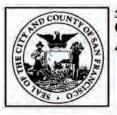
Regular Meeting of the Abatement Appeals Board November 20, 2024

Agenda Item C5

Staff Report - Case No. 6938

ABATEMENT APPEALS BOARD



City & County of San Francisco 49 South Van Ness Avenue, San Francisco, California 94103-1226

CODE ENFORCEMENT SECTION ABATEMENT APPEALS BOARD STAFF REPORT

Appeal No. 6938 Date of Abatement Appeals Board Hearing: November 20, 2024 Property Address: 336 Parnassus Ave. Block: 1275 Lot: 088 Report Date & Preparer: November 13, 2024 | Senior Building Inspector, Joe Ng Digitally.signed by Joe Ng

Complaint Number: 202185655 (EXHIBIT – 1, 2)

Digitally signed by Joe Ng Reason: I am the author of this document Location: DBI/CES

PROPERTY OWNER INFORMATION

Property Owner(s) Name: Carrasrcal Noel & Massignan Stacey (EXHIBIT - 3)

Appellant: Noel Carrascal (EXHIBIT – 4)

Appellant Mailing Address: 336 Parnassus Ave., San Francisco, CA 94103

Building/Property Description: Two-story Wood Frame Building in Type V-B Construction

Legal Use/Occupancy: Two Family Use in R-3 Occupancy

Case Summary:

Notice of Violation(s): First NOV Issued on <u>January 4, 2022</u> FWL or 2nd NOV Issued on May 20, 2022

<u>Nature of Violation</u>: (Violation Description Replicated from Original NOV # <u>202185655</u>); (*EXHIBIT – 1*) "A site inspection at above location identified a potentially hazardous condition at above location. At West property line bordering 28 Hillpoint Ave concrete retaining wall has failed. Rotated towards east at northeast corner of 28 Hillpoint Ave. At lowest point wall is approx. 4ft. tall. Exercise caution in rear yard until hazard is abate. Code/Section: SFBC 102A, 102A.3. Monthly monitoring fee applies. Code/Section: SFBC 110A, Table 1A-K"

Brief of Case Review:

In January 2022, DBI Building inspector conducted a field investigation and confirmed that there is a retaining wall over 4 feet high had failed at the rear yard between 28 Hill Point Ave and 336-338 Parnassus Ave (*Exhibit 2, 5*). To date, almost three years have elapsed, the violation still remains outstanding in the Code Enforcement stage. The owner of 28 Hill Point Ave had filed an Over-The-Counter permit with Permit Center in November 2023 (PA 2023/1108/0443); however, this permit is still in the filing stage pending the owner to submit the structural plan to complete the plan review approval. The last plan review activity was completed by City Planning one year ago (11/08/2023) approved the owner to continue the structural plan review. There is no record showing the owner of 336-338 Parnassus Ave has attempted to take any action to correct the violation. (*EXHIBIT* – 6)

Outstanding Violations: The violation case remains outstanding in Code Enforcement

Life Safety Hazards: Unattended repair for the failed retaining wall in the hillside identified within the Slope Protection Act areas posing higher risks of potential landslide; especially, during the storm season. The unsafe condition renders the site unsafe to occupy.

Directors Hearing: NOV No. 202185655 Date: July 18, 2023

Result: Issue Order of Abatement (EXHIBIT – 8)

Order of Abatement: <u>202185655-A</u> issued with the following condition: "30 days to obtain permit and complete including final signoff to comply with NOV # <u>202185655</u> and pay all CES fees" (EXHIBIT – 8)

Table 1: Pertinent Permit & Activity: (EXHIBIT - 6)

Permit No.	Filing Date	Issued Date	Exhibit	Comments
None	N/A	N/A	N/A	None
[[[

Table 2: CES Code Proceeding History: (EXHIBIT – 7)

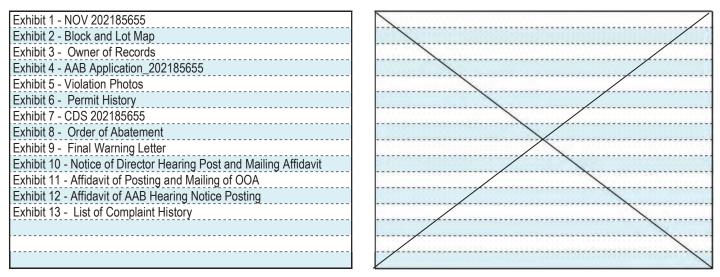
		NOV #
	Exhibit	202185655
1 st Notice of Violation Issued	1	01/04/2022
Final Warning letter (or 2 nd NOV)	9	05/20/2022
Notice of Director's Hearing Posting	10	05/02/2023
Directors Hearing Date	8	07/18/2023
Order of Abatement Posting	11	08/25/2023
AAB Application Filing	4	09/01/2023
AAB Hearing Notice Posting	12	10/17/2024

Appellant's Request: Correction of hazardous condition falls entirely on 28 Hill Point Ave. All assessment of costs must be paid by the owner of 28 Hill Point Ave. See details from (*EXHIBIT – 4*)

Staff recommendation: Uphold the Order of Abatement including imposing CES assessment costs. The NOVs findings and DBI Hearing Officer's decision were precise and accurate.

Abatement Appeals Board Action: TBD

LIST OF EXHIBITS



S	of the San Francisco Municipal Codes Regarding Unsafe, Substandard or Noncomplying Structure or Land or Occupancy					
DEPARTMENT OF BUILDING INSPECT City and County of San Francisco 49 South Van Ness Ave, Suite 400 San Fran ADDRESS: 336 PARNASSUS AV		NUMBER: 202185655 DATE: 04-JAN-22				
OCCUPANCY/USE: R-3 (RESIDENTIAL- 1	& 2 UNIT DWELLINGS, TOWNHOUSES $BLOC$ ervation only. Further research may indicate that legal use i					
OWNER/AGENT:CARRASCAL NOEL & M.MAILINGCARRASCAL NOEL & M.ADDRESS336 PARNASSUS AVESAN FRANCISCO CA	ASSIGNAN 94117	DNE #:				
	SCAL NOEL & MASSIGNAN STA IOLATION DESCRIPTIO	PHONE #: N: CODE/SECTION# 103A				
WORK WITHOUT PERMIT		106A.4.7				
ADDITIONAL WORK-PERMIT REQU EXPIRED OR CANCELLED PERMI		106A.4.4; 106A.3.7				
✓ UNSAFE BUILDING SEE ATTA		102A.1				
Hillpoint Ave concrete retaining wall has failed approx 4ft tall. Exercise caution in rear yard un Code/Section: SFBC 102A, 102A.3 Monthly monitoring fee applies. Code/Section: SFBC 110A, Table 1A-K		llpoint Ave. At lowest point wall is				
□ STOP ALL WORK SFBC 104	CORRECTIVE ACTION:					
 ✓ FILE BUILDING PERMIT WITHIN 30 I ✓ OBTAIN PERMIT WITHIN 60 DAYS AN SIGNOFF. CORRECT VIOLATIONS WITHIN DA 	DAYS (WITH PLANS) A copy of This N ND COMPLETE ALL WORK WITHIN 90 DAY					
SEE ATTACHMENT FOR ADDITION Under direction of a licensed design professio is issued, obtain all required inspections to clo INVESTIGATION FEE OR OTHER FEE WIL	nal (suggest structural engineer) obtain building pe se this complaint.					
9x FEE (WORK W/O PERMIT AFTER 9/1/60	$)) \qquad $	RMIT) NO PENALTY				
OTHER:	REINSPECTION FEE \$	(WORK W/O PERMIT PRIOR TO 9/1/60)				
APPROX. DATE OF WORK W/O PERMIT	VALUE OF WORK PERFORMED W/0	O PERMITS \$				
BY ORDER OF THE DIRECT CONTACT INSPECTOR: Donal J Duffy PHONE # 628-652-3437 By:(Inspectors's Signature)	OR, DEPARTMENT OF BUILDING INSPECT DIVISION: BID DISTRICT :	FION				

AAB Case 6938

336 PARNASSUS Ave. (1275/088)

CES NOV # 202185655



WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

Assessor		336 PARNASSU	S AV		<u>}</u>		
	reetname RNASSUS	Sfa Unit	Block 1275	Lot # 088 0	Addre 500	a concernance of the second	IY + +
Values & Price Land Structure Fixtures	\$836,637 \$557,758 \$0	Other Home Exempt Other Exempt	\$0 \$0 \$0 \$0	Exempt Prior/Cu	lype	Wk Status/Y 2025 Base Co/Yr	'r
Prior Price Prior Sale Construction .ot Frontage, 0 Cooms Bedro	0000 0 Area/Depth 0	Current Price Curr Sale ase Lot Assr Zor OO Units O 1 1dg Sg Ft Bsmt S	699 Stories S 1	ublevels	Volume 9	Roll Yr, 2024 Tax Area	
Prior Sale Construction .ot Frontage, 0	Appliances B 0000 0 /Area/Depth 0 8aths B 11	Curr Sale ase Lot Assr Zor OO Units O 1 1dg Sq Ft Bsmt S	04/03/2018 ne Appraiser 699 Stories S 1 Sq Ft Year B 0 1912	S Lot Chq D: ublevels uilt DBI Z	Volume 9	pe Use Type Z Roll Yr, 2024 · Tax Area 1000	/Status
Prior Sale construction ot Frontage, coms Bedro 4 0 <i>Owner Inin</i> Name	Appliances B 0000 0 /Area/Depth 0 s Baths B 11 mating	Curr Sale ase Lot Assr Zor OO Units O 1 1dg Sg Ft Bsmt \$ 1,175	04/03/2018 ne Appraiser 699 Stories S 1 Sq Ft Year B 0 1912	S Lot Chq D: ublevels uilt DBI Z	Volume 9 Form Yr	pe Use Type Z Roll Yr, 2024 · Tax Area 1000	/Status
Prior Sale construction ot Frontage, coms Bedro 4 0 <i>Owner Inin</i> Name	Appliances B 0000 0 /Area/Depth 0 s Baths B 11 mating	Curr Sale ase Lot Assr Zor OU Units 0 1 1dg Sg Ft Bsmt S 1,175 Address	04/03/2018 ne Appraiser 699 Stories S 1 Sq Ft Year B 0 1912	S Lot Chq D ublevels uilt DBI Z City St	Volume 9 Form Yr	pe Use Type Z Roll Yr, 2024 Tax Area 1000 Owner D	/Status

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: Z Appeal of Director's Order D Request for Jurisdiction Re-hearing

Appellant Name:	Voel Carrascal
Director's Order No	202185655
Date Appeal Filed:	

Appeal Number

Complaint Tracking No(s) Filing Fee:\$181.82

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 **\$181.82** (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 77of 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	
	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 <u>JULY 18, 2023</u>	į

- (2) The affected premises are located at <u>336-338 Parnassus</u> Ave SF CA 94//7 San Francisco. They contain <u>2</u> dwelling units and <u>guest rooms</u>.
- (3) State in ordinary and concise language the specific nature of the action appealed from, together with any material facts relating thereto. <u>Correction of Hazardow Condition falls entirely on 28 Hillpoint</u> Auc <u>Complait against 336-338 Paroasses</u> was made under false pretenses

(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.). All assessment costs must be paid by responsible purty for making false and inaccurrate statements that misled the Building inspection department. 28 Hill Point Ave must pay for all costs.

(5) Please state /check appellant's relationship to the property: property owner owner's agent attorney architect engineer contractor other If the appellant is an agent of the owner(s) of record please attach documentation delineating representation.

Appellant's Information: (6)Noel Carrascal Daytime Phone Number: 917-549-1723 Print Appellant's Name: Francino CA 94/17 Appellant's Mailing Address: 336 Parmssu AVIC San

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

)	Please state any work that you are aware of that was performed at the subject property without required D building, D plumbing, D electrical permits:
)	Did the current owner(s) of record own the property when this work was performed?
)	If no, explain property purchases and approximate time when work was performed: But now I own the property. Before it was co-owned
0)	Please state any work completed to correct the related code violations: No work is required on my property
1) 2)	What was the extent of the work performed? How much remains to be completed? When was the work done?
13)	Who did the work?
14)	What is your occupation? If you are a co-owner, list all other co-owners and other occupants.
15)	Do you own other properties in San Francisco? 2 Yes D 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
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?
20)	Have you applied for the required permits to abate the subject code violations? Yes X No If yes, please list permit applications:
	Building Permit Application Nos.
	Plumbing Permit Application Nos. Electrical Permit Application Nos.
21)	What other permits have you been granted by the City? None required
	What other facts do you want the Board to consider? <u>The owner of 28 Hillpoint Are has made statements on</u> the hearing that contradicts his own Statement made on
22)	Fecord
22)	
	are under penalty of perjury and the laws of the State of California that the foregoing is true and correct.
dec	are under penalty of perjury and the laws of the State of California that the foregoing is true and correct. Name: <u>Noe(Carcascal</u> Signature:

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 compete 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

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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

PAYMENT RECEIPT

Printed on: 09/01/2023 10:50:23 AM

Code Enforcement Division

Phone:(628) 652-3430

đ	Payme	nt Date:	09/01/2023			
Ĩ	Job Ad			3		
	336	PARNA	SSUS AV	3-		
L						

Payment received from:

Receipt Number: CED08388

Issued By: MREYES

Application Number:

NOEL CARRASCAL

AAB application fee NOV#202185655

Payment received for the items indicated:

Fee Description	Payment Amount	Complaint#/ (if applicable)
CED AAB Filing Fee	\$181.82	202185655

TOTAL \$181.82



DBI COPY

Page 1



Pro	olects	Location	Sta <u>G</u> e	<u>C</u> haracteristic	s Routing/ <u>A</u>	ddenda F	ee <u>S</u>	Pa <u>Y</u> ments	0wner/	Contract	or/Ager	nts F	lanning	Devi	mpact F
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City and County of San Francisco **Department of Building Inspection** 49 South Van Ness Ave, Suite 400

COMPLAINT DATA SHEET

COMPLAINT NUMBER: 202185655

OWNER/AGENT:	CARRASCAL NOEL & MASSIGNAN STA CARRASCAL NOEL & MASSIGNAN	DATE FILED: 27-DEC-21				
	336 PARNASSUS AVE SAN FRANCISCO CA	LOCATION: 336 PARNASSUS AV BLOCK: 1275 LOT: 088				
		SITE:				
	94117	RATING:	OCCUPANCY CODE			
OWNER'S PHONE CONTACT NAME		RECEIVED BY: SLWONG DIV	ISION: BID			
CONTACT PHONE		COMPLAINT SOURCE: WEB	FORM			
COMPLAINANT:	BRANDON BEBERWYCK B.BEBERWYCK@GMAIL.COM	ASSIGNED TO DIVISION: CES	3			

COMPLAINANT'S PHONE 512-206-6701

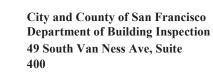
DESCRIPTION: date last observed: 25-DEC-21; time last observed: 11:00; identity of person performing the work: Owners; exact location: None of the Above; building type: Residence/Dwelling WORK W/O PERMIT; STRUCTURAL PROBLEMS; ; additional information: Our neighbors have been DIY landscaping and terracing their backyard. This morning we noticed the retaining wa at the back of our yard (28 Hill Point Ave) that abuts their yard is giving way. I am concerned that their DIY/unpermitted work includes excavation that has made the retaining wall structurally unsound and risks further damage to our property and theirs.; **INSTRUCTIONS:**

	OR CURRENTLY ASSIGN INSPECTOR		FRICT	PRIORITY
CES	NG	6339		
<i>REFFERA</i> DATE	<i>L INFORMATION</i> REFERRED BY	то	CO	MMENT
24-MAY-22	Julie Yu	CES	Per	Carl Malchow

COMPLAINT STATUS AND COMMENTS DATE TYPE INSPECTOR

DATE	ТҮРЕ	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
27-DEC-21	CASE OPENED	C WEAVER	CASE RECEIVED		Suzanna Wong 27- DEC-21	BID
27-DEC-21	OTHER BLDG/HOUSIN G VIOLATION	T KEANE	CASE UPDATE	Case reviewed and assigned to complaint investigation team per CM; slw	Suzanna Wong 27- DEC-21	BID
28-DEC-21	OTHER BLDG/HOUSIN G VIOLATION	D DUFFY	CASE UPDATE	Called complainant for clarification		
04-JAN-22	OTHER BLDG/HOUSIN G VIOLATION	D DUFFY	CASE UPDATE	Unsafe condition.		

PAGE 1 OF 4



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202185655

<i>COMPLAI</i> DATE	NT STATUS ANI TYPE	D COMMENTS INSPECTOR	S STATUS	COMMENT	UPDATED BY	DIVISION
04-JAN-22	OTHER BLDG/HOUSIN G VIOLATION	D DUFFY	FIRST NOV SENT	1st NOV issued by DD; slw	Suzanna Wong 05- JAN-22	BID
05-JAN-22	OTHER BLDG/HOUSIN G VIOLATION	D DUFFY	CASE UPDATE	1st NOV mailed; slw	Suzanna Wong 05- JAN-22	BID
01-FEB-22	OTHER BLDG/HOUSIN G VIOLATION	D DUFFY	CASE UPDATE	30 day extension.		
09-MAR-22	OTHER BLDG/HOUSIN G VIOLATION	D DUFFY	CASE UPDATE	30 day extension granted due to insurance and engineering.		
20-MAY-22	OTHER BLDG/HOUSIN G VIOLATION	D DUFFY	FINAL WARNING LETTER SENT		Donal Duffy 20- MAY-22	BID
24-MAY-22	OTHER BLDG/HOUSIN G VIOLATION	D DUFFY	CASE UPDATE	final warning letter mailed;jy	Julie Yu 24-MAY- 22	INS
24-MAY-22	OTHER BLDG/HOUSIN G VIOLATION	D DUFFY	REFERRED TO OTHER DIV	case referred to CES per cm;jy	Julie Yu 24-MAY- 22	INS
24-MAY-22	GENERAL MAINTENANCE	D DUFFY	REFERRED TO OTHER DIV	tranfer to div CES	Julie Yu 24-MAY- 22	INS
07-JUN-22	GENERAL MAINTENANCE	J HINCHION	CASE RECEIVED	Case received in CES. SB	Sonya Bryant 07- JUN-22	CES
01-AUG-22	OTHER BLDG/HOUSIN G VIOLATION	J HINCHION	TELEPHONE CALLS	Owner working on solution. Jh		
11-JAN-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	TELEPHONE CALLS	Received phone call and email. Provided update and photos of case statusGL		
30-JAN-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	PERMIT RESEARCH	Permit Research Performed. Requested NOV sent to customerGL		
20-APR-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	REFER TO DIRECTOR'S HEARING	Case reviewed. No permit to comply with NOV. Schedule for DH 5/16/23 GL		
28-APR-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE UPDATE	DH package created - CP	Chloe Purdy 28- APR-23	CES
01-MAY-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE UPDATE	DH package sent via certified mail - CP	Chloe Purdy 28- APR-23	CES

PAGE 2 OF 4



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

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202185655

DATE	ТҮРЕ	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISIO
02-MAY-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	DIRECTOR HEARING NOTICE POSTED	DH Notice Posted. Pictures Processed. -GL		
09-MAY-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	PERMIT RESEARCH	Permit Research Performed. HN Prepared for hearing officerGL	3	
16-MAY-23	OTHER BLDG/HOUSIN G VIOLATION	J HINCHION	DIRECTOR'S HEARING DECISION	P/ cont for 30 days per HO (K.B.). Jh		
18-MAY-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE CONTINUED	Case Continued. Next hearing: 7/18/23. -GL		
05-JUL-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE UPDATE	Cert mailed CDH to owners on file. SB	Sonya Bryant 05- JUL-23	CES
18-JUL-23	OTHER BLDG/HOUSIN G VIOLATION	J HINCHION	DIRECTOR'S HEARING DECISION	P/ 30 day Advisement per HO (J.N.). Jh		
23-AUG-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	ORDER OF ABATEMENT ISSUED	OOA Being Issued. Inspector Fees and MMF Processed (1/4/22 - 8/23/23)GL		
24-AUG-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE UPDATE	Prepared OOA. SB	Sonya Bryant 24- AUG-23	CES
25-AUG-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	ORDER OF ABATEMENT POSTED	OOA Posted. Pictures ProcessedGL		
29-AUG-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE UPDATE	Cert mailed OOA to owners on file. SB	Sonya Bryant 29- AUG-23	CES
01-SEP-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	ABATEMENT APPEALS BOARD HRG	AAB filed-tm	Thomas Moyer 12- JAN-24	CES
16-OCT-24		G LAM	CASE UPDATE	AAB Notice of Hearing Cert mailed - sj	Susan Jew 16-OCT- 24	CES
17-OCT-24)	OTHER BLDG/HOUSIN G VIOLATION	D MCCONN	CASE UPDATE	Case update / went out to site to post AAB notice and take pictures - DMC	Declan McConn 17- OCT-24	CES
17-OCT-24	OTHER BLDG/HOUSIN G VIOLATION	D MCCONN	CASE UPDATE	case update / sign affidavit and upload photos - DMC	Declan McConn 17- OCT-24	CES

PAGE 3 OF 4



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

COMPLAINT DATA SHEET

COMPLAINT NUMBER: 202185655

COMPLAINT ACTION BY DIVISION DIVISION DATE DESCRIPTION

ACTION COMMENT

NOV (HIS) NOV (BID)

04-JAN-22

PAGE 4 OF 4

RECORDING REQUESTED BY: DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO: DEPT. OF BUILDING INSPECTION CODE ENFORCEMENT

ORDER OF ABATEMENT 336 PARNASSUS AV Block\Lot\Seq. - 1275 \ 088 \ 00

NO. 202185655 BW0 - DH 18-JUL-23 City and County of San Francisco Department of Building Inspection



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

Seq: 00

ORDER OF ABATEMENT

August 24, 2023 Owner: CARRASCAL NOEL & MASSIGNAN 336 PARNASSUS AVE SAN FRANCISCO CA 94117 Property Address: 336 PARNASSUS AV,

Block: 1275 Lot: 088 Tract: Case: BW0 Complaint: 202185655

Inspector/Division: Lam

ORDER OF ABATEMENT UNDER SAN FRANCISCO BUILDING CODE SECTION 102A.6 & 102A.7 ORDER NO. 202185655

HEARING OF THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION AGAINST THE PROPERTY AT THE LOCATION SHOWN ABOVE WAS HELD ON July 18, 2023 IN ACCORDANCE WITH THE SAN FRANCISCO BUILDING CODE SECTION 102A5. THE HEARING WAS CONDUCTED BY A REPRESENTATIVE OF THE DIRECTOR. THE OWNER WAS REPRESENTED

BASED UPON THE FACTS AS SUBMITTED AT THE HEARING, THE DIRECTOR FINDS AND DETERMINES AS FOLLOWS: 1. THAT NOTICE HAS BEEN DULY GIVEN AS REQUIRED BY LAW AND THE ORDER OF THE DIRECTOR, AND

- MORE THAN 10 DAYS PRIOR TO THE HEARING.
- THAT THE CONDITIONS ARE AS STATED IN THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION.
- 3. THAT THE CONDITIONS OF SAID STRUCTURE CONSTITUTES A PUBLIC NUISANCE UNDER THE TERMS OF THE BUILDING CODE OF THE CITY AND COUNTY OF SAN FRANCISCO.

THE DIRECTOR HEREBY ORDERS THE OWNER OF SAID BUILDING TO COMPLY WITH THE FOLLOWING:

30 Days to Obtain Permit and Complete Including Final Signoff to Comply with NOV# 202185655 and Pay All CES Fees.

THE TIME PERIOD SHALL COMMENCE FROM THE DATE OF THIS ORDER. THE DEPARTMENT OF BUILDING INSPECTION SHALL BE REIMBURSED BY THE OWNER OF SAID BUILDING FOR ABATEMENT COSTS PURSUANT TO THE ATTACHED AND FUTURE NOTICES.

APPEAL: PURSUANT TO SECTION 105A3 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO DISABLED ACCESS MAY BE APPEALED TO THE ACCESS APPEALS COMMISSION. PURSUANT TO SECTION 105A2 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO WORK WITHOUT PERMIT MAY BE APPEALED TO THE ABATEMENT APPEALS BOARD. APPEALS MUST BE IN WRITING ON FORMS OBTAINED FROM THE APPROPRIATE APPEALS BODY AT 49 South Van Ness Ave, Suite 400, San Francisco, CA 94103, tel: (628) 6523517, (628 6523430, AND MUST BE FILED WITH THE SECRETARY OF THE APPEALS BODY WITHIN FIFTEEN (15) DAYS OF THE POSTING AND SERVICE OF THIS ORDER.

John Hinchion, Chief Building Inspec Department of Building Inspection

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

Code Enforcement Division 49 South Van Ness Ave, Sulte 400 San Francisco, CA 94103-1226 Office (628) 652-3430 - FAX (628) 652-3439 - www.sfdbi.org

DEPARTMENT OF BUILDING INSPECTION



City & County of San Francisco 49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

To: CARRASCAL NOEL & MASSIGNAN 336 PARNASSUS AVE SAN FRANCISCO CA 94117 Date: August 24, 2023 Property Address: 336 PARNASSUS AV

Block: 1275 Lot: 088 Seq.: 00 Inspector: Gilbert Lam

Director's Order Number: 202185655 - A

INITIAL BILL- Assessment of Costs Code Violations Outstanding

Dear Property Owner(s):

Our records show that all required work has not been completed to abate the code enforcement case referenced above. FAILURE TO CORRECT THESE CODE VIOLATIONS PRIOR TO THE DIRECTOR'S HEARING AND RECORDED ORDER OF ABATEMENT HAS RESULTED IN THE ACCRUAL OF "ASSESSMENT OF COSTS" pursuant to 102.2,102.16, 102A.3, 102A.7, 103A5, and Section 110, Table 1A-K of the San Francisco Building Code. Said Code requires that this Department's "cost of preparation for and appearance at the hearing, and all prior and subsequent attendant costs shall be assessed upon the property owner. Said violations will not be deemed legally abated until the property owner makes full payment of the assessment..."

The Assessment of Cost AMOUNT accrued to date NOW DUE AND PAYABLE is : \$2565.

Payment must be payable to CITY and COUNTY of SAN FRANCISCO OR CCSF-DBI in the form of cashier's check, money order or cash and must be accompanied by this original letter.

Please tender payment by mail or in person during regular business hours (8am-4pm) to the address indicated below:

Assessment of Costs Payment Department of Building Inspection Code Enforcement Section 49 South Van Ness Avenue, Suite 400 San Francisco, CA 94103

TO AVOID HAVING A LIEN RECORDED UPON YOUR PROPERTY AND LEVIED ON YOUR NEXT PROPERTY TAX BILL, it is necessary for you to tender payment immediately.

Note: The Order of Abatement of the Department of Building Inspection cannot be lifted, and the structure cited above cannot be brought into compliance with the applicable sections of the San Francisco Building and Housing Codes until all required work is completed and further accrued Assessments of Costs are paid.

You must notify your assigned CES Inspector when all violations have been completed AS SOON AS POSSIBLE TO AVOID OR MINIMIZE ADDITIONAL COSTS & PENALTIES.

You will be sent a Final bill assessment of costs for additional time accrued until the case is abated..

Code Enforcement Section can be reached at (628) 652-3430 should you have any questions.

Your prompt cooperation on this matter is appreciated,

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

By: John Hinchion Chief of Code Enforcement

cc: CED File

336 PARNASSUS Ave. (1275/088)

CITY AND COUNTY OF SAN FRANCISCO



DEPARTMENT OF BUILDING INSPECTION 49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

Assessment of Costs - Initial

(Pursuant to Sections 102A3 et al, and 110A Tables 1A-D, 1 A-G, 1A-K of the San Francisco Building Code and Ordinance 180-10

Owner CARRASCAL NOEL & MASSIGN CARRASCAL NOEL & MASSIGN 336 PARNASSUS AVE SAN FRANCISCO CA 94117 **Date** August 25, 2023

088

London N. Breed, Mayor

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

Complaint Number 202185655

Block 1275 **Lot**

Address 336 PARNASSUS AV

Prepared by Gilbert Lam

Reviewed by S. Bryant

Amount Now Due and Payable

\$2,565.00

Comments IB MMF: (1/4/22 - 8/23/23) 20 Months. -GL other cert mail OOA

Payment for the items indicated:

Date	Action	Staff	Time in hrs	Rate	Amount
01/04/22	Issued Notice of Violation and Data entry	Inspector	.75	\$158.10	\$118.58
02/01/22	Case review, Scheduling and Data entry	Inspector	.25	\$158.10	\$39.53
03/09/22	Case review, Scheduling and Data entry	Inspector	.25	\$158.10	\$39.53
05/20/22	Issued Final Warning Letter	Inspector	.25	\$158.10	\$39.53
06/07/22	Case intake and Data entry	Clerical	.5	\$96.72	\$48.36
08/01/22	Case review, Scheduling and Data entry	Inspector	.25	\$158.10	\$39.53
01/30/23	Researched permit history/status	Inspector	.25	\$158.10	\$39.53
04/20/23	Reviewed and approved case for Director's Hearing	Inspector	.75	\$158.10	\$118.58
04/28/23	Research Title and Prepare case for Director's Hearing	Clerical	1	\$96.72	\$96.72
05/01/23	Certified Mailing	Clerical	.5	\$96.72	\$48.36
05/02/23	Posted Notice of Director's Hearing	Inspector	.5	\$158.10	\$79.05
05/02/23	Processed photos	Inspector	.25	\$158.10	\$39.53
05/16/23	Hearing Appearance and Summary	Inspector	.25	\$158.10	\$39.53
05/16/23	Posted Hearing Case Update	Clerical	.25	\$96.72	\$24.18
05/18/23	Schedule Continued Director's Hearing	Inspector	.5	\$158.10	\$79.05
07/05/23	Prepare Case for Continued Director's Hearing	Clerical	.5	\$96.72	\$48.36
07/05/23	Certified Mailing	Clerical	.5	\$96.72	\$48.36
07/18/23	Hearing Appearance and Summary	Inspector	.25	\$158.10	\$39.53
08/23/23	Issued Order of Abatement	Inspector	.25	\$158.10	\$39.53
08/23/23	Building Official's Abatement Order (2 hr min.)	Building Official	l 2	\$173.91	\$347.82
08/23/23	Prepared Assessment of Costs	Inspector	.25	\$158.10	\$39.53
08/23/23	Monthly Violation Monitoring Fee (Ordinance 180-10)	Clerical	10	\$96.72	\$967.20
08/24/23	Prepared Order of Abatement	Clerical	.5	\$96.72	\$48.36

* Please note that this is only an initial bill. The property owner will accrue additional assessment of costs until all required code abatement is complete and verified by inspector site inspection. The case will not be closed until all code abatement and assessment of costs are paid.

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

Assessment of Costs - Initial

(Pursuant to Sections 102A3 et al, and 110A Tables 1A-D, 1 A-G, 1A-K of the San Francisco Building Code and Ordinance 180-10

08/24/23 Other	Clerical	1	\$96.72	\$96.72
		Γ*	otal to Date	\$2,565.00

* Please note that this is only an initial bill. The property owner will accrue additional assessment of costs until all required code abatement is complete and verified by inspector site inspection. The case will not be closed until all code abatement and assessment of costs are paid.

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DEPARTMENT OF BUILDING INSPECTION



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

CARRASCAL NOEL & MASSIGNAN ST CARRASCAL NOEL & MASSIGNAN 336 PARNASSUS AVE SAN FRANCISCO CA 94117 DATE: 05/20/2022

PROPERTY ADDRESS: 336 PARNASSUS AV

BLOCK: 1275 LOT: 088

Building Complaint #: 202185655

NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

NOTICE OF VIOLATION OUTSTANDING:

On 01/04/2022 your property was inspected and/or a Notice of Violation was issued informing you of required code abatement, and warnings for failure to comply. The time period to correct all cited code violations indicated in this Notice has passed, and the Department records indicate that the required code abatement work remains outstanding. Your case has been referred to the Code Enforcement Division for enforcement.

ASSESSMENT OF COSTS NOW IMPOSED:

Therefore, pursuant to Section 102A.3 of the San Francisco Building Code you will be assessed costs arising from department time accrued pertaining but not limited to: (1) site inspections and reinspections, (2) case management, update, and data entry, (3) case inquiries (meetings, office visits, phone calls, emails, response to correspondence etc), (4) permit history research, (5) notice/hearing preparation, (6) staff appearances/reports at hearings, (7) case referrals, and (8) monthly violation monitoring.

AVOID FURTHER ASSESSMENT:

To keep the assessment of costs at a minimum, and avoid the accrual of further time spent on the actions above such as administrative hearing preparation, and monthly violation monitoring, etc., please complete all work within thirty (30) days. Contact the Code Enforcement Division at (628) 652-3430 if you have questions concerning the referenced Notice of Violation.

IF PERMITS ARE REQUIRED:

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits. Obtain final sign-off from the Building Inspector on the building job card and sign-offs from the Plumbing or Electrical Inspectors for the plumbing permit or for the electrical permit. Otherwise, the work will be deemed incomplete.

CASE WILL BE CLOSED WHEN ALL WORK & ASSESSMENT OF COSTS PAID:

This case will not be closed and assessment of costs will continue to accrue until (1) all required work is completed as verified by site inspections, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid.

YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!

City and County of San Francisco Department of Building Inspection London N. Breed, Mayor Patrick O'Riordan, C.B.O., Director

DATE AFFIDAVIT PREPAREDApril 28, 2023

tuuuuuu	mmmmmm
ADDRESS:	336 PARNASSUS AV,
INSPECTOR	: Lam
OWNER:	CARRASCAL NOEL & MASSIGNAN 336 PARNASSUS AVE SAN FRANCISCO CA 94117
uuuuuu	

Direct	ors' He	aring	Date:	May 1	6, 2023	
Hearin	g Num	ber: 2	02185	655		
Hearin Block:	1275	Lot:	088	Seq:	00	
Tract:		Case	: BWC	j	~~~~	

(signature

Declaration of Service Of Notice Of Violation(s) and Notice Of Directors' 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:

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

San Francisco, California. By:

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.

at San Francisco, California. Date Posted Signature: By: (Print name)

Code Enforcement Division 49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226 Office (628) 652-3430 - FAX (628) 652-3439- www.sfdbi.org

AAB Hearing Date: 11/20/2024

City and County of San Francisco Department of Building Inspection



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

April 28, 2023

Owner: CARRASCAL NOEL & MASSIGNAN 336 PARNASSUS AVE SAN FRANCISCO CA 94117 Address: 336 PARNASSUS AV, Block: 1275 Lot: 088 Seq: 00 Tract: Case: BW0 Hearing Number : 202185655 Inspector: Lam Phone: (628) 652-3418

NOTICE OF DIRECTOR'S HEARING

Date and Time of Hearing: May 16, 2023, 9:30:AM 49 South Van Ness Av., San Francisco, CA 94103-1226, Room 0194

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 list of Violation(s) have 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, 110A, Table 1A-G & 110A Table 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.

BY ORDER OF THE DIRECTOR OF DEPARTMENT OF BUILDING INSPECTION.

Very truly yours,

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

Code Enforcement Division 49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226 Office (628) 652-3430 - www.sfdbi.org



AAB Hearing Date: 11/20/2024

City and County of San Francisco Department of Building Inspection



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

DATE AFFIDAVIT PREPARED August 24, 2023

Address: 336 PARNASSUS AV,

Directors' Hearing Date: May 16, 2023

Owner: CARRASCAL NOEL & MASSIGNAN 336 PARNASSUS AVE SAN FRANCISCO CA Hearing Number: 202185655

Block: 1275 Tract:

Lot No: 088 Seq: 00 Case: BW0

94117

Declaration Of Service Of Order Of Abatement By Mail Per San Francisco Building Code Section 102A: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 at San Francisco, California. By:

(Signature)

Declaration Of Posting Of The Order OF Abatement Per San Francisco Building Code Section 102A.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.

at San Francisco, California. ignature (Print name)

Code Enforcement Division 49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226 Office (628) 652-3430 - FAX (628) 652-3439 - www.sfdbi.org



ABATEMENT APPEALS BOARD

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

NOTICE OF AAB HEARING

10/16/2024

CARRASCAL NOEL & MASSIGNAN STACEY **336 PARNASSUS AVE** SAN FRANCISCO, CA, 94117

Re: 336 PARNASSUS AV AAB Appeal No. 6938

Dear Parties:

On 9/1/2023, the Abatement Appeals Board (AAB) received Appellant CARRASCAL NOEL & MASSIGNAN STACEY completed appeal form, appealing Director's Order No. 202185655-A.

This matter has been scheduled for hearing before the AAB on 11/20/2024 at 9:30 AM, 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 at :dbi.aab@sfgov.org or in hardcopy no later than (10/30/2024-21 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 (11/13/2024-7 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 CES at 628-652-3430 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 Hard copy Mail to: 49 South Van Ness Ave 4th Fl. San Francisco, CA 94103

Inspector: HEARING/CES

Please POST AND RETURN DECLARATION TO AAB SECRETARY.

DEPARTMENT OF BUILDING INSPECTION San Francisco, California

DECLARATION OF POSTING OF ABATEMENT APPEALS BOARD

NOTICE OF HEARING

I. <u>Declan</u> <u>McConn</u> 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 Section (105A.2.6) of the San Francisco (Building) Code, I did on the <u>17</u> day of <u>October</u>, 2024, post a copy of 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:

> <u>Appeal No. 6938</u> <u>Complaint No. 202185655</u> <u>Order of Abatement No. 202185655-A</u> <u>336 PARNASSUS AV</u> <u>San Francisco, California</u>

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

Executed on 10/17-/24 at San Francisco, California.

HEARING

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Complaint List	_			
HIS NOV omplaint # Expired Date File	d A Div Bl	ock Lot Street	t # Street Name	
2185655	1 CES 1275		PARNASSUS	AV -
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