

***Regular Meeting of the
Building Inspection
Commission***

August 21, 2024

Agenda Item 9a

***Presentation by Department of Building
Inspection***



Pre-Hearing Statement in Response to Tad Nguyen's Request for Jurisdiction

The Department of Building Inspection (DBI), hereby submits, the following pre-trial statement in response to Tad Nguyen's ("Appellant") Request for Jurisdiction. DBI denies the appellant's claim that his delay in filing an appeal was "due to misrepresentation, mistake, or other error on part of the City." DBI does not oppose the appellant's request for jurisdiction, and submits this statement to clarify the record regarding the events that led up to the filing.

In a letter dated, December 8, 2023, DBI notified the appellant that he is a potential listee of the department's Expanded Compliance Control ("ECC") list as a result of qualifying violations (see *Attachment A*). Contrary to the appellant's allegations, the letter was signed, sent via certified mail, and indicated that follow-up action was required. The letter specifically requested any exculpatory information from the appellant within 10 days if he believed his inclusion on the list was not warranted.

On December 21, 2023, DBI's Acting Chief Building Inspector, Kevin Birmingham, met with the appellant in person pursuant to his request and answered questions regarding the ECC program in general and the cited violations. On January 4, 2024, the appellant submitted a written response/appeal to the department's ECC notification (see *Attachment B*). On January 5, 2024, DBI sent a letter to the appellant advising him of the department's intent to move forward in placing him on the ECC list after considering his response (see *Attachment C*). The letter includes a link to our website with more information on the ECC program, which cites San Francisco Building Code Section 103.6 that mandates the expanded compliance control program. Had the appellant read the code section, he would have seen that he had a right to appeal the determination and the timeframe allowed. However, the department acknowledges that that there was no direct



information on how and when to file an appeal without an appellant having to research the code. Therefore, in an effort to improve our internal processes, increase transparency, and ensure good customer service, we are now including detailed information regarding the process for appealing expanded compliance control notification letters moving forward.

The appellant continued to reach out to DBI via a series of emails in April and May 2024 indicating his intent to appeal. On May 1, 2024, the department advised the appellant that he would need to file a Request for Jurisdiction form to the Building Inspection Commission.

DBI concedes that the department's communications could have been more clear to avoid any misunderstandings regarding our processes. As a result, DBI has improved the department's communications regarding the program and will provide clear instruction on appeals for all potential ECC list candidates moving forward.

DBI has no opposition to this Request for Jurisdiction.

A handwritten signature in blue ink, appearing to read "Matthew Greene", written over a horizontal line.

Matthew Greene
Deputy Director of Inspection Services

A handwritten date in blue ink, "August 12, 2024", written over a horizontal line.

Date



December 8, 2023

Tad Van Nguyen
456 Urbano Drive
San Francisco, CA 94127

RE: Expanded Compliance Control

Dear Mr. Nguyen,

Per San Francisco Building Code section 103A.6, we are notifying you that you are associated with four qualifying Notices of Violation and are therefore subject to expanded compliance control. This is based on our review of the following complaints in which you were associated as the contractor:

Complaint No: 202288508	1237 Shafter Street
Complaint No: 202288535	1239 Shafter Street
Complaint No: 202297682	1600 Thomas Avenue
Complaint No: 202309896	352 Head Street

SFBC Section 103A.6 mandates that the Department perform the following Expanded Compliance Control measures for each individual placed on the Expanded Compliance Control List:

- provide the Director's final determination and findings to any applicable licensing board or regulatory agency (if any)
- require all new or existing permits or addenda submitted by or containing reference to a listee undergo Expanded Compliance Control by senior Plan Review Services staff and review at intake by applicable departments
- notify the listee and all other parties associated with the listee on a permit application or addenda of the Expanded Compliance Control requirements
- require a licensed contractor be named on a permit
- require site inspection by DBI and the Planning Department prior to permit issuance for projects associated with the listee
- dedicate a Senior Inspector to respond to complaints and conduct all inspections regarding the listee
- if warranted, consult with City Attorney about any other enforcement options.

If you believe expanded compliance control is not warranted, please submit any exculpatory information the department should consider when making a final determination. Please respond within 10 business days from the date of this letter. If we have not received a response within the designated time, we will forward the matter to the Director for a final determination.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Birmingham", written over a horizontal line.

Acting Kevin Birmingham
Chief Building Inspector

P:\clerical\Complaints_Expanded Tracking\Compliance Control Tracking_Customer Notification Letters_Tad Van Nguyen



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
 City and County of San Francisco
 49 South Van Ness Ave, Suite 400 San Francisco, CA

NUMBER: 202288508
 DATE: 10-MAR-22

ADDRESS: 1237 SHAFTER AV

OCCUPANCY/USE: ()

BLOCK: 4792 LOT: 025

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: REID AMANDA
 MAILING REID AMANDA
 ADDRESS 1237 SHAFTER AVE
 SAN FRANCISCO CA

PHONE #: --

94124

PERSON CONTACTED @ SITE:

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	103A
<input checked="" type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4; 106A.3.7
<input type="checkbox"/> UNSAFE BUILDING <input checked="" type="checkbox"/> SEE ATTACHMENTS	102A.1

Demolition beyond scope of approved plans. Existing rear 2 story addition has been demolished. Approved plans show addition between gridlines 2-4 to be saved.
 Code/Section: SFBC 106A.4.7

Monthly monitoring fee applies.
 Code/Section: SFBC 110A, Table 1A-K

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4
- FILE BUILDING PERMIT WITHIN 30 DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 60 DAYS AND COMPLETE ALL WORK WITHIN 90 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- CORRECT VIOLATIONS WITHIN 90 DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.
- FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
 SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Stop all work associated with 201809281772. Obtain revision permit with DCP approval documenting all changes from original approved plans. Obtain all required inspections on revision permit including corresponding Plumbing and Electrical.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT 10-MAR-22 VALUE OF WORK PERFORMED W/O PERMITS \$20000

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Philip Saunders

PHONE # 628-652-3608

DIVISION: BID

DISTRICT : 11

By:(Inspectors's Signature) _____



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
 City and County of San Francisco
 49 South Van Ness Ave, Suite 400 San Francisco, CA

NUMBER: 202288535
 DATE: 14-MAR-22

ADDRESS: 1239 SHAFTER AV

OCCUPANCY/USE: ()

BLOCK: 4792 LOT: 025

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: REID AMANDA
 MAILING REID AMANDA
 ADDRESS 1237 SHAFTER AVE
 SAN FRANCISCO CA

PHONE #: --

94124

PERSON CONTACTED @ SITE:

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	103A
<input checked="" type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4; 106A.3.7
<input type="checkbox"/> UNSAFE BUILDING <input checked="" type="checkbox"/> SEE ATTACHMENTS	102A.1

Site Inspection has revealed excavation at east and west property lines beyond scope of approved permits. Both sides excavated at PL below neighbors footing removing lateral support. West side also Underpinned neighbors footing at 2 sections w/out approved revision. Shoring permit not obtained per plans.

Code/Section: SFBC 106.4.7

Monthly monitoring fee applies.

Code/Section: SFBC 110A, Table 1A-K

CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

- FILE BUILDING PERMIT WITHIN 15 DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN 60 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- CORRECT VIOLATIONS WITHIN DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

● **FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN. SEE ATTACHMENT FOR ADDITIONAL WARNINGS.**

Obtain evaluation and direction from a licensed professional engineer and submit to DBI within 48 hours. File for and obtain Revision permits and inspections as required.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT

VALUE OF WORK PERFORMED W/O PERMITS \$20000

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Philip Saunders

PHONE # 628-652-3608

DIVISION: BID

DISTRICT : 11

By:(Inspectors's Signature) _____



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
49 South Van Ness Ave, Suite 400 San Francisco, CA

NUMBER: 202297682
DATE: 31-OCT-22

ADDRESS: 1600 THOMAS AV

OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS, TOWNHOUSES) BLOCK: 5359 LOT: 013

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: MADISON MAVERICK H
MAILING: MADISON MAVERICK H
ADDRESS: 1629 SHAFTER AVE
SAN FRANCISCO CA

PHONE #: --

94124

PERSON CONTACTED @ SITE: MADISON MAVERICK H

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	103A
<input checked="" type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4; 106A.3.7
<input type="checkbox"/> UNSAFE BUILDING <input checked="" type="checkbox"/> SEE ATTACHMENTS	102A.1

Following a complaint and a subsequent site visit, it has been discovered that work has exceeded beyond PA# 2022-1024-5021. Two rear yard stair/deck structures have been demolished and rebuilt with a new configuration. Both fences along public right of way at Lane St and Thomas Av have been demolished and rebuilt to approximately 6 feet high.

Code/Section: 106.1.1, 106.4.7, 106.4.4, 107.1

CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

- FILE BUILDING PERMIT WITHIN 30 DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 60 DAYS AND COMPLETE ALL WORK WITHIN 90 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- CORRECT VIOLATIONS WITHIN DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

● FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

File for a new building permit with accurate separate existing and proposed plans. City planning department review will be required on this permit.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT 17-OCT-22 VALUE OF WORK PERFORMED W/O PERMITS \$25000

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Jonathan Chiu

PHONE # 628-652-3646

DIVISION: BID

DISTRICT : 11

By:(Inspectors's Signature) _____



NOTICE OF VIOLATION
of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
49 South Van Ness Ave, Suite 400 San Francisco, CA

NUMBER: 202309896
DATE: 27-JUN-23

ADDRESS: 352 HEAD ST

OCCUPANCY/USE: ()

BLOCK: 7116 LOT: 048

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: KIM NGUYEN
MAILING KIM NUGYEN
ADDRESS 456 URBANO DRIVE
SAN FRANCISCO
CA 94127

PHONE #: --

PERSON CONTACTED @ SITE:

PHONE #: --

VIOLATION DESCRIPTION:

VIOLATION DESCRIPTION:	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	103A
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4; 106A.3.7
<input checked="" type="checkbox"/> UNSAFE BUILDING <input checked="" type="checkbox"/> SEE ATTACHMENTS	102A.1

Following a site visit to 350 Head St, it was observed that framing has begun at 352 Head St. The entire ground floor has been framed and 2nd floor exterior walls have been framed and stood up. Approved plans have the exterior walls - the current walls do not have the required 5/8 Type X sheetrock and blind wall was not inspected.

Code/Section: SFBC 108A.7.1

Monthly monitoring fee applies.

Code/Section: SFBC 110a Table 1A-K

CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

- FILE BUILDING PERMIT WITHIN DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
 OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.

CORRECT VIOLATIONS WITHIN 15 DAYS. NO PERMIT REQUIRED

YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

- FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Deconstruct walls and install required 5/8" Type X sheetrock to achieve 1 HR exterior wall assembly. Call for inspection before reinstalling exterior walls.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT) NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)
 OTHER: REINSPECTION FEE \$

APPROX. DATE OF WORK W/O PERMIT VALUE OF WORK PERFORMED W/O PERMITS \$

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Kevin T Birmingham

PHONE # 628-652-3606

DIVISION: BID

DISTRICT :

By:(Inspectors's Signature) _____



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe, Substandard or Noncomplying Structure or Land or Occupancy

Pursuant to SFBC 107A.5 and 106A.4.7 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., Suite 1475 (14th Floor). (628) 652-1150.

WARNING: Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid, SFBC 102A.2 & 110A.

WARNING: Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

WARNING: Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17254(6) of the Revenue and Taxation Code.

WARNING: Section 103A of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107A.5 y 106A.4.7 de el Código de Construcción, de Edificios de San Francisco, gastos de Investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince días de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 652-1150.

ADVERTENCIA: Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobraran al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 102A.2 y 110A de el Código de Construcción de Edificios.

ADVERTENCIA: La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de incumplimiento, seguida por una multa de \$200 por cada segunda infracción de incumplimiento, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios o 6 meses de encarcelamiento o ambas sanciones.

ADVERTENCIA: Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o esta diligentemente, rapidamente y contuamente acusado despues de seis(6) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesion de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1254(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

ADVERTENCIA: La Sección 103A de el Código de edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omite, descuide, se niega a cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas per delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurra.

Sang-ayon sa SFBC 107A.5 at 106A.4.7 ang bayad sa pagsusuri ay sisilingin sa mga gusaling naumpisahan na o ginawa na walang permit o sa mga gawaing labis sa sakop ng permit. Ang gayong singil ay maaring iapeta sa Board of Permit Appeals sa loob ng 15 na araw mula sa pag-isyu ng permit sa 49 South Van Ness Ave., suite 1475 (14th palapag). (628)652-1150.

BABALA: Ang kabiguan na gumawa ng aksiyon tulad ng kinakailangan upang iwasto ang mga nasabing paglabag ay magreresulta sa paglilitis ng abatement ng Kagawaran ng Inspeksyon ng Gusali. Kung meron Order of Abatement ang naitala laban sa isang ari-arian, ang may-ari ay sisilingin o di kaya ang ari-arian ay gagamitin na lien sa lahat ng mga gastos na natamo sa proseso ng pagpapatupad mula sa unang "Paunawa sa Paglabag" hanggang sa lahat ng gastos ay mabayaran. SFBC 102A.2 & 110A.

BABALA: Ang Seksyon 204 ng Housing Code ng San Francisco ay nagtatakda ng agad-agad na multa na \$100 sa bawat halimbawa ng unang hindi pagsunod, at susundan ng multa na \$200 sa bawat paglabag sa pangalawang hindi pagsunod, hanggang sa sukdulan na \$7,500 sa bawat gusali. Ang seksyon na ito ay itinatagda na magsasampá rin ng kasong kriminal alang isang misdemeanor sa bawat paglabag at magreresulta sa multa na hindi bababa ng \$1,000 sa bawat araw o di kaya sa anim na buwan na pagkabilanggo o parehong ipapataw.

BABALA: Sinumang mukikita sa pag-upa ng pabahay na tinukoy ng Kagawaran ng Inspeksyon ng Gusali na substandard, ay hindi maaring ibawas ang ganoong kita sa buwis sa estado ng kitang personal, at gayundin sa buwis na kita sa interes sa bangko at korporasyon, at sa depresasyon o mga buwis na mailugnay sa gusaling substandard. Kung ang Gawain sa pagwawasto ay hindi nakumpleto o hindi masigagal, mabilis at tuloy-tuloy ang paggawa matapos ang anim (6) na buwan mula sa petsa nitong paunawa, ay magpapadala ng abiso sa Franchise Tax Board na itinakda sa Seksyon 17254(6) ng Revenue and Taxation code.

BABALA: Ang Seksyon 103A ng Building Code ng San Francisco ay nagtatakda ng mga multang sibil hanggang sa \$500 sa bawat araw sa sinumang lumabag, sumuway, magtanggap, magpabaya o tumangging sumunod o di kaya sumalungat sa pagpapatupad ng mga probisyon nitong code. Nagpapataw din itong seksyon ng multang misdemeanor kapag nahatulan, ng hanggang sa \$500 at o di kaya anim na buwan na pagkabilanggo sa bawat magkahiwalay na pagkasala para sa bawat araw na nangyari ang ganoong pagkasala.

根據《三藩市建築物條例》第107.5條款和第106.4.7條款，對未經許可的建築工程或者工程超過許可証範圍的檢查，將會收取檢查費用。對該費用可以作出上訴，可以在許可證發出的15天之內，向“上訴委員會”（Board of Appeals）作出上訴。上訴委員會地址：49 South Van Ness Ave., Suite 1475 (14th Floor)，電話：(628) 652-1150。

警告：如乘沒有立即採取行動更正以上的違規情況，可能會引致樓宇檢查局展開執法行動。如果執法命令正式紀錄於該物業，業主可能會收到賬單，或者該物業會被抵押，用於支付從張貼第一張“違例通知”開始，在執法過程當中所產生的所有費用，直至所有費用付清為止。
《三藩市建築物條例》第102.2條款和第110條款。

警告：三藩市房屋條例第204條對最初的違例會立即處以每項100元的罰款，接下來會對第二次的違例處以每項200元的罰款，最高可以對每座建築物處以7,500元的罰款。該條例還可以對每項違例處以輕微罪行的刑事檢控，可處以每日最少1,000元的罰款或6個月的監禁，或兩者並罰。

警告：任何從樓宇檢查局認定為低於標準的房屋中獲取租金收入的個人，對於該低於標準的建築結構，將不能用於減免州的個人所得稅和銀行以及企業的所得稅利息、折舊或適用於該房屋的稅項。如果在該通知日期的6個月之後，更正工程尚未完成，或者沒有努力、快速和繼續進行有關工程，有關通知將會根據《收入及稅務條例》第17254 (6) 條款寄給加州平稅委員會。

警告：三藩市建築物條例第103條款可給予每天最高可至500元的行政罰款，對任何違反、不遵從、遺漏、疏忽或拒絕遵守或反對執行該條例的任何條款。該條款可給予輕微罪行的罰款，一經定罪，可以對每一項單獨的違例，違例期間的每一天，處於最高500元和/或最高6個月的監禁。

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tad Van Ngyuen
456 Urbano Drive
San Francisco, CA 94127



9590 9402 6815 1074 5847 11

2. Article Number (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
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- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

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7022 1670 0001 3495 4874

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

CERTIFIED MAIL®



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7022 1670 0001 3495 4874

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Certified Mail Fee

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- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and Fees

\$

Sent To

Tad Ngyuen
456 Urbano Drive
San Francisco, Ca 94127

Street and Apt

City, State, Zip

PS Form 3800

Postmark
Here

Greene, Matthew (DBI)

From: tad nguyen <tad879@gmail.com>
Sent: Thursday, January 4, 2024 6:55 PM
To: Birmingham, Kevin (DBI)
Cc: Greene, Matthew (DBI); O'Riordan, Patrick (DBI); DBICUSTOMERSERVICE, DBI (DBI)
Subject: Re: Expanded Compliance Control

Hi Kevin,

Per our last meeting on Dec. 21, 2023 at your office. At the meeting, I rebutted your letter dated december 8, but you didn't recall the letter details due to it being automated. In turn, you asked me to put in email and copy Matt.

It was the end of the year, so I asked for more time after next year perhaps.

Here are my responses and appeal:

1. Complaint No. 202288508 1237 Shafter Street.

It is a single dwelling with 2 addresses, the upper level is 1237 Shafter, the lower level is 1239 Shafter Street. Before we accept the job offer. The building was in 5 NOVs. involved unsafe, no footing, illegal height and addition.

We raised the building to make the height legal, and found that the building got no footing, for safety pur[pose], the building raiser demolished the lower section. We rebuilt all perimeter concrete footing per code. We called for inspections, Phil Saunder, inspector, cited us for not having a demo permit.

We resolved all this with plans and permits approved, we moved on and completed the project with the CoC.

2. Complaint No. 202288535 1239 Shafter Street, same as above.

3. Complaint No. 202297682 1600 Thomas Street.

The owner knew us from the neighborhood. Came to meet us with NOV, asked us for help to resolve all issues with plans, approved by the Planning dept.. We completed the project with building inspector approval.

4. Complaint No. 202309896 352 Head St.

Per an inspector observation, cited that we constructed the blind walls w/o fire rated 5/8" sheetrock exterior layer. We obliged, removed and rebuilt, inspected and approved by Mauricio Hernandez and you (Kevin B.). Later we found that the approved building plan had called for Fire permits, plans and Fire Sprinklers. Due to the Fire Sprinkler required by the approved fire plan. We were just wondering if the 5/8" sheetrock required an exterior layer?? Anyhow, we got a permit for the correction filed.

We strongly believe that we are helping and contributing to the city to improve more living space, condition, and safety for a viable city.

I also strongly believe that the Expanded Compliance Control is unfounded, unreasonable!

Thank you for your time.

Tad
650-766-7342



January 5, 2024

Tad Van Nguyen
456 Urbano Drive
San Francisco, CA 94127

RE: Expanded Compliance Control

Dear Mr. Nguyen,

Thank you for the email response dated January 4, 2024. Having considered your response, the Department of Building Inspection (DBI) continues to believe that you should be placed on the Expanded Compliance Control (ECC) list. This letter is to inform you that, per San Francisco Building Code section 103A.6 you have been placed on the DBI's ECC list.

Therefore, SFBC section 103A.6.4.2 mandates that the Department perform the following ECC measures for each individual placed on the ECC List ("listee"):

1. Provide the Director's final determination and findings to any applicable licensing board or regulatory agency (if any)
2. Require all new or existing permits or addenda submitted by, or containing reference to, a listee undergo Expanded Compliance Control by senior Plan Review Services staff and review at intake by applicable departments
3. Require site inspections by DBI and the Planning Department prior to permit issuance for projects submitted by or containing reference to the listee;
4. Require a licensed contractor be named on a permit prior to issuance, unless the applicant is filing for the permit as an Owner-Builder, in conformance with Cal. Health & Safety Code section 19825;
5. Dedicate a Senior Inspector to respond to complaints and conduct all inspections regarding the listee;
6. Consult with City Attorney, if warranted, about any other enforcement options; and
7. Though not mandated, the Department will notify the listee and all other parties associated with the listee on a permit application or addenda of the Expanded Compliance Control requirements.

Further details can be found at: <https://www.sf.gov/reports/september-2023/expanded-compliance-control-program>

Sincerely,

A handwritten signature in blue ink that reads "Kevin Birmingham for".

Kevin Birmingham
Acting Chief Building Inspector

Building Inspection Division
49 South Van Ness, Suite 400– San Francisco CA 94103
Office (628) 652-3400 – www.sfdbi.org

Staff Summary Report

Expanded Compliance Control

Identified Candidate:

Tad Van Nguyen
456 Urbano Drive
San Francisco, CA 94127

Staff Summary Report¹

The Building Inspection Division (BID) has identified the above-named individual as a candidate for Expanded Compliance Control pursuant to San Francisco Building Code (SFBC) section 103A.6. On December 8, 2022, the Candidate was notified in writing² that they have been associated with three or more qualifying Notices of Violation (NOV) within eighteen (18) months and are therefore eligible to be added to the Expanded Compliance Control List. The Candidate's response is attached to this Staff Report. Despite the response, BID still feels that the Candidate should be placed on the Expanded Compliance Control list.

This determination is based on our review of the following Notice of Violations (NOVs) in which the Candidate was associated as the contractor:

1. **1237 Shafter Avenue NOV # 202288508** (issued March 10, 2022): *Demolition beyond scope of approved plans. Existing rear 2 story addition has been demolished. Approved plans show addition between gridlines 2-4 to be saved. Code section: SFBC 106A.4.7.* These violations described above are significant violations as described in SFBC section 103A.6.1. The Candidate is listed as the contractor on permit application #'s 201809281772 (legalization and rehabilitation of rear addition and stairs).
2. **1239 Shafter Avenue NOV # 202288535** (issued March 14 2022): *Site Inspection has revealed excavation at east and west property lines beyond scope of approved permits. Both sides excavated at PL below neighbors footing removing lateral support. West side also Underpinned neighbors footing at 2 sections w/out approved revision. Shoring permit not obtained per plans. Code/Section: SFBC 106.4.7.* These violations described above are significant violations as described in SFBC section 103A.6.1. The Candidate is listed as the contractor on permit application #'s 201809281772 (legalization and rehabilitation of rear addition and stairs).

¹ Pursuant to SFBC section 103A.6.3.2.

² Pursuant to SFBC section 103A.6.3.2.

rear yard stair/deck structures have been demolished and rebuilt with a new configuration. Both fences along public right of way at Lane St and Thomas Av have been demolished and rebuilt to approximately 6 feet high. Code/Section: 106.1.1, 106.4.7, 106.4.4, 107.1 These violations described above are significant violations as described in SFBC section 103A.6.1. The Candidate is listed as the contractor on permit application #'s 202210245021 (for complete painting overlay 3/4" ext. wood paneling over existing PT plywood for painting less than 100 sq. ft.). This was the only active building permit at the time of the violation.

4. **352 Head Street NOV # 202309896** (issued June 27, 2023) *Following a site visit to 350 Head St, it was observed that framing has begun at 352 Head St. The entire ground floor has been framed and 2nd floor exterior walls have been framed and stood up. Approved plans have the exterior walls - the current walls do not have the required 5/8 Type X sheetrock and blind wall was not inspected. Code/Section: SFBC 108A.7.1* These violations described above are significant violations as described in SFBC section 103A.6.1. The Candidate is listed as the contractor on permit application #'s 202101192885 (for new construction of a 3 story, 2 dwelling unit structure). This was the only active building permit at the time of the violation.

The following factors, as set forth in SFBC section 103A.6.3.1, support the conclusion below that this candidate should be placed on the Expanded Compliance Control List:

- The Candidate was the contractor at each of these properties at the time of Violation.
- The extensive work without a valid permit, and therefore without the critical Department oversight that is necessary to ensure the work was code compliant, potentially impacts individual or public health and safety.
- The Candidate accumulated these three serious violations at three different properties in less than one year.

Therefore, SFBC section 103A.6.4.2 mandates that the Department perform the following Expanded Compliance Control measures for each individual placed on the Expanded Compliance Control List ("listee"):

1. Provide the Director's final determination and findings to any applicable licensing board or regulatory agency (if any)
2. Require all new or existing permits or addenda submitted by, or containing reference to, a listee undergo Expanded Compliance Control by senior Plan Review Services staff and review at intake by applicable departments
3. Require site inspections by DBI and the Planning Department prior to permit issuance for projects submitted by or containing reference to the listee;
4. Require a licensed contractor be named on a permit prior to issuance, unless the applicant is filing for the permit as an Owner-Builder, in conformance with Cal. Health & Safety Code section 19825;
5. Dedicate a Senior Inspector to respond to complaints and conduct all inspections regarding the listee;
6. Consult with City Attorney, if warranted, about any other enforcement options; and
7. Though not mandated, the Department will notify the listee and all other parties associated with the listee on a permit application or addenda of the Expanded Compliance Control requirements.

RECOMMENDED:



Kevin Birmingham
Acting Chief Building Inspector

APPROVED:



Matthew Greene
Acting Deputy Director



Patrick O'Riordan,
Director C.B.O.



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
49 South Van Ness Ave, Suite 400 San Francisco, CA

NUMBER: 202288508
DATE: 10-MAR-22

ADDRESS: 1237 SHAFTER AV
OCCUPANCY/USE: ()

BLOCK: 4792 LOT: 025

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: REID AMANDA
MAILING REID AMANDA
ADDRESS 1237 SHAFTER AVE
SAN FRANCISCO CA

PHONE #: --

94124

PERSON CONTACTED @ SITE:

PHONE #: --

VIOLATION DESCRIPTION:

CODE/SECTION#
103A
106A.4.7
106A.4.4; 106A.3.7
102A.1

- WORK WITHOUT PERMIT
- ADDITIONAL WORK-PERMIT REQUIRED
- EXPIRED OR CANCELLED PERMIT PA#:
- UNSAFE BUILDING SEE ATTACHMENTS

Demolition beyond scope of approved plans. Existing rear 2 story addition has been demolished. Approved plans show addition between gridlines 2-4 to be saved.
Code/Section: SFBC 106A.4.7

Monthly monitoring fee applies.
Code/Section: SFBC 110A, Table 1A-K

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4
- FILE BUILDING PERMIT WITHIN 30 DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 60 DAYS AND COMPLETE ALL WORK WITHIN 90 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- CORRECT VIOLATIONS WITHIN 90 DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

● FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Stop all work associated with 201809281772. Obtain revision permit with DCP approval documenting all changes from original approved plans. Obtain all required inspections on revision permit including corresponding Plumbing and Electrical.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT 10-MAR-22 VALUE OF WORK PERFORMED W/O PERMITS \$20000

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Philip Saunders
PHONE # 628-652-3608

DIVISION: BID

DISTRICT : 11

By:(Inspector's Signature) _____



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
49 South Van Ness Ave, Suite 400 San Francisco, CA

NUMBER: 202288535
DATE: 14-MAR-22

ADDRESS: 1239 SHAFTER AV
OCCUPANCY/USE: ()

BLOCK: 4792 LOT: 025

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: REID AMANDA
MAILING REID AMANDA
ADDRESS 1237 SHAFTER AVE
SAN FRANCISCO CA

PHONE #: --

94124

PERSON CONTACTED @ SITE:

PHONE #: --

VIOLATION DESCRIPTION:

CODE/SECTION#
103A
106A.4.7
106A.4.4; 106A.3.7
102A.1

- WORK WITHOUT PERMIT
- ADDITIONAL WORK-PERMIT REQUIRED
- EXPIRED OR CANCELLED PERMIT PA#:
- UNSAFE BUILDING SEE ATTACHMENTS

Site Inspection has revealed excavation at east and west property lines beyond scope of approved permits. Both sides excavated at PL below neighbors footing removing lateral support. West side also Underpinned neighbors footing at 2 sections w/out approved revision. Shoring permit not obtained per plans.

Code/Section: SFBC 106.4.7

Monthly monitoring fee applies.
Code/Section: SFBC 110A, Table 1A-K

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4
- FILE BUILDING PERMIT WITHIN 15 DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN 60 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- CORRECT VIOLATIONS WITHIN DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

● FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Obtain evaluation and direction from a licensed professional engineer and submit to DBI within 48 hours. File for and obtain Revision permits and inspections as required.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT VALUE OF WORK PERFORMED W/O PERMITS \$20000

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Philip Saunders
PHONE # 628-652-3608

DIVISION: BID

DISTRICT: 11

By:(Inspector's Signature) _____



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
49 South Van Ness Ave, Suite 400 San Francisco, CA

NUMBER: 202297682
DATE: 31-OCT-22

ADDRESS: 1600 THOMAS AV

OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS, TOWNHOUSES) BLOCK: 5359 LOT: 013

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: MADISON MAVERICK H
MAILING: MADISON MAVERICK H
ADDRESS: 1629 SHAFTER AVE
SAN FRANCISCO CA

PHONE #: --

94124

PERSON CONTACTED @ SITE: MADISON MAVERICK H

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	103A
<input checked="" type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4; 106A.3.7
<input type="checkbox"/> UNSAFE BUILDING <input checked="" type="checkbox"/> SEE ATTACHMENTS	102A.1

Following a complaint and a subsequent site visit, it has been discovered that work has exceeded beyond PA# 2022-1024-5021. Two rear yard stair/deck structures have been demolished and rebuilt with a new configuration. Both fences along public right of way at Lane St and Thomas Av have been demolished and rebuilt to approximately 6 feet high.
Code/Section: 106.1.1, 106.4.7, 106.4.4, 107.1

CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

FILE BUILDING PERMIT WITHIN 30 DAYS

(WITH PLANS) A copy of This Notice Must Accompany the Permit Application

OBTAIN PERMIT WITHIN 60 DAYS AND COMPLETE ALL WORK WITHIN 90 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.

CORRECT VIOLATIONS WITHIN DAYS.

NO PERMIT REQUIRED

YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

- FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

File for a new building permit with accurate separate existing and proposed plans. City planning department review will be required on this permit.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)

OTHER:

REINSPECTION FEE \$

NO PENALTY
(WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT 17-OCT-22 VALUE OF WORK PERFORMED W/O PERMITS \$25000

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Jonathan Chiu

PHONE # 628-652-3646

DIVISION: BID

DISTRICT: 11

By:(Inspectors's Signature) _____



NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION NOTICE: 1
City and County of San Francisco
49 South Van Ness Ave, Suite 400 San Francisco, CA

NUMBER: 202309896
DATE: 27-JUN-23

ADDRESS: 352 HEAD ST
OCCUPANCY/USE: 0

BLOCK: 7116 LOT: 048

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: KIM NGUYEN
MAILING: KIM NUGYEN
ADDRESS: 456 URBANO DRIVE
SAN FRANCISCO
CA 94127

PHONE #: --

PERSON CONTACTED @ SITE:

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	103A
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4; 106A.3.7
<input checked="" type="checkbox"/> UNSAFE BUILDING <input checked="" type="checkbox"/> SEE ATTACHMENTS	102A.1

Following a site visit to 350 Head St, it was observed that framing has begun at 352 Head St. The entire ground floor has been framed and 2nd floor exterior walls have been framed and stood up. Approved plans have the exterior walls - the current walls do not have the required 5/8 Type X sheetrock and blind wall was not inspected.
Code/Section: SFBC 108A.7.1

Monthly monitoring fee applies.
Code/Section: SFBC 110a Table 1A-K

CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

- FILE BUILDING PERMIT WITHIN DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
- CORRECT VIOLATIONS WITHIN 15 DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

● FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Deconstruct walls and install required 5/8" Type X sheetrock to achieve 1 HR exterior wall assembly. Call for inspection before reinstalling exterior walls.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60) 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER: REINSPECTION FEE \$ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT

VALUE OF WORK PERFORMED W/O PERMITS \$

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Kevin T Birmingham

PHONE # 628-652-3606

DIVISION: BID

DISTRICT:

By: (Inspector's Signature) _____

Greene, Matthew (DBI)

From: tad nguyen <tad879@gmail.com>
Sent: Thursday, January 4, 2024 6:55 PM
To: Birmingham, Kevin (DBI)
Cc: Greene, Matthew (DBI); O'Riordan, Patrick (DBI); DBICUSTOMERSERVICE, DBI (DBI)
Subject: Re: Expanded Compliance Control

Hi Kevin,

Per our last meeting on Dec. 21, 2023 at your office. At the meeting, I rebutted your letter dated december 8, but you didn't recall the letter details due to it being automated. In turn, you asked me to put in email and copy Matt.

It was the end of the year, so I asked for more time after next year perhaps.

Here are my responses and appeal:

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We raised the building to make the height legal, and found that the building got no footing, for safety pur[pose], the building raiser demolished the lower section. We rebuilt all perimeter concrete footing per code. We called for inspections, Phil Saunder, inspector, cited us for not having a demo permit.

We resolved all this with plans and permits approved, we moved on and completed the project with the CoC.

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The owner knew us from the neighborhood. Came to meet us with NOV, asked us for help to resolve all issues with plans, approved by the Planning dept.. We completed the project with building inspector approval.

4. Complaint No. 202309896 352 Head St.

Per an inspector observation, cited that we constructed the blind walls w/o fire rated 5/8" sheetrock exterior layer. We obliged, removed and rebuilt, inspected and approved by Mauricio Hernandez and you (Kevin B.). Later we found that the approved building plan had called for Fire permits, plans and Fire Sprinklers. Due to the Fire Sprinkler required by the approved fire plan. We were just wondering if the 5/8" sheetrock required an exterior layer?? Anyhow, we got a permit for the correction filed.

We strongly believe that we are helping and contributing to the city to improve more living space, condition, and safety for a viable city.

I also strongly believe that the Expanded Compliance Control is unfounded, unreasonable!

Thank you for your time.

Tad
650-766-7342

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tad Van Nguyen
456 Urbano Drive
San Francisco, CA 94127



9590 9402 5506 9249 3276 28

2. Article Number (Transfer from service label)

7019 2280 0001 8292 8425

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
CERTIFIED MAIL®



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CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To Tad Van Nguyen

Street and Apt. No., or PO Box No.
456 Urbano Drive

City, State, ZIP+4®
San Francisco, CA 94127

Postmark
Here

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions