

*Regular Meeting of the
Abatement Appeals Board
November 20, 2024*

Agenda Item B

Meeting Minutes of October 16, 2024



ABATEMENT APPEALS BOARD

NOTICE OF MEETING

Wednesday, October 16, 2024 at 9:30 a.m.

Remote Hearing via video and teleconferencing

Watch SF Cable Channel 78/Watch www.sfgovtv.org

Watch: <https://bit.ly/4efTA9S>

PUBLIC COMMENT CALL-IN: 1-415-655-0001 / Access Code: 2664 256 4571

DRAFT MINUTES

A. CALL TO ORDER and ROLL CALL.

The meeting of the Abatement Appeals Board for Wednesday, October 16, 2024 was called to order at 9:39 a.m. and roll was taken by Commission Secretary Harris, and a quorum was certified.

BOARD MEMBERS PRESENT:

President Evita Chavez, Excused
Vice President Bianca Neumann
Commissioner Alysabeth Alexander-Tut
Commissioner Catherine Meng
Commissioner Earl Shaddix
Commissioner Kavin Williams

Ramaytush Ohlone Land Acknowledgment.

The Abatement Appeals Board acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the

MEMBERS OF THE BOARD

Evita Chavez, President
Bianca Neumann, Vice-President
Alysabeth Alexander-Tut, Commissioner
Catherine Meng, Commissioner
Earl Shaddix, Commissioner
Kavin Williams, Commissioner

DEPARTMENT REPRESENTATIVES

Matthew Greene, Secretary to the Board (628) 652-3510
Sonya Harris, BIC Secretary (628) 652-3510

Code Enforcement Section (628) 652-3430
Housing Inspection Services (628) 652-3700

CITY ATTORNEY'S OFFICE REPRESENTATIVE

Sarah Fabian, Deputy City Attorney (415) 554-4679

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indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

B. APPROVAL OF MINUTES: (*Discussion and Possible Action*)

Discussion and possible action to adopt the minutes for meeting held on: September 18, 2024.

Public Comment

Commissioner Shaddix made a motion, seconded by Commissioner Alexander-Tut, to approve the meeting minutes of September 18, 2024.

This motion carried unanimously.

C. NEW APPEALS: Order of Abatement (*Discussion and Action*)

1. CASE NO. 6929: 1943 Ocean Avenue - Complaint # 201532391

Owners of Record & Appellant: JEFFREY AND SOPHIE LAU

ACTION REQUESTED BY APPELLANT: Appellant appeals the July 12, 2016 Order of Abatement and assessment of costs, requesting, among other things, another opportunity for their case to be heard.

Public Comment

Senior Building Inspector Joe Ng gave a presentation and made the following points:

- This was a Code Enforcement case.
- One story roof frame building in type 5B construction for commercial use, an M and B occupancy.
- The violation was triggered by a fire that happened in 2015.
- The fire caused damage to the building walls, ceiling and roof from the ground floor commercial space.
- DBI Inspector performed field investigation and issued Notice of Violation (NOV) to the property owner urging repair.
- After almost ten years from the first NOV issued the building repair work had not been completed.
- There were current multiple active violations cases with Code Enforcement.
- Violations included vacant or abandoned commercial storefront in a different commercial unit and construction beyond the approved permit.
- On page two of the staff report permits ending in 3080 and 3662 these two permits were an attempt to address the violation, both were not completed.

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- The Department found two other related permits ending in 9293 and 5536. Both suspended in November 2018.
- NOV 201626632 issued August 2016 for work beyond approved permit.
- The owner was not able to complete the work.
- Staff recommended to uphold Order of Abatement including impose Assessment of Cost.

The appellant was not in attendance.

Secretary Harris said for the record notice was provided to the appellant in a timely manner and written notices were available online as well on the Abatement Appeals Board webpage.

There was no public comment.

Members of the Abatement Appeals Board (Alysabeth Alexander-Tut, Catherine Meng, Bianca Neumann, Earl Shaddix, Kavin Williams) made comments and asked various questions of DBI staff and the Appellant pertaining to the Appeal.

Vice President Neumann made a motion, seconded by Commissioner Shaddix to uphold the Order of Abatement and Assessment of Costs.

Secretary Harris Called for a Roll Call Vote:

President Chavez	Excused
Vice President Neumann	Yes
Commissioner Alexander-Tut	Yes
Commissioner Meng	Yes
Commissioner Shaddix	Yes
Commissioner Williams	Yes

The motion carried unanimously.

Commissioner Alexander-Tut made a motion, seconded by Vice President Neumann, to confirm notice was properly given and based on the appellant not appearing to confirm the Order of Abatement from the date of issue.

Secretary Harris Called for a Roll Call Vote:

President Chavez	Excused
Vice President Neumann	Yes
Commissioner Alexander-Tut	Yes
Commissioner Meng	Yes
Commissioner Shaddix	Yes
Commissioner Williams	Yes

The motion carried unanimously.

2. CASE NO. 6909: 2455 Jackson Street - Complaint # 202183625

Owners of Record & Appellant: BOB KORMAN/NANCY E. RYTI SPOUSAL IRREVOCABLE TRUST

ACTION REQUESTED BY APPELLANT: Appellant appeals the June 28, 2022 Order of Abatement and assessment of costs, requesting, among other things, that the Order of Abatement and assessment of costs be reversed and withdrawn with prejudice for a number of reasons.

Senior Building Inspector Joe Ng gave a presentation and made the following points:

- This was a Housing Inspection Services (HIS) case.
- Property was four-story roof frame, type 5B, non-sprinkler building for residential use in R2 occupancy with five units.
- In 2021, HIS received complaint about dangerous conditions resulted from deferred maintenance and slow progress on unpermitted remodeling work and poorly stored building material falling from the upper level of the building falling onto the adjacent property.
- The building had been vacant for years.
- The violation included unauthorized remodeling and building repair, construction debris and material piled up in the backyard for lengthy time.
- Had become public nuisance.
- All housing violations had remained outstanding with no permit to comply to date.
- HIS found the property to be a life and safety hazard to the two properties adjacent to the building and DBI recommended the Order of Abatement be upheld including all Assessment of Cost.

The appellant was not in attendance.

Secretary Harris said for the record notice was provided to the appellant in a timely manner and written notices were available online as well on the Abatement Appeals Board webpage.

Public Comment

Mr. Charles Ward said he lived at 2461 Jackson Street that was next door to the property and was a three-unit condominium building and he lived there since 1977 and for the last thirty years the tenants in his building had to deal with Mr. Korman's mismanagement of his building. Mr. Ward said he was not surprised Mr. Korman was not in attendance to represent himself because he was someone who believed he did not need to follow the rules.

Mr. Ward said he was in attendance to ask the Board to please uphold the order and that it went back as far as 2021 but he had been living with the issue for thirty years. The building had not

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been occupied for at least twenty years. Mr. Ward said there was a sign on the building used to advertise apartments by Mr. Korman but the sign was to bait applicants and then refer them to other properties that Mr. Korman owns. There must be a rule for advertising signs in residential neighborhoods.

Mr. Ward said he would like the Board to make Mr. Korman take the advertising sign down as well. He said the neighborhood was full of large homes often referred to as mansions and dozens of those homes had changed hands over the years some of them multiple times and most times those places were renovated. Mr. Ward said his building was renovated in 2004 and it took nine months to complete and reoccupy. The large homes had been renovated multiple times while Mr. Korman's building deteriorates.

Mr. Ward said the last thing he ever thought he would have to do was go to City Hall and complain about how neighbor kept their property and interfere with property rights but he was there to request relief because they had been living with it for far too long.

Ms. Marie Carr said she lived at 2447 Jackson Street and for the five years her family had lived in the unit were unable to open the windows in the bedrooms that shares the wall along the side of Mr. Korman's building for fear of debris falling into their children's rooms. The roof had very hazardous materials. She said she was not sure how anyone had not already tripped over the ladders and tarps that were flapping in the wind causing her family to lose sleep at night. Living there had been a nightmare.

Ms. Carr said Mr. Korman had no interest in taking care of his own building or the neighbors and his building was not a remodel project but a pet project of Mr. Korman and was completely abandoned which violated multiple city rules, pigeons were inside, multiple health issues, at the least the Order of Abatement be upheld.

Secretary Harris said the commissioners had a copy of the Notice of Abatement Appeals Board hearing that was mailed to Korman Family Irrevocable Trust Nancy E. Ryti Irrevocable Trust at 3450 Sacramento Street #124, San Francisco, California 94118 on September 5, 2024, the notice was also posted on the building.

Commissioner Williams said to possibly refer this case to the Litigation Committee.

Members of the Abatement Appeals Board (Alysabeth Alexander-Tut, Catherine Meng, Bianca Neumann, Earl Shaddix, Kavin Williams) made comments and asked various questions of DBI staff and the Appellant pertaining to the Appeal.

Commissioner Alexander-Tut made a motion, seconded by Commissioner Shaddix to confirm notice was properly given to the parties and the appeal be denied, and the Order of Abatement and Assessment of Costs be upheld.

Secretary Harris Called for a Roll Call Vote:

President Chavez	Excused
Vice President Neumann	Yes
Commissioner Alexander-Tut	Yes
Commissioner Meng	Yes
Commissioner Shaddix	Yes
Commissioner Williams	Yes

The motion carried unanimously.

D. GENERAL PUBLIC COMMENT.

There was no general public comment.

E. ADJOURNMENT

Commissioner Alexander-Tut made a motion to adjourn the meeting, which was seconded by Commissioner Williams.

The motion carried unanimously.

The meeting was adjourned at 10:13 a.m.

Respectfully submitted,

Monique Mustapha, Assistant BIC Secretary

Edited By: Sonya Harris, BIC Secretary