

*AAB Regular
Meeting of
March 20, 2024*

Agenda Item E1

Staff Report



ABATEMENT APPEALS BOARD

City & County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

HOUSING INSPECTION SERVICES ABATEMENT APPEALS BOARD STAFF REPORT

Appeal No. 6911

Date of Abatement Appeals Board Hearing: 3-20-24

Property Address: 102 Baker St.

Block: 1219 Lot: 018

Page 1

Complaint Number: 202290668

PROPERTY OWNER INFORMATION

Property Owner(s) Name and Appellant:

**Christopher A. Nedeau
154 Baker Street
San Francisco, CA 94117**

Appellant: Same

Building/Property Description: Two story over garage, Type 5 Building

Legal Use/Occupancy: R-3 / 2 Family Dwelling

Case Summary:

Notice of Violation(s): 5/05/2022

Warning Letter: 9/29/2022

Nature of Violation: Inadequate exterior maintenance and security

Outstanding Violations: Yes

Falling debris, Lead Paint hazard, Attractive Nuisance

Directors Hearing: # 202290668 Date: 1/12/2023

Result: Order of Abatement issued

Order of Abatement: 202059231-A issued with condition: 7 days to complete all work.

Permit Activity: None required for this NOV;

BPA's 201411252470, 201905140612, 202103156569, 202108247053 reinstated 1/18/2023

Appeal No. 6911

Date of Abatement Appeals Board Hearing: 2/21/2024

Property Address:

Block: 1219 Lot: 018

Page 2

Case History:

5/2/22 **Case Received.**

5/4/22 **Inspection of Premises:** Inspector Don Osborne met neighbor, inspected subject property from Baker street and from neighboring property immediately to the south. Numerous paint chips and roof debris noted at neighboring property. Photos taken, Violations noted.

5/5/22 **First NOV sent.**

5/5/22 **Building Posted.**

8/1/22 **Reinspection 1:** Inspector met owner's representative (Mike Spillane) at subject property. Items 2 (temporary rainwater leaders) and item 7 (cyclone fence & plywood over openings in building) complete. Inspector described to owner's agent extent and method of scaffold and netting used to contain paint chips and debris. Owner's agent said that he was scheduling scaffold with netting.

9/28/22 **Reinspection 2:** No change from last inspection, no scaffolding installed.

9/29/22 **Sent Final Warning Letter.**

10/20/22 **Reinspection 3:** (inspection logged on 11/25/22) Scaffold with netting is installed on a small area of the street side of the building. Items 3, 4, 6 incomplete.

11/25/22 **Case Update:** Texts with owner's agent Mike Spillane 11/14/22 – 1/10/23. Owner's agent was advised that scaffolding and netting at subject property not adequate to comply with Notice of Violation.

12/28/22 Spoke with complainant, told complainant case was going to Hearing.

12/29/22 Inspector posted Hearing Notice at subject property

1/4/23 Sent copy of Notice to owner's agent

1/11/23 **Reinspection 4:** Inspector reinspected subject property from street and from backyard of property immediately adjacent to the North. Raining at time of inspection. Item 2 - temporary rainwater leaders are working. Rainwater leader at NE corner is not working. Item 3 - at time of inspection, deteriorated roofing shingles were noted at adjacent building to north (at 2nd floor rear of building). There does not appear to be any changes to deteriorated roof on South face, no work has been done. Item 4 - cyclone fence is in place, but front of building has openings. Item 6 and 7 - No work.

1/12/23 **Director's Hearing:** The owner was represented, a 7-day Order of Abatement was issued.

1/27/23 **AAB request received.**

9/28/23 **Reinspection 5:** Item 2 (temporary downspout) has come apart. Items 2, 3, 4, 6 incomplete. Item 7 – Openings at ground level have been boarded up, windows at higher levels are not boarded up. Cyclone fence is secure.

12/13/23 **Reinspection 6:** Met N side complainant for new complaint 202317030. No NOV written.

12/21/23 **Reinspection 7:** Item 2-rainwater leader at front of building has separated and water is not going into sewer, incomplete. Item 3 outstanding; Item 4 outstanding; Item 6 outstanding; Item 7, chainlink fence is in-place with no holes. AAB hearing pending, took additional photos.

1/17/24 **AAB Hearing:** 30-day Continuance granted prior to hearing

2/8/24 **Abatement Appeals Board:** Posted Notice of AAB Hearing.

Appeal No. 6911

Date of Abatement Appeals Board Hearing: 2/21/2024

Property Address:

Block: 1219 Lot: 018

Page 3

2/8/24 **Reinspection 8:** Temporary rainwater leaders appear to be taped back together, otherwise, no change in completed work since 12/21/23.

2/15/24 **Inspection of Premises:** at subject property, inspection from Baker and from Page. No change in status of incomplete items. Took photos for Hearing file.

2/21/24 **AAB Hearing:** Case continued, rescheduled for 3-20-24.

Last Inspection Date 02/15/2024

Appellant's Request: Defer Order of Abatement to paint the building until contractual arbitration with Buteo Builders is finished.

Staff recommendation: Uphold the Order of Abatement and impose assessment of costs.

Abatement Appeals Board Action:

LIST OF DOCUMENTS

- 1) Appellant's Appeal**
- 2) Notice of Violation**
- 3) Final Warning Notice Letter**
- 4) Complaint Data Sheet**
- 5) Photos**

Appeal No. 6911

Date of Abatement Appeals Board Hearing: 2/21/2024

Property Address:

Block: 1219 Lot: 018

Page 4



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202290668

OWNER/AGENT: NEDEAU 1994 LIVING TRUST THE
 NEDEAU 1994 LIVING TRUST TH
 CHRISTOPHER A NEDEAU
 154 BAKER ST
 SAN FRANCISCO CA
 94117

DATE FILED: 05-MAY-22
LOCATION: 102 BAKER ST
BLOCK: 1219 **LOT:** 018
SITE:

OWNER'S PHONE --
CONTACT NAME
CONTACT PHONE --

RATING: 1 Year **OCCUPANCY CODE** R-3
RECEIVED BY: Donald Osborne **DIVISION:** HIS
COMPLAINT SOURCE: TELEPHONE

COMPLAINANT: neighbors (from CTS 202290563)

ASSIGNED TO DIVISION: HIS

COMPLAINANT'S PHONE --

DESCRIPTION: peeling paint, loose and falling roof components, rain leader onto sidewalk, security.
INSTRUCTIONS:

INSPECTOR CURRENTLY ASSIGNED

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	OSBORNE	6322	9	

REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
------	-------------	----	---------

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
02-MAY-22	CASE OPENED	D YEE	CASE RECEIVED		Donald Osborne-HIS 05-MAY-22	HIS
02-MAY-22	CASE OPENED	D OSBORNE	CASE UPDATE	received case from supervisor	Donald Osborne-HIS 05-MAY-22	HIS
04-MAY-22	LEAD PAINT HAZARD	D OSBORNE	INSPECTION OF PREMISES MADE	inspector met neighbors, inspection of 102 Baker from exterior.	Donald Osborne-HIS 05-MAY-22	HIS
05-MAY-22	LEAD PAINT HAZARD	D OSBORNE	FIRST NOV SENT		Donald Osborne-HIS 05-MAY-22	HIS
05-MAY-22	LEAD PAINT HAZARD	D OSBORNE	BLDG POSTED & TENANTS NOTIFIED AS PER NOTIFICATION REQMNTS	Unit : ;# of postings left on building: 1;Locations : on plywood at driveway (front);Unit #s mailed posting: .	Donald Osborne-HIS 06-MAY-22	HIS



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202290668

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
21-JUL-22	LEAD PAINT HAZARD	D YEE	FINAL WARNING LETTER SENT		Dennis Yee-HIS 21-JUL-22	HIS
01-AUG-22	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 1	met owners rep (G. Engineering Contractor) at subject property. Inspection. Building is being renovated, including GeogROUT and foundation replacement See BID 201411252970, 202012181299,202103156569,202108247053. Items 2 and 7 complete. Contractor is having scaffold with netting installed to contain paint chips and allow access to roof to remove unsecured roof components.	Donald Osborne-HIS 01-AUG-22	HIS
28-SEP-22	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 2	At property. No netting has been installed	Donald Osborne-HIS 29-SEP-22	HIS
28-SEP-22	LEAD PAINT HAZARD	D OSBORNE	CASE UPDATE	Reinspection 2 (correction) At property. No netting has been installed, no scaffolding has been installed.	Donald Osborne-HIS 29-SEP-22	HIS
29-SEP-22	LEAD PAINT HAZARD	D OSBORNE	FINAL WARNING LETTER SENT	sent FW notice with letter.	Donald Osborne-HIS 29-SEP-22	HIS
25-NOV-22	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 3	inspection on 10/20/22 from street - scaffold with netting was installed-but it only covers a small portion of the south side off the west facade. The south side at the rear of the building has no scaffold or netting.	Donald Osborne-HIS 30-NOV-22	HIS
25-NOV-22	LEAD PAINT HAZARD	D OSBORNE	TELEPHONE CALLS	Text from owners rep on 11/15/22	Donald Osborne-HIS 30-NOV-22	HIS
30-NOV-22	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 3	At subject property - no scaffold or netting along south side of building (rear portion with severe peeling paint). Items 3,4,6 incomplete.	Donald Osborne-HIS 30-NOV-22	HIS
30-NOV-22	LEAD PAINT HAZARD	D OSBORNE	REFER TO DIRECTOR'S HEARING	?	Donald Osborne-HIS 30-NOV-22	HIS
30-NOV-22	LEAD PAINT HAZARD	D OSBORNE	REFER TO DIRECTOR'S HEARING	discussed case w senior	Donald Osborne-HIS 30-NOV-22	HIS
28-DEC-22	LEAD PAINT HAZARD	D OSBORNE	TELEPHONE CALLS	spoke w complainant	Donald Osborne-HIS 29-DEC-22	HIS



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202290668

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
29-DEC-22	LEAD PAINT HAZARD	D OSBORNE	DIRECTOR HEARING NOTICE POSTED	posted Hearing Notice	Donald Osborne-HIS 29-DEC-22	HIS
04-JAN-23	LEAD PAINT HAZARD	D OSBORNE	TELEPHONE CALLS	sent copy of NOV to owners agent	Donald Osborne-HIS 04-JAN-23	HIS
11-JAN-23	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 4	met complainant to North at subject property - inspection from rear yard of property to North. Raining at time of inspection.Low slope horizontal rainwater leader is not carrying water from leaderhead (funnel) to vertical rainwater leader at NE corner. Rainwater appears to be running down N wall and onto adjacent building to North. Building to North has roofing material in leaderheads. Item	Donald Osborne-HIS 11-JAN-23	HIS
11-JAN-23	LEAD PAINT HAZARD	D OSBORNE	CASE UPDATE	Reinspection 4 continued - item	Donald Osborne-HIS 11-JAN-23	HIS
11-JAN-23	LEAD PAINT HAZARD	D OSBORNE	CASE UPDATE	reinspection 4 continued. Item 2 - temporary rainwater leaders are working, Rainwater leader at NE corner is not working. Item 3 - at time of inspection, deteriorated roofing shingles were noted at adjacent building to north (at 2nd floor rear of building) . There does not appear to be any changes to deteriorated roof on South face, no work has been done. Item 4 - cyclone fence is in place,but front of building has openings. Item 6 and 7 - No work.	Donald Osborne-HIS 11-JAN-23	HIS
12-JAN-23	LEAD PAINT HAZARD	J LAWRIE	DIRECTOR'S HEARING DECISION	The owner was represented, a 7-day Order of Abatement was issued.	James Lawrie-HIS 12-JAN-23	HIS
27-SEP-23	LEAD PAINT HAZARD	J LOPEZ	ABATEMENT APPEALS BOARD HRG	Received AAB request on 1/27/23	Donald Osborne-HIS 27-SEP-23	HIS
28-SEP-23	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 5	At subject property. Inspection. Item 2 (temporary downspout) has come apart. Took photos	Donald Osborne-HIS 28-SEP-23	HIS
13-DEC-23	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 6	met N side complainant for inspection of 202317030. Took additional photos	Donald Osborne-HIS 18-DEC-23	HIS
21-DEC-23	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 7	met complainant. Inspection of South and North property lines and front of building.	Donald Osborne-HIS 21-DEC-23	HIS



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202290668

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
21-DEC-23	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 7	Met complainants, inspection, took photos. Item 2 - rainwater leader at front of building has separated and water is not going into sewer, incomplete. Item 3 incomplete. Item 4 incomplete. Item 6 incomplete. Item 7, Chainlink fence is in place with no holes.	Donald Osborne-HIS 21-DEC-23	HIS
17-JAN-24	LEAD PAINT HAZARD	J LAWRIE	ABATEMENT APPEALS BOARD HRG	AAB hearing continued 30 days	James Lawrie-HIS 21-FEB-24	HIS
08-FEB-24	LEAD PAINT HAZARD	D OSBORNE	ABATEMENT APPEALS BOARD HRG	Posted AAB Hearing Notification	Donald Osborne-HIS 09-FEB-24	HIS
08-FEB-24	LEAD PAINT HAZARD	D OSBORNE	REINSPECTION 8	Inspection. Temporary rainwater leaders appear to be taped back together, otherwise, no change in completed work since 12/21/23	Donald Osborne-HIS 09-FEB-24	HIS
15-FEB-24	LEAD PAINT HAZARD	D OSBORNE	INSPECTION OF PREMISES MADE	at subject property, inspection from Baker and from Page. No change in status of incomplete items. Took photos for Hearing file	Donald Osborne-HIS 15-FEB-24	HIS
20-FEB-24	LEAD PAINT HAZARD	J LAWRIE	OFFICE/COUNTER VISIT	Spoke with owner	James Lawrie-HIS 21-FEB-24	HIS
21-FEB-24	LEAD PAINT HAZARD	J LAWRIE	ABATEMENT APPEALS BOARD HRG	Case continued to March 20, 2024.	James Lawrie-HIS 21-FEB-24	HIS

COMPLAINT ACTION BY DIVISION

DIVISION	DATE	DESCRIPTION	ACTION COMMENT
----------	------	-------------	----------------

NOV (HIS) NOV (BID)
 05-MAY-22

**APPEAL TO THE ABATEMENT APPEALS BOARD
OF THE CITY AND COUNTY OF SAN FRANCISCO
FROM THE BUILDING INSPECTION DEPARTMENT DIRECTOR'S ORDER**

RECEIVED
JAN 27 2023
DEPARTMENT OF BUILDING INSPECTION
HOUSING AND COMMUNITY DEVELOPMENT
Re-hearing

Check Type of Appeal: Appeal of Director's Order Request for Jurisdiction Re-hearing

Appellant Name: Christopher A. Nedeau
Director's Order No _____
Date Appeal Filed: _____

Appeal Number _____
Complaint Tracking No(s) 202290668
Filing Fee: \$158.10

Instructions: Please (1) answer all the questions on pages 1 and 2 for appeals of Director's Orders, and complete pages 1 through 3 for Requests for Jurisdiction, (2) sign the bottom of page 2 (and 3 if applicable), and (3) include the requisite filing fee of \$158.10 (checks are payable to the San Francisco Department of Building Inspection). Please attach additional pages as necessary and print legibly.

Jurisdiction of the Abatement Appeals Board (AAB): Under Section 105A.2 of the San Francisco Building Code (SFBC), and Chapter 77 of the San Francisco Administrative Code, the AAB has the power to hear and decide appeals from Orders of Abatement and hear direct appeals pursuant to SFBC Section 102A.. The Board may "uphold, modify, or reverse such orders, provided that the public health, safety and public welfare are secured most nearly in accordance with the intent and purpose of this code and the San Francisco Housing Code." (SFBC 105A.2.3).

Appellant Questionnaire & Declaration: The undersigned appellant hereby appeals to the AAB and makes the following allegations in connection therewith:

- (1) The Order appealed from was made at a public hearing by the Director of Building Inspection, of the City and County of San Francisco, on January 12, 2023.
- (2) The affected premises are located at 102 Baker Street San Francisco. They contain three dwelling units and guest rooms.
- (3) State in ordinary and concise language the specific nature of the action appealed from, together with any material facts relating thereto.
Seven-Day Order of Abatement to paint the building.
- (4) State the relief you seek and reasons why you claim the appealed action should be modified or reversed by this board. (Attach additional sheet(s) if necessary).
Defer Order of Abatement to paint the building until contractual arbitration with Buteo Builders is finished.
- (5) Please state /check appellant's relationship to the property: property owner owner's agent attorney architect engineer contractor other (_____) If the appellant is an agent of the owner(s) of record please attach documentation delineating representation.

(6) **Appellant's Information:**
Print Appellant's Name: Christopher A. Nedeau Daytime Phone Number: 415 516-4010

Appellant's Mailing Address: 154 Baker Street, San Francisco, CA 94117-2111

Abatement Appeals Board Appeal Application Form

Page Two

- (7) Please state any work that you are aware of that was performed at the subject property without required building, plumbing, electrical permits:
None
- (8) Did the current owner(s) of record own the property when this work was performed?
 Yes No
- (9) If no, explain property purchases and approximate time when work was performed:
N/A
- (10) Please state any work completed to correct the related code violations:
Drainage to sewer, power wash, scaffold and net building re: flaking paint, install chain link fence with chain lock to secure jobsite.
- (11) What was the extent of the work performed? How much remains to be completed?
- (12) When was the work done? Foundation reconstruction and partial steel framing
- (13) Who did the work? Buteo Builders and Spillane Engineering & Plumbing
- (14) What is your occupation? If you are a co-owner, list all other co-owners and other occupants.
Attorney co-owner with my wife, a retired teacher
- (15) Do you own other properties in San Francisco? Yes No
- (16) If yes, do any of these properties have active Department of Building Inspection code enforcement cases or Orders of abatement? Yes No
- (17) If Yes, please list Complaint Tracking or Order numbers
N/A
- (18) Have you owned property in San Francisco before? Yes No
- (19) Are you aware that building, plumbing, and/or electrical permits may be required to abate the subject code violations? Yes No
- (20) Have you applied for the required permits to abate the subject code violations? Yes No
If yes, please list permit applications:
 Building Permit Application Nos. _____
 Plumbing Permit Application Nos. _____
 Electrical Permit Application Nos. _____
- (21) What other permits have you been granted by the City? None
- (22) What other facts do you want the Board to consider?
The foundation contractor defaulted in October 2021 and placed a mechanic's lien on the property. Site was secured in December 2021. Contractual arbitration with JAMS is pending.

I declare under penalty of perjury and the laws of the State of California that the foregoing is true and correct.

Print Name: Christopher A. Nedeau

Signature: 

Date Signed: 1/19/23

Signatory is property owner agent other _____



CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
 49 South Van Ness Ave, Suite 400
 San Francisco, CA 94103-1226

PAYMENT RECEIPT

Printed on: 01/27/2023 01:22:32 PM

Housing Inspection Division

Phone:(628) 652-3700

Payment Date: 01/27/2023

Job Address

102 BAKER ST -

Receipt Number: HIS17818

Issued By: TMCNEAL

Payment received from:

Application Number:

NEDEAU LAW PC
 154 BAKER ST
 SAN FRANCISCO CA 94117

DH APPEAL FOR 102 BAKER ST 1219/018 #202290668

Payment received for the items indicated:

Fee Description	Payment Amount	Complaint#/ (if applicable)
HIS Appeals	\$158.10	

TOTAL \$158.10

BY 

DBI COPY

102 BAKER ST -



DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division
City and County of San Francisco
49 South Van Ness Avenue, San Francisco, California 94103-1226
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

COMPLAINT: 202290668

OWNER/AGENT: NEDEAU 1994 LIVING TRUST THE

DATE: 05-MAY-22

MAILING

ADDRESS: NEDEAU 1994 LIVING TRUST TH
CHRISTOPHER A NEDEAU
154 BAKER ST
SAN FRANCISCO CA
94117

LOCATION: 102 BAKER ST

BLOCK: 1219 **LOT :** 018

NOTICE TYPE: COMPLAINT

BUILDING TYPE: NA

USE TYPE: R3

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	102 Baker
2 ROUTE ROOF DRAINAGE TO SEWER	At the temporary downspouts, rainwater discharges onto the sidewalk. Have a professional route the downspouts into the sewer.
3 REMOVE DEBRIS (1306,1307 HC)	At the roof, there are loose shingles and other roof components which are falling off and landing on neighboring properties. Have a professional, using approved methods and materials, remove all loose materials (deteriorated roofing components) to prevent migration of materials on to neighboring properties and to prevent further materials from falling off of the building.
4 REMOVE OR COVER DAMAGED/PEELING PAINT IN AN APPROVED MANNER TO PREVENT A LEAD HAZARD. SEE LEAD HAZARD WARNING (1001k,1001h)	On all sides of the building, there is peeling, worn and missing paint. Remove or cover all worn and peeling paint to avoid lead hazard. (see lead hazard warning)



DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

COMPLAINT: 202290668

5 FOLLOW SAN FRANCISCO LEAD ORDINANCE REGULATIONS

LEAD HAZARD WARNING: Disturbing lead based paint can be EXTREMELY DANGEROUS to dwelling occupants and visitors, particularly to young children, pregnant women, pets, and to people performing work on the premises.

Section 327 of the San Francisco Existing Building Code regulates work that disturbs or removes lead based paint in the interior or exterior of pre-1979 buildings.

Informational packets available at 628 6523700 provide information on notification, performance standards, handling, containment and cleanup requirements for projects involving lead-based paint .

All dust, chips and debris must be contained to the area of work in an approved manner. Complaints about uncontained dust and chips will be investigated, and the cost of lead mitigation(clean-up), and clearance reports arising from uncontained dust and chips will be borne by the owner.

You can contact the San Francisco Childhood Lead Poisoning Prevention Program at: (415) 252 3956 for free advice. IF YOU CAUSE LEAD DUST TO BE CREATED, YOU COULD BE LIABLE FOR ANY ILLNESS CAUSED BY THE DUST. Ordinance #446-97.

*****IMPORTANT*****

All peeling paint and substrates are assumed to have lead content. All paint chips and dust must be contained and removed per the San Francisco Existing Building Code. Because removal of lead chips and dust is a specialty, the painter-contractor that does this work is to be licensed and certified by the State of California. If there is contamination, the cost of clean up and abatement will be the responsibility of the owner. If there is contamination, certified clean up and lead clearance reports will be required, and the cost of this clean up, testing and reports will be the RESPONSIBILITY OF THE OWNER.

6 PAINT BUILDING (1001H, 1001K)

In all areas where paint has been removed or is weathered or missing, prep and repaint using high quality paints, applied per the manufacturer's instructions, to protect wood, stucco, and other exterior surfaces from weather and wear.

7 PROVIDE EXTERIOR DOORS/WALLS (706 HC)

At the street, the cyclone (chain link) fence does not provide security. it is easily climbed, and there is a large gap where trespassers can pass through without climbing. Have a professional, using approved methods and materials, cover all entrances to the building (the open garage and any other openings) with plywood so that the building cannot be entered. There are reports of trespassers entering the building.



DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

COMPLAINT: 202290668

8 INSPECTOR COMMENTS

It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this Notice.

If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection time/date with the Inspector, and provide all tenants with notification as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during the reinspection.

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 06 June 2022 11:00 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Donald Osborne AT 628-652-3399

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$181.82 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION WARNINGS!

TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:

COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED: The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER: Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$111.23, and (2) an hourly rate of \$111.23 for case management/administration, and \$181.82 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

REFERRAL TO STATE FRANCHISE TAX BOARD:

REFERRAL TO STATE FRANCHISE TAX BOARD: Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

NOTICE OF VIOLATION WARNINGS! (Continued from page 1)

PUBLIC NUISANCES & MISDEMEANORS: Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

PERMIT REQUIREMENTS: Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 49 South Van Ness Ave, 2nd Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 49 South Van Ness Ave, Room 1475 at (628) 652-1150.

NOTIFICATION TO BUILDING TENANTS: Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

REINSPECTION FEES:

REINSPECTION FEES: For every inspection, after the initial re-inspection, a \$181.82 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:

VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE: Section 327 of the San Francisco Existing Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 327.8.1 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

P:\Notice of Violation Warningss\NOV Warning Sheet.docx (updated 09/20/2023)



1192 Page St
San Francisco CA 94117
United States
Feb 15, 2024 at 11:59:44 AM



Dec 21, 2023 at 11:12:45 AM



Dec 21, 2023 at 11:13:57 AM



104 Baker St
San Francisco CA 94117
United States
Dec 21, 2023 at 10:28:18 AM



Dec 21, 2023 at 11:13:10 AM



Dec 21, 2023 at 10:45:56 AM



Dec 21, 2023 at 11:13:03 AM



Dec 21, 2023 at 10:45:48 AM



Dec 21, 2023 at 11:12:52 AM



Dec 21, 2023 at 10:47:20 AM