

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

***Agenda Item C5 and C6  
Appellant's Statement***

Appellant's Statement

AAB Appeal No. 6938 and 6939

To AAB Secretary,

This written statement refers to 336 and 338 Parnassus Ave AAB appeal No. 6938 and 6939. We own both properties and this written statement is intended for both properties.

A Code Enforcement Division AAB Filing Fee was paid for an appeal for each 336 and 338 Parnassus Avenue with complaint numbers 202185655 and 202185825.

This appeal was made with the goal of avoiding the cost of an Order of Abatement by the Appeals Board. This appeal is also intended to avoid a lien to be put on our properties for the assessment cost fees of \$2310.17 and \$2365, and any other additional current or future fees.

The reason for that is that the retaining wall in question was found not to belong to us by a surveyor report, and it is located solely on 28 Hill Point Ave's property. Their wall was not built to code. All assessment of costs for code violation should be redirected to property in violation, again, that is 28 Hillpoint Ave.

We have no responsibility for that matter. I have also informed the city that the claim that was put on us is based on misleading and wrong assumptions by our neighbor. It is clear that it was a deliberate attempt to blame us for their poorly constructed wall and force us to pay their share of the cost of the repairs. They filed a claim with our insurance company, and it has been rejected. Their case has been shown to have neither standing nor merits in two previous hearings at the building department (hearing numbers 202185655 & 202185825).

For that reason, we respectfully request that we are cleared from any responsibility for cost incurred by a fraudulent claim from 28 Hillpoint Ave on us, and that those fees are redirected to them or even increased for their dishonesty. They have put an unnecessary burden on us and the city that they need to pay in full.

Regards,

Noel Carrascal & Stacey Massignan