

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 150

Approved March 9, 1984

RESOLVED, That the Director of the Department of Inspection and Standards is requested to cause the lien to be removed on that property located at 113-115 Colfax Street, said lien having been placed on the property by the Mayor's Office of Community Development, in the amount of One Thousand, Eight Hundred Fifty-Nine Dollars (\$1,859.00).

IN CITY COUNCIL

MAR 1 1984

READ AND PASSED

[Signature]
CLERK

APPROVED

MAR - 9 1984

[Signature]
MAYOR

Councilman O'Connor (By Request)

~~Baron Mendelsohn~~ CLERK

IN CITY COUNCIL
NOV 3 1983
FIRST READING
REFERRED TO COMMITTEE ON
FINANCE

NOV 14 1983
NOV 14 1983

Dec 27, 1983
Jan 9, 1984
Jan 23, 1984

Dec 12, 1983
~~Baron Mendelsohn~~
Clerk

THE COMMITTEE ON
FINANCE
Recommends *Be Continued*

NOV 14 1983
NOV 14 1983
NOV 14 1983

THE COMMITTEE ON
FINANCE
Approves Passage of
The Within Resolution
~~Baron Mendelsohn~~
Chairman
Subcommittee 2/1/84

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 15, 1983

TO: Stephen O'Rourke, Deputy Director of Mayor's Office of
Community Development

SUBJECT: ACCOMPANYING RESOLUTION RE: 113 115 Colfax Street

CONSIDERED BY: Councilwoman Carolyn F. Brassil, Chairwoman Committee on Finance

DISPOSITION: The above named Committee requests a recommendation
from you relative to the lien placed on the property
referred to by your office.

City Clerk

Vincent A. Cianci, Jr.
Mayor of Providence
55 Eddy Street
Providence, R. I. 02903
Phone: (401) 351-4300

MAYOR'S
OFFICE OF
COMMUNITY
DEVELOPMENT

December 16, 1983

The Honorable Carolyn F. Brassil
Chairwomen, Committee on Finance
c/o City Clerk's Office
Providence City Hall
Providence, Rhode Island 02903

Dear Councilwoman Brassil:

I'm responding to your 15 December 1983 memorandum concerning a lien placed on property located at 113-115 Colfax Street.

This property actually has two liens placed against it which I have outlined below.

1. A \$1,859 lien was placed on the property by the Department of Inspections and Standards. This lien was placed after the property owners failed to make necessary emergency repairs to their property which resulted in a health or safety hazard to their tenants. If the property owners fail to make the required emergency repairs, the City's code enforcement division may order repairs made through a program and administered by the Office of Community Development. Once these repairs are made, the property owner is billed. Should they fail to pay the cost of repairs, a lien is placed against the property until the entire bill has been settled.

On 29 January 1983, the owners of 113-115 Colfax Street executed an installment payment agreement with the then Building Inspection Department. The agreement called for payments of \$20 per month until the bill was paid.

2. A second lien was placed on the property on 1 December 1982 when the property owners received rehabilitation assistance from the Office of Community Development for \$16,108.

Councilwoman Brassil
December 16, 1983
Page 2

The placing of mortgage liens against the property is standard procedure for the Home Improvement Program. The program requires a lien to insure that MOCD is repaid the expense of rehabilitating the property if the assistance was a loan. In this case, the assistance was a grant. We still require two year declining mortgage liens to discourage individuals from financing repairs with MOCD funds and then offering the property for sale and encouraging neighborhood stabilization.

The lien placed on the property at 113-115 Colfax Street expires on 1 December 1984.

If you have any other questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Stephen J. O'Rourke". The signature is written in dark ink and is positioned above the typed name.

Stephen J. O'Rourke
Deputy Director

SJO:n

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: December 29, 1983

TO: Barbara Krank, Chief of Code Enforcement

SUBJECT: LIEN ON PROPERTY LOCATED AT 113-115 COLFAX STREET

CONSIDERED BY: Councilwoman Carolyn F. Brassil, Chairwoman Committee on Finance

DISPOSITION: Attached hereto is a Resolution pending before the above named Committee.

It is requested you appear before the next scheduled meeting to be held Monday, January 9, 1984 at 3:30 o'clock P.M. in Committee Room "A", City Clerk's Department, to submit your opinion relative to the removal of the lien on the property.

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: January 10, 1984

TO: Arthur Marsland, Rehabilitation Specialist - Department of Planning
and Urban Development

SUBJECT: REQUEST FOR REPORT RELATIVE TO ACCOMPANYING RESOLUTION

CONSIDERED BY: Councilwoman Carolyn F. Brassil, Chairwoman of Committee on Finance

DISPOSITION:

Attached hereto is a draft of a resolution presently pending before the above named Committee.

Also accompanying is a report from the Mayor's Office of Community Development.

The Committee on Finance is attempting to determine as to whether or not any Department of the City is aware of the dissatisfaction by the property owners at 113-115 Colfax St., relative to the roof installed on the property and if the work was redone.

Will you kindly report back to the above named Committee prior to its next scheduled meeting to be held Monday, January 23, 1984, as to your findings.

Rose M. Menduca
City Clerk

January 24, 1984

Mr. and Mrs. Melvin Rivera
113-115 Colfax Street
Providence, RI 02905

Dear Mr. and Mrs. Rivera:

I have been directed by Councilwoman Carolyn F. Brassil, Chairwoman of the Committee on Finance to correspond with you relative to the Resolution pending before that Committee requesting the lien placed on your property to be removed.

Enclosed are communications from the Mayor's Office of Community Development and the Department of Planning and Urban Development relative to the subject.

The members of the Committee voted to continue the Resolution pending receipt from you of evidence that you may have to offer relative to your complaint for the Committee to review.

Very truly yours,

Rose M. Mendonca,
City Clerk of Providence

RMM:hgg
Enc.

STANLEY BERNSTEIN
DIRECTOR



VINCENT A. CIANCI, JR.
MAYOR

DEPARTMENT OF PLANNING AND URBAN DEVELOPMENT

January 13, 1984

The Honorable Carolyn F. Brassil
Chairwoman, Committee on Finance
c/o City Clerk's Office
Providence City Hall
Providence, Rhode Island 02903

Dear Councilwoman Brassil:

I'm responding to your January 10, 1984 memorandum concerning a lien placed on property located at 113-115 Colfax Street.

A One Thousand Eight Hundred Fifty Nine and 00/100 (\$1,859.00) Dollar lien was placed on the property by the Department of Planning and Urban Development. This lien was placed after the property owner failed to comply with a citation of violation dated February 1, 1978.

Asphalt shingles were installed on the main roof at 115 Colfax Street, Providence, Rhode Island by Rhody Roofing Company.

At the time the work was completed, it was inspected by Mr. Anthony Del Pico of the Code Enforcement Division who reported all work was completed and the violation corrected.

At the time of completion, Rhody Roofing Company presented a copy of the warranty to this department and a copy of the warranty was sent to Mr. and Mrs. Rivera, owners of the property in question. The guarantee was for one (1) year expiring on May 3, 1979.

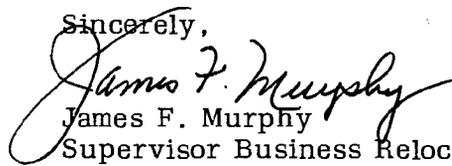
The Department of Planning and Urban Development received no complaint about work not being done satisfactorily until November 20, 1981 when Andrew M. Cagen, attorney, wrote to this department stating that the repairs were not done properly on the property owned by his clients, Mr. and Mrs. Rivera. Mr. Cagen stated, in his letter of November 20, 1981, that the roof started leaking within a matter of weeks.

From the time the work was completed until November 20, 1981, no complaint was ever made to this office by either the owner of the property or the attorney representing the owner.

At this time we have no record of whether the lien was ever repayed by the former owner.

If you should have any other questions, please contact me.

Sincerely,


James F. Murphy
Supervisor Business Relocation &
Property Management

Enclosure

WARRANTY

0215

DATE: May 5 1978

That, the RHODY ROOFING Co. of
(CONTRACTOR)

850 BROAD ST - PRO. R. I. warrants to
(ADDRESS) (CITY) (STATE)

LOUIS J. D'ERARIO of
(OWNERS)

2- Valley View Dr. Johnston, R.I.
(ADDRESS) (CITY) (STATE)

all work performed under construction contract dated APRIL 4 1978,

to be free of defects arising from workmanship of the RHODY ROOFING Co.
(CONTRACTOR)

or its subcontractor or subcontractors the quality of material used therein for a period of (1) one year or for such longer periods as may be included in any warranty given by the manufacturer of any materials used in the work performed. This warranty shall be fulfilled by the contractor correcting, free of charge including labor, any such defects.

This warranty expires MAY 3 1979, one (1) year from the date of the final inspection.

Date of Final Inspection MAY 3 1978.

RHODY ROOFING Co. Louis J. D'Erario
(COMPANY) (AUTHORIZED SIGNATURE)

OWNER
(TITLE)

GENERAL CONDITIONS

All work shall be performed in good workmanlike manner and in accordance to standard practices. Work shall be performed in a safe and orderly manner and contractor shall protect existing areas and materials from damage. He shall also repair any damage caused by him at no cost to owner. The contractor shall provide for all required inspections and procure and pay for all required licenses, permits and certificates.

ANDREW M. CAGEN

ATTORNEY AT LAW

1165 ELMWOOD AVENUE
PROVIDENCE, R. I. 02907

TEL. 401-781-1883

November 20, 1981

Mr. Stanley Bernstein
Director, Department of
Planning and Urban Development
40 Fountain Street
Providence, Rhode Island

DEPARTMENT OF PLANNING
AND URBAN DEVELOPMENT

NOV 23 1981

RE: Melvin and Lydia Rivera
Plat 54 - Lot 259
115 Colfax Street

RECEIVED
AM

Dear Mr. Bernstein:

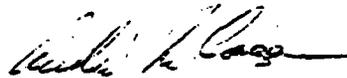
I represent Mr. & Mrs. Rivera in regard to a lien which was placed upon their property for work done under the Tenants Emergency Repair Program in 1978.

Mr. & Mrs. Rivera informed me that roof repairs were made by Rhody Roofing & Siding Co. under TERP but that the repairs were so poorly done that the roof began to badly leak again within a matter of weeks. It is my understanding that Mr. & Mrs. Rivera have made numerous attempts since then with your office and with Rhody Roofing & Siding Co. to rectify this problem.

Because the work was never performed even at minimal standards, I would ask that you remove the lien placed on their property.

I look forward to your response.

Sincerely yours,



Andrew M. Cagen

AMC/sth

cc: Mr. & Mrs. Melvin Rivera