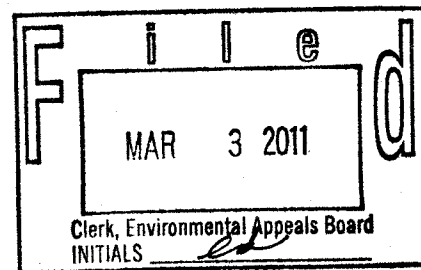


**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**



\_\_\_\_\_  
In re: )  
**Landmark Real Estate Management, Inc.** )  
**Solo Affordable Housing Solutions, LLC** )  
**Solo Development 2004, LLC** )  
**Minbar Properties, LLC** )  
**87 Bartlett Street Associates, LLC** )  
P.O. Box 891 )  
Lewiston, MA 04243 )  
)  
**LA Italian Properties, LLC** )  
P.O. Box 4510 )  
Portland, ME 04112 )  
)  
**Travis Soule dba Fish Properties** )  
19 Woodland Way )  
New Gloucester, ME 04620 )  
)  
\_\_\_\_\_

TSCA Appeal No. 11-01

**ORDER ELECTING TO EXERCISE SUA SPONTE REVIEW**

On January 10, 2011, the Regional Judicial (“RJO”) Officer for U.S. EPA Region 1 (the “Region”) issued an Initial Decision and Default Order (“Default Order”) in the above-captioned matter.<sup>1</sup> The Default Order finds Landmark Real Estate Management, Inc., Solo Affordable Housing Solutions, LLC, Solo Development 2004, LLC, Minbar Properties, LLC, 87 Bartlett Street Associates, LLC, LA Italian Properties, LLC, and Travis Soule dba Fish Properties in default for failing to answer to an administrative complaint (“Complaint”) Region 1 filed alleging that these respondents violated section 409 of the Toxic Substances Control Act

<sup>1</sup> The Default Order was served on January 18, 2011.

("TSCA"), 15 U.S.C. § 2689, the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. §§ 4851-4856, and the federal regulations promulgated thereunder, codified at 40 C.F.R. pt. 745, subpt. F. For these violations, the Default Order assessed a total administrative penalty of \$227,700.00.

Upon examination of the Default Order, the Environmental Appeals Board ("Board") has decided to exercise *sua sponte* review, pursuant to 40 C.F.R. §§ 22.27(c), .30(b).<sup>2</sup> Accordingly, this order constitutes notice, required under 40 C.F.R. § 22.30(b), of the Board's intent to review the Default Order.<sup>3</sup>

So ordered.<sup>4</sup>

Dated: 3/3/2011

ENVIRONMENTAL APPEALS BOARD

By: Charles J. Sheehan  
Charles J. Sheehan  
Environmental Appeals Judge

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<sup>2</sup> Under the regulations governing the administrative assessment of civil penalties, 40 C.F.R. pt. 22, the Board has 45 days after service of an initial decision to elect to exercise *sua sponte* review. 40 C.F.R. § 22.27(c). Since the Default Order was served on January 18, 2011, the Board has until March 4, 2011, to so decide.

<sup>3</sup> The Board does not require briefing from the parties.

<sup>4</sup> The three-member panel deciding this matter is comprised of Environmental Appeals Judges Edward E. Reich, Charles J. Sheehan, and Anna L. Wolgast. See 40 C.F.R. § 1.25(e)(1).

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Order Electing to Exercise Sua Sponte Review, in the matter of Landmark Real Estate Management, Inc., Solo Affordable Housing Solutions, LLC, Solo Development 2004, LLC, Minbar Properties, LLC, 87 Bartlett Street Associates, LLC, LA Italian Properties, LLC, and Travis Soule dba Fish Properties, TSCA Appeal No. 11-01, were sent to the following persons in the manner indicated:

**By Certified Mail Return Receipt Requested:**

Travis Soule, President/Manager  
Landmark Real Estate Management, Inc.  
Solo Affordable Housing Solutions, LLC  
Solo Development 2004, LLC  
Minbar Properties, LLC  
87 Bartlett Street Associates, LLC  
P.O. Box 891  
Lewiston, MA04243

Travis Soule, Manager  
LA Italian Properties, LLC  
P.O. Box 4510  
Portland, ME 04112

Travis Soule dba Fish Properties  
19 Woodland Way  
New Gloucester, ME 04620

**By Inter-Office Mail and FAX:**

Amanda J. Helwig  
U.S. Environmental Protection Agency  
Water Enforcement Division, Office #4118-A  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20460  
Mail Code 2243-A  
Fax: (202) 564-0018

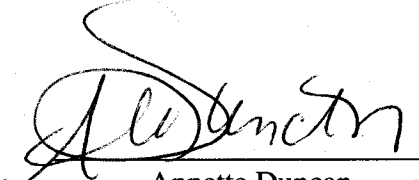
**By Pouch Mail and FAX:**

Wanda I. Santiago  
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Andrea Simpson  
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5 Post Office Square, Suite 100  
Boston, MA 02109-3912  
Fax: (617) 918 - 1809

Dated: **MAR - 3 2011**

  
Annette Duncan  
Secretary