FIRST FLOOR REAR HALL - wall and ceiling - repair/replace damaged plaster and sheetrock</del>      | <del>3-b</del> |
| 6. CELLAR - furnace - install missing thermal cutoff switch.                                               | 9-c            |
| 7. OVERALL EXTERIOR - walls and trim - remove peeling paint.                                               | 3-a            |
| <b>FIRST FLOOR</b>                                                                                         |                |
| 8. BATHROOM - install missing lavatory.                                                                    | 6-d            |
| <b>SECOND FLOOR</b>                                                                                        |                |
| 9. BATHROOM - install missing lavatory.                                                                    | 6-d            |
| 10. LIVING ROOM, RIGHT MIDDLE BEDROOM - ceiling - determine and remedy condition showing signs of leakage. | 3-b            |

Continued:

5-7 Cherry Street NCP-LBY 67-G-13 NOHC - July 29, 1980 Continued:

SECOND FLOOR CONTINUED

- |                                                               |     |
|---------------------------------------------------------------|-----|
| 11. LIVING ROOM, DEN - windows - repair/replace broken glass. | 3-c |
| 12. LEFT MIDDLE BEDROOM - ceiling - remove peeling paint.     | 3-b |

THIRD FLOOR

- |                                                                       |     |
|-----------------------------------------------------------------------|-----|
| *13. REAR BEDROOM - wall and ceiling - replace missing wall covering. | 3-b |
| *14. BATHROOM - install missing lavatory.                             | 6-d |
| 15. LIVING ROOM - window - repair/replace broken glass.               | 3-c |
| *16. Provide approved dual egress from this dwelling unit.            | 10  |

\*WHEN MAKING YOUR REPAIRS, FIRST PRIORITY IS TO BE GIVEN TO ITEMS WITH ASTERISKS, AS THEY CONSTITUTE EXTREME HAZARDS TO THE HEALTH OR SAFETY OF THE OCCUPANTS OF THIS STRUCTURE.

We suggest you contact the City of Portland Building Inspection Department, 389 Congress Street, Tel 775-5451 - to determine if any of the items listed above require a building or alteration permit.

jm

REINSPECTION RECOMMENDATIONS

LOCATION 5-7 C 24 ST

INSPECTOR ~~BARTLET~~ Correll

PROJECT NCP-LBY

OWNER FELIX Y. ATIENZA

NOTICE OF HOUSING CONDITIONS		HEARING NOTICE		FINAL NOTICE	
Issued	Expired	Issued	Expired	Issued	Expired
7/29/80	10/29/80				

A reinspection was made of the above premises and I recommend the following action:

DATE 8/9/82 ALL VIOLATIONS HAVE BEEN CORRECTED ✓ "POSTING RELEASE" ✓  
 Send "CERTIFICATE OF COMPLIANCE" ✓

SATISFACTORY Rehabilitation in Progress

Time Extended To: \_\_\_\_\_

Time Extended To: \_\_\_\_\_

Time Extended To: \_\_\_\_\_

UNSATISFACTORY Progress  
Send "HEARING NOTICE" \_\_\_\_\_

"FINAL NOTICE" \_\_\_\_\_

NOTICE TO VACATE

POST Entire \_\_\_\_\_

POST Dwelling Units \_\_\_\_\_

UNSATISFACTORY Progress

"LEGAL ACTION" To Be Taken \_\_\_\_\_

INSPECTOR'S REMARKS:

8/9/82 All Violations Corrected under NCP  
Send C of C (K)

INSTRUCTIONS TO INSPECTOR: \_\_\_\_\_

Inspection Services  
Samuel P. Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

April 10, 1992

Felix Y. Atienza, Jr  
P.O. Box 109  
Gorham, ME 04038

Re: 5-7 Cherry St  
CPL #: 065-A-006  
DU: 3

Dear Mr. Atienza,

As owner or agent of the property located at the above referred address, you are hereby notified that as the result of a recent fire, the vacant structure is hereby declared unfit for human occupancy.

The above mentioned structure is to be kept vacant so long as the following conditions continue to exist thereon:


**Article v Section 6-120(1)**

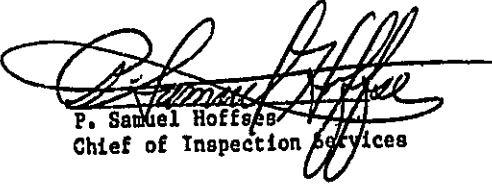
Properties which are either damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested in such a manner as to create a serious hazard to the health, safety, and general welfare of the occupants or the public.

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

You are also hereby ordered to make the above mentioned property safe and secure so that no danger to life or property or fire hazard shall exist thereon. This can be accomplished by boarding up doors and windows and other openings at all levels of the structure. You are ordered to do this on or before April 15, 1992, or we will have no choice but to refer this matter to the Corporation Counsel for legal action as the law allows.

Sincerely,

  
Harland Wing  
Code Enforcement Officer

  
P. Samuel Hoffses  
Chief of Inspection Services

Inspection Services  
Samuel P. Hoffes  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

July 9, 1992

Felix Y. Atienza, Jr.  
P.O. Box 109 - RR #3  
Gorham, ME 04038

Re: 5-7 Cherry St  
CBL #: 065-A-006  
DU: 3

Dear Mr. Atienza,

In order for your building to be released from posting the following requirements must be resolved:

No certificate of occupancy can be issued until all requirements of this letter are met.


1. An "After Fire" building permit must be obtained.
2. All vertical openings shall be enclosed with construction having a fire rating of at least 1 hour, including fire doors with self-closers.
3. Each apartment shall have access to 2 separate, remote and approved means of egress. A single exit is acceptable when it exists directly from the apartment to the building exterior with no communications to other apartment units.
4. The boiler shall be protected by enclosing with 1 hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. Sprinkler piping serving not more than six sprinklers may be connected to a domestic water supply system having a capacity sufficient to provide 0.15 gallons per minute, per square foot of floor throughout the entire area. An INDICTING shut-off valve shall be installed in an accessible location between the sprinkler and the connection to the domestic water supply. Minimum pipe size shall be 3/4 inch copper or 1 inch steel. Maximum coverage area of a residential sprinkler is 144 square feet per sprinkler.
5. Every sleeping room below the fourth story in buildings of Use Group K and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches above the floor. All egress or rescue windows from sleeping rooms must have minimum net clear openings of 5-7 square feet. The minimum net clear opening height dimension shall be 24 inches. The minimum net clear opening width dimension shall be 20 inches.

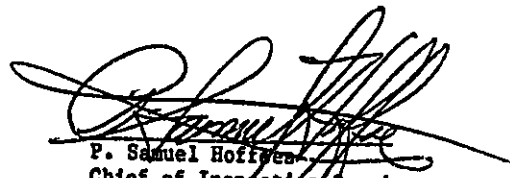


6. All single and multiple-station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the building code (BOCA National Building Code 1990, and N F.P.A. 74).

Please feel free to contact this office if you have any questions regarding these requirements.

Sincerely,

  
Marland Wing  
Code Enforcement Officer

  
P. Samuel Hoffman  
Chief of Inspection Services

Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

SEPTEMBER 05, 1996

**CITY OF PORTLAND**

ATIENZA FELIX Y JR.  
RR 3 BOX 109  
GORHAM ME 04038

Re: 5-7 CHERRY ST  
CBL: 065- - A-006-001-01  
DU: 3

Dear Mr. Atienza:

You are hereby notified, as owner or agent, that an inspection was made of the above-referenced property. Violations of Article V of the Municipal Ordinance (Housing Code) were found as described in detail on the attached "Housing Inspections Report".

In accordance with the provisions of the above-mentioned Code, you are hereby ordered to correct those defects within sixty (60) days. If you are unable to make such repairs within the specified time, you may contact this office to arrange a satisfactory repair schedule. If we do not hear from you within ten (10) days from this date, we will assume the repairs to be in progress and, on reinspection within the time set forth above, will anticipate that the premises have been brought into compliance with the Housing Code Standards.

Please Note: You should consult this department to insure that any corrective action you should undertake complies with the building, plumbing, electrical, zoning and other Articles of the City Code.

Please contact this office if you have any questions regarding this order.

Your cooperation will aid this department in its goal to maintain decent, safe, and sanitary housing for all of Portland's residents.

Sincerely,

Merland Wing  
Code Enforcement Officer

Tammy Munson  
Code Enfc. Offr./ Field Supv.

## HOUSING INSPECTION REPORT

Location. 5-7 CHERRY ST

Housing Conditions Date: September 5, 1996

Expiration Date: November 4, 1996

Items listed below are in violation of Article V of the Municipal Codes, "Housing Codes", and must be corrected before the expiration date:

- |                                                                                    |        |
|------------------------------------------------------------------------------------|--------|
| 1. EXT - REAR PORCH -<br>SUPPORTS ARE SAGGING                                      | 108.40 |
| 2. EXT - REAR PORCH -<br>BOARDS ARE ROTTED                                         | 108.40 |
| 3. EXT - REAR PORCH -<br>STAIRS HAVE A BROKEN TREAD                                | 108.40 |
| 4. INT - CELLAR -<br>THERE IS AN ACCUMULATION OF MISCELLANEOUS DEBRIS              | 109.40 |
| 5. INT - 3RD FLR - FRONT HALL<br>STAIRS ARE MISSING A HANDRAIL                     | 108.40 |
| 6. INT - 2ND FLR - FRONT HALL<br>CEILING HAS A LOOSE LIGHT FIXTURE                 | 113.50 |
| 7. EXT - 2ND FLR - REAR PORCH<br>DECK HAS A BROKEN SAFETY RAIL                     | 108.40 |
| 8. INT - 2ND FL - APT #2 - KITCHEN<br>CEILING HAS A POSSIBLE LEAK                  | 108.20 |
| 9. INT - 2ND FL - APT #2 - DINING ROOM<br>WINDOW HAS A BROKEN SCREEN               | 108.30 |
| 10. INT - 2ND FL - APT #2 - REAR BEDROOM<br>WALL HAS LOOSE PLASTER                 | 108.20 |
| 11. INT - 2ND FL - APT #2 - KITCHEN<br>CEILING HAS AN INOPERATIVE LIGHT FIXTURE    | 113.50 |
| 12. INT - 2ND FL - APT #2 - LIVING ROOM<br>WINDOW IS MISSING COUNTER-BALANCE CORDS | 108.30 |

Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

**CITY OF PORTLAND**

November 10, 1997

Felix Y and/or Nancy T. Atienza Jr. II  
RR 3 Box 109  
Gorham ME 04038

RE: 5 - 7 Cherry St.  
CBL: 65-A-6

Dear Mr. & Mrs. Atienza:

A recent inspection of the above referenced premises developed evidence of violations of Section 6-109.(5) of the City of Portland Municipal Housing Code, specifically rodent (mouse) and vermin (cockroach) infestation throughout all areas of the building.

You are hereby ordered to engage the services of a licensed pest control operator and following the procedures prescribed by such operator to eliminate said infestation.

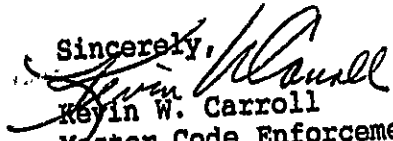
This action must be taken within 5 days of the receipt of this notification.

Please notify this office within five (5) days of the receipt of this letter of what action you are taking to resolve this matter.

Failure to comply with this order may result in appropriate legal action being initiated against you.

If this office can be of any assistance to you in this matter please do not hesitate to contact us.

Sincerely,

  
Kevin W. Carroll  
Master Code Enforcement Officer  
City of Portland

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development  
Mark Adelson, Director of Housing and Neighborhood Services  
Gary Wood, Corporation Counsel  
P. Samuel Hoffses, Building Inspector  
Mary Bostwick, Portland Housing Authority