

*Regular Meeting of the
Abatement Appeals Board*

October 16, 2024

*Agenda Item C2
Staff Report - Case No. 6909*



Department of Building Inspection
Housing Inspection Services
49 South Van Ness Avenue, 4th Floor
San Francisco, California 94103-1226

Housing Inspection Services Division

Abatement Appeals Board (AAB)
Staff Report

Appeal Number: 6909
Date of Abatement Appeals Board Hearing: October 16, 2022
Property Address: 2455 Jackson Street, San Francisco, CA 94115
Block/Lot: 0606/024
Complaint Tracking Number: 202183625

Property Owner Information

Property Owner(s) Name: Nancy E Ryti Spousal Irrevocable Trust
Property Owner(s) Mailing Address: [REDACTED]
San Francisco, CA [REDACTED]
Property Owner(s) Phone Number: [REDACTED]
Appellant: Robert Korman

Property Description and Occupancy Information

Legal use: R2, Type 5 unsprinkled construction. The property is a 5 unit building with four floors of occupancy, built in 1870.

Occupancy Status: At the time of inspections the building appeared empty. Subsequent research revealed that this property has been listed with DBI's vacant building program.

Update: The owner has not provided access to the inspector to conduct follow up inspections or document the completion of work regarding these violations.

Case Summary

The case was received on October 27, 2021 regarding the dangerous conditions resulting from deferred maintenance, slow progress on unpermitted remodeling work and poorly stored building materials falling from the upper levels of the structure.

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Block 0606 Lot 024
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On the date of first inspection, October 28, 2021, the neighbors from both sides of this address brought the inspector into their respective dwelling units to show the substandard conditions that worry them. Both of these neighbors are parents that stated building materials had fallen and broken through windows of their own dwelling units.

The owner of this property was issued a:

Notice of Violation on October 29, 2021 (still outstanding)
Final Warning Letter April 1, 2022
30 Day Order of Abatement, June 27, 2022

Original Abatement of Appeals Board Hearing was Cancelled

Case History

October 27, 2021 Complaint was received.

October 27, 2021 Inspector Grady spoke with the complainant and scheduled an inspection.

October 28, 2021 Inspector Grady conducted an inspection of the premises. The inspector was met out in the front of the property by the complainant and a neighbor from the East side of the subject property. The inspection was conducted from the two adjacent properties on the East and West sides.

October 29, 2021 The Notice of Violation was prepared and sent to the owner and two neighbors.

November 4, 2021 The Notice of Violation was posted on the front of the building.

November 5, 2021 The owner left voicemail messages for Inspector Grady. The inspector attempted calling the owner back but his voicemail was full.

November 9, 2021 The complainant informed the inspector of two typos. The NOV was corrected and resent to the owner and two neighbors.

November 17, 2021 Robert Korman's hand written letter.

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November 19, 2021 Received Robert Korman's "Further Memorandum of Understanding".

November 30, 2021 Received Robert Korman's "Further Memorandum – Agreement of Mutual Understanding"

December 1, 2021 Inspector Grady reviewed correspondence and case file with Senior Inspector Lopez. Senior Inspector Lopez advised Inspector Grady to adhere to standard protocol regarding timeline.

December 2, 2021 Inspector Grady attempted to re-inspect the property but the owner did not appear for the appointed time.

December 8, 2021 Inspector Grady received an email from the owner with a copy of a hand written note sent to DBI and date stamp received November 17, 2021.

December 8, 2021 Inspector Grady received a packet with the owner's request to provide a "reasonable accommodation" under the Americans with Disability Act to complete the work. The owner sent a packet of Health documents to DBI with the request for "reasonable accommodation" that eventually reached Inspector Grady's desk.

December 13, 2021 Received Robert Korman's "Latest Health Updates in Further Support of DBI's Mandatory ADA Compliance"

January 15, 2022 Received an email update from the neighbor to the East, stating that some work had occurred but is "by no means" complete.

March 23, 2022 Neighbor to the East sent an email that states that Mr. Korman has been very active performing work, moving appliances in and out of the property. Still lots of debris in the backyard and on the upper levels of the structure.

April 1, 2022 Inspector Grady prepared case file for a Director's Hearing.

April 1, 2022 The owner was sent a Final Warning Letter.

April 20, 2022 Inspector Grady passed the case file to Senior Inspector Lopez for approval and then calendared the case for a Director's Hearing.
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May 5, 2022 Inspector Moy (Dang) posted the Notice of Director's Hearing on the premises.

May 16, 2022 Received the owner's request for 30-day continuance for good cause.

May 17, 2024 Received Attorney at Law, Christopher Cannon's request for 30-day continuance for good cause.

May 19, 2022 The owner was represented at the Director's Hearing. The owner requested a 30-day continuance that was granted.

June 2, 2022 Inspector Chierici posted the second Notice of Director's Hearing

June 16, 2022 The owner was represented at the second Director's Hearing. A 30-day Order of Abatement was issued.

June 27, 2022 Inspector Osborne posted the Order of Abatement at the entry of the building.

July 24, 2022 Received the same email from the owner, Mr. Korman and Senior Inspector Lawry, containing Mr. Korman's application for Appeal of the Director's Order of Abatement. Payment receipt number HIS 17044 was attached. DBI's date stamp on this email is July 7, 2022.

September 26, 2022 Posted 2 Notices of Abatement Appeals Board Hearings, each with different "Deliver to" addresses

Recent Inspections

March 6, 2024 Inspector Grady conducted an inspection to find that all work remains outstanding.

September 5, 2024 Inspector Grady posted the Notice of Abatement of Appeals Board Hearing.

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DBI Inspector(s) Associated with this property

Christopher Grady, Housing Inspector

Jose Lopez, Senior Housing Inspector

James Lawry, Senior Housing Inspector and Hearing Representative

Staff Findings and Recommendations

HIS staff has found that the Housing Violations represent a life safety hazard to the occupants of the two adjacent buildings.

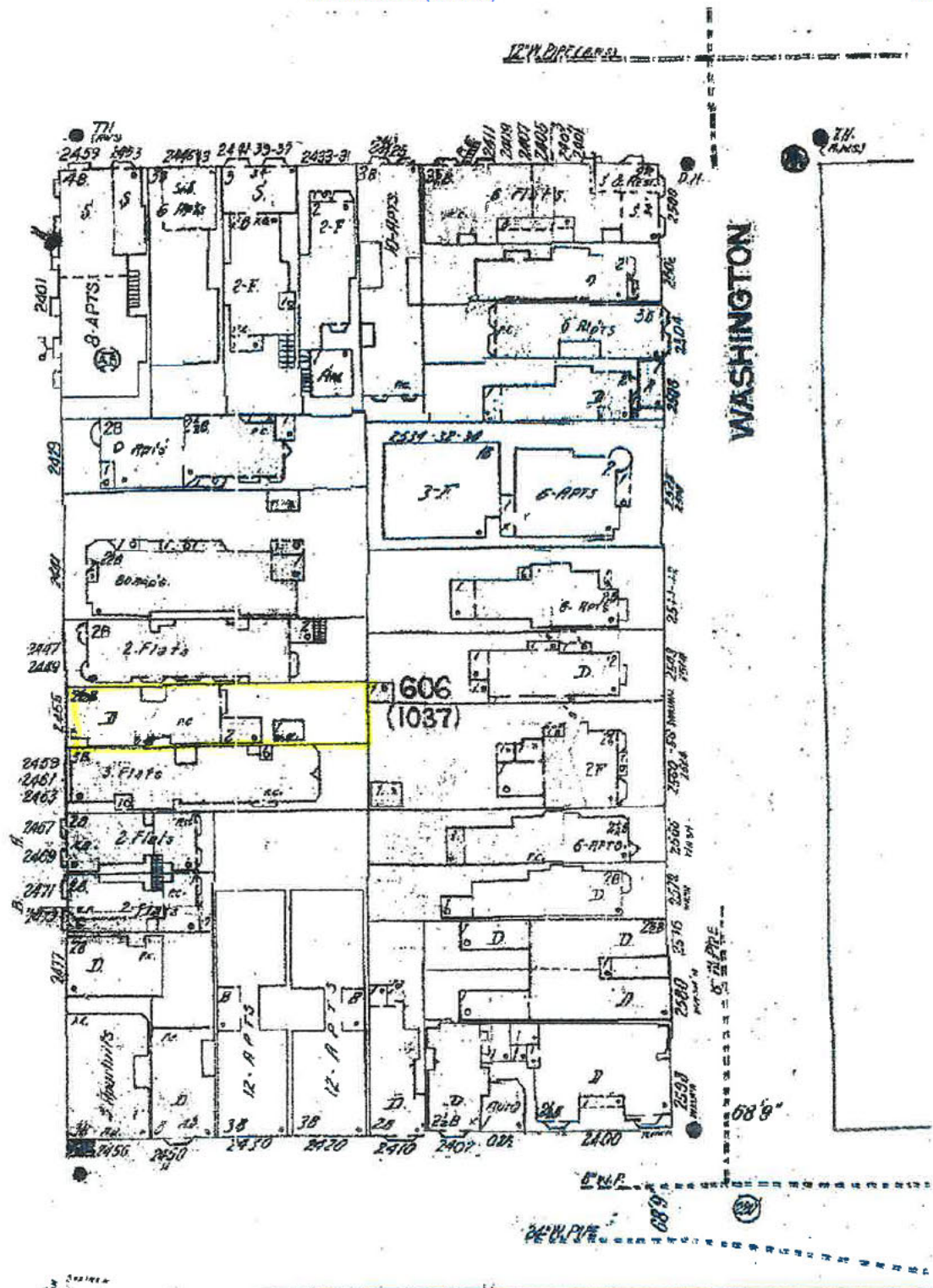
The Department of Building Inspection recommends that the Order of Abatement is upheld and that all the costs incurred by the Department be assessed.

List of Attached Exhibits

1. Sanborn Maps
2. Block/Lot Maps
3. HIS Notice of Violation
4. Photographs of Notice of Violation Posting
5. Complaint Data Sheet
6. Robert Korman's hand written letter for "reasonable accommodation"
7. Robert Korman's "Further Memorandum of Understanding"
8. Robert Korman's "Further Memorandum –Agreement of Mutual Understanding"
9. Robert Korman's "Latest Health Updates in Further Support of DBI's Mandatory ADA Compliance"
10. Declaration of the Postings of the Notice of Director's Hearings
11. Notice of Director's Hearing
12. Photograph of the Posting of the Notice of Director's Hearings
13. Mr. Korman's Request for Continuance
14. Mr. Korman's Lawyer's Request for Continuance
15. Declaration of the Postings of the Notice of Continued Director's Hearings
16. Notice of Continued Director's Hearing
17. Photograph of the Posting of the Notice of Continued Director's Hearings
18. Order of Abatement
19. Declaration of the Posting of the Order of Abatement
20. Order of Abatement 202183625
21. Photograph of the Posting of the Order of Abatement
22. Payment Receipt for Request for Abatement of Appeals Board Hearing
23. Appellant's Appeal Package
24. Notice of Abatement Appeals Board Hearing
25. Declaration of the Posting of the Notice of Abatement Appeals Board Hearing
26. Photograph of the Posting of the Notice of Abatement Appeals Board Hearing
27. Photographs of the Violations

JACKSON

WASHINGTON



68'0"

68'0"

100 Feet

ALTA 607 PLAZA



BLOCK 0606



606

© COPYRIGHT SAN FRANCISCO CITY & COUNTY ASSESSOR 1995

LOTS MERGED

Lot 18 merged into 17 - 1944
 " 27 " " " " 26 - 1959
 lot 17 into lots 47 to 50 for 1998 roll
 lot 22A into lots 51 & 52 for 1998 roll
 lot 23 into lots 53 to 55 for 2009 roll

W A BLK. 350

REVISED '57
 " '81
 " '83
 " '85
 Revised 1998
 Revised 2009

2401 JACKSON ST.

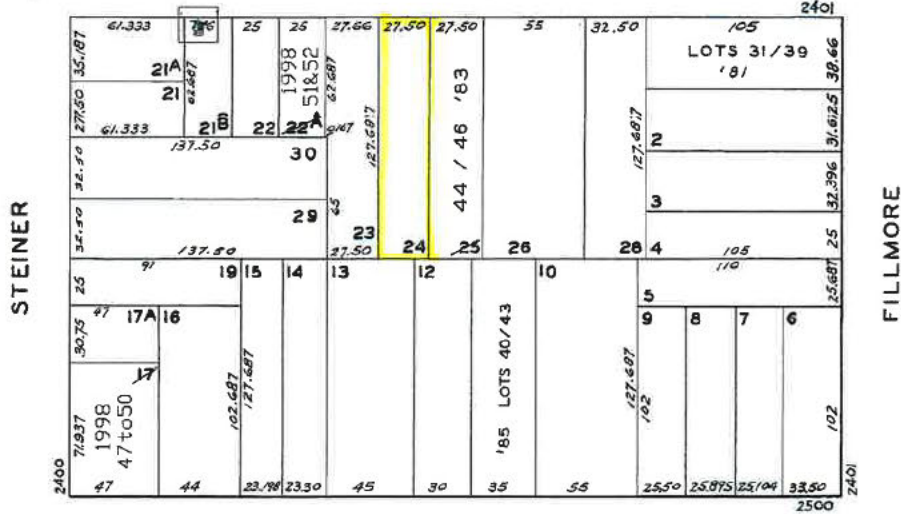
A CONDOMINIUM		
LOT NO.	UNIT NO.	% COMMON AREA
31	1	11
32	2	13
33	3	13
34	4	13
35	5	13
36	6	13
37	7	13
38	8	4
39	9	7



2447-49-51 JACKSON ST.

A CONDOMINIUM		
LOT	UNIT	% COMM AREA
44	2447	42.365
45	2449	38.934
46	2451	18.701

JACKSON



WASHINGTON

2400 STEINER ST.
 A CONDOMINIUM

LOT	UNIT	% COMM AREA
47	1	41.99
48	2	21.18
49	3	14.35
50	4	22.48

2542-2544 WASHINGTON ST.
 A CONDOMINIUM

LOT NO.	UNIT NO.	% COMMON AREA
40	2542	39.35
41	2544C	8.52
42	2544B	24.81
43	2544A	27.32

2467-2469 JACKSON ST.
 A CONDOMINIUM

LOT	UNIT	% COMM AREA
51	2467	51
52	2469	39

606

LOTS MERGED

Lot 18 merged into 17 - 1944
" 27 " " " 1953

W A BLK. 350

REVISED '57
" '81
" '83
" '85

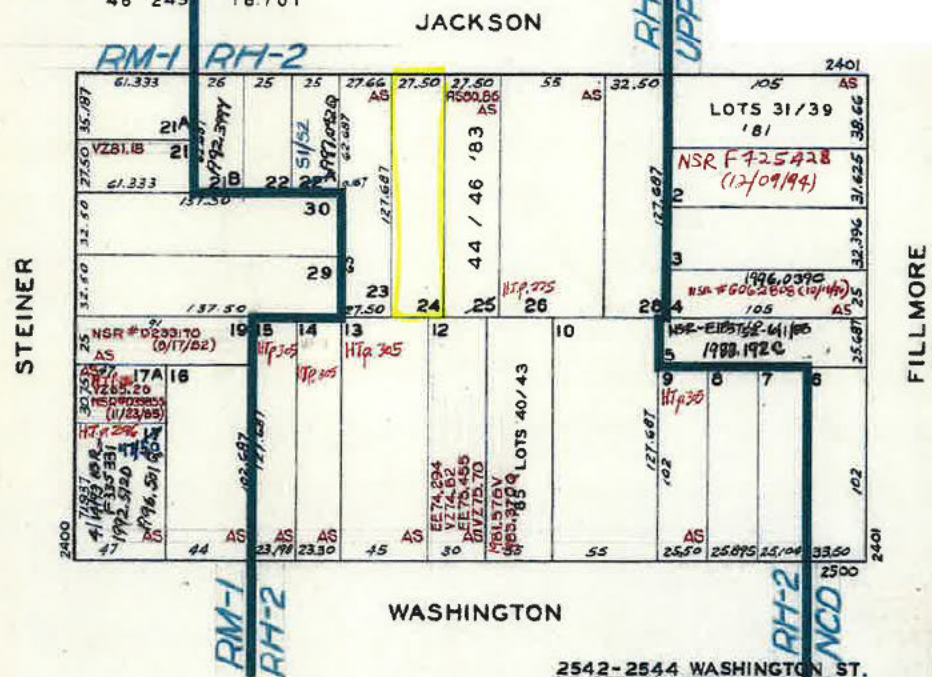
2401 JACKSON ST.

A CONDOMINIUM		
LOT NO.	UNIT NO.	% COMMON AREA
31	1	11
32	2	13
33	3	13
34	4	13
35	5	13
36	6	13
37	7	13
38	8	4
39	9	7

2447-49-51 JACKSON ST.

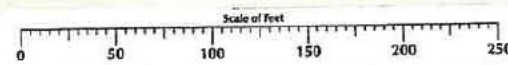
A CONDOMINIUM		
LOT UNIT	% COMM AREA	
44 244	42.385	
45 244	36.934	
46 245	18.701	

NCRS
NEIGHBORHOOD COMMERCIAL
REZONING STUDY
Inform Controls: 1084 585672, Date: 1/14/85-3/28/87
Permittent: 1989 6136724, Ord. 18-87, Date: 4/12/87
Final: 1989 6136724, Ord. 444-87, Date: 12/12/87



2542-2544 WASHINGTON ST.

A CONDOMINIUM		
LOT NO.	UNIT NO.	% COMMON AREA
40	2542	39.35
41	2544C	6.52
42	2544B	24.81
43	2544A	27.32





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: 202183625

OWNER/AGENT: NANCY E RYTI SPOUSAL IRREVOC T

DATE: 29-OCT-21

MAILING

ADDRESS: NANCY E RYTI SPOUSAL IRREVO
 NANCY E RYTI, TRUSTEE
 3450 SACRAMENTO ST # 124
 SAN FRANCISCO CA
 94118

LOCATION: 2455 JACKSON ST

BLOCK: 0606 **LOT :** 024

NOTICE TYPE: COMPLAINT

BUILDING TYPE: APT

USE TYPE: R2

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	This Notice includes violations of the San Francisco Housing Code. Unless noted otherwise, all violations were observed on the date of inspection at 2455 Jackson Street.
2 REMOVE or SECURE ALL LOOSE TRIM 1001c6 SFHC	A length of metal gutter was blown off the top level of the house in this most recent storm. It is now at the bottom of the light well between this property and 2463 Jackson Street. It is apparent that there are more unattached, unsecured members. Secure functional members of the water control system, gutters, downspouts, scuppers etc. to the building in a permanent manner.
3 REMOVE ALL UNSECURED BUILDING MATERIALS 1001c6 SFHC	Once the functional parts of the storm water control system have been secured, remove all unattached construction barriers, ladders, loose cloth, fabric and tarps, framing members, sheathing materials, trim and siding. There shall be no unattached items left on site in the areas of abandoned construction.
4 REMOVE ALL DANGEROUS ARTICLES OF STORAGE 1001d, k, 1306, 1310 SFHC	The back yard is full of unused construction materials. There are piles of brick surrounded by siding and trim, framing members and fence panels. Much of the stored items are leaning on the fence that is falling in multiple locations due to the excess weight. Additionally there is debris, old signage, fallen vegetation and old car parts all providing vermin harborage. Remove the debris and all stored items from the rear yard. Provide the services of pest control to rid the yard of rats and mice.



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NOTICE OF VIOLATION

COMPLAINT: 202183625

5 REPAIR THE FENCE 1001d, k, 1 SFHC

Fallen tree limbs have broken the fence and knocked down multiple fence panels. Two of these panels are at heights that exceed the allowable fence height for one installed without a permit.

Repair the broken fence, limiting the height to 7 feet (SFBC 105.2 building 2). If a fence height of greater than 7 feet is desired building permits are necessary for this item.

6 INSPECTOR COMMENTS

IMPORTANT NOTE: Due to the nature of this violation, this property has been defined as a Nuisance per section 1001-d of the San Francisco Housing Code.

It is the property owner's responsibility to be present or direct his/her representative to attend the re-inspection 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 re-inspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time 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 re-inspection.

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 02 December 2021 11:30 AM
 IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.
 CONTACT HOUSING INSPECTOR : Christopher Grady AT 628-652-3381

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 \$199.57, and (2) an hourly rate of \$199.57 for case management/administration, and \$280.00 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: 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: For every inspection, after the initial re-inspection, a \$280.00 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: 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 Warnings\NOV Warning Sheet.docx (updated 09/20/2023)







DEPARTMENT OF BUILDING INSPECTION

Planning, Inspection Services Division
400 North Main Street, 3rd Floor
100 North Main Street, 3rd Floor, Providence, RI 02903
(401) 455-7000

NOTICE OF VIOLATION

OWNER/AGENT: NANCY E. RYLANDER/NAI BRIGHT
MAILING ADDRESS: NANCY E. RYLANDER/NAI BRIGHT
310 S. WASHINGTON ST.
SAN FRANCISCO, CA 94102

COMPLAINT: 20240676
DATE: 11/15/24
LOCATION: 2455 JACKSON ST
BLOCK: 0606-024
NOTICE TYPE: COMPLAINT

BUILDING TYPE: AP4 USE TYPE: R

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS

1. THIS NOTICE IS A VIOLATION FOR THE AREAS NOTED:

REMOVE AND CURB ALL EXPOSED DRIVE 100% VISIBLY

2. REMOVE ALL UNSECURED BUILDING MATERIALS 100% VISIBLY

3. REMOVE ALL DANGEROUS ARTICLES OF STORAGE 100% VISIBLY

This Notice is in violation with 24A-1-2-1 and 24A-1-2-2 of the Rhode Island Building Code. This violation affects the structural integrity of the site at inspection of 2455 JACKSON ST.

A fourth of metal roof was being installed on the home in this area which is being done in a way that is not in accordance with the building code. It is to be noted that there are no other violations noted on this property.

Secure functional materials of the area related to generators, downspouts, gutters, etc. in the building in a permanent manner.

Once the functional parts of the roof have been installed have been secured, remove all roof related materials, boards, ladders, loose debris, etc. and store materials, skidding materials, and other items.

There shall be no unsecured materials or items on the abandoned construction.

The back yard is full of more debris than can be seen in the piles of back material, debris, and other items, members and items placed. Also, the debris is piled in the back yard and is not in a proper manner.

Additionally, there is debris in the back yard and it is not in a proper manner.

Remove the debris and all items in the back yard and place the debris in a proper manner.



City and County of San Francisco
 Department of Building Inspection
 49 South Van Ness Ave, Suite 400
 San Francisco, CA 94103-1226

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202183625

OWNER/AGENT: NANCY E RYTI SPOUSAL IRREVOC T
 NANCY E RYTI SPOUSAL IRREVO
 NANCY E RYTI, TRUSTEE
 3450 SACRAMENTO ST # 124
 SAN FRANCISCO CA
 94118

DATE FILED: 27-OCT-21
LOCATION: 2455 JACKSON ST
BLOCK: 0606 **LOT:** 024
SITE:
RATING: 1 Year **OCCUPANCY CODE** R-2

OWNER'S PHONE: --
CONTACT NAME: NANCY E RYTI SPOUSAL IRREVOC T
CONTACT PHONE: --

RECEIVED BY: Bernedette Perez **DIVISION:** HIS
COMPLAINT SOURCE: BID REFERRAL

COMPLAINANT: Camille Samuel

ASSIGNED TO DIVISION: HIS

COMPLAINANT'S PHONE 415-623-0271

DESCRIPTION: Debris coming from the roof damaging my building 2463 Jackson St
INSTRUCTIONS: BID Referral 202183503

INSPECTOR CURRENTLY ASSIGNED

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	GRADY	6302	5	

REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
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COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
27-OCT-21	CASE OPENED	C GRADY	CASE RECEIVED		Bernedette Perez 27-OCT-21	HIS
27-OCT-21	MLTPL BLDG VIOLATNS	C GRADY	TELEPHONE CALLS	Called and spoke with complainant. Scheduled inspection.	Christopher Grady 29-OCT-21	HIS
28-OCT-21	MLTPL BLDG VIOLATNS	C GRADY	INSPECTION OF PREMISES MADE	Inspector Grady conducted an investigation of the complaint at the subject property and observed violations of the San Francisco Housing Code that are delineated within the Notice of Violation issued on October 29, 2021 and identified by Complaint Tracking Number 202183625.	Christopher Grady 29-OCT-21	HIS
29-OCT-21	MLTPL BLDG VIOLATNS	C GRADY	FIRST NOV SENT	NOV prepared and sent to owner and complainant.	Christopher Grady 29-OCT-21	HIS



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 Department of Building Inspection
 49 South Van Ness Ave, Suite 400
 San Francisco, CA 94103-1226

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202183625

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
04-NOV-21	MLTPL BLDG VIOLATNS	C GRADY	BLDG POSTED & TENANTS NOTIFIED AS PER NOTIFICATION REQMNTS		Christopher Grady 09-NOV-21	HIS
05-NOV-21	MLTPL BLDG VIOLATNS	C GRADY	TELEPHONE CALLS	Received a couple of calls from the property owner. Attempts to return his calls are stalled by the fact that his voice mail box is full and cannot receive any further messages.	Christopher Grady 05-NOV-21	HIS
09-NOV-21	MLTPL BLDG VIOLATNS	C GRADY	TELEPHONE CALLS	Received email from complainant pointing out two typos. Modified NOV and sent copies to the property owner and complainants.	Christopher Grady 09-NOV-21	HIS
09-NOV-21	MLTPL BLDG VIOLATNS	C GRADY	BLDG POSTED & TENANTS NOTIFIED AS PER NOTIFICATION REQMNTS		Christopher Grady 09-NOV-21	HIS
01-DEC-21	MLTPL BLDG VIOLATNS	C GRADY	CASE UPDATE	Reviewed correspondence with Senior Inspector Lopez. Advised to adhere to standard protocol.	Christopher Grady 06-DEC-21	HIS
02-DEC-21	MLTPL BLDG VIOLATNS	C GRADY	REINSPECTION 1	Inspector Grady attempted to perform a re-inspection on December 2, 2021 at 10:30 AM, at the subject property but was unable to gain entry because the property owner/agent failed to provide access as required by the Notice of Violation.	Christopher Grady 06-DEC-21	HIS
01-APR-22	MLTPL BLDG VIOLATNS	C GRADY	CASE UPDATE	Prepared case file for Director's Hearing and passed on to Senior Inspector Lopez for approval.	Christopher Grady 01-APR-22	HIS
01-APR-22	MLTPL BLDG VIOLATNS	C GRADY	FINAL WARNING LETTER SENT		Christopher Grady 01-APR-22	HIS
20-APR-22	MLTPL BLDG VIOLATNS	C GRADY	REFER TO DIRECTOR'S HEARING		Christopher Grady 25-APR-22	HIS



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 Department of Building Inspection
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COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
05-MAY-22	MLTPL BLDG VIOLATNS	C DANG	DIRECTOR HEARING NOTICE POSTED	Insp. Moy posted DH on premise.	Christina H. Dang 05-MAY-22	HIS
19-MAY-22	MLTPL BLDG VIOLATNS	J LAWRIE	DIRECTOR'S HEARING DECISION	The owner was represented, case continued 30 days.	James Lawrie 19-MAY-22	HIS
02-JUN-22	MLTPL BLDG VIOLATNS	P CHIERICI	DIRECTOR HEARING NOTICE POSTED		Paul Chierici 02-JUN-22	HIS
16-JUN-22	MLTPL BLDG VIOLATNS	J LAWRIE	DIRECTOR'S HEARING DECISION	The owner was represented, a 30-day Order of Abatement was issued.	James Lawrie 16-JUN-22	HIS
27-JUN-22	MLTPL BLDG VIOLATNS	D OSBORNE	ORDER OF ABATEMENT POSTED	Posted Order at entry	Donald Osborne 27-JUN-22	HIS
26-SEP-22	MLTPL BLDG VIOLATNS	C GRADY	CASE UPDATE	Two Notices of the Notice of Abatement Appeals Board Hearing were posted at the front entry of the building. Each notice had a different owner listed in the "Deliver to" address.	Christopher Grady 28-SEP-22	HIS
06-MAR-24	MLTPL BLDG VIOLATNS	C GRADY	REINSPECTION 2	12:30pm - Inspector Grady conducted an investigation at the subject property and found that all violations listed on this Notice of Violation remain outstanding. The Abatement Appeals Board Hearing that had been scheduled was cancelled. The neighbors are anxious to get a decision from the Board. Re-initiate code enforcement process.	Christopher Grady 08-MAR-24	HIS
05-SEP-24	MLTPL BLDG VIOLATNS	C GRADY	CASE UPDATE	Inspector Grady posted the Abatement Appeals Board Hearing.	Christopher Grady 17-SEP-24	HIS
25-SEP-24	MLTPL BLDG VIOLATNS	C GRADY	REINSPECTION 3	11:55am - Inspector Grady conducted a re-inspection at the subject property and found that all items as listed on the Notice of Violation remain outstanding.	Christopher Grady 26-SEP-24	HIS

COMPLAINT ACTION BY DIVISION

DIVISION	DATE	DESCRIPTION	ACTION COMMENT
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City and County of San Francisco
Department of Building Inspection
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103-1226

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202183625

NOV (HIS) NOV (BID)

29-OCT-21

120017 UNED 11/17/21 1-5

RE 2455 JACKSON SF 94115

1m

HIS NOV 2021 83625

TO CHRISTOPHER GRADY - INSPECTOR

① TODAY CAME INTO DBI BUILDING

② ATTEMPTED TO OBTAIN 3/8 BLDG PERMIT

③ FILLED OUT 3/8 FORM

④ PARTIALLY "APPROVED"

⑤ PETER EISENBERG SAID "NO PLA

REQUIRED FOR MAINTENANCE - ONLY IF "FORCE NEEDS PERMIT"



CAN WE SPEAK ON PHONE TO ATTEMPT TO RESOLVE? 415 346 4364 (V/M ONLY)

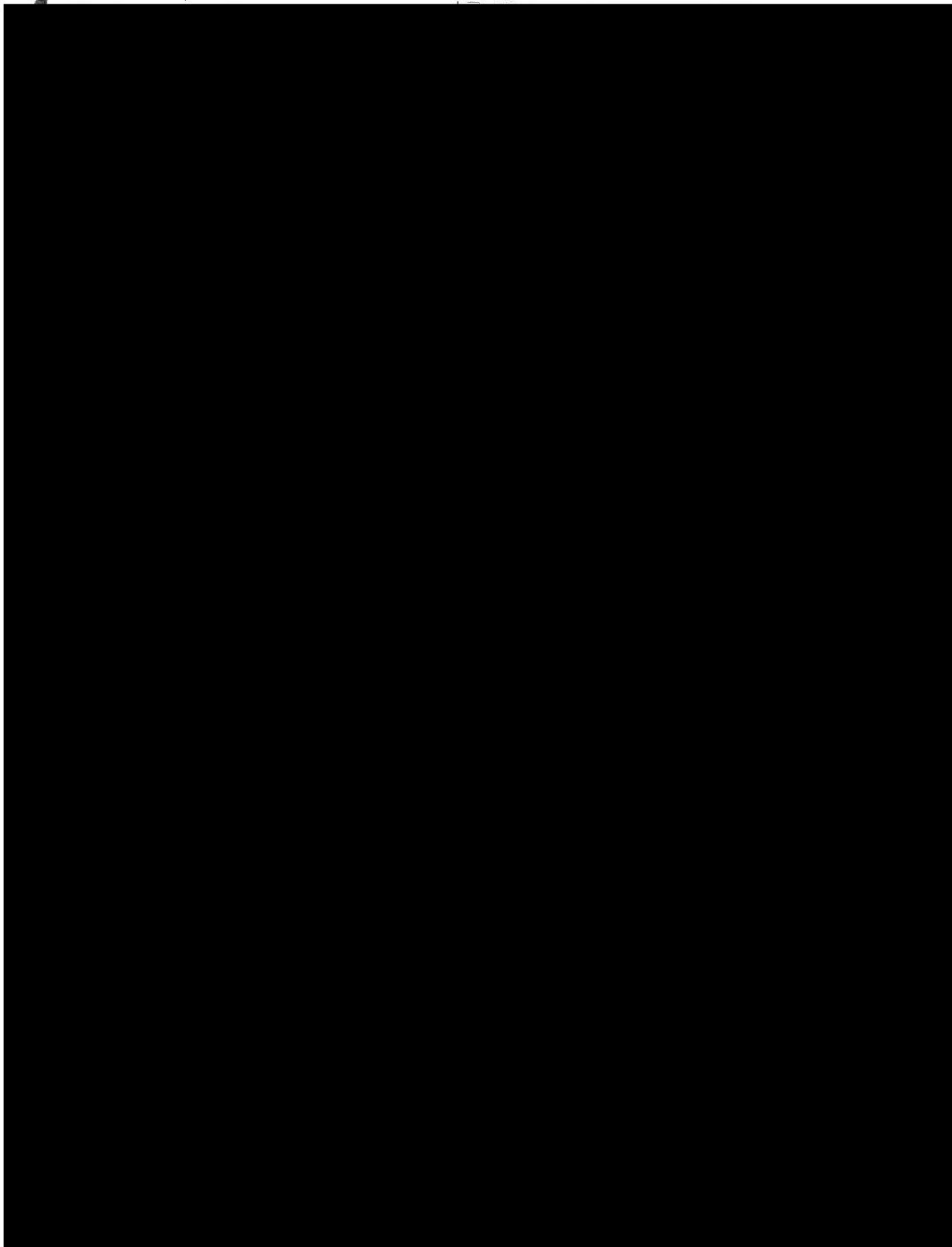
⑦ BRICKS SHOULD BE REMOVED FROM REAR AREA TOMORROW BY "DEMOLITION COMPANY"

⑧ PLEASE REFER TO PHYSICIAN'S NOTES

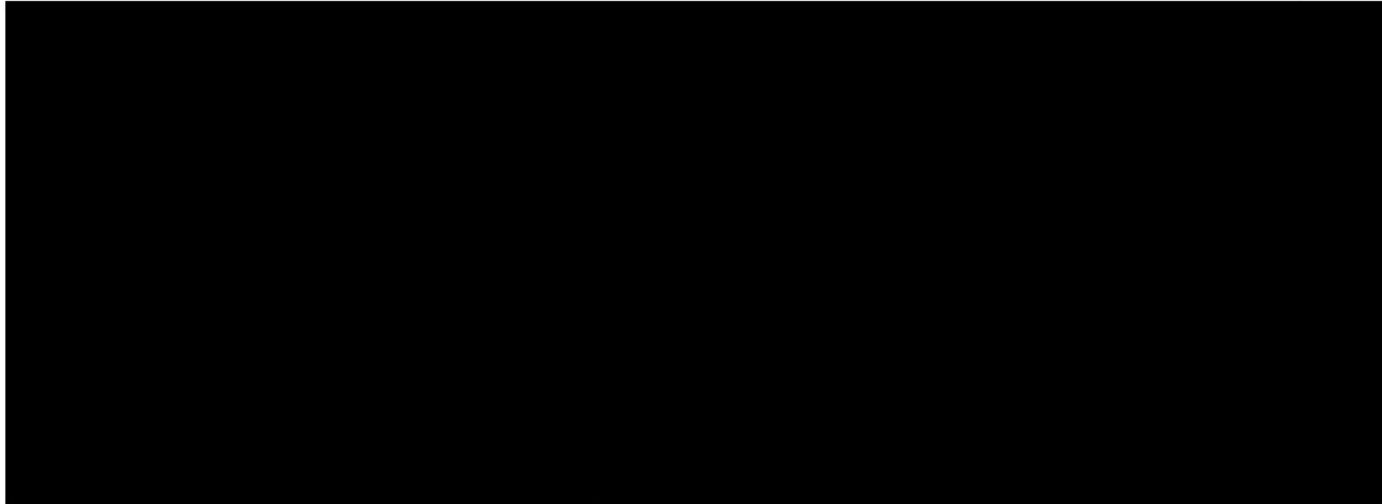
THANK YOU

⑨ I MIGHT NEED INVASIVE CHEST SURGERY + AM DISABLED PER US ADA ACT (1990) AM ENTITLED TO "REASONABLE ACCOMMODATION ON "CASE-BY-CASE BASIS" REQUIRING REASONABLE EXTENSIONS OF TIME TO COMPLY WITH NOW PREVIOUSLY AUTHORIZED BY MAURICIO HERNANDEZ FOR 30 MIN

Plen 11/17/21 1:03 PM



RECEIVED
NOV 17 2021
DEPARTMENT OF BUILDING INSPECTION
HOUSING INSPECTION DIVISION



Bob Korman
 3450 Sacramento 124
 San Francisco CA 94118
 415 346 4364 [V/M - 24/7]
 November 19 2021

Department of Building Inspection **USPS CERTIFIED MAIL ARTICLE TRACKING # 7020 1290 0000 6797 7520**
 49 South Van Ness Ave - 4th Floor
 San Francisco CA 94103-1226 San Francisco CA 94103-1226
 Mauricio Hernandez - Chief Building Inspector - 628-652-3440 <Mauricio.Hernandez@sfgov.org>
 Christopher Grady - District Housing Inspector - 628-652-3381 <Christopher.Grady@sfgov.org>
 Wai Mar - District Housing Inspector - 628-652-3888 <Wai.Mar@sfgov.org>
 Jimmy Guaiumi - District Building Inspector - 628-652-3446 <Jimmy.Guaium@sfgov.org>
PROPERTY **2455 Jackson St SF CA 94115** Volume Block Lot 05 0606 024
NOV 2021-83625 - Housing Inspection Services
PROPERTY **1264 03rd Avenue SF CA 94122** Volume Block Lot 013 1751 020
NOC 2021-76962 HIS Division
NOC 2021-77132 DBI Division

FURTHER MEMORANDUM OF UNDERSTANDING

A. 2455 JACKSON

Bob's V/M ¹ earlier this week asked Mr Hernandez's advice how to file Bldg Form 3/8 Permit Application for Jackson St "HIS NOV"
 Because of no response Bob came in ² on 11/16/21 to apply for a permit to comply with HIS NOV 2021-83625 without success
 Bob hoped Mr Cannon ³ also might come in to discuss all the properties - but was advised Chris had a court-appearance conflict
 As Chris was unable to be present Bob only focused on full-compliance with NOV 2021-83625 - trying to obtain a building permit
 Messrs. Duffy-Birmingham-Eisenbeiser-Hernandez stated permits are not issued for maintenance +/- housekeeping violations
 Mr Duffy said "but if the whole fence isn't damaged - just a few boards fell down - it should be OK to prop ⁴ them back up into place"
 "Or you need plans if you want a permit issued" - to which Bob said the "fence was pre-installed well-before we bought the property"
 When Bob + Nancy first acquired title on 07/01/1975 the then-rear-yard had the same fence boards + height as currently are in place
 According to well-settled law the fence is "grandfathered-in" as pre-existing prior to applicants' first acquiring title over 46 years ago
 We ask DBI allow the existing fence be restored to its prior as-built condition as Joe suggested without requiring a fence permit ⁵
 Bob's 2 V/M's stated all bricks shall be + were removed on 11/18/21 + which occurred as confirmed herein + color photographs ⁶
Other apparently-offending items will be removed if DBI grants "Reasonable Accommodation" as required by Federal ADA Law

B. 1264 THIRD AVE

Bob's Voice Mails said "intentions to engage licensed architect + land surveyor who will file permits for replacement structures"

C. ONGOING CRITICAL "ADA" HEALTH ISSUES

Bob provided probative medical evidence of health + disability issues requiring doctors' visits + intended invasive chest surgery
 Thus Bob again requests "additional time to feel better" in full-compliance with "Americans With Disability Act" requirements ⁷
 Bob intends to work with DBI in compliance with DBI in conjunction with being granted reasonable ADA Extensions of Time

Respectfully

//s//

Bob

¹ Bob also left messages thanking DBI Staff for assistance + advising recent updates for Third Ave + Jackson properties
² Bob presented himself @ 49 So Van Ness Ave 4th Flr in good faith to demonstrate intent to fully-comply with HIS-NOV
³ Christopher Cannon Esq is our attorney concerning NOV 2018-88993 + related DBI issues
⁴ Less than one dozen [12] 8-D galvanized nails should suffice to re-install the several [betw 3-4] "dislodged" fence planks
⁵ In 1975 Nancy + Bob were cautioned that transients jump over shorter fences to gain trespassory burglarious access
⁶ See attached exhibit portraying color photographs of rear yard area - before + after brick removal on 11-18-2021
⁷ Please find relevant excerpts from AOA Laws as they pertain to this 79-year-old-plus disabled person having "chest issues"

Bob Korman
3450 Sacramento 124
San Francisco CA 94118
415 346 4364 [V/M - 24/7]
November 30 2021

Department of Building Inspection USPS CERTIFIED MAIL ARTICLE TRACKING # 7020 1290 0000 6797 7544
49 South Van Ness Ave - 4th Floor
San Francisco CA 94103-1226 San Francisco CA 94103-1226
Mauricio Hernandez - Chief Building Inspector - 628-652-3440 <Mauricio.Hernandez@sfgov.org>
Christopher Grady - District Housing Inspector - 628-652-3381 <Christopher.Grady@sfgov.org>
Wai Mar - District Housing Inspector - 628-652-3888 <Wai.Mar@sfgov.org>
Jimmy Guaiumi - District Building Inspector - 628-652-3446 <Jimmy.Guaiumi@sfgov.org>
Carl Malchow - District Building Inspector - 628-652-3438 <Carl.Malchow@sfgov.org>
Joseph Duffy - Senior Building Inspector 628-652-3610 <Joseph.Duffy@sfgov.org>
Mike Chung [6353] - Code Enforcement - 628-652-3411 <Mike.Chung@sfgov.org>

A. PROPERTY 2455 Jackson St SF CA 94115 Volume Block Lot 05 0606 024
NOV 2021-83625 - HIS Division

B. PROPERTY 1264 03rd Avenue SF CA 94122 Volume Block Lot 013 1751 020
NOC 2021-76962 - HIS Division
NOC 2021-77132 - DBI Division

C. PROPERTY 2021 California St SF CA 94109 Volume Block Lot 05 0650 021
NOV 2020-29907 - DBI Division

FURTHER MEMORANDUM - AGREEMENT OF MUTUAL UNDERSTANDING

FURTHER RELEVANT ADA MEDICAL RECORDS

Pursuant to Ada Requirements – Please find enclosed many dozens of documents in Support of Bob's Request for Reasonable Accommodation
ADA applies to All local, county, state and federal government agencies + prohibits discrimination based on Reasonable Accommodation Process
The ADA provides certain protections for those with disabilities to provide an equal opportunity to access like for people without disabilities
Bob continues to respectfully request Reasonable Accommodations while pursuing compliance with the above several Notices
Finally - Bob extends professional thanks to Joe Duffy for his logical suggestion to "reinstall fallen fence boards to remain in full code compliance"

PROOF OF FIRE POLICY INSURANCE COVERAGE FOR THREE [3] RENTAL PROPERTIES

Find enclosed multiple Fire Policies for the Korman Trust Rental Properties
The cover letter from Diablo Valley Insurance Agency incorrectly states the policy is only for 2455 Jackson
The three policies actually include the following buildings

- 2455 Jackson St SF CA 94115
- 1264 Third Ave SF CA 94122
- 2021 California St SF CA 94109

Respectfully submitted

///s//

Bob Korman

Copy <chris@sugarmanandcannon.com>

**City and County of San Francisco
Department of Building Inspection**



**London N. Breed, Mayor
Patrick O'Riordan, C.B.O., Director**

DATE AFFIDAVIT PREPARED April 27, 2022

ADDRESS: 2455 JACKSON ST, 0000
INSPECTOR: Grady
OWNER: NANCY E RYTI SPOUSAL IRREVO
NANCY E RYTI, TRUSTEE
3450 SACRAMENTO ST # 124
SAN FRANCISCO CA 94118

Directors' Hearing Date: May 19, 2022
Hearing Number: 202183625
Block: 0606 Lot: 024 Seq: 1
Tract: 135 Case: DC2

Declaration of Service Of Notice Of Violation(s) and Notice Of Director's Hearing by Mail

I, the undersigned, declare that I am employed by the City and County of San Francisco and at all times herein mentioned was over the age of 18 years; that pursuant to the provisions of the San Francisco Building Code Section 102A.3, I did on this date place a true copy of the Notice of Hearing of the Director of Building Inspection, City and County of San Francisco which informed the owner(s) and duly authorized agent of the time and place of hearing, in an envelope addressed to the above named person(s); and then sealed and deposited said envelope in the United States Mail at San Francisco, California, with postage thereon and registered mail delivery service charges fully prepaid for delivery by registered mail; that there is delivery service by United States Mail at the place so addressed or regular communication by United States Mail between the place of mailing and the place so addressed.

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

Date Mailed: 5/5/22, San Francisco, California.


By: Jennifer Cheung 5/5/22 Signature: 
 (Print name) (Date)

Declaration Of Posting Of Notice Of Violations(s) And Notice Of Directors' Hearing

I, the undersigned, declare that I am employed the City and County of San Francisco and at all times herein mentioned am over the age of 18 years; that pursuant to the provisions of the San Francisco Building Code Section 102A.3, I did on this date place a true copy of the Notice of Hearing of the Director of Building Inspection, City and County of San Francisco, in a conspicuous place on the building, structure or part thereof described in the Notice of Hearing. to wit:

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

Date Posted: 5/5/22, at San Francisco, California.

By: Christina N.O. May 5/5/22 Signature: 
 (Print name) (Date)

Housing Inspection Services
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226
Office (628) 652-3700 - FAX (628) 652-3709- www.sfdbi.org

7021 1970 0000 0240 1057

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Certified Mail Fee
 \$ _____

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

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark Here

Postage
 \$ _____

Total Postage
 \$ _____

Sent To
 Nancy E Ryti Spousal Irrevo
 Korman Family Irrevoc Trust
 3450 Sacramento St # 124
 San Francisco, CA 94118
 NOV#202183625

Street and Apt.
 City, State, ZIP+4

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 1970 0000 0240 1071

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 \$ _____

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

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark Here

Postage
 \$ _____

Total Postage
 \$ _____

Sent To
 US Bank National Association
 1 Federal St 3rd fl
 Boston, MA 02110-2004
 NOV#202183625

Street and Apt.
 City, State, ZIP+4

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 1970 0000 0240 1064

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OFFICIAL USE

Certified Mail Fee
 \$ _____

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

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark Here

Postage
 \$ _____

Total Postage
 \$ _____

Sent To
 AAA Construction
 Attn: Bob Korman
 3450 Sacramento St # 124
 San Francisco, CA 94118
 NOV#202183625

Street and Apt.
 City, State, ZIP+4

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

AMERICANS WITH DISABILITIES ACT OF 1990, PUB. L. NO. 101-336, 104 STAT. 328 (1990). [cited in part]

1. **Americans with Disabilities Act of 1990 or ADA (42 U.S.C. § 12101) is a civil rights law that prohibits discrimination based on disability.**
2. ADA Amendments Act of 2008 (Public Law 110-325, ADAAMA) is an Act of Congress, effective January 1, 2009, that amended the Americans with Disabilities Act of 1990 (ADA) and other disability nondiscrimination laws at the Federal level of the United States.
3. Title I of the Americans with Disabilities Act (ADA) **requires [] to provide reasonable accommodation to qualified [] with a disability unless the [] can demonstrate that doing so creates an undue hardship to the [] or poses a direct threat to the safety of []**
4. The ADA uses the term **“substantial impairment” to define which disabilities qualify for protection.** To be protected under the law, you must have, have a **record of**, or be thought to have a **physical or mental impairment that substantially limits one or more major life activities, such as ... walking, breathing, performing manual tasks or working....”**
5. **Major life activities also include the operation of major bodily functions.** You are covered under the ADA if you have a condition that affects []the following: **Nervous system, respiratory, circulatory, cardiovascular, musculoskeletal []”**
6. **What is a reasonable accommodation ?**
7. A reasonable accommodation is any change to the [] process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is [] enjoy equal [] opportunities.
8. **Accommodations are considered “reasonable” if they do not create an undue hardship or a direct threat.**
9. **Who is an “individual with a disability?”** An individual meets the Americans with Disabilities with Act definition act of **“disability” that would qualify them for reasonable accommodations** if they have “a physical or mental impairment that substantially limits one or more major life activities (sometimes referred to in the regulations as an “actual disability”).” If a disability is not obvious to [] **they can ask for medical documentation from a health care provider to confirm the need for an accommodation.**
10. **Reasonable Accommodation Process [] each request for a reasonable accommodation must be considered on a case-by-case basis.** This section reviews the phases of the reasonable accommodation process. The first step in the reasonable accommodation process is **disclosure of a disability**, as [] required to accommodate disabilities of which they are aware. It is important to note that the process must be interactive, with participation by both the person with a disability and the [] so that an effective solution may be agreed upon.
11. **The ADA (Americans with Disabilities Act) provides certain protections for those with disabilities to provide an equal opportunity to access, like for people without disabilities.** For [] it is important to understand when you are legally required to be ADA-compliant.
12. The ADA applies to organizations and businesses that fit one or more of the following criteria: **All local, county, state, and federal government agencies.**
13. In summary US Americans With Disabilities Act of 1990 42 U.S.C. § 12101) Civil Rights Law [] prohibits discrimination based on disability requiring a “Reasonable Accommodation Process” shall be considered on case-by-case basis
14. **NOTE applicant 79 yrs + suffers from proven disabilities requiring Reasonable Extensions of Time previously authorized and granted by Mauricio Hernandez**

Bob Korman
3450 Sacramento 124
San Francisco CA 94118
415 346 4364
December 13 2021

SUBJECT PROPERTY - 2455 JACKSON ST SF CA 94115 NOV 2021-83625 - HIS DIVISION
Department of Building Inspection USPS CERTIFIED MAIL ARTICLE TRACKING # 7020 1290 0000 6797 7568
49 South Van Ness Ave - 4th Floor San Francisco CA 94103-1226
Mauricio Hernandez - CES - Chief Building Inspector - 628-652-3440 <Mauricio.Hernandez@sfgov.org>
Christopher Grady - District Housing Inspector - Dist 4-5-Lead - 628-652-3381 <Christopher.Grady@sfgov.org>
Jose E Lopez - Senior Building Inspector - 628-635-3376 <Jose.E.Lopez@sfgov.org>
Joseph Duffy - Acting Deputy Director - 628-652-3610 <Joseph.Duffy@sfgov.org>
Kevin McHugh - Senior Building Inspector - Dist 4-5-7-10 - 628-652-3613 <Kevin.McHugh@sfgov.org>
Patrick O'Riordan - Interim Director - 628-652-3500 <Patrick.Oriordan@sfgov.org>
John Hinchion - CES Senior Building Inspector - 628-652-3413 <John.Hinchion@sfgov.org>
Peter Eisenbeiser - Building Inspector - District 3 - 628-652-3617 <Peter.Eisenbeiser@sfgov.org>
Wai Mar - Housing Inspector - District 2 - 628-652-3388 <Wai.Mar@sfgov.org>
Jimmy Guaiumi - Complaints/Floater - 628-652-3446 <Jimmy.Guaiumi@sfgov.org>
Braulio Tienda - Complaints/Floater - 628-652-3643 <Braulio.Tienda@sfgov.org>
Carl Malchow - Complaints Team - 628-652-3438 <Carl.Malchow@sfgov.org>
Sonya Harris - Building Inspection Commission - 628- 652-3547 <Sonya.Harris@sfgov.org>

LATEST HEALTH UPDATES IN FURTHER SUPPORT OF "DBI's MANDATORY ADA COMPLIANCE"

Additional personal health reports are enclosed for review and consideration in support of Bob's "Case-By-Case ADA Reasonable Accommodations"
On Friday 12/10/2021 @ 3:00 PM Bob underwent a pre-operative Digitized Radiographic Video Ultrasound at CPMC Radiology Laboratory 1
X-Ray Technician confirmed likely presence of "ventral sub-mediastinal thoraco-abdominal herniation causing extrusion of visceral components" 2 + 3
Also enclosed find a duplicate CD-ROM with real-time serialized video details of nature - depth - size - location - seriousness - of Bob's chest herniation
Please see the clinic coversheet for the X-Ray visit with a duplicate for Dr Hammerman - Bob's General Practitioner - for later referral to a General Surgeon
An X-Ray Pathology Report 4 should arrive within two weeks allowing for probable in-patient surgery to be scheduled in either January or February 2022
Meantime Bob's Internal Medicine doctor strongly-suggests Bob not engage in any strenuous work - heavy lifting projects until surgery healing is complete

TWIN-PRONGED ADA AND CIVIL RIGHTS DBI REQUIREMENTS UNDER COLOR OF LAW

Pursuant to ADA Requirements Bob's recent medical records are enclosed for DBI review in Support of Bob's Request for Reasonable Accommodation
"ADA applies to All Local, County, State and Federal Government Agencies + prohibits discrimination based on Reasonable Accommodation Process"
"Federal-State ADA Laws provide certain protections for those with disabilities to provide an equal opportunity to access like for people without disabilities"

FOLLOW-UP MEMORANDUM WITH FURTHER + CONTINUING REQUESTED AGREEMENT OF DBI MUTUAL UNDERSTANDING

Bob remains desirous to mutually cooperate with Mr Hernandez in attempts to meet at 49 South Van Ness to "discuss permit and violation issues" 5
If + when Chris Cannon is available while accommodating his conflicting client court schedules we will intend to use best efforts to meet & confer together
Thus - in pursuit of seeking mutually-acceptable remedies to "permit and violation issues" - we still seek Mr Hernandez's Invitations to Meet and Confer

Respectfully submitted

///s/

Bob Korman

Copy <chris@sugarmanandcannon.com>

1 Previously advance-disclosed in Bob's letter dated 11/24/21 - please see Footnote 2
2 A simplified decidedly-more graphic description of probable medical diagnosis was delivered by recorded voicemail to Mr Grady
3 Regrettably as w/ Bob's 12/17/21 letter to Mr Grady he failed to reply to Bob's recorded V/M describing his chest pathology
4 Pathology Report shall be provided in further support of Mandatory State + Federal ADA Reasonable DBI Accommodation
5 Bob respectfully suggests to "take off calendar" any DBI-HIS expedited re-inspection until mutually agreed upon

AMERICANS WITH DISABILITIES ACT OF 1990, PUB. L. NO. 101-336, 104 STAT. 328 (1990). [cited in part]

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3. Title I of the Americans with Disabilities Act (ADA) **requires [] to provide reasonable accommodation to qualified [] with a disability unless the [] can demonstrate that doing so creates an undue hardship to the [] or poses a direct threat to the safety of []**
4. The ADA uses the term **"substantial impairment" to define which disabilities qualify for protection.** To be protected under the law, you must have, have a **record of**, or be thought to have a **physical** or mental **impairment that substantially limits one of more major life activities, such as ... walking, breathing, performing manual tasks or working...."**
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13. In summary US Americans With Disabilities Act of 1990 42 U.S.C. § 12101) Civil Rights Law [] prohibits discrimination based on disability requiring a "Reasonable Accommodation Process" shall be considered on case-by-case basis
14. NOTE applicant 79 yrs + suffers from proven disabilities requiring Reasonable Extensions of Time previously authorized and granted by Mauricio Hernandez

C:\Backup\Owner\My Documents\Americans-With-Disabilities-Act-of-1990.doc

City and County of San Francisco
Department of Building Inspection



London N. Breed, Mayor
Patrick O'Riordan, C.B.O., Director

April 27, 2022

Owner: NANCY E RYTI SPOUSAL IRREVO
NANCY E RYTI, TRUSTEE
3450 SACRAMENTO ST # 124
SAN FRANCISCO CA 94118

Address: 2455 JACKSON ST, 0000
Block: 0606 Lot: 024 Seq: 1
Tract: 135 Case: DC2
Inspector: Grady
Hearing Number : 202183625

NOTICE OF DIRECTOR'S HEARING

Date and Time of Hearing: May 19, 2022 at 9:30 a.m.

TO OWNER(S), LESSEE(S), TENANT(S) AND OTHER PERSONS OF INTEREST:

In accordance with provisions of the San Francisco Building Code, the described premises were inspected and violation(s) were found to exist. The Notice of Violations (NOV) has been mailed to the Owner(s) of Record or agent(s) and compliance has not occurred. Therefore, the Director of the Department of Building Inspection has probable cause to believe the building, structure or a portion thereof is an unsafe building or property.

Failure to comply with the decision of the Director may result in the revocation of the Permit of Occupancy and/or Certificate of Occupancy of the subject premises.

The Owner(s) of Record or the duly authorized representative is notified to appear at the Hearing to be held on the date shown above, at which time the Director of the Department of Building Inspection will consider the violation(s) and that the building is unsafe and a public nuisance.

WARNING

Failure to comply with this request will result in further abatement proceedings. If an Order of Abatement is issued from the Director's Hearing, you will be billed for the entire cost incurred in the code enforcement process, from the posting of the first "Warning of Violation" until the matter is resolved per San Francisco Building Code Sections 102A.3, 102A.17, 110A, Table 1A-D, 1A-G, and 1A-K.

The Owner(s) of Record is instructed to notify the holder(s) of any Mortgage(s) or Deed(s) of Trust secured by this property of these proceedings. Also, the Department of Building Inspection shall be advised of the name(s) of holder(s) of any Mortgage(s) or Deed(s) of Trust on this property. Please call Inspector **Grady** at (628) 652-3700 if you have questions regarding this code enforcement case.

BY ORDER OF THE DIRECTOR OF DEPARTMENT OF BUILDING INSPECTION.

Very truly yours,

Patrick O'Riordan, C.B.O, Director
Department of Building Inspection

Housing Inspection Services
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226
Office (628) 652-3700 - FAX (628) 652-3709 - www.sfdbi.org

City and County of San Francisco
Department of Building Inspection



London N. Breed, Mayor
Patrick O'Riordan, C.B.O., Director

**HOUSING INSPECTION SERVICES
DIRECTORS' HEARING**

We will be holding Director's Hearing on May 19, 2022 at 9:30AM via Microsoft Teams

In order to join this Director's Hearing please use the information below.

Join the audio conference: MICROSOFT TEAMS MEETING

Phone: 415 906-4659

Access code 329 285 295#

P://DH Forms/Covid-19 Letter

List of Owners/Interested Parties**Address: 2455 JACKSON ST****Complainant:**

Camille Samuel
2455 Jackson St
San Francisco, CA 94115

1.

Nancy E Ryti Spousal Irrevo
Korman Family Irrevoc Trust
3450 Sacramento St # 124
San Francisco, CA 94118

2.

AAA Construction
Attn: Bob Korman
3450 Sacramento St # 124
San Francisco, CA 94118

Amended Notice & Claim of Mechanics' Lien dated 9/9/2021, US\$2,486,463.48
Recorded DOC-2021143412, 9/10/2021

3.

US Bank National Association
1 Federal St 3rd fl
Boston, MA 02110-2004

Assignment of Multifamily Deed of Trust dated 08/10/2020,
Recorded DOC-2020229452, 8/27/2020

Created: 4/27/2022 / JC

Tract: 135 / Source: DC2

May 5, 2022 at 11:59:02 AM



April 27, 2022

Owner: NANCY E RYTI SPOUSAL IRREVO
NANCY E RYTI, TRUSTEE
3450 SACRAMENTO ST # 124
SAN FRANCISCO CA 94118

Address: 2455 JACKSON ST, 0000
Block: 0606 Lot: 024 Seq: 1
Tract: 135 Case: DC2
Inspector: Grady
Hearing Number : 202183625

NOTICE OF DIRECTOR'S HEARING

Date and Time of Hearing: May 19, 2022 at 9:30 a.m.

TO OWNER(S), LESSEE(S), TENANT(S) AND OTHER PERSONS OF INTEREST:

In accordance with provisions of the San Francisco Building Code, the described premises were inspected and violation(s) were found to exist. The Notice of Violations (NOV) has been mailed to the Owner(s) of Record or agent(s) and compliance has not occurred. Therefore, the Director of the Department of Building Inspection has probable cause to believe the building, structure or a portion thereof is an unsafe building or property.

Failure to comply with the decision of the Director may result in the revocation of the Permit of Occupancy and/or Certificate of Occupancy of the subject premises.

The Owner(s) of Record or the duly authorized representative is notified to appear at the Hearing to be held on the date shown above, at which time the Director of the Department of Building Inspection will consider the violation(s) and that the building is unsafe and a public nuisance.

WARNING

Failure to comply with this request will result in further abatement proceedings. If an Order of Abatement is issued from the Director's Hearing, you will be billed for the entire cost incurred in the code enforcement process, from the posting of the first "Warning of Violation" until the matter is resolved per San Francisco Building Code Sections 102A.3, 102A.17, 110A, Table 1A-D, 1A-G, and 1A-K.

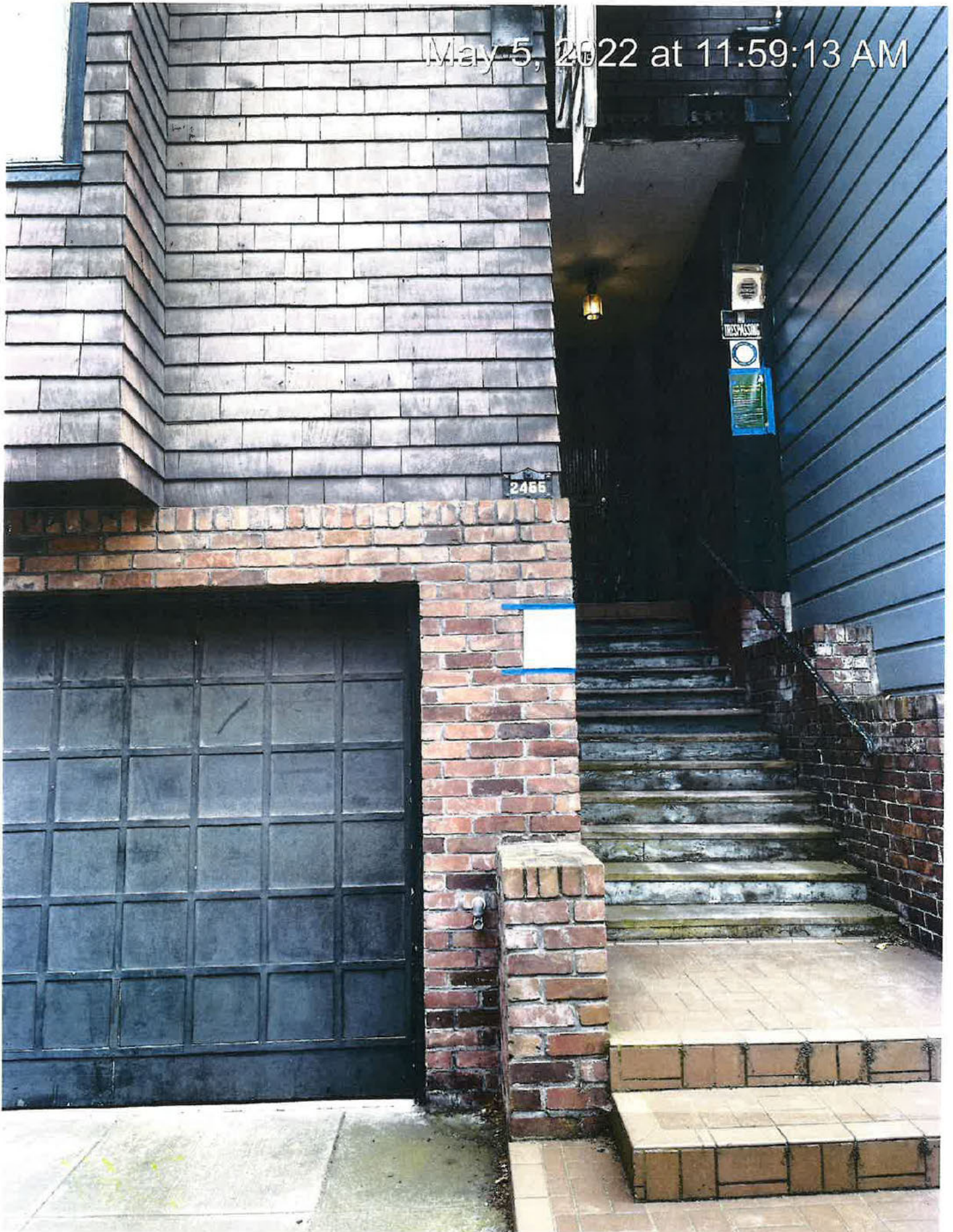
The Owner(s) of Record is instructed to notify the holder(s) of any Mortgage(s) or Deed(s) of Trust secured by this property of these proceedings. Also, the Department of Building Inspection shall be advised of the name(s) of holder(s) of any Mortgage(s) or Deed(s) of Trust on this property. Please call Inspector Grady at (628) 652-3700 if you have questions regarding this code enforcement case.

BY ORDER OF THE DIRECTOR OF DEPARTMENT OF BUILDING INSPECTION.
Very truly yours,

Patrick O'Riordan, C.B.O. Director
Department of Building Inspection

Housing Inspection Services
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226
Office (628) 652-3700 - FAX (628) 652-3708 - www.sfdbi.org

May 5, 2022 at 11:59:13 AM



Bob Korman
 3450 Sacramento 124
 San Francisco CA 94118
 415 346 4364
 May 16 2022

SUBJECT PROPERTY

2455 JACKSON ST SF CA 94115 NOV 2021 83625
 DIRECTOR'S HEARING SET FOR Thursday 05-19-2022 @ 9:30 AM
 REQUEST FOR THIRTY [30] DAY CONTINUANCE "FOR GOOD CAUSE"

USPS CERTIFIED MAIL ARTICLE TRACKING # 7020 1290 0002 2855 7943DBI-Planning- 49 South Van Ness Ave SF CA 94103
 USPS CERTIFIED MAIL ARTICLE TRACKING # 7020 1290 0002 2855 7936City Attorney 1390 Market St - 7th Flr SF CA 94102

1. Mauricio Hernandez - CES - Chief Building Inspector - 628-652-3440 <Mauricio.Hernandez@sfgov.org>
2. Joseph Duffy - Acting Deputy Director - 628-652-3610 <Joseph.Duffy@sfgov.org>
3. Patrick O'Riordan - Director - 628-652-3500..... <Patrick.Oriordan@sfgov.org>
4. Kevin McHugh - Sr Building Inspector - Dist 4-5-7-10 - 628-652-3613 <Kevin.McHugh@sfgov.org>
5. Kevin Birmingham Sr Building Inspector 628-652-3606 <Kevin.Birmingham@sfgov.org>
6. Christopher Grady - District Housing Inspector - Dist 4-5-Lead - 628-652-3381 <Christopher.Grady@sfgov.org>
7. Jose E Lopez – Sr Building Inspector - 628-635-3376 <Jose.E.Lopez@sfgov.org>
8. John Hinchion - CES Senior Building Inspector - 628-652-3413 <John.Hinchion@sfgov.org>
9. Alan Davison - Sr. Housing Inspector - 628 - 652-3374 <Alan.Davison@sfgov.org>
10. Jim Lawrie - Sr Housing Inspector - 618-652-3372 <James.Lawrie@sfgov.org>
11. Kenneth Burke - Chief Electrical Inspector - 628-652-3620 <Kenneth.Burke@sfgov.org>
12. Mike Chung - Code Enforcement - 618-652-3411..... <Mike.Chung@sfgov.org>
13. Thomas Moyer - CES 628-652-3419..... <Thomas.Moyer@sfgov.org>
14. Sonya Harris - Building Inspection Commission - 628- 652-3547 <Sonya.Harris@sfgov.org>
15. Rachna Rachna - Sr Planner - 628-652-7404 <rachna.rachna@sfgov.org>
16. Sonya Bryant - CES - 628-652-3449 <Sonya.L.Bryant@sfgov.org>
17. Bernadette Perez - HIS 628-652-3390 <Bernadette.Perez@sfgov.org>
18. Patrick Hannan - Communications Director - 628 652 3535 <dbi.sunshinerequests@sfgov.org>
19. Peter Miljanich - Deputy City Attorney - 1390 Market St - 7th Flr SF CA 94102-5302 <Peter.Miljanich@sfcitya

REQUEST FOR THIRTY [30] DAY CONTINUANCE "FOR GOOD CAUSE"

20. Bob Korman is co-owner of subject property *in re* Director's Hearing now set for Thursday May 19 2022 at 9:30 AM
21. Property owner is lawfully-entitled to legal counsel representation at any SF Administrative Hearing

C:\USERS\DBI-6840\DOWNLOADS\DBI-CE-PLANNING-2455-JACKSON-HIS-NOV-2021-83625-DIRECTORS-HEARING-FOR-05-19-2022-GOOD-CAUSE-CONTINUANCE-REQUEST-1.DOC

- including Directors' Hearings
22. Christopher Cannon previously appeared as counsel at several DBI - Planning Enforcement - ZA- BOA Hearings for applicant
 23. DBI-CE Director's Hearing letter of April 27 2022 states in part "...owner may request...continuance "for good cause..."
 24. The undersigned requests Mr Cannon to engage in a Video-ZOOM-video hearing as applicant is not equipped to do so
 25. Mr Cannon's court & client calendars are booked solid this week and cannot attend this week's Director's Hearing Video-ZOOM
 26. Applicant's voice message today for Bernedette Perez explained the above and she made a file note granting the continuance
 27. Bernedette suggested a written faxed request for Continuance and Jim Lawrie's phone message suggested the same concept
 28. Accordingly - the undersigned hereby requests a Thirty Day Continuance for Good Cause of Legal Necessity be hereby granted

Respectfully submitted

//s//

Bob Korman

Copy - Christopher Cannon - Attorney at Law..... <chris@sugarmanandcannon.com>

CHRISTOPHER J. CANNON
SCOTT A. SUGARMAN
MATTHEW A. LAWS

SUGARMAN & CANNON

ATTORNEYS AT LAW
737 TEHAMA STREET, No. 3
SAN FRANCISCO, CALIFORNIA 94103

(415) 362-6252

May 17, 2022

Jim Lawrie
Senior Housing Inspector
Department of Building Inspection
Housing Inspection Services
49 S Van Ness Avenue, 4th Floor
San Francisco, CA 94103
james.lawrie@sfgov.org

Re: 2455 Jackson Street – Request for Continuance

Dear Jim,

I am responding to your e-mail about a request of a continuance of the Director's hearing regarding 2455 Jackson St. scheduled for Thursday, May 19th.

Unfortunately, I have a conflict that day and I must request a continuance. I would be available June 16th, 17th, 20th 22nd or 23rd.

Thank you for your accommodation in this matter.

Sincerely,

 /s/
Christopher J. Cannon

cc: Bob Korman

City and County of San Francisco
 Department of Building Inspection



London N. Breed, Mayor
 Patrick O'Riordan, C.B.O., Director

DATE AFFIDAVIT PREPARED May 31, 2022

ADDRESS: 2455 JACKSON ST, 0000
 INSPECTOR: Grady
 OWNER: NANCY E RYTI SPOUSAL IRREVO
 NANCY E RYTI, TRUSTEE
 3450 SACRAMENTO ST # 124
 SAN FRANCISCO CA 94118

Directors' Hearing Date: June 16, 2022
 Hearing Number: 202183625
 Block: 0606 Lot: 024 Seq: 1
 Tract: 135 Case: DC2

Declaration of Service Of Notice Of Violation(s) and Notice Of Director's Hearing by Mail

I, the undersigned, declare that I am employed by the City and County of San Francisco and at all times herein mentioned was over the age of 18 years; that pursuant to the provisions of the San Francisco Building Code Section 102A.3, I did on this date place a true copy of the Notice of Hearing of the Director of Building Inspection, City and County of San Francisco which informed the owner(s) and duly authorized agent of the time and place of hearing, in an envelope addressed to the above named person(s); and then sealed and deposited said envelope in the United States Mail at San Francisco, California, with postage thereon and registered mail delivery service charges fully prepaid for delivery by registered mail; that there is delivery service by United States Mail at the place so addressed or regular communication by United States Mail between the place of mailing and the place so addressed.

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

Date Mailed: 6/2/22, San Francisco, California.

By: SUSAN HUANG 6/2/22 Signature: [Signature]
 (Print name) (Date)

Declaration Of Posting Of Notice Of Violations(s) And Notice Of Directors' Hearing

I, the undersigned, declare that I am employed the City and County of San Francisco and at all times herein mentioned am over the age of 18 years; that pursuant to the provisions of the San Francisco Building Code Section 102A.3, I did on this date place a true copy of the Notice of Hearing of the Director of Building Inspection, City and County of San Francisco, in a conspicuous place on the building, structure or part thereof described in the Notice of Hearing. to wit:

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

Date Posted: 6/2/22, at San Francisco, California.

By: Paul Chierici 6/2/22 Signature: Paul Chierici
 (Print name) (Date)

Housing Inspection Services
 49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226
 Office (628) 652-3700 - FAX (628) 652-3709- www.sfdbi.org

7021 1970 0000 0240 0371
 7021 1970 0000 0240 0388
 7021 1970 0000 0240 0364

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Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

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Here

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Sent To: Nancy E Rytli Spousal Irrevo
 Korman Family Irrevoc Trust
 3450 Sacramento St # 124
 NOV#202183625

Street and Apt.
 City, State, ZIP

PS Form 3800, April 2015 PSN 75012-000-9017 **SEE REVERSE FOR INSTRUCTIONS**

City and County of San Francisco
Department of Building Inspection



London N. Breed, May
Patrick O'Riordan, C.B.O., Director

NOTICE OF CONTINUED DIRECTOR'S HEARING

DIRECTOR'S HEARING NO: 202183625

**Owner: NANCY E RYTI SPOUSAL IRREVO
NANCY E RYTI, TRUSTEE
3450 SACRAMENTO ST # 124
SAN FRANCISCO CA 94118**

**Date: May 31, 2022
Address: 2455 JACKSON ST, 0000
Block: 0606 Lot: 024 Seq: 1
Tract: 135 Case: DC2
Inspector: Grady**

**Hearing of the Complaint of the Director of Department of Building Inspection against
the property at the location shown above has been continued until June 16, 2022**

at 9:30 A.M.

The Owner of Record, designated above, is hereby notified to appear.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Patrick O'Riordan".

**Patrick O'Riordan, C.B.O, Director
Department of Building Inspection**

**Housing Inspection Services
49 South Van Ness - San Francisco CA 94103
Office (628) 652-3700 - FAX (628) 652-3709 - www.sfdbi.org/dbi**

City and County of San Francisco
Department of Building Inspection



London N. Breed, Mayor
Patrick O'Riordan, C.B.O., Director

**HOUSING INSPECTION SERVICES
DIRECTORS' HEARING**

We will be holding Director's Hearing on June 16 2022 at 9:30AM via Microsoft Teams

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Join the audio conference: MICROSOFT TEAMS MEETING

Phone: 415 906-4659

Access code 854 175 643#

P://DH Forms/Covid-19 Letter

List of Owners/Interested Parties**Address: 2455 JACKSON ST**

Complainant:
Camille Samuel
2455 Jackson St
San Francisco, CA 94115

1.
Nancy E Ryti Spousal Irrevo
Korman Family Irrevoc Trust
3450 Sacramento St # 124
San Francisco, CA 94118

2.
AAA Construction
Attn: Bob Korman
3450 Sacramento St # 124
San Francisco, CA 94118

Amended Notice & Claim of Mechanics' Lien dated 9/9/2021, US\$2,486,463.48
Recorded DOC-2021143412, 9/10/2021

3.
US Bank National Association
1 Federal St 3rd fl
Boston, MA 02110-2004

Assignment of Multifamily Deed of Trust dated 08/10/2020,
Recorded DOC-2020229452, 8/27/2020

Created: 5/31/2022 / JC

Tract: 135 / Source: DC2

City and County of San Francisco
Department of Building Inspection



London N
Patrick O'Riordan, C

NOTICE OF CONTINUED DIRECTOR'S HEARING

DIRECTOR'S HEARING NO: 202183625

**Owner: NANCY E RYTI SPOUSAL IRREVO
NANCY E RYTI, TRUSTEE
3450 SACRAMENTO ST # 124
SAN FRANCISCO CA 94118**

**Date: May 31, 2022
Address: 2455 JACKSON ST,
Block: 0606 Lot 024 Seq:
Tract: 135 Case: DC2
Inspector: Grady**

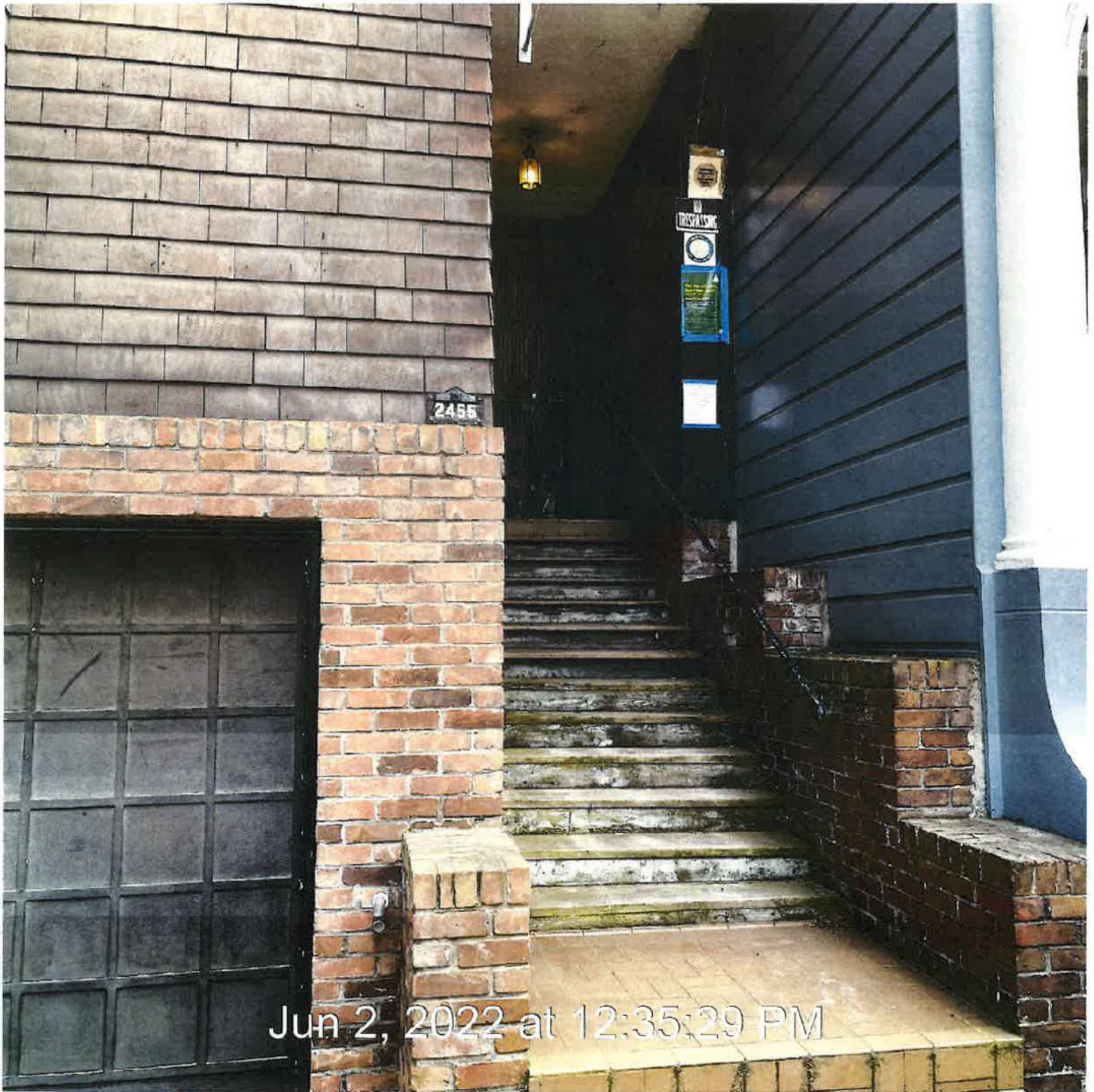
Hearing of the Complaint of the Director of Department of Building Inspection aga
the property at the location shown above has been continued until June 16, 2022
at 9:30 A.M.

The Owner of Record, designated above, is hereby notified to appear.

Very truly yours,

Patrick O'Riordan, C.B.O, Director
Department of Building Inspection

Jun 2, 2022 at 12:35:15 PM



City and County of San Francisco
Department of Building Inspection



London N. Breed, Mayor
Patrick O'Riordan, C.B.O., Director

DATE AFFIDAVIT PREPARED June 17, 2022

Address: 2455 JACKSON ST,

Hearing Number: 202183625

Inspector: Grady

Block: 0606 Lot No: 024 Seq: 1

Directors' Hearing Date: June 16, 2022

Tract: 135 Case: DC2

Owner: NANCY E RYTI SPOUSAL IRREVO
NANCY E RYTI, TRUSTEE
3450 SACRAMENTO ST # 124
SAN FRANCISCO CA
94118

Declaration Of Service Of Order Of Abatement By Mail Per San Francisco Building Code Section 102.7

I, the undersigned, declare that I am employed by the City and County of San Francisco and at all times herein mentioned was over the age of 18 years; that pursuant to the provisions of the San Francisco Building Code Section 102.7, I did on this date place a true copy of the Order of the Director of Building Inspection, City and County of San Francisco, in an envelope addressed to the above; and then sealed and deposited said envelope in the United States Mail at San Francisco, California, with postage thereon and registered mail charges fully prepaid for delivery by registered mail; that there is delivery service by United States Mail at the place so addressed or regular communication by United States Mail between the place of mailing and the place so addressed.

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

Date Mailed: 06/24/2022, at San Francisco, California. By: TGOMEZ
(Signature)

Declaration Of Posting Of The Order OF Abatement Per San Francisco Building Code Section 102.7

I, the undersigned, declare that I am employed by the City and County of San Francisco and at all times herein mentioned am over the age of 18 years; that pursuant to the provisions of the San Francisco Building Code Section 102.7, I did on this date post a true copy of the Order of the Director of the Department of Building Inspection of the City and County of San Francisco, in a conspicuous place on the building, structure or part thereof described in the Order of Abatement, to wit:

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

Date Posted: 6/27/22, at San Francisco, California.
By: WALTER BROWN 6/27/22 Signature: [Signature]
(Print name) (Date)

Housing Inspection Services
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226
Office (628) 652-3700 - FAX (628) 652-3709 - www.sfdbi.org

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<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ _____

Postmark Here

Nancy E Ryti Spousal Irrevo
 Korman Family Irrevoc Trust
 3450 Sacramento St #124
 San Francisco, CA 94118

NOV #202183625

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

City and County of San Francisco
Department of Building Inspection



London N. Breed, Mayor
Patrick O'Riordan, C.B.O., Director

ORDER OF ABATEMENT - ORDER NO. 202183625

Owner: NANCY E RYTI SPOUSAL IRREVO
NANCY E RYTI, TRUSTEE
3450 SACRAMENTO ST # 124
SAN FRANCISCO CA 94118

Address: 2455 JACKSON ST,
Block: 0606 Lot: 024 Seq: 1
Census Tract: 135 Source: DC2
Complaint: 202183625
Date Order of Abatement Issued: June 16, 2022
Inspector/Division: Grady/HIS
Housing Division Representative: James Lawrie
Hearing Officer: Kenneth Burke

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **June 16, 2022** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 10 days prior to the hearing.
2. That the conditions are as stated in the complaint of the Director of the Department of Building Inspection attached as the Notice(s) of Violation (NOV) dated: **October 29, 2021**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

30 Days to complete all work - as noted in the above referenced NOV

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

Patrick O'Riordan, C.B.O., Director
Department of Building Inspection

Approved for Distribution on June 17, 2022
by James Sanbonmatsu, Chief Housing Inspector

Housing Inspection Services
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226
Office (628) 652-3700 - FAX (628) 652-3709 - www.sfdbi.org

RECORDING REQUESTED BY:
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:
DEPT. OF BUILDING INSPECTION
HOUSING INSPECTION SERVICES
49 South Van Ness Avenue, 4th Floor
SAN FRANCISCO, CA 94103

ORDER OF ABATEMENT
2455 JACKSON ST

Block/Lot/Seq. - 0606 / 024 / 1

NO. 202183625A

DC2- DH 19-MAY-22

City and County of San Francisco
Department of Building Inspection



London N. Breed, Mayor
Patrick O'Riordan, C.B.O., Director

ORDER OF ABATEMENT - ORDER NO. 202183625

Owner: NANCY E RYTI SPOUSAL IRREVO
NANCY E RYTI, TRUSTEE
3450 SACRAMENTO ST # 124
SAN FRANCISCO CA 94118

Address: 2455 JACKSON ST,
Block: 0606 Lot: 024 Seq: 1
Census Tract: 135 Source: DC2
Complaint: 202183625
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Inspector/Division: Grady/HIS
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Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

30 Days to complete all work - as noted in the above referenced NOV

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Very truly yours,

Patrick O'Riordan, C.B.O., Director
Department of Building Inspection

Approved for Distribution on June 17, 2022
by James Sanbonmatsu, Chief Housing Inspector

Housing Inspection Services
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226
Office (628) 652-3700 - FAX (628) 652-3709 - www.sfdbi.org



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: 202183625

OWNER/AGENT: NANCY E RYTI SPOUSAL IRREVOC T

DATE: 29-OCT-21

MAILING

ADDRESS: NANCY E RYTI SPOUSAL IRREVO
 NANCY E RYTI, TRUSTEE
 3450 SACRAMENTO ST # 124
 SAN FRANCISCO CA
 94118

LOCATION: 2455 JACKSON ST

BLOCK: 0606 **LOT:** 024

NOTICE TYPE: COMPLAINT

BUILDING TYPE: APT

USE TYPE: R2

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	This Notice includes violations of the San Francisco Housing Code. Unless noted otherwise, all violations were observed on the date of inspection at 2455 Jackson Street.
2 REMOVE or SECURE ALL LOOSE TRIM 1001c6 SFHC	A length of metal gutter was blown off the top level of the house in this most recent storm. It is now at the bottom of the light well between this property and 2463 Jackson Street. It is apparent that there are more unattached, unsecured members. Secure functional members of the water control system, gutters, downspouts, scuppers etc. to the building in a permanent manner.
3 REMOVE ALL UNSECURED BUILDING MATERIALS 1001c6 SFHC	Once the functional parts of the storm water control system have been secured, remove all unattached construction barriers, ladders, loose cloth, fabric and tarps, framing members, sheathing materials, trim and siding. There shall be no unattached items left on site in the areas of abandoned construction.
4 REMOVE ALL DANGEROUS ARTICLES OF STORAGE 1001d, k, 1306, 1310 SFHC	The back yard is full of unused construction materials. There are piles of brick surrounded by siding and trim, framing members and fence panels. Much of the stored items are leaning on the fence that is falling in multiple locations due to the excess weight. Additionally there is debris, old signage, fallen vegetation and old car parts all providing vermin harborage. Remove the debris and all stored items from the rear yard. Provide the services of pest control to rid the yard of rats and mice.



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

5 REPAIR THE FENCE 1001d, k, l SFHC

COMPLAINT: 202183625

Fallen tree limbs have broken the fence and knocked down multiple fence panels. Two of these panels are at heights that exceed the allowable fence height for one installed without a permit.

Repair the broken fence, limiting the height to 7 feet (SFBC 105.2 building 2). If a fence height of greater than 7 feet is desired building permits are necessary for this item.

6 INSPECTOR COMMENTS

IMPORTANT NOTE: Due to the nature of this violation, this property has been defined as a Nuisance per section 100I-d of the San Francisco Housing Code.

It is the property owner's responsibility to be present or direct his/her representative to attend the re-inspection 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 re-inspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time 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 re-inspection.

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 02 December 2021 11:30 AM

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

CONTACT HOUSING INSPECTOR : Christopher Grady AT 628-652-3381

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 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 Av, 4th Floor, San Francisco, California 94103-1226

Tel. (628) 652-3700, Fax No. (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 \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 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: 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.

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 Av, 2nd Fl. 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 Av, 14th Fl, Suite 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: For every inspection, after the initial re-inspection, a \$170.00 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:

Section 3423 of the San Francisco 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 3423.8 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 Warnings\NOV Warning Txt 12 30 2010 One Page.rvb.doc



Jun 27, 2022 at 11:55:15 AM



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: 07/07/2022 04:20:29 PM

Housing Inspection Division

Phone:(628) 652-3700

Payment Date: 07/07/2022

Job Address

2455 JACKSON ST -

Receipt Number: HIS17044

Issued By: SHUANG

Payment received from:

BOB KORMAN

Application Number:

2455 JACKSON ST -

ABATEMENT APPEAL BOARD 202183625
2455 JACKSON ST; 0606/024

Payment received for the items indicated:

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

TOTAL \$158.10

BY SH

The County and City of Francisco
DBI
Reference Number: 2022187004-124
Date/Time: 07/07/2022 4:18:38 PM
Permit or Reference Num Payment
2022187004-124-1
Line Item
Permit or Reference Num HIS17044
Comment: 2455 JACKSON ST
Fee Desc: Assessment Appeals
Amount: \$158.10
Total: \$158.10
ITEM TOTAL: \$158.10
TOTAL: \$158.10
Mastercard \$158.10
Credit Card N *****12798
Payer Name: KORMAN
Total Received: \$158.10
Safe Building



APPEAL TO THE ABATEMENT APPEALS BOARD OF THE CITY AND COUNTY OF SAN FRANCISCO FROM THE BUILDING INSPECTION DEPARTMENT

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

Appellant Name: BOB KORMAN Appeal Number: 2021-83625
Director's Order No: 2021-83625 Complaint Tracking No(s): 2021-83625
Date Appeal Filed: 07/07/2022 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 08/16/2022
(2) The affected premises are located at 2455 JACKSON ST SF CA 94115, San Francisco. They contain 5 dwelling units and 0 guest rooms. VAB ON FILE
(3) State in ordinary and concise language the specific nature of the action appealed from, together with any material facts relating thereto. SEE ATTACHED
(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.). SEE ATTACHED
(5) Please state /check appellant's relationship to the property: [x] property owner [] owner's agent [] attorney [] architect [] engineer [] contractor [] other
(6) Appellant's Information: Print Appellant's Name: Bob Korman Daytime Phone Number: 415 346-364
Appellant's Mailing Address: 3450 SACRAMENTO 124 SF CA 94118

Abatement Appeals Board (AAB)
Tel. (628) 652-3517 - (628) 652-3426
49 South Van Ness Avenue Suite 400, San Francisco, CA 94103

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:
SEE ATTACHED

(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:
SEE ATTACHED

(10) Please state any work completed to correct the related code violations:
SEE ATTACHED

(11) What was the extent of the work performed? How much remains to be completed?

(12) When was the work done? SEE ATTACHED

(13) Who did the work? _____

(14) What is your occupation? If you are a co-owner, list all other co-owners and other occupants.
SEE ATTACHED

(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
SEE ATTACHED

(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. _____
- SEE ATTACHED

(21) What other permits have you been granted by the City? SEE ATTACHED

(22) What other facts do you want the Board to consider?
SEE ATTACHED

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

Print Name: Bob Korman

Signature: [Signature]

Date Signed: 07/07/2022

Signatory is property owner agent other _____



Abatement Appeals Board Appeal Application Form
Addendum for Jurisdiction Requests Only
Page Three

Instructions: If you are requesting that the AAB take jurisdiction of an appeal after the requisite appeal period has expired please complete the following questionnaire:

Jurisdiction of the Abatement Appeals Board & Filing Time Periods: Pursuant to Chapter 77.5 of the San Francisco Administrative Code, the AAB has the power to grant jurisdiction after the appeal period has expired only upon a showing by the appellant that the delay in filing the appeal was due to misrepresentation, mistake, or other error on the part of the City. (Admin. Code Chp. 77.5(b)(2)). A Request for Jurisdiction shall be filled within fifteen (15) days from the date the Board Secretary has rejected an appeal, or fifteen (15) days after the appellant has actual or constructive knowledge of the right to appeal.

- (1) Date of Request: _____
- (2) Date AAB Secretary rejected appeal or date appellant made aware of right to appeal

- (3) Please explain why there was a delay in filing the appeal:

- (4) Please describe the alleged misrepresentation, mistake, or other error on the part of the City that caused the delay (attach additional sheet(s) if necessary):

- (5) What other facts do you want the Board to consider regarding the request for jurisdiction?

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

Print Name: _____ Signature: _____

Date Signed: _____ Signatory is property owner agent other _____



Abatement Appeals Board (AAB)
Tel. (628) 652-3517 - (628) 652-3426
49 South Van Ness Avenue Suite 400, San Francisco, CA 94103

Bob Korman
3450 Sacramento 124
San Francisco CA 94118
415 346 4364
July 07 2022



PARTIES PERSONALLY-SERVED - FILE-ENDORSED COPY PROVIDED & RECEIVED

Dept Building Inspection - Code Enforcement - Director's Office - Housing Director - Abatement Appeals Board - City Attorney¹
49 South Van Ness Ave 4th Floor
San Francisco CA 94103

PROPERTY ADDRESS 2455 JACKSON ST SF CA 94115
DBI - HOUSING INSPECTION SERVICES NOV 2021-83625
DIRECTOR'S HEARING - ORDER OF ABATEMENT ISSUED- POSTED MONDAY 06-27-2022

SERVICE-of-PROCESS - ELECTRONICALLY TRANSMITTED

- 1. Peter R Miljanich - Deputy City Attorney - 415-554-4620 <Peter.Miljanich@sfcityattv.org>
- 2. Bradley Alan Russi - Deputy City Attorney - 415-554-4645 <brad.russi@sfcityattv.org>

UNFULFILLED SUNSHINE ORD 67.1 (f) REQUEST

- 1. We requested audio and CDROM recordings of these two [2] Director's Hearings - held on May 19, 2022 and June 16, 2022
- 2. To date - these materials have not been yet provided to us in spite of Patrick Hannan's June 24, 22 email to the contrary²
- 3. Absence of these transcripts impedes and frustrates our Due Process rights to lodge a meaningful and complete Appeal
- 4. Accordingly we protest and object to any OOA Appeal Hearing until digital and audio recordings have been provided

APPLICATION FOR APPEAL OF DIRECTOR'S ORDER OF ABATEMENT³

Specific nature of action appealed from is Order of Abatement DBI-Director-Approved 06-17-2022 - posted 06-27-2022- see *infra*
Objections include protests against violations of State and Federal Constitutional Due Process and Civil Rights 42 USC §1983

- Material facts of inculpatory evidence were neither presented nor disclosed by Hearing Officer during Director's Hearing
- Respondent disclosed material facts including 3 verified photos depicting compliance and sworn statements of the same
- Relief Sought is Reversal & Withdrawal of OOA With Prejudice of constitutionally-infirm Order for below-cited reasons
- Chris Cannon lodged a pre-hearing Protest & Objection to the form - function - procedures - policies of Director's Hearing
- Due to lacking audio recording [fn2] not yet provided by DBI Communications all arguments remain factually incomplete
- DBI's website states "The Director's Representative...presides...to compel owners to to comply with code violations"
- To compel compliance with an unproven violation forces a respondent to "supply evidence or existence of a negative"
- The Hearing Director has shifted Burden of Proof from government to respondent to provide evidence of no violation
- DBI's Officer & Advocate work within the same department and are biased pre-deciding the outcome before the hearing
- All DBI-Planning officials are given free license to inter-communicate with one another to decide self-serving outcomes
- Hearing Director & DBI Advocate have interchangeable + dual roles - as J. Lawrie was both Advocate and Hearing Officer
- There is no zone of safe independence between a Hearing Advocate and a Hearing Adjudicator or "Neutral Trier-of-Fact"
- Such lack of actual & definable separation between Advocate and Adjudicator easily facilitates violations of Due Process
- Director's Hearing assumes "facts not in evidence" to be true & reads a non-affiant hearsay NOV as if it were "evidence"
- Hearing starts with unproven assumptions that violations exist & the biased non-impartial Officer only confirms the same
- The Abatement Appeals Board consists of DBI representatives and is given a recommended decision prior to its hearing
- Based on reliable information & belief the DBI-AAB & Planning⁴ officials receive substantial interdepartmental coaching
- OOA claims "full and fair consideration of evidence and testimony received" ignoring DBI's failure to proffer any evidence⁴
- Furthermore the OOA fails to recognize respondent's sworn testimony concerning 3 photos depicting full compliance
- OOA likewise fails to recognize James Lawrie's statements that respondent's photos & statements depict full compliance
- While the NOV orders "remove or secure all loose trim" - respondent testified this element had been fully complied with
- The length of gutter was removed from lightwell even though it was not a gutter from at-issue-property & of other material
- All unsecured construction materials & all dangerous articles of storage were removed - as respondent stated under oath
- Piles of bricks surrounded by siding & trim, framing members and fence panels were removed or safely restored per oath
- The fence was repaired & notwithstanding an "order to obtain a fence permit" - Joe Duffy refused - voiding Bldg Form 3/8
- In summary - the only evidence before this Honorable Board is that of respondent who testified full compliance with NOV
- Due to multiple Due Process violations & lack of Hearing transcripts this "Appellant's Opening Brief" remains incomplete

Respectfully submitted //s// Bob Korman Copy <chris@sugarmanandcannon.com>

¹ Service of Process by electronically-transmitted email

² 06-24-22 email "We will be in touch with you within the 10-day period, which is no later than Tuesday, July 5, 2022."¹¹

³ These arguments likewise applicable to Notices 2018-86993, 2021-076471, 202176962, 202177132, 202029907, 2018-015640ENF

⁴ Courtesy copy to be provided to City Planning Enforcement Division c/o "Rachna.Rachna"



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: 07/07/2022 04:20:29 PM

Housing Inspection Division

Phone:(628) 652-3700

Payment Date: 07/07/2022

Job Address

2455 JACKSON ST -

Receipt Number: HIS17044

Issued By: SHUANG

Payment received from:

BOB KORMAN

Application Number:

2455 JACKSON ST

ABATEMENT APPEAL BOARD 202183625
2455 JACKSON ST; 0606/024

Payment received for the items indicated:

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

TOTAL \$158.10

BY stj

The County and City of Francisco
081

Reference Number: 2022187004-124
Date/Time: 07/07/2022 4:18:38 PM

Permit or Reference Numb Passed:
2022187004-124-1

Line Item
Permit or Reference Num HIS1:
Comment: 2455 JACKSON ST

Fee Desc: Assessment Appeals
Amount: \$15:

Total: \$158.10

1 ITEM TOTAL: \$158.10

TOTAL: \$158.10

Mastercard \$158.10
Credit Card N *****2738
Payer Name: KORMAN
Total Received: \$158.10

Safe Building



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

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

Appellant Name: BOB KORMAN Appeal Number: 204-83625
Director's Order No: 2021-83625
Date Appeal Filed: 07/07/2022
Complaint Tracking No(s): 2021-83625
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).

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(2) The affected premises are located at 2455 JACKSON ST SF CA 94115 San Francisco. They contain 5 dwelling units and 0 guest rooms. VAB ON FILE
(3) State in ordinary and concise language the specific nature of the action appealed from, together with any material facts relating thereto. SEE ATTACHED
(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.). SEE ATTACHED
(5) Please state /check appellant's relationship to the property: [x] 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: Bob Korman Daytime Phone Number: [REDACTED]
Appellant's Mailing Address: [REDACTED] SF V/m 24/7 CA 94118

Abatement Appeals Board (AAB)
Tel. (628) 652-3517 - (628) 652-3426
49 South Van Ness Avenue Suite 400, San Francisco, CA 94103

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:

SEE ATTACHED

(8) Did the current owner(s) of record own the property when this work was performed? Yes No

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(10) Please state any work completed to correct the related code violations:

SEE ATTACHED

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Electrical Permit Application Nos. _____

SEE ATTACHED

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(22) What other facts do you want the Board to consider?

SEE ATTACHED

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

Print Name: Bob Korman

Signature: [Handwritten Signature]

Date Signed: 07/07/2022

Signatory is property owner agent other



Abatement Appeals Board Appeal Application Form
Addendum for Jurisdiction Requests Only
Page Three

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

Print Name: _____ Signature: _____

Date Signed: _____ Signatory is property owner agent other _____



Abatement Appeals Board (AAB)
Tel. (628) 652-3517 - (628) 652-3426
49 South Van Ness Avenue Suite 400, San Francisco, CA 94103

Bob Korman
3450 Sacramento 124
San Francisco CA 94118
415 346 4364
July 07 2022



PARTIES PERSONALLY-SERVED - FILE-ENDORSED COPY PROVIDED + RECEIVED

Dept Building Inspection - Code Enforcement - Director's Office - Housing Director - Abatement Appeals Board - City Attorney¹
49 South Van Ness Ave 4th Floor
San Francisco CA 94103

PROPERTY ADDRESS 2455 JACKSON ST SF CA 94115
DBI - HOUSING INSPECTION SERVICES NOV 2021-83625
DIRECTOR'S HEARING - ORDER OF ABATEMENT ISSUED- POSTED MONDAY 06-27-2022

SERVICE-of-PROCESS - ELECTRONICALLY TRANSMITTED

- 1. Peter R Miljanich - Deputy City Attorney - 415-554-4620 <Peter.Miljanich@sfcityattv.org>
- 2. Bradley Alan Russi - Deputy City Attorney - 415-554-4645 <brad.russi@sfcityattv.org>

UNFULFILLED SUNSHINE ORD 67.1 (f) REQUEST

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- 3. Absence of these transcripts impedes and frustrates our Due Process rights to lodge a meaningful and complete Appeal
- 4. Accordingly we protest and object to any OOA Appeal Hearing until digital and audio recordings have been provided

APPLICATION FOR APPEAL OF DIRECTOR'S ORDER OF ABATEMENT³

Specific nature of action appealed from is Order of Abatement DBI-Director-Approved 06-17-2022 - posted 06-27-2022- see *infra*
Objections include protests against violations of State and Federal Constitutional Due Process and Civil Rights 42 USC §1983

- Material facts of inculpatory evidence were neither presented nor disclosed by Hearing Officer during Director's Hearing
- Respondent disclosed material facts including 3 verified photos depicting compliance and sworn statements of the same
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- Due to lacking audio recording [fn2] not yet provided by DBI Communications all arguments remain factually incomplete
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- OOA claims "full and fair consideration of evidence and testimony received" ignoring DBI's failure to proffer any evidence
- Furthermore the OOA fails to recognize respondent's sworn testimony concerning 3 photos depicting full compliance
- OOA likewise fails to recognize James Lawrie's statements that respondent's photos & statements depict full compliance
- While the NOV orders "remove or secure all loose trim" - respondent testified this element had been fully complied with
- The length of gutter was removed from lightwell even though it was not a gutter from at-issue-property & of other material
- All unsecured construction materials & all dangerous articles of storage were removed - as respondent stated under oath
- Piles of bricks surrounded by siding & trim, framing members and fence panels were removed or safely restored per oath
- The fence was repaired & notwithstanding an "order to obtain a fence permit" - Joe Duffy refused - voiding Bldg Form 3/8
- In summary - the only evidence before this Honorable Board is that of respondent who testified full compliance with NOV
- Due to multiple Due Process violations & lack of Hearing transcripts this "Appellant's Opening Brief" remains incomplete

Respectfully submitted //s// Bob Korman Copy <chris@sugarmanandcannon.com>

¹ Service of Process by electronically-transmitted email
² 06-24-22 email "We will be in touch with you within the 10-day period, which is no later than Tuesday, July 5, 2022."
³ These arguments likewise applicable to Notices 2018-88993; 2021-076471; 202176962;; 202177132; 202029907; 2018-015640ENF
⁴ Courtesy copy to be provided to City Planning Enforcement Division c/o "Rachna.Rachna"

City and County of San Francisco
 Department of Building Inspection



London N. Breed, Mayor
 Patrick O'Riordan, C.B.O., Director

Inspector GRADY:

Please Post and Return Declaration to AAB Secretary

Declaration of Posting of Abatement Appeals Board

Notice of Hearing

CHRISTOPHER GRADY declare that I am employed by the City and County of San Francisco and at all times herein mentioned is over the age of 18 years; that pursuant to the provisions of Section 105.2.6 of the San Francisco Building Code, I did on the 26TH day of SEPTEMBER 20 22 posted a copy of the Notice of Hearing of the Abatement Appeals Board, in a conspicuous place on the building, structure or part thereof described in said Complaint, to wit:

Grady
 San Francisco, California

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

Executed on SEPTEMBER 26, 2022 at San Francisco, California

Housing Inspection Services
 49 South Van Ness Av, Suite 400 San Francisco CA 94103
 Office (628) 652.3700 – FAX 628) 652-3709 – www.sfdbi.org
P:\AAB Documents\AAB Posting 2023 bp.doc

ABATEMENT APPEALS BOARD
 City & County of San Francisco
 49 South Van Ness Avenue, San Francisco, California 94103-2433

NOTICE OF AAB HEARING

Case No. 2021-0606

ABATEMENT APPEALS BOARD
 149 SACRAMENTO ST #124
 SAN FRANCISCO, CA, 94118

Re: 2455 Jackson St AAB Appeal No. 6909

Dear Parties:

On 7/7/2022, the Abatement Appeals Board (AAB) received Applicant **KORBAN FAMILY TRUST** completed appeal form, appealing Director's Order No. 2021-0606-A.

This matter has been scheduled for hearing before the AAB on 10/19/2022 at 9:00 AM, via teleconference. A link to join the teleconference will be emailed to you before the hearing.

Information about the hearing procedures are set forth in the AAB's Bylaws and Procedural Rules, available on the AAB's webpage. <https://www.aab.sfdph.org/aab/Pages/default.aspx>

Under Procedural Rule III.D, the Appellant may submit a written statement setting forth their arguments and evidence in support of the appeal. The written statement must be submitted to the AAB Secretary by email at secretary@aab.sfdph.org or in hardcopy no later than 48 hours (96 hours for appeals filed on or after 10/19/2022) before the hearing date. Please consult the AAB's Procedural Rules for more detailed information about the submission.

The Department of Building Inspection must submit its report setting forth the procedural history and basis for the Director's Abatement and any assessment of costs by 10/19/2022, 7 days before the hearing date.

When submitted, the AAB Secretary will forward a copy of a party's written filing to the opposing party.

If you have questions about this process, please contact CES at 627-633-3430 or via email at ces@aab.sfdph.org. Do not contact any AAB member directly.

ABATEMENT APPEALS BOARD
 City & County of San Francisco
 49 South Van Ness Avenue, San Francisco, California 94103-2433

NOTICE OF AAB HEARING

9/23/2022

Case No. 2021-0606

NANCY E. RYTI SPOUSAL IRREVOC TR
 149 SACRAMENTO ST #124
 SAN FRANCISCO, CA, 94118

Re: 2455 Jackson St AAB Appeal No. 6909

Dear Parties:

On 7/7/2022, the Abatement Appeals Board (AAB) received Applicant **NANCY E. RYTI SPOUSAL IRREVOC TR** completed appeal form, appealing Director's Order No. 2021-0606-A.

This matter has been scheduled for hearing before the AAB on 10/19/2022 at 9:00 AM, via teleconference. A link to join the teleconference will be emailed to you before the hearing.

Information about the hearing procedures are set forth in the AAB's Bylaws and Procedural Rules, available on the AAB's webpage. <https://www.aab.sfdph.org/aab/Pages/default.aspx>

Under Procedural Rule III.D, the Appellant may submit a written statement setting forth their arguments and evidence in support of the appeal. The written statement must be submitted to the AAB Secretary by email at secretary@aab.sfdph.org or in hardcopy no later than 48 hours (96 hours for appeals filed on or after 10/19/2022) before the hearing date. Please consult the AAB's Procedural Rules for more detailed information about the written statement.

The Department of Building Inspection must submit its report setting forth the procedural history and basis for the Order of Abatement and any assessment of costs by 10/19/2022, 7 days before the hearing date.

When submitted, the AAB Secretary will forward a copy of a party's written filing to the opposing party.

If you have questions about this process, please contact CES at 627-633-3430 or via email at ces@aab.sfdph.org. Do not contact any AAB member directly.



City and County of San Francisco
Department of Building Inspection



London N. Breed, Mayor
Patrick O'Riordan, C.B.O., Director

Inspector GRADY:

Please Post and Return Declaration to AAB Secretary

Declaration of Posting of Abatement Appeals Board

Notice of Hearing

CHRISTOPHER GRADY declare that I am employed by the City and County of San Francisco and at all times herein mentioned is over the age of 18 years; that pursuant to the provisions of Section 105.2.6 of the San Francisco Building Code, I did on the 5TH day of SEPTEMBER 20 24 posted a copy of the Notice of Hearing of the Abatement Appeals Board, in a conspicuous place on the building, structure or part thereof described in said Complaint, to wit:

Grady
San Francisco, California

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

Executed on SEPTEMBER 5, 2024 at San Francisco, California

Housing Inspection Services
49 South Van Ness Av, Suite 400 San Francisco CA 94103
Office (628) 652.3700 – FAX 628) 652-3709 – www.sfdbi.org
P:\AAB Documents\AAB Posting 2023 bp.doc


ABATEMENT APPEALS BOARD

City & County of San Francisco
49 South Van Ness Avenue, San Francisco, California 94103-2414

NOTICE OF AAB HEARING

9/5/2024

**Korman Family Irrevoc Trust
Nancy E Ryti Spousal Irrevoc Tr
3450 Sacramento St # 124
San Francisco, CA 94118**

Re: 2455 Jackson St. – NOV# 202183625 AAB Appeal No. 6909

Dear Parties:

On July 07, 2022, the Abatement Appeals Board (AAB) received Appellant Bob Korman's completed appeal form, appealing Director's Order No. 202183625-A.

This matter has been scheduled for hearing before the AAB on **October 16, 2024, at 9:30AM Wednesday, in Room 416, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA.**

Information about the hearing procedures are set forth in the AAB's Bylaws and Procedural Rules, available on the AAB's webpage [Adopted 1-19-22 - AAB Bylaws and Rules of Procedure .pdf \(sfdbi.org\)](#).

Under Procedural Rule III.D, the Appellant may submit a written statement setting forth their arguments and evidence in support of the appeal. The written statement must be submitted to the AAB Secretary by email: dbi.aab@sfgov.org or in hardcopy no later than **(September 25, 2024 - 21 days before the hearing date)**. Please consult the AAB's Procedural Rules for more detailed information about the written statement.

The Department of Building Inspection must submit its report setting forth the procedural history and basis for the Order of Abatement and any assessment of costs by **(October 09, 2024 - 7 days before the hearing date)**.

When submitted, the AAB Secretary will forward a copy of a party's written filing to the opposing party.

If you have questions about this process, please contact, (name) at 628-652-3700 or via e-mail at dbi.aab@sfgov.org. Do not contact any AAB member directly.

Very truly yours,

Matthew Greene
Secretary,
Abatement Appeals Board
49 South Van Ness Ave 4th Fl.
San Francisco, CA 94103

Hard copy Mail to:

List of Owners/Interested Parties**Address: 2455 JACKSON ST**

Complainant:
Camille Samuel
2455 Jackson St
San Francisco, CA 94115

1.
Nancy E Ryti Spousal Irrevo
Korman Family Irrevoc Trust
3450 Sacramento St # 124
San Francisco, CA 94118

2.
AAA Construction
3450 Sacramento St # 124
San Francisco, CA 94118

Notice & Claim of Superseding Mechanics' Lien dated 5/26/2023, US\$3,809,243.52
Recorded DOC-2023038076, 5/26/2023

3.
US Bank National Association
1 Federal St 3rd fl
Boston, MA 02110-2004

Assignment of Multifamily Deed of Trust dated 08/10/2020, Loan #917909608
Recorded DOC-2020229452, 8/27/2020

Created: 9/3/2024 / JC

Tract: 135 / Source: DC2

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

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 Korman Family Irrevoc Trust
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 San Francisco, CA 94118

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 City, State, ZIP

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
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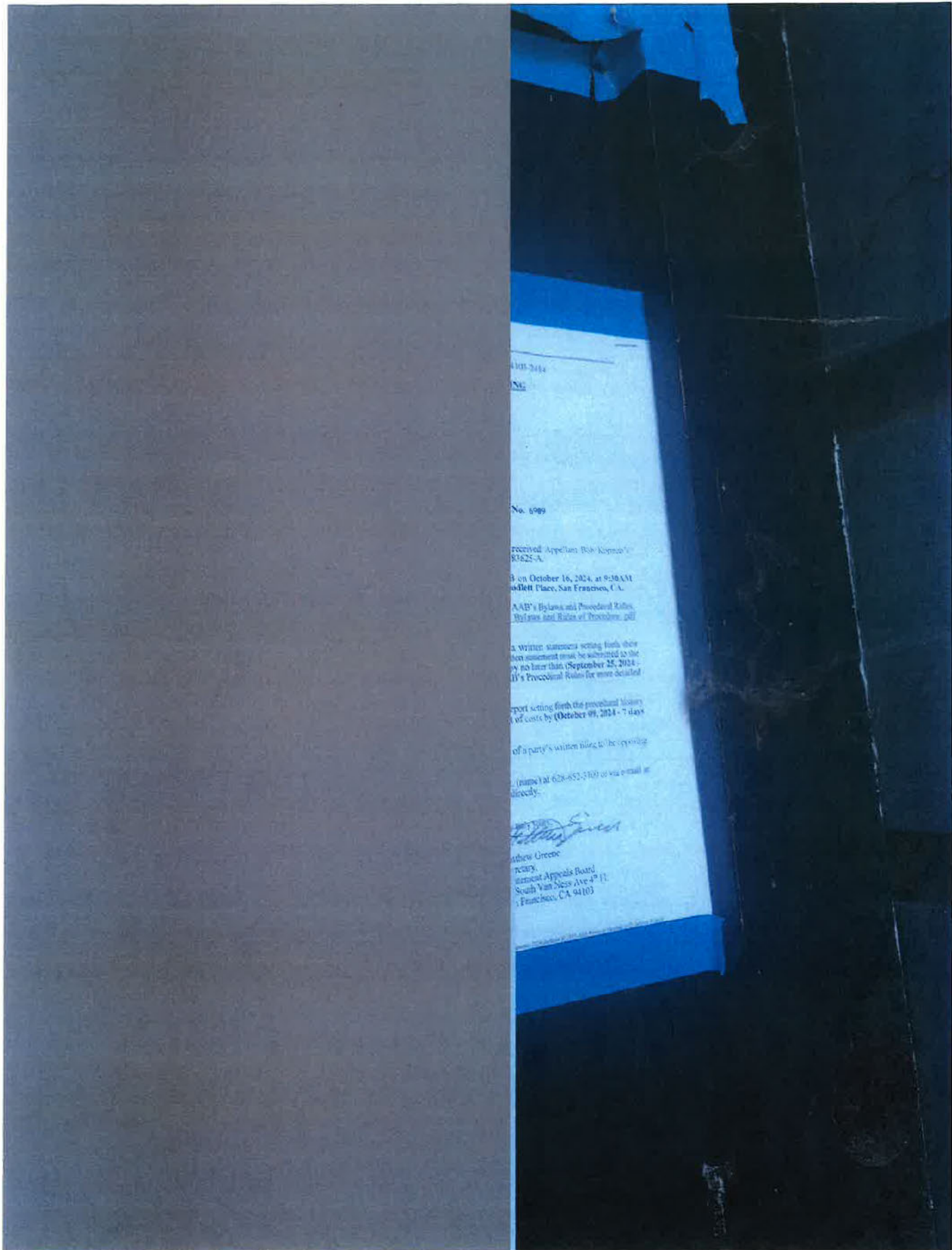
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 Boston, MA 02110-2004

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 City, State, ZIP

PS Form 3800, January 2023 PSN 7530-02-000-0047 See Reverse for Instructions





HIS 2455
2455

No. 6909

received Appellant Bob Koppin's
83625-A.

on October 16, 2024, at 9:30 AM
40001st Place, San Francisco, CA.

AAB's Bylaws and Procedural Rules,
Bylaws and Rules of Procedure.pdf

Written statements setting forth their
their assessment must be submitted to the
no later than **September 25, 2024**.
AAB's Procedural Rules for more detailed

report setting forth the procedural history
of costs by **October 09, 2024** - 7 days

of a party's written filing to be reviewed

(name) at 628-855-2400 or via e-mail at
directly.

Matthew Greene
Secretary,
Hearing Appeals Board
South Van Ness Ave 4th Fl.
San Francisco, CA 94103























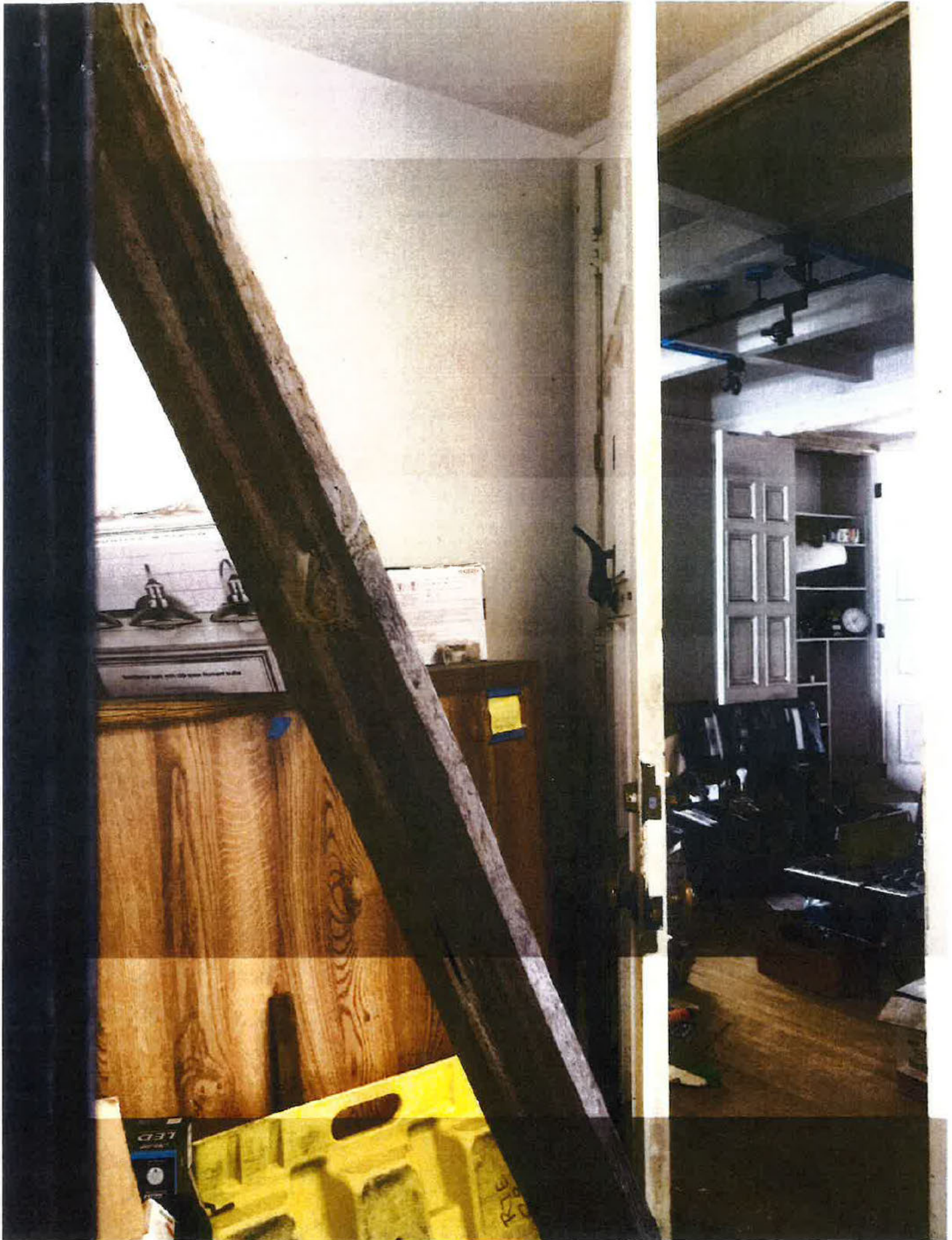


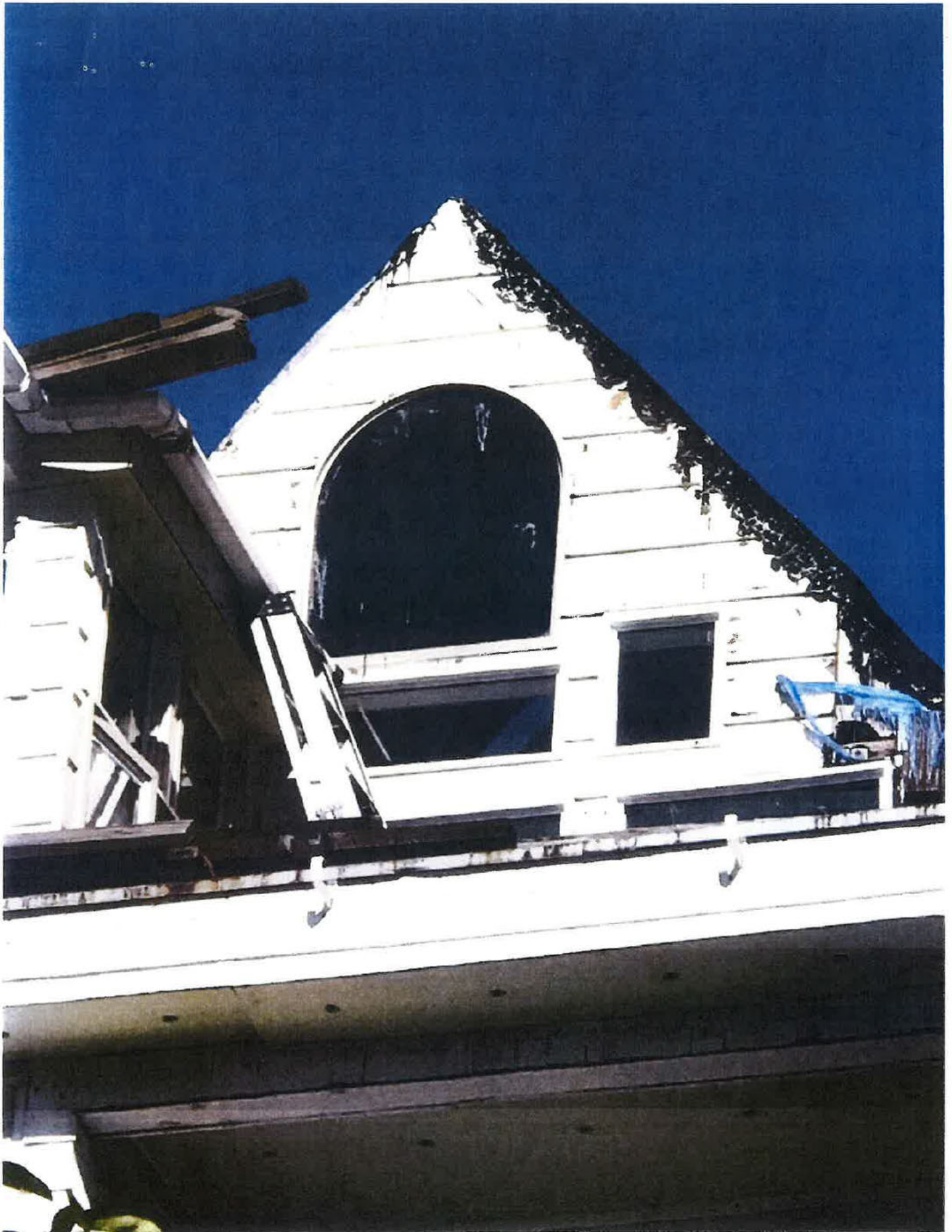




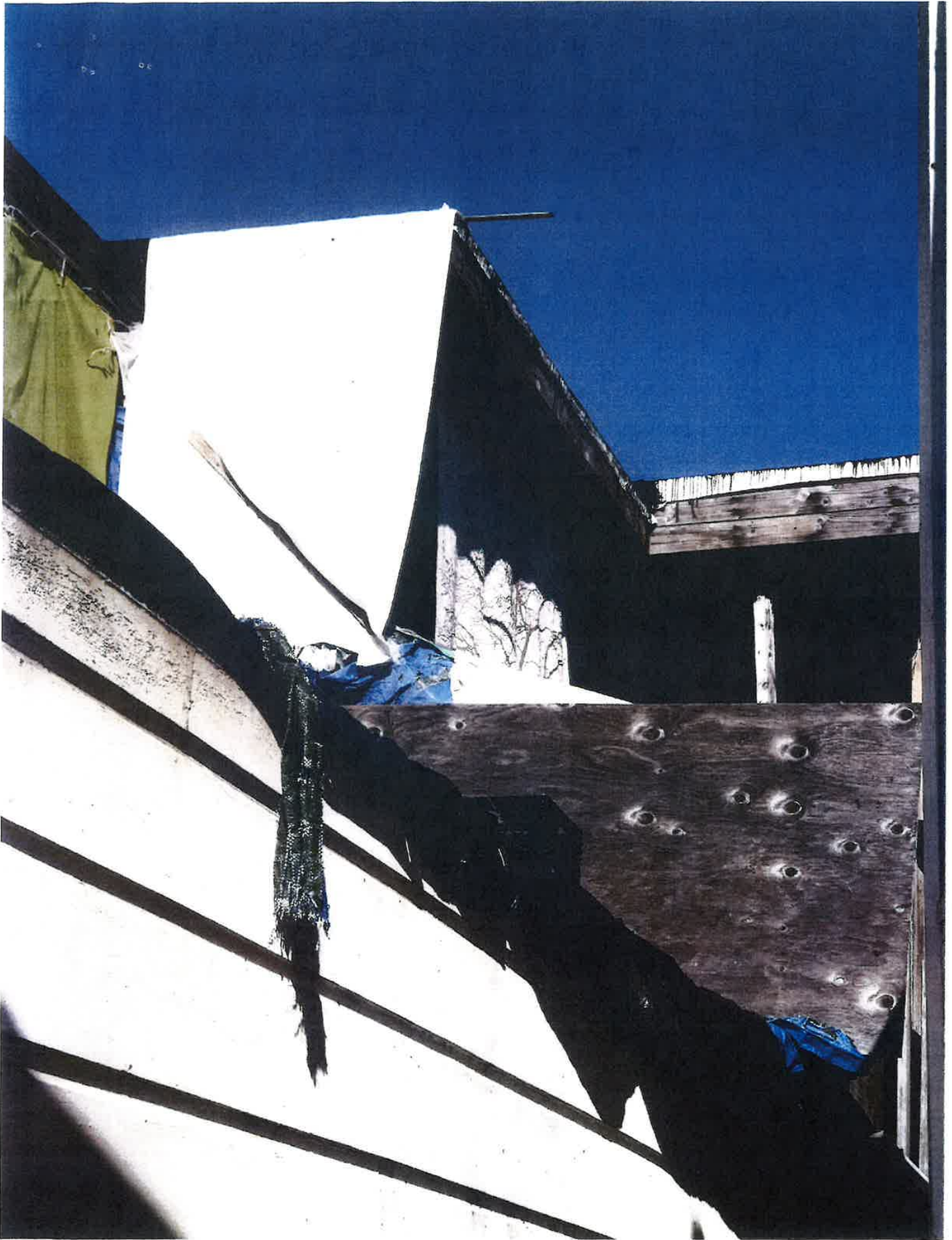












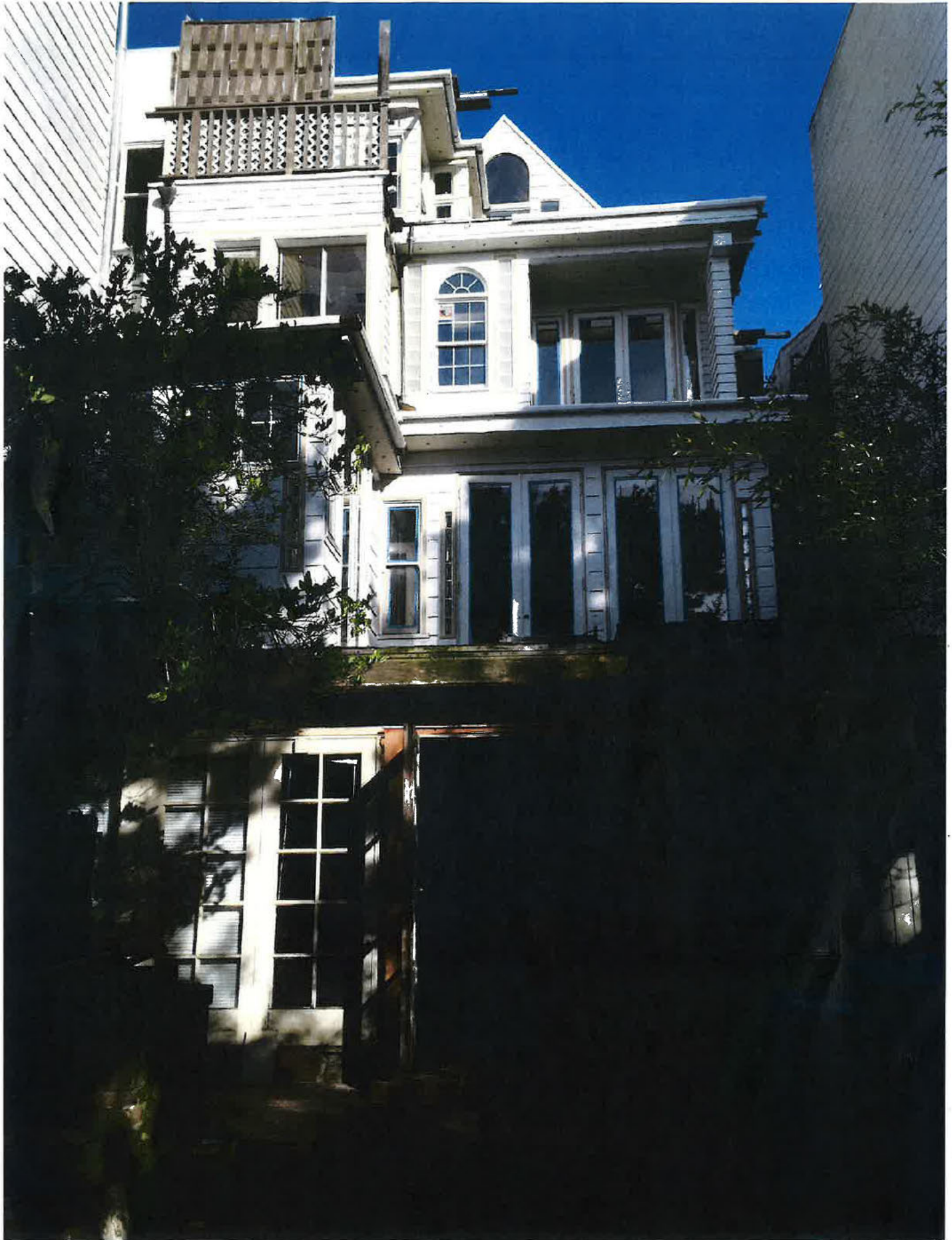












Photos from
Re-inspection
September 25, 2024
at 11:55am
at
2455 Jackson Street



















