

**TOWN OF OLD ORCHARD BEACH, MAINE
ADMINISTRATIVE HEARING
Tuesday, May 20, 2014
5:00 p.m.**

An Administrative Hearing was called to order at 5:00 p.m. on Tuesday, May 20, 2014 to consider administrative review.

The following were in attendance:

Town Manager Larry Mead
Marc Bourassa
Assistant Town Manager, Louise Reid
Code Enforcement – Dan Finney
Planner – Jeffrey Hinderliter
Tina Kelly
Police Chief Dana Kelley

Absent: Chief John Glass
Gary Curtis
Kenneth Lafayette

The Town Manager served in his capacity of Chair of the Administrative Board and asked each of the Board members to introduce themselves to those in attendance during this day's review. The authority of the Administrative Review Board comes from the Code of Ordinance: Business Section 18-38 and Section 18-39. This is a fact finding meeting with the prime goal of resolving issues. He also indicated that the ARB meeting is triggered by either one written complaint to License Administrator pertaining to Business License/Code/ Ordinance violation or three or more disturbances verified by the Police Chief. He explained that this does not imply that businesses appearing before the ARB are less than stellar and it is hoped that it is hoped issues can be resolved today so that it does not have to come to the Town Council.

5:00 p.m. – Christopher Davis (206-10-2), 15 Fern Park Avenue, Unlicensed to Rent.

The issues that have been raised on this property are that the conflict is not only by renters but by the business owner as well. Incidents of shutting off heat and not providing the services that a landlord is to provide were the issues that were raised. There were constant complaints about specific individual but then providing of information that this was not a renter but a friend. Conflicted information was part of the issues relative to the unlicensed rental of this property. Mr. Davis missed this hearing and the Board suggested that he not be permitted to rent until such time as code enforcement visits the property and a complete review of rental operations be administered.

MOTION: Chief Kelley motioned and Marc Bourassa seconded to not permit licensing of the rental property until such time as Code Enforcement has inspected the property and a complete review of rental operations is administered.

VOTE: Unanimous.

5:30 p.m. – Diane Dion (206-4-4), 102 Saco Avenue, four year round rentals.

Diane Dion was accompanied by her husband, Kriangkrai Meipradit. During the discussion it was noted that Mrs. Dion was a very sensitive caring landlord and that the situation being discussed today about a particular individual renter was upsetting to her. The history of the renter included mental deficiencies, use of drugs, emotional considerations, and the unplanned behavioral ups and downs that have caused concerns with neighbors and other renters. It was noted that there were nineteen incidents that were being discussed today. The history of how this renter was brought to the location includes the City of Portland and through his case worker. The owner also indicates that she rents through the prison program and also through Shalom house – all agencies dealing with individuals with substantive issues which often make rentals difficult. Ms. Dion was asked to provide to the Assistant Town Manager a copy of the most recent payment by the City of Portland as there were questions raised as to why Portland was paying for the rental of this individual. Further discussion with the case worker was also recommended. On several occasions during the discussion Ms. Dion became emotional over the situation recognizing that there were issues but obviously having concern about the welfare of the renter. The Administrative Board acknowledged their appreciation of her kindness and interest in this individual but also raised the amount of calls on the services of the Town and the behavior of the individual. It appears that Mr. Dion’s rentals are through Section 8 and although she expressed her desire to secure good renters it is always difficult in securing recommendations that are honest and evaluate the actual renter. Mrs. Dion rentals include two cottages, a house and two apartments which are all winterized. The Administrative Board indicated that they would like to come back together around the first of August and have an update on the issues discussed during this hearing. Ms. Dion agreed to do that.

MOTION: Mark Bourassa motioned and Chief Kelley seconded to secure the eviction of the renter in the next sixty days; and to meet in sixty days (July 20th) to evaluate the outcome of the eviction.

VOTE: Unanimous.

The Administrative Board meeting ended at 6:10 p.m.

Respectfully Submitted,

**V. Louise Reid
Secretary to the Administrative Board**

I, V. Louise Reid, Secretary to the Administrative Board of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of two (2) pages are a true copy of the original Minutes of the Administrative Hearings held on Tuesday, May 20, 2014.