



City of Portland, Oregon
Bureau of Development Services
Enforcement Program
FROM CONCEPT TO CONSTRUCTION

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NOTICE OF VIOLATION-PROPERTY MAINTENANCE CODE

July 26, 2017

DRENNAN, LEON B-2/3 &
DRENNAN, PAMELA A TR-1/3
1800 SW 1ST AVE, SUITE 220
PORTLAND, OR 97201

Case #: 17-206245-HS
Posted: 07/19/17

RE: 127-139 SW BROADWAY ST *
COUCHS ADD; BLOCK 54 TL 1000; 1N1E34CC 01000 Tax #: R18020-4790

On July 19, 2017, a City Housing Inspector visited the above address and found violations of Portland's Property Maintenance Code. This code requires properties be maintained in a safe, sound, and sanitary condition. Attached to this letter is a list of the violations. Please correct these conditions promptly. **You have thirty (30) days from the date of this letter to correct any Fire, Life, Safety, and/or Health, Sanitation violations, and sixty days (60) to correct any other violations before incurring a fee, with the exception of violations 2 and 3. Violation 2 has a timeline of 5 business days from the date of citation. Violation 3 has a timeline of 20 business days from the date of citation. If violations 2 and 3 are not corrected within their respective timeframes the City of Portland may disconnect power from the property.**

You must call for a re-inspection to close your case without incurring a fee.

- If violations continue uncorrected beyond the deadline, a monthly code enforcement fee is charged as a lien against your property. If housing violations continue uncorrected three (3) months from the initial notice of violation, the monthly code enforcement fee doubles.
- If your property or any part thereof is vacant or becomes vacant, it cannot be occupied until the violations are corrected. In the event the property or any part thereof is reoccupied before all violations are corrected a \$708.00 per month penalty, in addition to the monthly enforcement fee, will be charged until the property is vacated and/or all violations are corrected and approved by the housing inspector.
- For complete details on fees, appeals, or to see if you may qualify for an enforcement fee waiver, refer to the enclosed information sheet.

Thank you in advance for your cooperation. Please call our office if you have any questions,
Jeff Gauba
Housing Inspector
(503)-823-4281, Jeff.Gauba@portlandoregon.gov

OCCUPANT
127-139 SW BROADWAY ST *
PORTLAND OR 97205

LIST OF VIOLATIONS

The Inspector identified work done without obtaining required permits and inspections detailed in violation 1. The building inspector may require additional corrections.
29.05.040, 29.50.010, 29.50.020

A special investigation fee for work begun without permit will be charged. This fee will be charged at \$95/hr. for a minimum charge of \$95 and will be in addition to the regular permit fees.

The senior commercial electrical inspector identified serious electrical deficiencies at the property detailed in violations 2 and 3. Violation 2 has a timeframe of 5 business days from the date of correction notice served on July 21, 2017. Violation 3 has a timeframe of 20 business days from the date of correction notice served on July 21, 2017. If these are not corrected within the designated timeframe, the City of Portland may disconnect power to the property.

1. **Permit Required: Fire Life Safety Violation:** Unapproved electrical wiring and/or fixtures installed without obtaining required permits and inspections (including but not limited to: **Conductors in 2nd and 3rd floor panels have many 14 AWG conductors on 20A breakers- 14AWG copper must not exceed 15A**). 29.30.190, 29.05.040, 29.50.010, 29.50.020, 26.03.050(a6), NEC 310.15 (b16)
2. **Permit Required: Fire Life Safety Violation:** Feeders to 2nd and 3rd floor sub-panels are imbalanced causing excess heating in breakers and conduit – add circuits and balance. 29.30.190, NEC 210.11 (b)
3. **Permit Required: Fire Life Safety Violation:** 2nd and 3rd floor hall sub-panel hasp lock mounting screws penetrate into panel box. 29.30.190
4. **Permit Required: Fire Life Safety Violation:** The cord to the laundry room served the washing machine. A new dedicated 20A GFCI outlet is necessary to supply the washing machine a licensed electrician and a permit will be required for this installation.
5. **Fire Life Safety Violation:** Unapproved and/or excessive use of extension cords, creating possible fire hazards. 29.30.190

NOTE: At inspection, multiple areas had extension cords running from hall outlets to bathrooms, units, and the laundry room.
6. **Fire Life Safety Violation:** Electrical service sub-panel in unit #202 lacks circuit identification. 29.30.190

LIST OF VIOLATIONS

7. **Fire Life Safety Violation:** Electrical service panels in basement lack required access and/or clearances. 29.30.190

Clearances at the service panel shall be not less than 36 inches in depth from the face of the panel, shall not be less than 30 inches wide in front of the panel, and shall extend from the floor to a height of 6 ½ feet.

All electrical work on this rental property must be done under permit by a licensed electrical contractor. 29.05.040, 29.50.010, 29.50.020, 20.30.190
8. **Fire Life Safety Violation:** All fire doors in common hallways on both 2nd and 3rd floor are propped open and portions of fire doors did not latch. 29.30.230(d3)
9. **Fire Life Safety Violation:** 2nd and 3rd floor hall egress windows lack hardware capable of maintaining the window(s) in an open position to provide emergency escape and ventilation. 29.30.090(f), 29.30.230(c)
10. **Fire Life Safety Violation:** 2nd floor emergency egress through unit 208 is obstructed with an accumulation of personal items in the unit and at the window. 29.30.230(b,d)
11. **Fire Life Safety Violation:** Portions of required emergency lighting in hallways on 2nd and 3rd floors as well as entry stairwell are damaged and or inoperable. 29.30.270
12. **Fire Life Safety Violation:** Guardrail at 3rd floor west stairway is missing a baluster. 29.30.080(a)
13. **Health Sanitation Violation:** Common areas show evidence of cockroach infestation, resulting in a health hazard to the occupants. After extermination, proper precautions shall be taken to prevent re-infestation. 29.30.130
14. **Health Sanitation Violation:** Mold growth in the common bathrooms indicates lack of ventilation and/or moisture control. 29.30.120
15. **Health Sanitation Violation:** Portions of common bathroom floor coverings are damaged, deteriorated and/or missing, resulting in a possible moisture penetration of the subflooring and the inability to maintain the floor in a clean and sanitary condition. 29.30.110(a,b)
16. 3rd floor bathtub/shower surround has a hole allowing for possible moisture penetration. 29.30.110(a)
17. Wall covering necessary for proper fire separation is missing at 3rd floor laundry around cable lines and in transom of unit #205. 29.30.110(a)
18. Portions of ceiling coverings have flaking or peeling paint and loose plaster in units 202, and 200. 29.30.110(a)

LIST OF VIOLATIONS

19. Portions of common bathroom wall and ceiling coverings have flaking or peeling paint and loose plaster. 29.30.110(a)
20. Multiple areas throughout hallways had peeling paint. 29.30.110(a)
21. Ceiling mount for sprinkler at 3rd floor west stairway is detached. 29.30.270

c: File



City of Portland, Oregon
Bureau of Development Services
Neighborhood Inspections

1900 SW 4th Avenue, Suite 5000
 Portland, Oregon 97201
 503-823-7306
 Fax 503-823-7961
 TTY 503-823-6868
 www.portlandonline.com/bds

Fees, Penalties, Reviews, Appeals, and Waiver Information

FEES

If all Fire, Life, Safety and/or Health, Sanitation violations **are not** corrected, inspected, and approved by a City Housing Inspector within thirty (30) days of the mailing date of the first violation letter, a lien may be placed against the property. If all other violations **are not** corrected, inspected and approved by the Housing Inspector within sixty (60) days of the mailing date of the first violation letter, a lien may be placed against the property. The monthly fee is based on the number of units on the property and the number of units in violation.

1-2 Units \$257.00 per unit	3 – 10 Units \$386.00 per unit	11 – 19 Units \$515.00 per unit	20 or more Units \$643.00 per unit	Residential with Any Non-Residential use & Properties with only Non-Residential use \$643.00 per unit
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An additional auditor charge of 10% will be added to the above amounts, along with a possible recording fee. The monthly fees will double for any property that remains in violation for **three (3)** months from the initial notice of violation. Pursuant to Portland Policy Document ENB 12.07, property owners or their representative may request a review of assessed liens/fees for potential reduction once an enforcement case is closed.

Re-occupation After Notice of Violation: A **\$708.00** per month penalty will be assessed if the property or any part thereof is vacant or becomes vacant and is reoccupied before all violations are corrected, inspected, and approved by the City’s Housing Inspector. This is in addition to the monthly code enforcement fees and is assessed per occurrence.

Hearings: A **\$359.00** penalty will be assessed if the City files a complaint with the Code Hearings Officer regarding the continued existence of violations on the property.

ADMINISTRATIVE REVIEW – Do Violations Exist?

- Pursuant to 3.30.040.E.8, as the property owner or authorized agent, if you believe the finding of the notice was in error you may request an Administrative Review within 15 days of the posting notice or within 15 days of the first violation notice. Code enforcement fees will continue to accrue during the review process.
- If additional violations are cited, any property owner or authorized agent may also request an Administrative Review of additional cited violations within 15 days of the date of the notice citing those additional violations.
- An Administrative Review Fee of **\$125.00** is due when the written request for an Administrative Review is received. This fee will only be refunded if it is determined that all of the contested violations were cited in error.

The written request, along with the \$125.00 Administrative Review fee, must be received in our office within 15 days of original notification and must state the reason(s) for the review. Please make the check payable to the City of Portland. Compliance timelines and enforcement actions remain in effect during the Administrative Review process.

Mail requests to: Bureau of Development Services
 Neighborhood Inspections & Compliance Services Section
 Review/Appeal Desk
 1900 SW 4th Avenue Suite 5000
 Portland OR 97201

Your request should indicate if you or a representative of the property owner will be appearing in person for the review. If so, we will notify you and/or your representative of the date and time of the review. A written determination will be mailed following the review, which will include additional appeal information as set forth in Section 29.80.020.

Code Enforcement Fee Waivers (Housing Cases)

A waiver provides for temporary suspension of code enforcement fees assessed against a property. Waivers are available on a limited basis. Call 503-823-0891 for more information or to request an application.

Income-Based Waiver

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for (twelve) 12 months. The following requirements must all be met before the waiver may be granted:

1. All cited fire, life safety, health or sanitation violations must be corrected, inspected and approved by the Housing Inspector; or the property is vacant with no significant exterior fire, life safety, health or sanitation violations; and
2. The property is clear of any other code violation administered by BDS; and
3. The housing case is currently open; and
4. The dwelling is a one or two family residence; and
5. The property owner(s) must meet the income requirements by providing required documentation;
6. The property is owner-occupied or vacant.

Residential Renovation Waiver

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for up to six (6) months. **Please note: If permits are required, they must be paid for and issued before the waiver will be granted.** These requirements must all be met before the waiver may be granted:

1. All cited fire, life safety, health or sanitation violations must be corrected, inspected, and approved by the Housing Inspector; or the property is vacant with no significant exterior fire, life, and safety violations; and
2. The property is clear of any other code violation administered by BDS; and
3. The housing case is currently open; and
4. The building is attached to a permanent foundation or has an issued and active permit for foundation work; and
5. Paid and issued building permit fees of at least
 - A. \$500 or a project value of \$15,000 for one and two family dwellings; or
 - B. \$1,000 or a project value of \$30,000 for properties with 3-10 units; or
 - C. \$1,500 or project value of \$45,000; for properties with 11-19 units; or
 - D. \$2,000 or project value of \$60,000; for properties with 20+ units
6. A submitted work plan that demonstrates a project valuation of non-permit work to be done (or a combination of permit and non-permit work that demonstrates the required valuation as listed above) to rehabilitate the property.
7. A completed waiver application must be received in addition to the above listed requirements before a waiver can be considered.

Exterior Paint and Roof Waiver (no application required)

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for nine (9) months. The following requirements must be met before the waiver may be granted:

1. The property is a residential 1 or 2 family dwelling,
2. All property maintenance violations with the exception of exterior paint and roof work, must be corrected, inspected, and approved by the Housing Inspector; and
3. The property is clear of any other code violation administered by BDS; and
4. The housing case is currently open.

New Owner Grace Period (no application required)

Upon approval of this waiver, Code Enforcement Fees may be suspended for one (1) month. The following requirements must be met before the waiver may be granted:

1. The new owner acquired the property with pre-existing housing violations of Title 29; and
2. The existing liens have been satisfied or paid current and the City Auditor's Office has notified BDS of a new owner; and
3. The case is currently open.

Active Permit, Demolition, Non-Profit and Warehouse Waivers: Call the Waiver Desk at 503-823-0891 for more information.

Free Home Repair Assistance Grants are Available for Low Income Owner Occupied Property Owners that earn 50% or less of median family income. For more information and to see if you qualify please visit the Portland Housing Bureau website at <http://portlandoregon.gov/phb/article/430363>.

All information is subject to change.