

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss:

HOUSING COURT DEPARTMENT
EASTERN DIVISION
DOCKET 17H84CV000715

_____)
INSPECTIONAL SERVICES)
DEPARTMENT OF THE)
CITY OF BOSTON,)
Plaintiff)
)
v.)
)
EAST FOURTH STREET, LLC)
and JAMES S. DICKEY,)
manager,)
Defendants)
)
ENDEAVOR CAPITAL)
FUNDING, LLC,)
Party in Interest)
_____)

RECEIVER’S REPORT

NOW COMES the RECEIVER and makes the following report:

- 1) I appeared at the Boston Housing Court Clerk’s Office and signed the Order Appointing Receiver where required and I accepted the appointment as Receiver on June 6, 2018.
- 2) A copy of the Order Appointing Receiver was recorded in the Suffolk County Registry of Deeds on June 6, 2018 in Book 59691, Page 41.
- 3) The Receiver has had no cooperation from the Defendants.

NOTICE OF RECEIVERSHIP

- 4) In accordance with the Order of this Court the Receiver posted a Notice of Receivership on the house at 97 Mt. Ida Road, Dorchester in the form attached to this report on June 8,

2018.

TITLE SEARCH

- 5) In accordance with the Order of this Court a full title search was ordered from Hennessey and MacInnis, Inc., title examiners on June 8, 2018. The full title search was not yet available at the time that this report was drafted.

REAL ESTATE TAXES

- 6) On June 8, 2018 the Receiver determined that there was \$10,300.02 owed to the City of Boston in Real Estate Taxes. Interest accrues at 14% and about \$3.54 per day.

TENANTS AND OCCUPANTS

- 7) The Property is presently vacant and not in any condition to be occupied so there are no tenants/occupants, there are no rent payments due and there are no unpaid rent receivables.

FUNDS RECEIVED BY THE RECEIVER

- 8) The Property is presently vacant and not in any condition to be occupied so the Receiver has received no funds and does not have any expectation of receiving any funds. There are no funds from any other sources.

RECEIVER'S EXPENSES

- 9) The Receiver has the following expenses:

6/6/2018	Parking at Courthouse	\$1.00
6/6/2018	Commonwealth of Massachusetts Recording Fee	75.00
6/8/2018	Three "Place Packs" of Rodenticide	<u>3.00</u>
		79.00

REPORT ON CONDITION OF THE PROPERTY

- 10) The Receiver inspected the property on June 8, 2018. The Receiver was accompanied by Mr. Coburn, Mr. Connors and Ms. Conroy. Upon arriving at the property the neglected nature of the property was immediately visible. The front bushes and grass were overgrown. A path had to be beaten to the front steps through grass and weeds that were two feet tall. The front door was secured with two padlocks. Upon entering the house it was immediately clear that the house was impassible. The front interior stairs suffered heavy fire damage and are unsafe. The entry floor is covered with the remnants of the ceilings and walls making entry difficult. Each room is full of furniture, boxes and fire debris making entry into any room difficult. The floors are covered with at least 1 foot of debris. The first floor has a kitchen, living room, dining room, two bedrooms and one bathroom. It was impossible to make it through the kitchen to the rear stairs. Therefore the second and third floor were not inspected. The basement was visible through a board that was removed from a basement window. The basement is full of the remnants of the house including three water heaters, old coal bins, and assorted debris. The roof is damaged at the front and the rear of the roof could not be observed. The yard is full of tree limbs, overgrown brush and doors and windows that have been removed from the house. The rear yard is full of downed tree limbs.
- 11) The site needs to be cleaned. Someone has been feeding cats in the house and the yard and there are hundreds of empty cans of cat food. Cat waste may contain cryptosporidsois and leptospirois. The rear yard is full of downed tree limbs. The living trees are

overgrown and hitting and damaging the house. Once the yard is cleaned then the first floor of the house should be cleaned to allow access to the basement and the second and third floor to determine if the house can be repaired or if it needs to be razed.

12) At the initial site visit on June 8, 2018 the Receiver left three place packs of rodenticide in a hole in the foundation to determine if there was a rodent problem. Upon returning to the property on June 9, 2018 two out of three packs of rodenticide were consumed.

. The receiver is unable to make the determination if the house can be saved or needs to be razed until the yard and house are cleaned out. At the present time the Receiver has the following recommendations:

A) The house is generally secure however the roof and third floor are open to the elements. Until the house has been cleaned out the third floor can not be safely accessed.

B) The yard should be cleaned and the overgrown trees trimmed to reduce the breeding grounds for mosquitoes. Upon the initial visit there was a plastic tubs with standing water. The dangers from mosquitoes today is that they can carry Eastern Equine Encephalitis, West Nile Virus and Zika virus. Someone is feeding cats at the property as there are hundreds of cans from cat food. Cats carry cryptosporidiosis and leptospirosis.

The property is a harborage for rodents. Rodent control can not be attained until the yard and house are cleaned out.

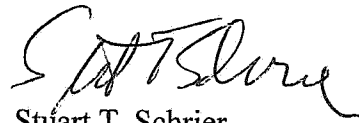
C) The front interior stairs are heavily damaged. The stairs from the rear exit to the ground are missing.

D) Once the yard and house are cleaned out it can be further inspected to be determined if it can be rebuilt or needs to be demolished.

E) The Receiver estimates that cleaning the yard will cost up to five thousand dollars. The tree limbs can not be disposed of in a dumpster under state law so the yard has to be cleaned using a small dumpster then a tree removal company needs to be hired to remove the downed tree limbs and prune any other tree limbs that are hitting the house or in danger of falling.

F) Cleaning out the first floor may also cost up to \$5,000.00 due to the excessive amount of debris in the first floor.

Receiver



Stuart T. Schrier
BBO 447190
Schrier & Associates, P. C.
1005 Dorchester Avenue
Boston, MA 02125
(617) 436-1200
(617) 436-5649
Schrieresq@aol.com

Dated: June 11, 2018

CERTIFICATE OF SERVICE

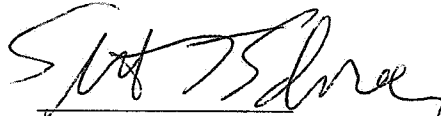
I, Stuart T. Schrier, Receiver, do hereby certify that on June 11, 2018 I served the foregoing report on

Edward Coburn, Esquire
Boston Inspectional Services Department
1010 Massachusetts Avenue
Boston, MA 02118

James S. Dickey, Manager
East Fourth Street LLC
8 Newbridge Road
Sudbury, MA 01776

Rosemary Traini, Esquire
404 South Huntington Avenue
Jamaica Plain, MA 02130

by first class mail, postage pre-paid



Stuart T. Schrier



