

*Regular Meeting of the  
Abatement Appeals Board*

*November 20, 2024*

*Agenda Item C6*

*Staff Report - Case No. 6939*



## 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.** 6939

**Date of Abatement Appeals Board Hearing:** November 20, 2024

**Property Address:** 338 Parnassus Ave.

**Block:** 1275 **Lot:** 089

**Report Date & Preparer:** November 13, 2024 | Senior Building Inspector, Joe Ng

**Complaint Number:** 202185825 ([EXHIBIT – 1, 2](#))

### PROPERTY OWNER INFORMATION

**Property Owner(s) Name:** Carrascal Noel & Massignan Stacey ([EXHIBIT – 3](#))

**Appellant:** Noel Carrascal ([EXHIBIT – 4](#))

**Appellant Mailing Address:** 338 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 January 4, 2022  
FWL or 2<sup>nd</sup> NOV Issued on May 20, 2022

**Nature of Violation:** (Violation Description Replicated from Original NOV # [202185825](#)); ([EXHIBIT – 1](#))

*“A site inspection at above location identified a potentially hazardous condition at above location. At West property line bordering 28 Hillpoint Av concrete retaining wall has failed, rotating towards east at northeast corner of 28 Hillpoint Av. 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. 202185825

**Date:** July 18, 2023

**Result:** Issue Order of Abatement ([EXHIBIT – 8](#))

**Order of Abatement:** 202185825-A issued with the following condition: “30 days to obtain permit and complete including final signoff to comply with NOV # 202185825 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)

	Exhibit	NOV # 202185825
1 <sup>st</sup> Notice of Violation Issued	1	01/04/2022
Final Warning letter (or 2 <sup>nd</sup> NOV)	9	05/20/2022
Notice of Director’s Hearing Posting	10	07/06/2023
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

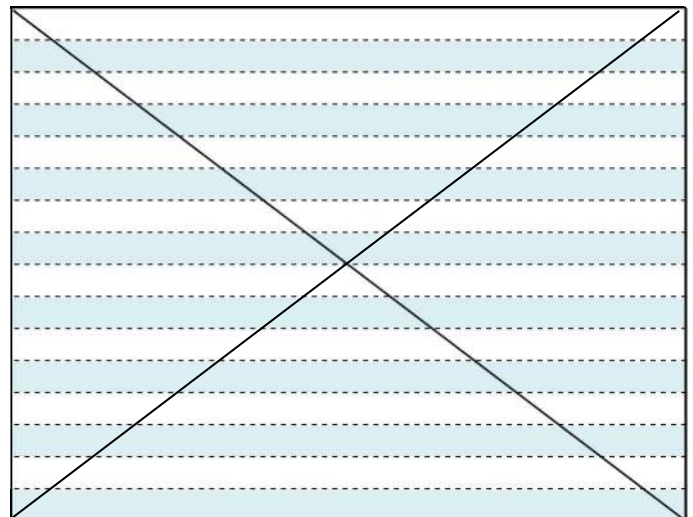
**Appellant’s Request:** Correction of hazardous condition falls entirely on 28 Hill Point Ave. All assessment of costs must be paid by the owner of 28 Hill Point Ave. See details from (EXHIBIT – 4)

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

**Abatement Appeals Board Action:** TBD

**LIST OF EXHIBITS**

Exhibit 1 - NOV 202185825
Exhibit 2 - Block and Lot Map
Exhibit 3 - Owner of Records
Exhibit 4 - AAB Application
Exhibit 5 - Violation Photos
Exhibit 6 - Permit History
Exhibit 7 - CDS 202185825
Exhibit 8 - Order of Abatement
Exhibit 9 - Final Warning Letter
Exhibit 10 - Notice of Director Hearing Post and Mailing Affidavit
Exhibit 11 - Affidavit of Posting and Mailing of OOA
Exhibit 12 - Affidavit of AAB Hearing Notice Posting
Exhibit 13 - List of Complaint History





# NOTICE OF VIOLATION

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

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

NUMBER: 202185825  
DATE: 04-JAN-22

ADDRESS: 338 PARNASSUS AV  
OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS,TOWNHOUSES) BLOCK: 1275 LOT: 089

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

OWNER/AGENT: KATHLEEN DOOLEY TRUST PHONE #: --  
MAILING KATHLEEN DOOLEY TRUST  
ADDRESS KATHLEEN DOOLEY TRUSTEE  
338 PARNASSUS AVE  
SAN FRANCISCO CA 94117

PERSON CONTACTED @ SITE: KATHLEEN DOOLEY TRUST PHONE #: --

## VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	103A 106A.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4
<input checked="" type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102A

A site inspection at above location identified a potentially hazardous condition at above location. At west property line bordering 28 Hillpoint Av concrete retaining wall has failed, rotating towards east at northeast corner of 28 Hillpoint Av. At lowest point wall is approx 4ft tall. Exercise caution in rear yard until hazard is abated.  
Code/Section: SFBC 102A, 102A.3

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

## CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104A.2.4
- FILE BUILDING PERMIT WITHIN 30 DAYS  (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 60 DAYS AND COMPLETE ALL WORK WITHIN 90 DAYS, INCLUDING FINAL INSPECTION AND SIGN OFF.
- CORRECT VIOLATIONS WITHIN DAYS.  NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.
- FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.  
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Under direction of a licensed design professional (suggest structural engineer) obtain building permit to abate hazard. When permit is issued obtain all required inspections to close this complaint.

### INVESTIGATION FEE OR OTHER FEE WILL APPLY

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

### BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECT

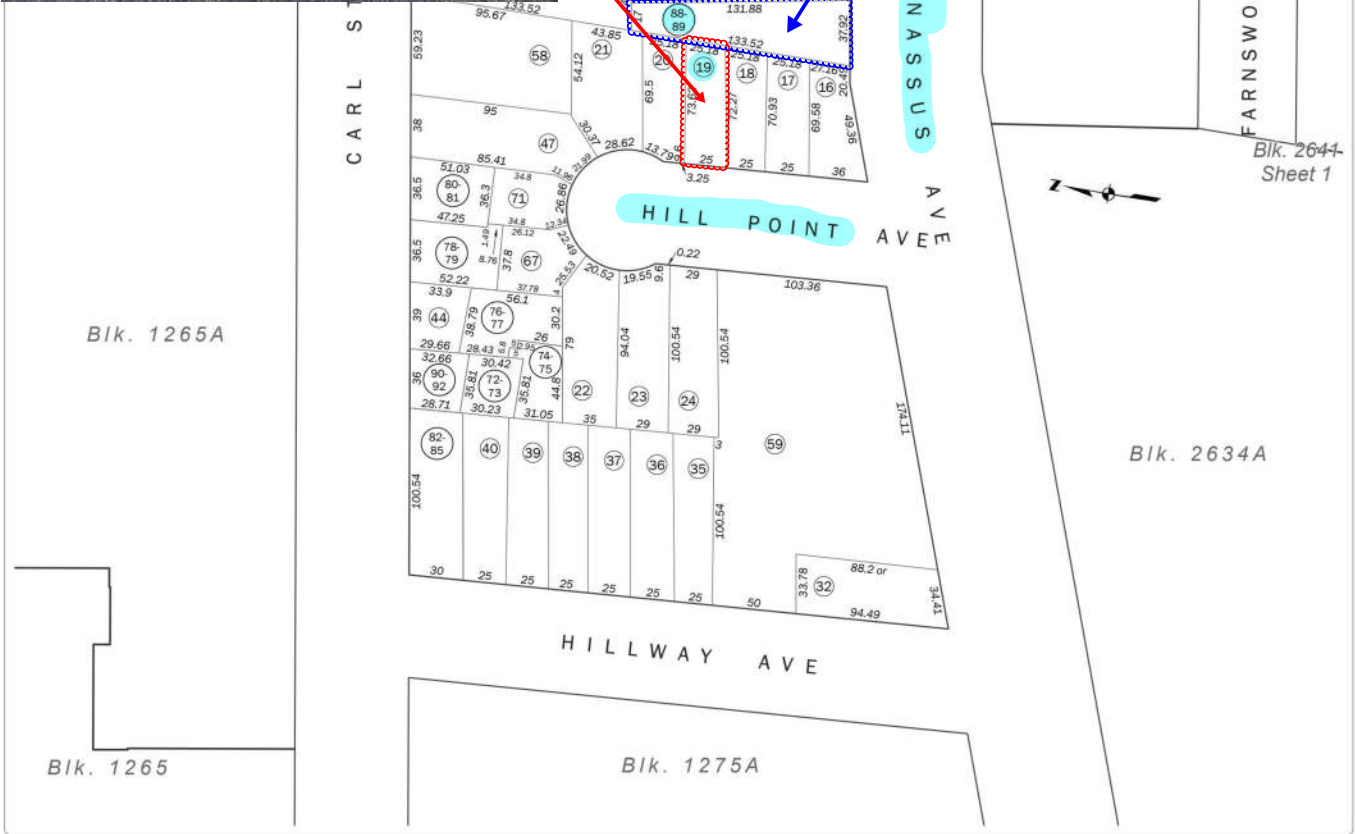
CONTACT INSPECTOR: Donal J Duffy  
PHONE # -- DIVISION: BID DISTRICT :  
By:(Inspectors's Signature) \_\_\_\_\_

Volume 9

W A BLK. 745  
PARKWOOD HEIGHTS

Block 1275

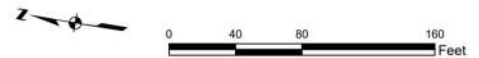
SHEET 1 OF 2



**SAN FRANCISCO CITY & COUNTY  
ASSESSOR'S BLOCK MAP**

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

REVISED 2019



Property Profile

Assessor: 338 PARNASSUS AV

Address		Sfx	Unit	Block	Lot	#	Address Id
Street #	Streetname						PRIMARY
338	PARNASSUS	AV		1275	089	0	500635
							EAS

**Values & Prices**

Land	\$765,000	Other	\$0	Exempt Type	Wk Status/Yr
Structure	\$510,000	Home Exempt	\$0		2025
Fixtures	\$0	Other Exempt	\$0	Prior/Curr	Base Co/Yr
Prior Price	\$0	Current Price	\$1,250,000	Source	2023
Prior Sale		Curr Sale	07/01/2022		\$

Construction Appliances	Base Lot	Assr Zone	Appraiser	Lot Chq	Date/Shape	Use Type
0000	000		623			F

Lot Frontage/Area/Depth	Units	Stories	Sublevels	Volume	Roll Yr/Status
0 0 0	1	1		9	2024

Rooms	Bedrooms	Baths	Bldg Sq Ft	Bsmt Sq Ft	Year Built	DBI Form Yr	Tax Area
4	0	1	1,175	0	1912	F	1000

**Owner Information**

Name	Address	City	State	Zip	Owner Date
CARRASCAL NOEL & MASSIGI	336 PARNASSUS AVE	SAN FRANCISCO	CA	94117	07/01/2022

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: [X] Appeal of Director's Order [ ] Request for Jurisdiction [ ] Re-hearing

Appellant Name: Noel Carrascal Appeal Number \_\_\_\_\_ Director's Order No 202185825 Date Appeal Filed: 9/1/2023 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 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 July 18, 2023.
(2) The affected premises are located at 336-338 Parnassus Ave SF CA 94117 San Francisco. They contain 2 dwelling units and guest rooms.
(3) State in ordinary and concise language the specific nature of the action appealed from, together with any material facts relating thereto. Correction of Hazardous condition fall entirely on 28 Hillpoint Ave complaint against 336-338 Parnassus Ave 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 party for making false an inaccurate statements that misled the Building inspection department. 28 Hillpoint Ave must pay for all costs.
(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: Noel Carrascal Daytime Phone Number: 917-549-1723 Appellant's Mailing Address: 336 Parnassus Ave, San Francisco CA 94117

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:  
\_\_\_\_\_
- (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:  
But now I own the property. Before it was co-owned
- (10) Please state any work completed to correct the related code violations:  
No work is required on my property
- (11) What was the extent of the work performed? How much remains to be completed?
- (12) 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?  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  
202185825 202185655
- (18) Have you owned property in San Francisco before?  Yes  No
- (19) Are you aware that building, plumbing, and/or electrical permits may be required to abate the subject code violations?  Yes  No
- (20) Have you applied for the required permits to abate the subject code violations?  Yes  No  
If yes, please list permit applications:  
 Building Permit Application Nos. \_\_\_\_\_  
 Plumbing Permit Application Nos. \_\_\_\_\_  
 Electrical Permit Application Nos. \_\_\_\_\_
- (21) What other permits have you been granted by the City? None required
- (22) What other facts do you want the Board to consider?  
The owner of 28 Hillpoint Ave has made statements on the hearing that contradict his own statements made on record.

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

Print Name: Noel Carrascal Signature: 

Date Signed: 9/1/2023 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**



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 10:50:54 AM

Code Enforcement Division

Phone:(628) 652-3430

Payment Date: 09/01/2023

Job Address

338 PARNASSUS AV -

Receipt Number: CED08389

Issued By: MREYES

Payment received from:

Application Number:

NOEL CARRASCAL

338 PARNASSUS AV -

AAB Application fee  
NOV#202185825

Payment received for the items indicated:

Fee Description	Payment Amount	Complaint#/ (if applicable)
CED AAB Filing Fee	\$181.82	202185825

**TOTAL \$181.82**

BY 

**DBI COPY**



Permit Tracking System

Projects Location Stage Characteristics Routing/Addenda Fees Payments Owner/Contractor/Agents Planning Dev Impact Fee

**LOCATION** [ ]

Form [ ] Proj [ ] Stage [ ] Created By [ ] Desc History [ ]

Metes & Bounds: [ ] Side of [ ] feet [ ] of [ ]

Block/Lot & Addresses:

Block	Lot	Stru	Address	Street	Unit	DCP Imp Fee	District	Other
1275	089							

Floor Number [ ]  
Site Location Remarks [ ]  
Comments [ ]

Estimated Hours [ ] Plan Review Tier [ ]

PREMIUM PLANCHECK  MRRP Compliance (Green Halo)  Bluebeam Project ID [ ]  
 FIRST YEAR FREE  BAN (Business Account No.) [ ]  LIN (Location Identification No.) [ ]

Department of Building Inspection

No record available for this query condition.

OK



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

**COMPLAINT DATA SHEET**

**COMPLAINT NUMBER : 202185825**

**OWNER/AGENT:** KATHLEEN DOOLEY TRUST  
 KATHLEEN DOOLEY TRUST  
 KATHLEEN DOOLEY TRUSTEE  
 338 PARNASSUS AVE  
 SAN FRANCISCO CA  
 94117

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

**COMPLAINANT:** Anon

**COMPLAINANT'S PHONE** --

**DESCRIPTION:** Retaining wall failure between 28 Hillpoint Ave and 336/338 Parnassus Ave.  
**INSTRUCTIONS:**

**INSPECTOR CURRENTLY ASSIGNED**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
CES	NG	6339		

**REFERRAL INFORMATION**

DATE	REFERRED BY	TO	COMMENT
24-MAY-22	Julie Yu	CES	Per Carl Malchow

**COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
30-DEC-21	CASE OPENED	D DUFFY	CASE RECEIVED		Thu Ha Thi Truong 30-DEC-21	INS
30-DEC-21	OTHER BLDG/HOUSING VIOLATION	D DUFFY	CASE UPDATE	case reviewed, to be assigned to complaint investigation team. MH/tt	Thu Ha Thi Truong 30-DEC-21	INS
04-JAN-22	OTHER BLDG/HOUSING VIOLATION	D DUFFY	CASE UPDATE	Unsafe condition.		
04-JAN-22	OTHER BLDG/HOUSING VIOLATION	D DUFFY	FIRST NOV SENT	1st NOV issued by DD; slw	Suzanna Wong 05-JAN-22	BID
05-JAN-22	OTHER BLDG/HOUSING VIOLATION	D DUFFY	CASE UPDATE	1st NOV mailed; slw	Suzanna Wong 05-JAN-22	BID



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

## COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202185825

### COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
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 engineers.		
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	transfer to div CES	Julie Yu 24-MAY-22	INS
08-JUN-22	GENERAL MAINTENANCE	J HINCHION	CASE RECEIVED	Case received in CES. SB	Sonya Bryant 08-JUN-22	CES
25-MAY-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	REFER TO DIRECTOR'S HEARING	Case Reviewed. No permit to comply with NOV. Schedule for DH 7/18/23. Related case: nov202185655 and nov202185823 -GL		
29-JUN-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE UPDATE	Prepared DH packet. SB	Sonya Bryant 29-JUN-23	CES
06-JUL-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	DIRECTOR HEARING NOTICE POSTED	DH Posted. Photos processed. -GL		
06-JUL-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE UPDATE	Cert mailed DH packets to owners on file. SB	Sonya Bryant 06-JUL-23	CES
14-JUL-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	PERMIT RESEARCH	Permit research performed to prepare hearing packet for HO. -GL		
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		
23-AUG-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE UPDATE	Prepared OOA. SB	Sonya Bryant 23-AUG-23	CES



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

**COMPLAINT DATA SHEET**

**COMPLAINT NUMBER : 202185825**

**COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
25-AUG-23	OTHER BLDG/HOUSIN G VIOLATION	G LAM	ORDER OF ABATEMENT POSTED	OOA Posted. Pictures Processed. -GL		
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	CASE UPDATE	Filed AAB form -mr	Melissa Reyes 01- SEP-23	CES
16-OCT-24	OTHER BLDG/HOUSIN G VIOLATION	G LAM	CASE UPDATE	AAB Notice of Hearing Certi 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

**COMPLAINT ACTION BY DIVISION**

DIVISION	DATE	DESCRIPTION	ACTION COMMENT
NOV (HIS)	NOV (BID)		
	04-JAN-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**

August 23, 2023

Owner:

CARRASCAL NOEL & MASSIGNAN  
336 PARNASSUS AVE  
SAN FRANCISCO CA 94117

Property Address: 338 PARNASSUS AV,  
Block: 1275 Lot: 089 Seq: 00  
Tract: Case: BWU

Complaint: 202185825

Inspector/Division: Lam

ORDER OF ABATEMENT UNDER SAN FRANCISCO BUILDING CODE SECTION 102A.6 & 102A.7 ORDER NO. 202185825

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 NOT 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.
2. 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# 202185825 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.**

*M for JH*  
John Hinchion, Chief Building Inspector  
Department of Building Inspection

Very truly yours  
*Patrick O'Riordan*  
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 - 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**

Date: August 23, 2023

Property Address: 338 PARNASSUS AV

Block: 1275 Lot: 089 Seq.: 00

Inspector: **Gilbert Lam**Director's Order Number: **202185825 - A**
**INITIAL BILL- Assessment of Costs  
Code Violations Outstanding**
**To:**

CARRASCAL NOEL & MASSIGNAN  
336 PARNASSUS AVE  
SAN FRANCISCO CA  
94117

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 : **\$2310.17**.

**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



**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)

**Owner** KATHLEEN DOOLEY TRUST  
 KATHLEEN DOOLEY TRUST  
 KATHLEEN DOOLEY TRUSTEE  
 338 PARNASSUS AVE  
 SAN FRANCISCO CA 94117

**Date** August 24, 2023

**Complaint Number** 202185825

**Block** 1275 **Lot** 089

**Address** 338 PARNASSUS AV

**Prepared by** Gilbert Lam

**Reviewed by** S. Bryant

**Amount Now Due and Payable** \$2,310.17

**Comments** IB MMF: (1/4/22 - 8/23/23) 20 months. -GL other cert mailed 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
06/08/22	Case intake and Data entry	Clerical	.5	\$96.72	\$48.36
05/25/23	Reviewed and approved case for Director's Hearing	Inspector	.75	\$158.10	\$118.58
06/29/23	Research Title and Prepare case for Director's Hearing	Clerical	1	\$96.72	\$96.72
07/06/23	Posted Notice of Director's Hearing	Inspector	.5	\$158.10	\$79.05
07/06/23	Processed photos	Inspector	.25	\$158.10	\$39.53
07/06/23	Certified Mailing	Clerical	.5	\$96.72	\$48.36
07/14/23	Researched permit history/status	Inspector	.25	\$158.10	\$39.53
07/18/23	Hearing Appearance and Summary	Inspector	.25	\$158.10	\$39.53
07/18/23	Posted Hearing Case Update	Clerical	.25	\$96.72	\$24.18
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	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
08/23/23	Prepared Order of Abatement	Clerical	.5	\$96.72	\$48.36
08/23/23	Other	Clerical	1	\$96.72	\$96.72

**\*Total to Date** \$2,310.17

**\* 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.**



## DEPARTMENT OF BUILDING INSPECTION

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

DATE: 05/20/2022

PROPERTY ADDRESS:  
 338 PARNASSUS AV

BLOCK: 1275 LOT: 089

Building Complaint #: 202185825

KATHLEEN DOOLEY TRUST  
 KATHLEEN DOOLEY TRUST  
 KATHLEEN DOOLEY TRUSTEE  
 338 PARNASSUS AVE  
 SAN FRANCISCO CA 94117

# 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 PREPARED June 29, 2023

ADDRESS: 338 PARNASSUS AV,  
INSPECTOR: Lam  
OWNER: CARRASCAL NOEL & MASSIGNAN  
336 PARNASSUS AVE  
SAN FRANCISCO CA  
94117

Directors' Hearing Date: July 18, 2023  
Hearing Number: 202185825  
Block: 1275 Lot: 089 Seq: 00  
Tract: Case: BW0

**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: 7/6/23, San Francisco, California. By: [Signature]  
(signature)

**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: 7/6/23, at San Francisco, California.  
By: Gilbert Lam 7/6/23 Signature: [Signature]  
(Print name) (Date)

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

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 23, 2023

Address: 338 PARNASSUS AV,

Hearing Number: 202185825

Inspector: Lam

Block: 1275 Lot No: 089 Seq: 00

Directors' Hearing Date: July 18, 2023

Tract: Case: BW0

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

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: 8/24/23, at San Francisco, California. By: [Signature]  
(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.

Date Posted 8/25/23, at San Francisco, California.  
By: Gilbert Lam 8/25/23 Signature: [Signature]  
(Print name) (Date)

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: 338 PARNASSUS AV AAB Appeal No. 6939**

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. 202185825-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](mailto: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](mailto:dbi.aab@sfgov.org). Do not contact any AAB member directly.

Very Truly Yours.

A handwritten signature in cursive script, appearing to read "Matthew Greene".

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, Declan McEann 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 17 day of October, 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:

Appeal No. 6939  
Complaint No. 202185825  
Order of Abatement No. 202185825-A  
338 PARNASSUS AV  
San Francisco, California

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

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



HEARING

