



## **ACCESS APPEALS COMMISSION MINUTES(DRAFT)**

**Regular Meeting Wednesday, September 11, 2024**

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### **1. CALL TO ORDER AND ROLL CALL**

#### **COMMISSION MEMBERS PRESENT:**

Ms. Alyce Brown, President  
Mr. Walter Park, Commissioner  
Mr. Arnie Lerner, Commissioner

#### **CITY REPRESENTATIVES:**

Thomas Fessler, Secretary  
Christine Gasparac, Assistant Director  
Peter Miljanich, Deputy City Attorney  
Ken Hu, Permit Tech III

### **2. PUBLIC COMMENT: (DISCUSSION)**

William Rehling with Accessible San Francisco stated that building permits with the cost valuation over \$200,399.00 would require full path of travel improvements making granting Unreasonable Hardship in these cases difficult to approve. They went on to mention that Unreasonable Hardship under the Accessible Business Entrance (ABE) would require ratification from this commission.

### **3. REVIEW AND APPROVAL OF MINUTES: (DISCUSSION AND POSSIBLE ACTION)**

Minutes from the February 28, 2024 regular meeting were adopted as written.

### **4. UPDATE OF THE STATUS OF THE ACCESSIBLE BUSINESS ENTRANCE PROGRAM (DISCUSSION)**

Assistant Director Christine Gasparac presented an update of the Accessible Business Entrance (ABE) program. ABE compliance rates with 23,522 properties subject to the program, 19,584 (83%) have been completed or started the compliance process and 3,938 (17%) Non-compliant with no response.

Currently 954 properties are requesting either a technical infeasibility or an unreasonable hardship be granted to comply with the ABE program. These properties have been identified by requests on Category Checklists and Permit Applications.

The commissioners questioned if there are so requests for unreasonable hardship why have there been so few requests for ratification. The secretary explained that most of the unreasonable hardship requests are identified at the Category Checklist stage of compliance. It is not until a permit is approved by all relevant departments before the permit

application goes before this commission for ratification.

The Department of Building Inspection (DBI) has created a new ABE webpage with step by step instructions on how to comply with the ABE program. Allowing applicants to submit their forms on line.

ABE outreach sent property owners 10 rounds of letters and postcards in four different languages. Held outreach events in conjunction with the Office of Small Business at various neighbor hoods across San Francisco.

ABE deadlines and extensions have been extended to 12/31/24 to submit Category Checklist and apply for building permit and obtain a building permit by 9/29/25. After these deadlines pass, DBI may need to enforce more than 7,000 properties this will likely overwhelm the departments capacity and delay other building code enforcement. The code enforcement process was described as an eight-point process ending in an order of abatement being placed on the property.

Commissioners expressed concerns that the ABE program keeps getting deadline extensions making enforcement something that will take place in the future. DBI staff stated that enforcement cannot take place until the deadline dates pass.

Commissioner Park moved the meeting be adjourned stating the concern Commissioner Brown was unable to hear and that future meetings require to provide close captioning.

## **5. ADJOURNMENT:**

**(ACTION)**

Thomas Fessler  
Senior Building Inspector  
Department of Building Inspection  
Secretary to the Access Appeals Commission