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CITY AND COUNTY OF SAN FRANCISCO and  
9 PEOPLE OF THE STATE OF CALIFORNIA

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF SAN FRANCISCO

12 UNLIMITED JURISDICTION

**CGC-23-609526**

13 CITY AND COUNTY OF SAN  
14 FRANCISCO, a Municipal Corporation; and  
the PEOPLE OF THE STATE OF  
15 CALIFORNIA, by and through David Chiu,  
City Attorney for the City and County of San  
16 Francisco,

17 Plaintiffs,

18 vs.

19 1449 POWELL ST LLC, a California Limited  
Liability Corporation; 1500 POWELL ST  
20 LLC, a California Limited Liability  
Corporation; 912 JACKSON ST LLC, a  
21 California Limited Liability Corporation;  
VALLEJO POWELL SRO, LLC, a California  
22 limited liability company; JACKSON  
STREET SRO, LLC, a California limited  
23 liability company; JEFF APPENRODT, an  
individual; SHAIENDRA DEVDHARA, an  
24 individual; KAMLESH PATEL, an individual;  
and DOE ONE through DOE FIVE,

25 Defendants.  
26

Case No.

**COMPLAINT FOR INJUNCTIVE AND  
OTHER RELIEF**

Type of Case: Other Complaint (42)

ELECTRONICALLY  
**FILED**  
Superior Court of California,  
County of San Francisco

**10/05/2023**  
Clerk of the Court  
BY: AUSTIN LAM  
Deputy Clerk

1 Plaintiff City and County of San Francisco, a municipal corporation (“CITY”), and Plaintiff  
2 People of the State of California, acting by and through San Francisco City Attorney David Chiu  
3 (“PEOPLE”) (collectively “PLAINTIFFS”) file their Complaint against Defendant 1449 Powell Street  
4 LLC (“POWELL LLC”), Defendant 1500 Powell Street LLC (“VALLEJO LLC”), Defendant 912  
5 Jackson Street LLC (“JACKSON LLC”), Defendant Vallejo Powell SRO, LLC  
6 (“VALLEJO/POWELL”), Defendant Jackson Street SRO, LLC (“JACKSON SRO”), Defendant JEFF  
7 APPENRODT in his individual capacity, Defendant SHAIENDRA DEVDHARA in his individual  
8 capacity, Defendant KAMLESH PATEL in his individual capacity, and DOE ONE through DOE  
9 FIVE (collectively “DEFENDANTS”). PLAINTIFFS hereby allege as follows:

### 10 INTRODUCTION

11 1. This action arises out of DEFENDANTS’ ownership, maintenance, operation,  
12 management and use of three neighboring properties located at (1) 1443-1449 Powell Street, San  
13 Francisco, California, Block 0148, Lot 031; (2) 1500 Powell Street (AKA 790 Vallejo Street), San  
14 Francisco, California, Block 0130, Lot 022; and (3) 912 Jackson Street, San Francisco, California,  
15 Block 0180, Lot 007 (collectively “PROPERTIES”) in violation of state and local health and safety  
16 codes, and as a public nuisance that substantially endangers the health, welfare, and safety of the  
17 PROPERTIES’ occupants, tenants, neighbors, and the City and County of San Francisco.

18 2. In February of 2023, the CITY conducted multi-agency task force inspections at the  
19 PROPERTIES following complaints about illegal conditions. The inspections revealed numerous  
20 violations of state and municipal codes.

21 3. There are currently 22 outstanding notices of violation (NOVs) issued against  
22 DEFENDANTS by the Department of Building Inspection (DBI). They include violations related to  
23 health and sanitation, structural damage, and work without permits.

### 24 PARTIES AND SUBJECT PROPERTY

25 4. Plaintiff CITY is a consolidated charter city and county under the laws of the State of  
26 California.

1           5.       The CITY brings this action under the State Housing Law (California Health and  
2 Safety Code Sections 17910-17998.3); the San Francisco Housing, Building, Plumbing, Planning, and  
3 Administrative Codes; and California Civil Code Section 3494.

4           6.       Plaintiff PEOPLE bring this action pursuant to California Civil Code Section 3494,  
5 California Code of Civil Procedure Section 731, and California Business and Professions Code  
6 Section 17204.

7           7.       The PROPERTIES are located at 1443-1449 Powell Street, 1500 Powell Street (AKA  
8 790 Vallejo Street)<sup>1</sup>, and 912 Jackson Street, San Francisco, California.

9           8.       The property located at 1443-1449 Powell Street, San Francisco, CA 94133 is a three-  
10 story, single room occupancy (“SRO”) hotel. It is authorized to contain 17 SRO rooms and one  
11 commercial unit. The property currently has two unauthorized and illegal SRO rooms and nine  
12 unauthorized and illegal dwelling units.<sup>2</sup>

13          9.       The property located at 790 Vallejo Street, San Francisco, CA 94133 is a three-story,  
14 SRO hotel. It is authorized to contain 27 SRO units and one dwelling unit.

15          10.      The property located at 912 Jackson Street, San Francisco, CA 94133 is a three-story,  
16 SRO hotel. It is authorized to contain 23 SRO rooms. Two of the SRO rooms have been illegally  
17 merged. The property also currently has an unauthorized and illegal dwelling unit in the basement.

18          11.      Defendant POWELL LLC is a California limited liability company that has owned  
19 1443-1449 Powell Street since 2014.

20          12.      Defendant VALLEJO LLC is a California limited liability company that owned 1500  
21 Powell Street between 2016 and May 25, 2023.

22          13.      Defendant VALLEJO/POWELL is a California limited liability company that has  
23 owned 1500 Powell Street since May 25, 2023.

24          14.      Defendant JACKSON LLC is a California limited liability company that owned 912  
25 Jackson Street between 2016 and May 30, 2023.

26  
27 \_\_\_\_\_  
<sup>1</sup> To avoid confusion with 1443-1449 Powell, this property will be referred to hereafter as 790 Vallejo.

28 <sup>2</sup> Dwelling units have full bathrooms and kitchens; SRO rooms do not.

1           15. Defendant JACKSON SRO is a California limited liability company that has owned  
2 912 Jackson Street since May 30, 2023.

3           16. Defendant JEFF APPENRODT (“APPENRODT”), an individual, is a resident of San  
4 Francisco County, and sued in his individual capacity. He is also sued in his capacity as manager and  
5 member of POWELL LLC, JACKSON LLC, and VALLEJO LLC. Defendant APPENRODT is  
6 directly involved in the operations, management, and maintenance of 1443-1449 Powell and was  
7 directly involved in the operations, management, and maintenance of 790 Vallejo and 912 Jackson  
8 until those properties were sold to VALLEJO/POWELL and JACKSON SRO. At all times herein  
9 mentioned, Defendant APPENRODT was acting within the course and scope of his duties as a  
10 manager and member of POWELL LLC, VALLEJO LLC, and JACKSON LLC.

11           17. Defendant SHAILENDRA DEVDHARA (“DEVDHARA”), an individual, is a resident  
12 of San Francisco County, and sued in his individual capacity. He is also sued in his capacity as a  
13 manager and member of VALLEJO LLC and JACKSON LLC and as a member of POWELL LLC.  
14 Defendant DEVDHARA is directly involved in the operations, management, and maintenance of  
15 1443-1449 Powell and was directly involved in the operations, management, and maintenance of 790  
16 Vallejo and 912 Jackson until those properties were sold to VALLEJO/POWELL and JACKSON  
17 SRO. At all times herein mentioned, Defendant DEVDHARA was acting within the course and scope  
18 of his duties as a manager and member of VALLEJO LLC and JACKSON LLC and as a member of  
19 POWELL LLC.

20           18. Defendant KAMLESH PATEL (“PATEL”), an individual, is a resident of San  
21 Francisco County, and sued in his individual capacity. He is also sued in his capacity as a manager and  
22 member of VALLEJO/POWELL and JACKSON SRO. Since May 25, 2023, Defendant PATEL has  
23 been directly involved in the operations, management, and maintenance of 790 Vallejo Street. Since  
24 May 30, 2023, Defendant PATEL has been directly involved in the operations, management and  
25 maintenance of 912 Jackson Street. At all times herein mentioned, Defendant PATEL was acting  
26 within the course and scope of his duties as a manager and member of VALLEJO/POWELL and  
27 JACKSON SRO.

1           19.     DEFENDANTS DOE ONE through DOE FIVE are sued herein under fictitious names.  
2 PLAINTIFFS do not at this time know their true names or capacities, but pray that the same may be  
3 alleged herein when ascertained.

4           20.     Since 2014, DEFENDANTS APPENRODT and DEVDHARA have owned, operated,  
5 managed, leased, and/or maintained the property at 1443-1449 Powell St. and all buildings and other  
6 improvements located there.

7           21.     Between 2016 and May 25, 2023, DEFENDANTS APPENRODT and DEVDHARA  
8 owned, operated, managed, leased, and/or maintained the property at 790 Vallejo St. and all buildings  
9 and other improvements located there.

10          22.     Since May 25, 2023, DEFENDANT PATEL has owned, operated, managed, leased,  
11 and/or maintained the property at 790 Vallejo St. and all buildings and other improvements located  
12 there.

13          23.     Between 2016 and May 30, 2023, DEFENDANTS APPENRODT and DEVDHARA  
14 owned, operated, managed, leased, and/or maintained the property at 912 Jackson St. and all buildings  
15 and other improvements located there.

16          24.     Since May 25, 2023, DEFENDANT PATEL has owned, operated, managed, leased,  
17 and/or maintained the property at 790 Vallejo St. and all buildings and other improvements located  
18 there.

19          25.     DEFENDANTS are sued as the owners, operators, managers, lessors, and maintainers  
20 of the PROPERTIES, as well as the persons committing the acts and/or omissions alleged in this  
21 Complaint or the persons allowing or directing the commission of the acts and/or omissions alleged in  
22 this Complaint.

23          26.     At all times herein mentioned, all the acts and omissions described in this Complaint by  
24 any DEFENDANT were aided and abetted by all other DEFENDANTS. DEFENDANTS were aware  
25 of the illegality of the acts and omissions described in this Complaint, and either directly participated  
26 in or encouraged these acts and omissions.

27          27.     Whenever reference is made in this Complaint to any act of “DEFENDANTS,” each  
28 such allegation shall mean that each DEFENDANT acted both individually and jointly with the other

1 DEFENDANTS. Actions taken by or omissions made by DEFENDANTS' employees, officers,  
2 members, directors, partners, or agents in the course of their employment or agency are actions or  
3 omissions of DEFENDANTS for the purposes of this Complaint.

#### 4 JURISDICTION AND VENUE

5 28. The Superior Court has jurisdiction over this action.

6 29. Venue is proper because the subject PROPERTIES are located in San Francisco and all  
7 the acts complained of, including those giving rise to penalties, occurred in this venue. (Code of Civ.  
8 Proc. §§ 392, 393, 395.)

#### 9 FACTUAL BACKGROUND

10 30. During all relevant time periods in this Complaint, DEFENDANTS allowed tenants to  
11 reside at the PROPERTIES while maintaining the PROPERTIES in a substandard and unsafe  
12 condition and as public nuisances. DEFENDANTS also collected rent from residents at the  
13 PROPERTIES during this same time period. The following are the Notices of Violation currently  
14 unabated and outstanding at the PROPERTIES.<sup>3</sup>

#### 15 I. As to DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA only: Notices of 16 Violation for 1443-1449 Powell Street

#### 17 A. April 10, 2018 Notice of Violation

18 31. On April 10, 2018, DBI issued NOV No. 201644841 after attempting to schedule or  
19 perform an inspection for more than 17 months. The NOV noted electrical work done without permits  
20 in units 1, 2, 34, and 35. The permit issued for corrective action expired without any activity. A true  
21 and correct copy of the NOV is attached hereto as **Exhibit 1** and incorporated as part of this  
22 Complaint. On April 28, 2022, DBI issued a Final Warning Letter, informing DEFENDANTS  
23 POWELL LLC, APPENRODT and DEVDHARA that the time period to correct all cited code  
24 violations had passed and that the required code abatement work remained outstanding. A true and  
25 correct copy of the Final Warning Letter is attached hereto as **Exhibit 2** and incorporated as part of  
26

27 \_\_\_\_\_  
28 <sup>3</sup> Although now fully abated, Plaintiffs also include NOV No. 202293621 and 202301489 as the violations were  
serious and Defendants failed to abate each NOV for six months.

1 this Complaint. DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA have not  
2 responded to or complied with the Final Warning, and the NOV remains unabated.

3 **B. July 30, 2018 Notice of Violation**

4 32. On July 30, 2018, DBI issued NOV No. 201880811, noting construction, plumbing,  
5 and electrical wiring work performed without permits in five units (California Building Code (CBC)  
6 1.8.4, San Francisco Housing Code (SFHC) 1001-e and 1001-f). In addition, the NOV indicated a lack  
7 of smoke and carbon monoxide detectors and a lack of certainty that the required fire-resistant  
8 materials were used in construction (San Francisco Building Code (SFBC) 709, SFHC 909 and 1001-  
9 n). The NOV also stated that DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA were  
10 required to remove or cover damaged paint to avoid a lead hazard (SFBC 3423). A true and correct  
11 copy of the NOV is attached hereto as **Exhibit 3** and incorporated as part of this Complaint. On March  
12 10, 2020, DBI sent a Final Warning Letter. A true and correct copy of the Final Warning is attached  
13 hereto as **Exhibit 4** and incorporated as part of this Complaint. A reinspection on July 20, 2020  
14 revealed that the violations remained outstanding. On August 6, 2020, DEFENDANTS POWELL  
15 LLC, APPENRODT and DEVDHARA failed to attend a Director's Hearing despite receiving notice  
16 of the hearing, and the Director issued a 7-day Order of Abatement. A true and correct copy of the  
17 Order of Abatement is attached as **Exhibit 5** and incorporated as part of this Complaint.  
18 DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA have failed to meet all  
19 requirements to abate the NOV and Order of Abatement, and the NOV and Order of Abatement  
20 remain outstanding.

21 **C. July 16, 2019 Notice of Violation**

22 33. On July 16, 2019, DBI issued NOV No. 201970321, citing numerous habitability  
23 violations. These violations include: malfunctioning kitchen burners (SFHC 504), unclean kitchens  
24 and windows (SFHC 1306), malfunctioning windows (SFHC 1001), and failure to employ a  
25 residential caretaker (SFHC 1311). A true and correct copy of the NOV is attached hereto as **Exhibit 6**  
26 and incorporated as part of this Complaint. Reinspections on September 11 and 13, 2019 and July 20,  
27 2020 found the violations unabated and outstanding. DEFENDANTS POWELL LLC, APPENRODT  
28 and DEVDHARA failed to attend a Director's Hearing on September 10, 2020 despite receiving

1 notice of the hearing, and the Director issued a 7-day Order of Abatement. A true and correct copy of  
2 the Order of Abatement is attached hereto as **Exhibit 7** and incorporated as part of this Complaint. On  
3 November 5, 2020, DBI issued a Final Warning Letter. A copy of the Final Warning Letter is attached  
4 hereto as **Exhibit 8** and incorporated as part of this Complaint. DEFENDANTS POWELL LLC,  
5 APPENRODT and DEVDHARA have failed to meet all requirements to abate the NOV and Order of  
6 Abatement, and the NOV and Order of Abatement remain outstanding.

7 **D. August 21, 2019 Notice of Violation**

8 34. On August 21, 2019, DBI issued NOV No. 201978941 for habitability violations  
9 including: inadequate viewers for entry doors (SFHC 706), malfunctioning stovetops (SFHC 1001),  
10 unclean kitchens and stairwells (SFHC 1306), malfunctioning smoke detectors (SFHC 1001), a  
11 malfunctioning water outlet (SFHC 1001), inadequate safe lighting (SFHC 504g and 1001), a  
12 malfunctioning light switch (SFHC 504), cockroach infestation present throughout the property  
13 (SFHC 1001b and 1306), and failure to employ a residential caretaker (SFHC 1311). A true and  
14 correct copy of the NOV is attached hereto as **Exhibit 9** and incorporated as part of this Complaint. A  
15 September 19, 2019 reinspection revealed that none of the violations had been abated.  
16 DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA failed to attend the October 17,  
17 2019 Director's Hearing despite receiving notice of the hearing. The Director issued a 30-day Order of  
18 Abatement on October 17, 2019. A true and correct copy of the Order of Abatement is attached as  
19 **Exhibit 10** and incorporated as part of this Complaint. Reinspections on July 20, 2020 and on  
20 November 4, 2020 confirmed that the violations had not been corrected. On November 5, 2020, DBI  
21 issued another Final Warning Letter. A true and correct copy of the Final Warning Letter is attached  
22 hereto as **Exhibit 11** and incorporated as part of this Complaint. DEFENDANTS POWELL LLC,  
23 APPENRODT and DEVDHARA have failed to meet all requirements to abate the NOV and Order of  
24 Abatement, and the NOV and Order of Abatement remain outstanding. .

25 **E. October 23, 2019 Notice of Violation**

26 35. On October 23, 2019, DBI issued NOV No. 201996271, for the following violations:  
27 malfunctioning electrical outlet or receptacle (SFHC 504); leaking or rusting pipes (SFHC 504);  
28 padlocks, eyehooks, or hinges on guest room entry doors (SFHC 801 and 1001(1)); lack of extensions



1 to all receptacles and switches (SFHC 504); malfunctioning windows (SFHC 1001); malfunctioning  
2 stovetops (SFHC 1001); inadequate access to the electrical panels (SFHC 1001); damaged walls or  
3 ceilings (SFHC 1001b,h,o); and failure to employ a residential caretaker (SFHC 1311). A true and  
4 correct copy of the NOV is attached hereto as **Exhibit 12** and incorporated as part of this Complaint.  
5 On March 10, 2020, DBI issued a Final Warning Letter. A reinspection on July 20, 2020 revealed that  
6 the violations remained outstanding. DEFENDANTS POWELL LLC, APPENRODT and  
7 DEVDHARA failed to attend a Director's Hearing on August 6, 2020 despite receiving notice of the  
8 hearing, and the Director issued a 7-day Order of Abatement. A true and correct copy of the Order of  
9 Abatement is attached as **Exhibit 13** and incorporated as part of this Complaint. Reinspections on  
10 November 4, December 1, and December 16, 2020 confirmed that DEFENDANTS POWELL LLC,  
11 APPENRODT and DEVDHARA had failed to abate all of the violations. On December 4 and 17,  
12 2020, DBI issued Final Warning Letters. A true and correct copy of the Final Warning Letter sent on  
13 December 17, 2020 is attached hereto as **Exhibit 14** and incorporated as part of this Complaint.  
14 Reinspections on January 6 and 9, 2023 revealed that DEFENDANTS POWELL LLC, APPENRODT  
15 and DEVDHARA still had not repaired the leaking or rusting pipes (SFHC 504). The NOV remains  
16 unabated and outstanding.

17 **F. August 4, 2020 Notice of Violation**

18 36. On August 4, 2020, DBI issued NOV No. 202048351, citing DEFENDANTS  
19 POWELL LLC, APPENRODT and DEVDHARA's failure to comply with Order of the Health Officer  
20 C19-04 (SFHC Ch. 4). The NOV cited violations including a lack of sanitary common area restroom  
21 facilities, the failure to provide soap, and the failure to disinfect three times daily (SFHC 1306). A true  
22 and correct copy of the NOV is attached hereto as **Exhibit 15** and incorporated as part of this  
23 Complaint. Reinspections on August 6, 2020 and August 10, 2020 confirmed that the violations  
24 remained unabated. DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA failed to  
25 attend a Director's Hearing on September 10, 2020 despite receiving notice of the hearing, and the  
26 Director issued a 7-day Order of Abatement. A true and correct copy of the Order of Abatement is  
27 attached as **Exhibit 16** and incorporated as part of this Complaint. By November 4, 2020, the  
28 violations had been corrected, but DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA

1 had failed to pay the final bill to abate the NOV and Order of Abatement. On January 18, 2023, DBI  
2 issued a Final Warning Letter. A copy of the Final Warning Letter is attached hereto as **Exhibit 17**  
3 and incorporated as part of this Complaint. DEFENDANTS POWELL LLC, APPENRODT and  
4 DEVDHARA have not responded to the Final Warning Letter, and the NOV remains unabated and  
5 outstanding.

6 **G. December 4, 2020 Notice of Violation**

7 37. On December 4, 2020, DBI issued NOV No. 202069111, citing DEFENDANTS for  
8 construction work done without Building, Electrical, and Plumbing permits (SFHC 301) and noting  
9 that unit 28 had an unpermitted stove. A true and correct copy of the NOV is attached hereto as  
10 **Exhibit 18** and incorporated as part of this Complaint. On December 17, 2020, DBI issued a Final  
11 Warning Letter. A true and correct copy of the Final Warning Letter is attached hereto as **Exhibit 19**  
12 and incorporated as part of this Complaint. A reinspection on January 7, 2021 revealed that  
13 DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA had not remedied the violations.  
14 DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA failed to attend a Director's  
15 Hearing on January 28, 2021 despite receiving notice of the hearing, and the Director issued a 7-day  
16 Order of Abatement. A true and correct copy of the Order of Abatement is attached hereto as **Exhibit**  
17 **20** and incorporated as part of this Complaint. DEFENDANTS POWELL LLC, APPENRODT and  
18 DEVDHARA have failed to meet all requirements to abate the NOV and Order of Abatement, and the  
19 NOV and Order of Abatement remain outstanding.

20 **H. June 7, 2022 Notice of Violation**

21 38. Following a routine inspection, on June 7, 2022, DBI issued NOV No. 202291764,  
22 delineating violations of the SFHC and CBC. The NOV informed DEFENDANTS POWELL LLC,  
23 APPENRODT and DEVDHARA that they must provide self-certification of the numbers of smoke  
24 and carbon monoxide detectors installed in the building (CBC 420). The NOV also required an  
25 affidavit of structural maintenance, executed by a licensed professional for all exterior appendages  
26 (SFHC 604). The NOV also required that DEFENDANTS POWELL LLC, APPENRODT and  
27 DEVDHARA demonstrate the workability of all fire escape drop ladders or provide a certificate from  
28 a fire escape maintenance company indicating that the drop ladders are in good working condition

1 (SFHC 801, 1001-b, and 1001-m). A true and correct copy of the NOV is attached hereto as **Exhibit**  
2 **21** and incorporated as part of this Complaint. On July 19, 2022, DBI issued a Final Warning Letter. A  
3 true and correct copy of the Final Warning Letter is attached hereto as **Exhibit 22** and incorporated as  
4 part of this Complaint. DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA failed to  
5 attend a Director's Hearing on November 3, 2022 despite receiving notice of the hearing, and the  
6 Director issued a 30-day Order of Abatement on November 3, 2022. A true and correct copy of the  
7 Order of Abatement is attached as **Exhibit 23** and incorporated as part of this Complaint.  
8 DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA have failed to meet all  
9 requirements to abate the NOV and Order of Abatement, and the NOV and Order of Abatement  
10 remain outstanding.

11 **I. July 26, 2022 Notice of Violation**

12 39. On July 26, 2022, DBI issued NOV No. 202293621, citing several SFHC violations.  
13 These violations included: a removed or damaged bathroom vent (SFHC 504-d(7ii)), mold and mildew  
14 in the bathroom (SFHC 1301, 1001b(13), 1306), and damaged flooring (SFHC 1001, 1306). The NOV  
15 noted that DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA must seek permits to  
16 perform these repairs. A true and correct copy of the NOV is attached hereto as **Exhibit 24** and  
17 incorporated as part of this Complaint. On August 22, 2022, DBI issued a Final Warning Letter. A true  
18 and correct copy of the Final Warning Letter is attached as **Exhibit 25** and incorporated as part of this  
19 Complaint. DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA failed to attend a  
20 Director's Hearing on November 3, 2022 despite receiving notice of the hearing, and the Director  
21 issued a 30-day Order of Abatement. A true and correct copy of the Order of Abatement is attached  
22 hereto as **Exhibit 26** and incorporated as part of this Complaint. By February 17, 2023, all violations  
23 had been remedied. The final bill was paid on April 18, 2023. The Order of Abatement was revoked  
24 on April 28, 2023.

25 **J. February 14, 2023 Notice of Violation**

26 40. On February 14, 2023, DBI conducted a Task Force Inspection in conjunction with the  
27 Office of the City Attorney, Department of Planning, the Fire Department, and the Department of  
28 Public Health.

1           41.     On February 14, 2023, DBI issued NOV No. 202303758, for mold and mildew,  
2 damaged walls, and inadequate handrails. A true and correct copy of the NOV is attached as **Exhibit**  
3 **27** and incorporated as part of this Complaint. A reinspection on March 7, 2023 determined that all  
4 violations still remained unabated. DBI issued a Final Warning Letter that same day. A true and  
5 correct copy of the Final Warning Letter is attached as **Exhibit 28** and incorporated as part of this  
6 Complaint. A Director’s Hearing was held on May 25, 2023, and the matter was returned to DBI to  
7 continue working with the DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA. By  
8 May 25, 2023, all work to abate the violations had been completed except for a permit for handrails  
9 and documentation of mold and mildew abatement. The NOV remains unabated and outstanding..

10           **K.     March 20, 2023 Notice of Violation**

11           42.     On March 20, 2023, DBI issued NOV No. 202305294, citing extensive work  
12 performed without permits (SFBC 103A, 196A.4.7, 106A.4.4, 106A.3.7, and 102A.1). The NOV  
13 noted additional violations, including the lack of a permanent heat source (SFHC 701), improper  
14 occupancy (SFHC 1001-n), “no means of emergency egress” (SFHC 801-4), unapproved wiring and  
15 plumbing (SFHC 1001e & f), no certainty that the required fire-resistant material was used in  
16 construction, and prohibited uses of cooking, sleeping and bathroom facilities (SFHC 505 and 709).  
17 The NOV elaborated, “[a]t the ground level, there is a commercial space with permits and plans. At  
18 the back of the commercial space, there is a community kitchen, two rooms without bathrooms, and  
19 two rooms with a full bathroom and a community bathroom all of which are illegal and unpermitted.”  
20 A true and correct copy of the NOV is attached hereto as **Exhibit 29** and incorporated as part of this  
21 Complaint. The NOV remains unabated and outstanding.

22           **L.     March 27, 2023 Notice of Violation**

23           43.     During the February 2023 Task Force Inspection, DBI noted unpermitted construction  
24 and floor plan alterations in the commercial medical office located at 1447 Powell Street (SFBC  
25 103A). In particular, DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA illegally built  
26 two walls to create additional, separate rooms. Also, they illegally converted a storage space behind  
27 the existing office into an office room and a filing storage area. On March 27, 2023, DBI issued NOV  
28 No. 202303583, which ordered DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA to

1 file a building permit application within 30 days, obtain a permit within 60 days, and complete the  
2 work within 90 days. A true and correct copy of the NOV is attached hereto as **Exhibit 30** and  
3 incorporated as part of this Complaint. DEFENDANTS POWELL LLC, APPENRODT and  
4 DEVDHARA filed a permit application on April 27, 2023. However, the permit did not document the  
5 as-built conditions and was returned for revisions. The NOV remains unabated and outstanding.

6 **M. April 4, 2023 Notice of Violation**

7 44. On April 4, 2023, DBI issued NOV No. 202302870, citing plumbing and construction  
8 work performed without a permit (CPC 103.1). In addition, the NOV noted that three clawfoot tub  
9 faucets had outlets below the fixture flood-line. The NOV ordered DEFENDANTS POWELL LLC,  
10 APPENRODT and DEVDHARA to satisfy high/low combustion air requirements for the two common  
11 hot water tanks, provide back flow certification for the fire sprinkler, provide permits and inspection  
12 or remove improper commercial space, remove and cap all improperly installed non-serviceable  
13 bathroom locations and fixtures as well as open sewer outlets under the sidewalk nearby (CPC Ch.  
14 1,3,4,5,7,9,11; SFBC 110A, Table 1A-K; CMC 1-7). A true and correct copy of the NOV is attached  
15 hereto as **Exhibit 31** and incorporated as part of this Complaint. The NOV remains unabated and  
16 outstanding.

17 45. In addition to these aforementioned complaints, DBI has opened and closed over 50  
18 complaints since DEFENDANTS POWELL LLC, APPENRODT and DEVDHARA assumed  
19 ownership of the PROPERTY in 2014.

20 **II. Notices of Violation for 790 Vallejo Street (1500 Powell Street)**

21 **A. November 10, 2022 Notice of Violation**

22 46. On November 10, 2022, following an anonymous complaint, DBI inspected 790  
23 Vallejo. On November 14, 2022, DBI issued NOV No. 202298515 for the following violations: a  
24 broken knob and/or lock on the front gate (SFHC 706, 1001); leaks from the top floor kitchen sink  
25 (SFHC 505, 1001); damage to the counter of the top floor kitchen sink (SFHC 1001); damage to an  
26 electrical outlet at the top floor kitchen (SFHC 504, 1001); broken stoves in every kitchen (SFHC 505,  
27 1001); debris and dead insects in all stoves (SFHC 1001, 1306); and cockroaches throughout the  
28 building, especially in the kitchens (SFHC 1001-b, 1306). A true and correct copy of the NOV is

1 attached hereto as **Exhibit 32** and incorporated as part of this Complaint. DBI ordered the  
2 DEFENDANTS to obtain the requisite permits and abate the nuisances within 30 days. DBI issued a  
3 Final Warning on December 13, 2022. A true and correct copy of the Final Warning Letter is attached  
4 hereto as **Exhibit 33** and incorporated as part of this Complaint. DEFENDANTS VALLEJO LLC,  
5 APPENRODT and DEVDHARA attended a Director’s Hearing on March 2, 2023, and the Director  
6 issued a 14-day Order of Abatement on March 16, 2023. A true and correct copy of the Order of  
7 Abatement is attached hereto as **Exhibit 34** and incorporated as part of this Complaint.  
8 DEFENDANTS VALLEJO LLC, APPENRODT and DEVDHARA have failed to meet all  
9 requirements to abate the NOV and Order of Abatement, and the NOV and Order of Abatement  
10 remain outstanding.

11 **B. February 27, 2023 Notice of Violation**

12 47. On February 27, 2023, DBI issued NOV No. 202304157 for the following violations at  
13 790 Vallejo: damage to the walls and ceilings of various areas (SFHC 1001); damaged paint and  
14 attendant lead hazards (SFHC 1001-b, d, k, 1301); missing or damaged locks in various areas (SFHC  
15 707); missing door thresholds at two doorways (one of which leads outside the building) resulting in  
16 large gaps at both doors (SFHC 706, 909, 1001); exposed electrical wiring and power strips (SFHC  
17 505, 1001); missing and misaligned handrails (SFHC 802c and 1001b(13), SFBC 1015); a missing fire  
18 door (CBC 709.5, SFHC 706); a loose fire escape drop ladder (SFHC 801, 1001-b, m); and a broken  
19 toilet seat cover (SFHC 1001). A true and correct copy of the NOV is attached hereto as **Exhibit 35**  
20 and incorporated as part of this Complaint. DBI ordered DEFENDANTS VALLEJO LLC,  
21 APPENRODT and DEVDHARA to obtain the proper permits and abate the violations within 15 days.  
22 On March 16, 2023, DBI issued a Final Warning Letter. A true and correct copy of the Final Warning  
23 Letter is attached hereto as **Exhibit 36** and incorporated as part of this Complaint. DEFENDANTS  
24 VALLEJO/POWELL and PATEL failed to attend a Director’s Hearing on June 15, 2023 despite  
25 receiving notice of the hearing, and the Director issued a 30-day Order of Abatement. A true and  
26 correct copy of the Order of Abatement is attached hereto as **Exhibit 37** and incorporated as part of  
27 this Complaint. DEFENDANTS have failed to meet all requirements to abate the NOV and Order of  
28 Abatement, and the NOV and Order of Abatement remain outstanding.

1           **C.     April 10, 2023 Notice of Violation**

2           48.     On April 10, 2023, DBI issued NOV No. 202302871, citing construction work  
3 performed without a permit (CPC 103.1). The NOV also ordered DEFENDANTS VALLEJO LLC,  
4 APPENRODT and DEVDHARA to: remove and cap an abandoned shower drain; properly install  
5 sinks and have all replaced sinks inspected; properly cap or complete a drain; correctly install three  
6 tank water heaters; cap open unused outlets in the basement; properly terminate a two-inch vent to the  
7 roof. The NOV also cited work without permit, butt-weld protection required for a below grade floor  
8 sink, open outlets, disconnected piping, improper hangers, and an improperly installed food prep sink  
9 and floor drain (CPC Ch. 1,3,4,5,7,9,11; SFBC 110A, Table 1A-K; CMC 1-7). A true and correct copy  
10 of the NOV is attached hereto as **Exhibit 38** and incorporated as part of this Complaint. This NOV  
11 remains unabated and outstanding.

12           **III.    Notices of Violation for 912 Jackson Street**

13           **A.     August 9, 2021 Notice of Violation**

14           49.     On August 9, 2021, DBI issued NOV No. 202180879 for habitability violations found  
15 at 912 Jackson Street. The NOV cited the following: damaged ceilings in all bathrooms (SFHC 1001);  
16 mold and/or mildew in all bathrooms (SFHC 1301, 1001b (13), 1306); a warning light on the central  
17 fire alarm system (SFHC 908, 909); warning lights on all hallway smoke detectors (SFHC 909);  
18 expired fire extinguishers (SFHC 905, 907); and damaged flooring in the third-floor shower, causing  
19 leaks into the second-floor shower (SFHC 1001). The NOV ordered DEFENDANTS JACKSON LLC,  
20 APPENRODT and DEVDHARA to obtain the required permits and make repairs within 30 days. A  
21 true and correct copy of the NOV is attached hereto as **Exhibit 39** and incorporated as part of this  
22 Complaint. On September 13, 2021, DBI issued a Final Warning Letter. A true and correct copy of the  
23 Final Warning Letter is attached as **Exhibit 40** and incorporated as part of this Complaint.  
24 DEFENDANTS JACKSON LLC, APPENRODT and DEVDHARA failed to attend a Director's  
25 Hearing on December 16, 2021 despite receiving notice of the hearing, and the Director issued a 7-day  
26 Order of Abatement. A copy of the Order of Abatement is attached hereto as **Exhibit 41** and  
27  
28

1 incorporated as part of this Complaint. DEFENDANTS have failed to meet all requirements to abate  
2 the NOV and Order of Abatement, and the NOV and Order of Abatement remain outstanding.

3 **B. December 7, 2022 Notice of Violation**

4 50. On December 7, 2022, DBI issued NOV No. 202299845 for habitability violations  
5 found at 912 Jackson. The NOV noted expired fire extinguishers (SFHC 905, 907) as well as  
6 mold/mildew and mushrooms growing in the first-floor bathroom (SFHC 1301, 1001b (13), 1306).  
7 The NOV ordered DEFENDANTS JACKSON LLC, APPENRODT and DEVDHARA to abate the  
8 violations within 30 days. A true and correct copy of the NOV is attached hereto as **Exhibit 42** and  
9 incorporated as part of this Complaint. On January 10, 2023, DBI issued a Final Warning Letter. A  
10 true and correct copy of the Final Warning Letter is attached as **Exhibit 43** and incorporated as part of  
11 this Complaint. DEFENDANTS JACKSON LLC, APPENRODT and DEVDHARA attended a  
12 Director's Hearing on March 23, 2023, and the Director issued a 30-day Order of Abatement. A true  
13 and correct copy of the Order of Abatement is attached hereto as **Exhibit 44** and incorporated as part  
14 of this Complaint. DEFENDANTS have failed to meet all requirements to abate the NOV and Order  
15 of Abatement, and the NOV and Order of Abatement remain outstanding.

16 **C. January 5, 2023 Notice of Violation**

17 51. On January 5, 2023, DBI issued NOV No. 202301137, citing seismic risks at 912  
18 Jackson. A true and correct copy of the NOV is attached hereto as **Exhibit 45** and incorporated as part  
19 of this Complaint. On March 28, 2023, DBI issued a Final Warning Letter. A copy of the Final  
20 Warning Letter is attached hereto as **Exhibit 46** and incorporated as part of this Complaint.  
21 DEFENDANTS have yet to abate the violations documented in the NOV, and the NOV remains  
22 outstanding.

23 **D. January 10, 2023 Notice of Violation**

24 52. On January 10, 2023, DBI issued NOV No. 202301489, as mushrooms were growing  
25 in the toilet rooms on the both the first and second floors (SFHC 1001 and 1306). DEFENDANTS  
26 JACKSON LLC, APPENRODT and DEVDHARA were given 30 days to abate the nuisance. A true  
27 and correct copy of the NOV is attached hereto as **Exhibit 47** and incorporated as part of this  
28 Complaint. DEFENDANTS JACKSON LLC, APPENRODT and DEVDHARA failed to timely abate



1 the violations, so DBI issued a Final Warning Letter on February 13, 2023. A true and correct copy of  
2 the Final Warning Letter is attached hereto as **Exhibit 48** and incorporated as part of this Complaint.  
3 DEFENDANTS JACKSON LLC, APPENRODT and DEVDHARA still failed to abate the violations,  
4 and DBI scheduled a Director's Hearing. DEFENDANTS JACKSON LLC, APPENRODT and  
5 DEVDHARA attended a Director's Hearing on May 11, 2023. The case was returned to staff after the  
6 hearing to continue discussions with the DEFENDANTS JACKSON LLC, APPENRODT and  
7 DEVDHARA. DEFENDANTS JACKSON SRO and PATEL finally abated the violations on July 11,  
8 2023.

9 **E. February 24, 2023 Notice of Violation**

10 53. On February 24, 2023, DBI issued NOV 202304053, detailing the following:  
11 mold/mildew in various areas (SFHC 1301,1001b (13), 1306); missing smoke detectors in two units  
12 (SFHC 909); evidence of rodents in one unit (SFHC 1001-b, 1306); a broken self-close door (SFHC  
13 807); damaged paint and attendant lead hazards in three units (SFHC 1001-b, d, k, and 1301); and an  
14 expired fire extinguisher (SFHC 905, 907). The NOV ordered DEFENDANTS JACKSON LLC,  
15 APPENRODT and DEVDHARA to bring the property up to code within 15 days. A true and correct  
16 copy of the NOV is attached hereto as **Exhibit 49** and incorporated as part of this Complaint. On  
17 March 15, 2023, DBI issued a Final Warning Letter. A true and correct copy of the Final Warning  
18 Letter is attached hereto as **Exhibit 50** and incorporated as part of this Complaint. DEFENDANTS  
19 JACKSON SRO and PATEL failed to attend a Director's Hearing on June 15, 2023 despite receiving  
20 notice of the hearing, and the Director issued a 7-day Order of Abatement. A copy of the Order of  
21 Abatement is attached hereto as **Exhibit 51** and incorporated as part of this Complaint. As of July 25,  
22 2023, all violations had been remedied except for documentation of pest control. The NOV and Order  
23 of Abatement remain outstanding.

24 **F. March 20, 2023 Notice of Violation**

25 54. On March 20, 2023, DBI issued NOV No. 202305292, citing extensive work performed  
26 without permits (SFBC 103A, 196A.4.7, 106A.4.4, 106A.3.7, and 102A.1). It also noted: the lack of a  
27 permanent heat source (SFHC 701); unapproved wiring and plumbing (SFHC 1001e-f); improper  
28 occupancy (SFHC 1001n); prohibited uses of cooking, sleeping, and bathroom facilities (SFHC 505

1 and 709); the unlawful conversion of a guestroom (SFAC 41.20(a)(1)); and a lack of emergency  
2 egress, posing a serious life hazard to building occupants (SFHC 801-4). Lastly, it stated that there is  
3 no certainty that the required fire-resistant material was used at the time of construction (SFHC 601).  
4 A true and correct copy of the NOV is attached hereto as **Exhibit 52** and incorporated as part of this  
5 Complaint. DEFENDANTS have yet to abate the violations documented in the NOV, and the NOV  
6 remains outstanding.

7 **G. April 10, 2023 Notice of Violation**

8 55. On April 10, 2023, DBI issued NOV No. 202302872, citing construction work  
9 performed without a permit (California Plumbing Code (“CPC”) §104.1). The NOV noted that  
10 DEFENDANTS JACKSON LLC, APPENRODT and DEVDHARA must properly install and have all  
11 replaced sinks inspected, repair the rusted and failing three-inch main roof, provide permit documents  
12 for a kitchen and bathroom, remove an existing faucet and properly install a replacement, repair or  
13 replace a “questionable flue,” and remove and properly install a faucet and non-operating hot water  
14 heaters (CPC Ch. 1,3,4,5,7,9,11; SFBC 110A, Table 1A-K; CMC 1-7). A true and correct copy of the  
15 NOV is attached hereto as **Exhibit 53** and incorporated as part of this Complaint. DEFENDANTS  
16 have yet to abate the violations documented in the NOV, and the NOV remains outstanding.

17 **FIRST CAUSE OF ACTION**

18 **FOR VIOLATION OF THE STATE HOUSING LAW BROUGHT BY PLAINTIFF CITY**  
19 **AGAINST ALL DEFENDANTS**  
20 **(CA Health and Safety Code Sections 17910-17980.9)**

21 56. Plaintiff CITY hereby incorporates by reference all of the foregoing paragraphs, as  
22 though fully set forth herein.

23 57. DEFENDANTS are now, and for a considerable period of time and at all times herein  
24 mentioned have been, maintaining the PROPERTIES as substandard buildings, as defined by Health  
25 and Safety Code Section 17920.3, which substantially endanger the health and safety of the  
26 PROPERTIES’ residents.

27 58. At all times herein mentioned, DEFENDANTS had notice and knowledge that the  
28 PROPERTIES constituted substandard buildings because DBI served DEFENDANTS with numerous  
administrative Notices and Orders.

1 59. Plaintiff CITY has no adequate remedy at law in that damages are insufficient to  
2 protect the public from the harm caused by the conditions described herein.

3 60. Unless injunctive relief is granted, the residents of the PROPERTIES and the residents  
4 of the City and County of San Francisco will suffer irreparable injury and damage, in that said  
5 conditions will continue to substantially endanger them and otherwise be injurious to their enjoyment  
6 of life and free use of property.

7 **SECOND CAUSE OF ACTION**

8 **FOR NON-COMPLIANCE WITH THE SAN FRANCISCO HOUSING, BUILDING, AND**  
9 **PLUMBING CODES BROUGHT BY PLAINTIFF CITY AGAINST DEFENDANTS**  
10 **POWELL LLC, APPENRODT, AND DEVDHARA**  
11 **(San Francisco Housing Code Sections 504(g), 505, 601, 604(a), 701, 706, 709, 801, 908, 909,**  
12 **1001, 1306, and 1311; Building Code Sections 102A.1, 103A, 106A.3.7, 106A.4.4, 106A.4.7, 110A,**  
13 **196A.4.7, and 3423; Plumbing Code Section 103.1 and Chapters 1,3,4,5,7,9,11**

14 61. Plaintiff CITY hereby incorporates by reference all of the foregoing paragraphs, as  
15 though fully set forth herein.

16 62. As described above, and as set forth in the incorporated Exhibits to this Complaint, DBI  
17 issued Notices of Violation to DEFENDANTS, pursuant to the San Francisco Housing, Building, and  
18 Plumbing Planning Codes, for code violations at 1443-1449 Powell Street. Many of these Notices of  
19 Violation pertained to illegal and unsafe conditions that have existed for years.

20 63. 12 Notices of Violation issued for violations found at 1443-1449 Powell Street remain  
21 unabated and outstanding.

22 64. By maintaining the property at 1443-1449 Powell Street in a manner that violates the  
23 San Francisco Housing Code, DEFENDANTS have violated, disobeyed, omitted, neglected, resisted,  
24 opposed, and refused to comply with the San Francisco Housing Code. Pursuant to the Housing Code  
25 Notices of Violation DBI issued to DEFENDANTS, DEFENDANTS are subject to mandatory civil  
26 penalties of up to \$1,000 per day for each day that the violations existed and were permitted to  
27 continue, as set forth in San Francisco Housing Code Section 204(c)(2).

28 65. By maintaining the property at 1443-1449 Powell Street in a manner that violates the  
San Francisco Building Code, DEFENDANTS have violated, disobeyed, omitted, neglected, and  
refused to comply with the San Francisco Building Code. Pursuant to the Building Code Notices of

1 Violation DBI issued to DEFENDANTS, DEFENDANTS are subject to mandatory civil penalties of  
2 up to \$1,000 per violation per day for each day that the violations existed and were permitted to  
3 continue, as set forth in San Francisco Building Code Section 103A.

4 66. By maintaining the property at 1443-1449 Powell Street in a manner that violates the  
5 San Francisco Plumbing Code, DEFENDANTS have violated, disobeyed, omitted, neglected, and  
6 refused to comply with the San Francisco Plumbing Code. Pursuant to the Plumbing Code Notices of  
7 Violation DBI issued to DEFENDANTS, DEFENDANTS are subject to mandatory civil penalties of  
8 up to \$500 per day for each day that the violations existed and were permitted to continue, as set forth  
9 in San Francisco Plumbing Code Section 106.3.

### 10 **THIRD CAUSE OF ACTION**

#### 11 **FOR NON-COMPLIANCE WITH THE SAN FRANCISCO HOUSING, BUILDING, AND** 12 **PLUMBING CODES BROUGHT BY PLAINTIFF CITY AGAINST DEFENDANTS** 13 **VALLEJO LLC, VALLEJO/POWELL, APPENRODT, DEVDHARA, and PATEL** 14 **(San Francisco Housing Code Sections 504, 505, 706, 707, 801, 802c, 909, 1001, 1001-b, 1001-d,** 15 **1001-k, 1001-m, 1301, and 1306; Building Code Sections 110A and 1015; and Plumbing Code** 16 **Section 103.1 and Chapters 1,3,4,5,7,9,11)**

17 67. Plaintiff CITY hereby incorporates by reference all of the foregoing paragraphs, as  
18 though fully set forth herein.

19 68. As described above, and as set forth in the Exhibits incorporated to this Complaint, DBI  
20 cited DEFENDANTS numerous times for violations of the San Francisco Housing, Building, and  
21 Plumbing Codes at 790 Vallejo Street. Many of these Notices of Violation pertained to illegal and  
22 unsafe conditions that have existed for months.

23 69. Three Notices of Violation issued for violations found at 790 Vallejo Street remain  
24 unabated and outstanding.

25 70. By maintaining the property at 790 Vallejo Street in a manner that violates the San  
26 Francisco Housing Code, DEFENDANTS have violated, disobeyed, omitted, neglected, resisted,  
27 opposed, and refused to comply with the Code. Pursuant to the Housing Code NOV's that DBI issued,  
28 DEFENDANTS are subject to mandatory civil penalties of up to \$1,000 per day for each day that the  
violations existed and were permitted to continue, as set forth in San Francisco Housing Code Section  
204(c)(2).

1 71. By maintaining the property at 790 Vallejo Street in a manner that violates the San  
2 Francisco Building Code, DEFENDANTS have violated, disobeyed, omitted, neglected, and refused  
3 to comply with the Code. Pursuant to the Building Code NOV's that DBI issued, DEFENDANTS are  
4 subject to mandatory civil penalties of up to \$1,000 per violation per day for each day that the  
5 violations existed and were permitted to continue, as set forth in San Francisco Building Code Section  
6 103A.

7 72. By maintaining the property at 790 Vallejo Street in a manner that violates the San  
8 Francisco Plumbing Code, DEFENDANTS have violated, disobeyed, omitted, neglected, and refused  
9 to comply with the San Francisco Plumbing Code. Pursuant to the Plumbing Code Notices of  
10 Violation DBI issued to DEFENDANTS, DEFENDANTS are subject to mandatory civil penalties of  
11 up to \$500 per day for each day that the violations existed and were permitted to continue, as set forth  
12 in San Francisco Plumbing Code Section 106.3.

13 **FOURTH CAUSE OF ACTION**

14 **FOR NON-COMPLIANCE WITH THE SAN FRANCISCO HOUSING, BUILDING,**  
15 **PLUMBING, AND ADMINISTRATIVE CODES BROUGHT BY**  
16 **PLAINTIFF CITY AGAINST DEFENDANTS JACKSON LLC, JACKSON SRO,**  
17 **APPENRODT, DEVDHARA AND PATEL**  
18 **(San Francisco Housing Code Sections 505, 601, 701, 709, 801, 807, 905, 907, 908, 909, 1001,**  
19 **1301, and 1306; Building Code Sections 102.A.1, 103A, 106A.3.7, 106A.4.4, 106A.4.7, 110A; and**  
20 **Plumbing Code Section 103.1 and Chapters 1,3,4,5,7,9,11**

21 73. Plaintiff CITY hereby incorporates by reference all of the foregoing paragraphs, as  
22 though fully set forth herein.

23 74. As described above, and as set forth in the Exhibits incorporated to this Complaint, DBI  
24 issued multiple NOV's to DEFENDANTS for violations of the San Francisco Housing, Building, and  
25 Plumbing Codes at 912 Jackson Street. Many of these NOV's pertained to illegal and unsafe conditions  
26 that have existed for years.

27 75. Six Notices of Violation issued for violations found at 912 Jackson Street remain  
28 unabated and outstanding.

By maintaining 912 Jackson Street in a manner that violates the San Francisco Housing  
Code, DEFENDANTS violated, disobeyed, omitted, neglected, resisted, opposed and refused to  
comply with the Code. Pursuant to the Housing Code NOV's that DBI issued, DEFENDANTS are

1 subject to mandatory civil penalties of up to \$1,000 per day for each day that the violations existed and  
2 were permitted to continue, as set forth in San Francisco Housing Code Section 204(c)(2).

3 77. By maintaining the property at 912 Jackson Street in a manner that violates the San  
4 Francisco Building Code, DEFENDANTS have violated, disobeyed, omitted, neglected, and refused  
5 to comply with the Code. Pursuant to the Building Code NOV's that DBI issued, DEFENDANTS are  
6 subject to mandatory civil penalties of up to \$1,000 per violation per day for each day that the  
7 violations existed and were permitted to continue, as set forth in San Francisco Building Code Section  
8 103A.

9 78. By maintaining the property at 912 Jackson Street in a manner that violates the San  
10 Francisco Plumbing Code, DEFENDANTS have violated, disobeyed, omitted, neglected, and refused  
11 to comply with the San Francisco Plumbing Code. Pursuant to the Plumbing Code Notices of  
12 Violation DBI issued to DEFENDANTS, DEFENDANTS are subject to mandatory civil penalties of  
13 up to \$500 per day for each day that the violations existed and were permitted to continue, as set forth  
14 in San Francisco Plumbing Code Section 106.3.

15 **FIFTH CAUSE OF ACTION**

16 **FOR PUBLIC NUISANCE BY PLAINTIFFS CITY AND PEOPLE AGAINST DEFENDANTS**  
17 **POWELL LLC, APPENRODT, AND DEVDHARA**  
18 **(San Francisco Housing, Building, and Plumbing Codes; California Building Code; California**  
19 **Civil Code §§ 3479 and 3480; and California Code of Civil Procedure § 731)**

20 79. Plaintiffs CITY and PEOPLE hereby incorporate by reference all of the foregoing  
21 paragraphs, as though fully set forth herein.

22 80. Plaintiff CITY brings this Count pursuant to San Francisco Housing Code Sections 401  
23 and 1001 and San Francisco Building Code Sections 102A and 103A.

24 81. Plaintiff PEOPLE bring this cause of action pursuant to California Code of Civil  
25 Procedure Section 731 and California Civil Code Sections 3479, 3480, and 3494.

26 82. Pursuant to San Francisco Housing Code Sections 401 and 1001, any condition that is  
27 dangerous to human life or is detrimental to health, including fire hazards, improper occupancy, and  
28 inadequate exits, is a per se public nuisance. Since 2014, DEFENDANTS have maintained the  
property at 1443-1449 Powell Street as a public nuisance and in violation of San Francisco Housing

1 Code Sections 504(g), 505, 604(a), 701, 706, 709, 801, 908, 909, 1001, 1306, and 1311. The  
2 conditions constituting the continuing public nuisance and violations of the San Francisco Housing  
3 Code are more fully described above, and in the Exhibits attached hereto.

4 83. Pursuant to Building Code Section 102A, any building, structure, property, or part  
5 thereof, that is structurally unsafe or not provided with adequate egress, or is otherwise dangerous to  
6 human life, safety, or health of the occupants or the occupants of adjacent properties or the public by  
7 reason of inadequate maintenance, dilapidation, or by reason of occupancy or use in violation of law  
8 or ordinance, or was erected, moved, altered, constructed, or maintained in violation of law or  
9 ordinance, is unsafe and a public nuisance. Since 2014, DEFENDANTS have maintained the property  
10 at 1443-1449 Powell Street as a public nuisance and in violation of San Francisco Building Code  
11 Sections 102A.1, 103A, 106A.3.7, 106A.4.4, 196A.4.7, 420, 709, and 3423. The conditions  
12 constituting public nuisance and violations of the San Francisco Building Code are more fully  
13 described above, and in the Exhibits attached hereto.

14 84. Pursuant to San Francisco Plumbing Code Section 216.0, any building or structure  
15 containing non-code compliant or unpermitted plumbing fixtures, gas appliances, or piping, or  
16 defective sewer, gas, or water lines, or inadequately maintained, dilapidated, or damaged plumbing  
17 systems is a public nuisance. DEFENDANTS are now, and for a considerable period of time, and at all  
18 times herein mentioned, have been maintaining the property at 1443-1449 Powell Street in violation of  
19 San Francisco Plumbing Code Section 216.0. The conditions constituting public nuisance and the  
20 violations of the San Francisco Plumbing Code are more fully described above, and in the Exhibits  
21 attached hereto.

22 85. As described above, since 2016, DEFENDANTS have maintained the property at 1443-  
23 1449 Powell Street in such a manner as to constitute a continuing public nuisance within the meaning  
24 of Civil Code Sections 3479 and 3480. The practices described above are injurious to the health and  
25 safety of the residents and the community, are offensive to the senses, and interfere with the  
26 comfortable enjoyment of life and property. The practices described above also affect a considerable  
27 number of people and an entire community and neighborhood.

28

1 86. At all times herein mentioned, DEFENDANTS have had knowledge that the property  
2 at 1443-1449 Powell Street constituted a public nuisance and an unsafe building, as DBI served  
3 DEFENDANTS with dozens of administrative Notices and Orders.

4 87. Plaintiffs CITY and PEOPLE have no adequate remedy at law in that damages are  
5 insufficient to protect the public from the present danger and harm caused by the conditions described  
6 herein.

7 88. Unless these nuisance conditions are abated, the occupants and neighbors of the  
8 property at 1443-1449 Powell Street, and the residents of the City and County of San Francisco, will  
9 suffer irreparable injury and damage because the nuisance conditions will continue to be injurious to  
10 their continuous enjoyment of life and free use of the property at 1443-1449 Powell Street.

11 **SIXTH CAUSE OF ACTION**  
12 **FOR PUBLIC NUISANCE BY PLAINTIFFS CITY AND PEOPLE AGAINST DEFENDANTS**  
13 **VALLEJO LLC, VALLEJO/POWELL, APPENRODT, DEVDHARA, AND PATEL**  
14 **(San Francisco Housing, Building, and Plumbing Codes; California Building Code;**  
15 **California Civil Code §§ 3479 and 3480; and California Code of Civil Procedure § 731)**

16 89. Plaintiffs CITY and PEOPLE hereby incorporate by reference all of the foregoing  
17 paragraphs, as though fully set forth herein.

18 90. Plaintiff CITY brings this Count pursuant to San Francisco Housing Code Sections 401  
19 and 1001 and San Francisco Building Code Sections 102A and 103A.

20 91. Plaintiff PEOPLE bring this cause of action pursuant to California Code of Civil  
21 Procedure Section 731 and California Civil Code Sections 3479, 3480, and 3494.

22 92. Pursuant to San Francisco Housing Code Sections 401 and 1001, any condition that is  
23 dangerous to human life or is detrimental to health, including fire hazards, improper occupancy, and  
24 inadequate exits, is a per se public nuisance. Since 2016, DEFENDANTS have maintained the  
25 property at 790 Vallejo Street as a public nuisance and in violation of San Francisco Housing Code  
26 Sections 504, 505, 706, 707, 801, 802c, 909, 1001, 1301, and 1306. The conditions constituting public  
27 nuisance are fully described above and in the attached Exhibits.

28 93. Pursuant to San Francisco Building Code Section 102A, any building, structure,  
property, or part thereof, that is structurally unsafe or not provided with adequate egress, or is



1 otherwise dangerous to the life, safety, or health of the occupants of the property or of adjacent  
2 properties or to the public by reason of inadequate maintenance, dilapidation, or by reason of  
3 occupancy or use in violation of law or ordinance, or was erected, moved, altered, constructed, or  
4 maintained in violation of law or ordinance, is unsafe and a public nuisance. Since 2016,  
5 DEFENDANTS have maintained the property at 790 Vallejo Street as a public nuisance and in  
6 violation of the San Francisco Building Code Section 1015. The conditions constituting public  
7 nuisance and violations of the San Francisco Building Code are described above and in the attached  
8 Exhibits.

9 94. Pursuant to San Francisco Plumbing Code Section 216.0, any building or structure  
10 containing non-code compliant or unpermitted plumbing fixtures, gas appliances, or piping, or  
11 defective sewer, gas, or water lines, or inadequately maintained, dilapidated, or damaged plumbing  
12 systems is a public nuisance. DEFENDANTS are now, and for a considerable period of time, and at all  
13 times herein mentioned, have been maintaining the property at 790 Vallejo Street in violation of San  
14 Francisco Plumbing Code Section 216.0. The conditions constituting public nuisance and the  
15 violations of the San Francisco Plumbing Code are more fully described above, and in the Exhibits  
16 attached hereto.

17 95. As described above, since 2016, DEFENDANTS have maintained the property at 790  
18 Vallejo Street in such a manner as to constitute a continuing public nuisance within the meaning of  
19 Civil Code Sections 3479 and 3480. The practices described in this Complaint affect a large number of  
20 people, are injurious to the health and safety of the residents and the community, are offensive to the  
21 senses, and interfere with the comfortable enjoyment of life and property.

22 96. At all times herein mentioned, DEFENDANTS have had knowledge that the property  
23 at 790 Vallejo Street constituted a public nuisance and an unsafe building, as DBI served  
24 DEFENDANTS with multiple administrative Notices.

25 97. Plaintiffs CITY and PEOPLE have no adequate remedy at law in that damages are  
26 insufficient to protect the public from the present danger and harm caused by the conditions described  
27 herein.

28

1 98. Unless these nuisance conditions are abated, the occupants and neighbors of the  
2 property at 790 Vallejo Street and the residents of the City and County of San Francisco will suffer  
3 irreparable injury and damage because the nuisance conditions will threaten their health and safety and  
4 hinder their continuous enjoyment of life and free use of the property at 790 Vallejo Street.

5 **SEVENTH CAUSE OF ACTION**

6 **FOR PUBLIC NUISANCE BY PLAINTIFFS CITY AND PEOPLE AGAINST DEFENDANTS**  
7 **JACKSON LLC, JACKSON SRO, APPENRODT, DEVDHARA, AND PATEL**  
8 **(San Francisco Housing, Building, and Plumbing Codes; California Building Code;**  
9 **California Civil Code §§ 3479 and 3480; and California Code of Civil Procedure § 731)**

10 99. Plaintiffs CITY and PEOPLE hereby incorporate by reference all of the foregoing  
11 paragraphs, as though fully set forth herein. Plaintiffs CITY and PEOPLE hereby incorporate by  
12 reference all of the foregoing paragraphs, as though fully set forth herein.

13 100. Plaintiff CITY brings this Count pursuant to San Francisco Housing Code Sections 401  
14 and 1001 and San Francisco Building Code Sections 102A and 103A.

15 101. Plaintiff PEOPLE bring this cause of action pursuant to California Code of Civil  
16 Procedure Section 731 and California Civil Code Sections 3479, 3480, and 3494.

17 102. Pursuant to San Francisco Housing Code Sections 401 and 1001, any condition that is  
18 dangerous to human life or is detrimental to health, including fire hazards, improper occupancy, and  
19 inadequate exits, is a per se public nuisance. Since 2016, DEFENDANTS have maintained the  
20 property at 912 Jackson Street as a public nuisance and in violation of San Francisco Housing Code  
21 Sections 807, 905, 907, 908, 909, 1001, 1301, and 1306. The conditions constituting public nuisance  
22 are described above and in the attached Exhibits.

23 103. Pursuant to San Francisco Building Code Section 102A, any building, structure,  
24 property, or part thereof, that is structurally unsafe or not provided with adequate egress, or is  
25 otherwise dangerous to the life, safety, or health of the occupants of the property or of adjacent  
26 properties or to the public by reason of inadequate maintenance, dilapidation, or by reason of  
27 occupancy or use in violation of law or ordinance, or was erected, moved, altered, constructed, or  
28 maintained in violation of law or ordinance, is unsafe and a public nuisance. Since 2016,  
DEFENDANTS have maintained the property at 912 Jackson Street as a public nuisance and in

1 violation of the San Francisco Building Code Section 1015. The conditions constituting public  
2 nuisance and violations of the San Francisco Building Code are described above and in the attached  
3 Exhibits.

4 104. Pursuant to San Francisco Plumbing Code Section 216.0, any building or structure  
5 containing non-code compliant or unpermitted plumbing fixtures, gas appliances, or piping, or  
6 defective sewer, gas, or water lines, or inadequately maintained, dilapidated, or damaged plumbing  
7 systems is a public nuisance. DEFENDANTS are now, and for a considerable period of time, and at all  
8 times herein mentioned, have been maintaining the property at 912 Jackson Street in violation of San  
9 Francisco Plumbing Code Section 216.0. The conditions constituting public nuisance and the  
10 violations of the San Francisco Plumbing Code are more fully described above, and in the Exhibits  
11 attached hereto.

12 105. As described above, since 2016, DEFENDANTS have maintained the property at 912  
13 Jackson Street in such a manner as to constitute a continuing public nuisance within the meaning of  
14 Civil Code Sections 3479 and 3480. The practices described in this Complaint affect a large number of  
15 people, are injurious to the health and safety of the residents and the community, are offensive to the  
16 senses, and interfere with the comfortable enjoyment of life and property.

17 106. At all times herein mentioned, DEFENDANTS have had knowledge that the property  
18 at 912 Jackson Street constituted a public nuisance and an unsafe building, as DBI served  
19 DEFENDANTS with multiple administrative Notices.

20 107. Plaintiffs CITY and PEOPLE have no adequate remedy at law in that damages are  
21 insufficient to protect the public from the present danger and harm caused by the conditions described  
22 herein.

23 108. Unless these nuisance conditions are abated, the occupants and neighbors of the  
24 property at 912 Jackson Street and the residents of the City and County of San Francisco will suffer  
25 irreparable injury and damage because the nuisance conditions will threaten their health and safety and  
26 hinder their continuous enjoyment of life and free use of the property at 912 Jackson Street.

27 ///

28 ///

**EIGHTH CAUSE OF ACTION**

**FOR UNFAIR AND UNLAWFUL BUSINESS PRACTICES BROUGHT BY PLAINTIFF  
PEOPLE AGAINST DEFENDANTS**

**(California Business and Professions Code Sections 17200-17210)**

109. Plaintiff PEOPLE hereby incorporate by reference all of the foregoing paragraphs, as though fully set forth herein.

110. Plaintiff PEOPLE bring this cause of action pursuant to Business and Professions Code Sections 17200-17210 to protect the public as consumers and competitors from unlawful practices committed by DEFENDANTS in the maintenance, management, and ownership of the PROPERTIES as a public nuisance and in violation of the laws within the City and County of San Francisco and State of California.

111. DEFENDANTS transact business, or have transacted business, by owning, operating, managing, and collecting rental income from the PROPERTIES within the City and County of San Francisco, State of California. DEFENDANTS' actions are in violation of the laws and public policies of the City and County of San Francisco and the State of California and are injurious to the rights and interest of the general public.

112. DEFENDANTS are now engaging in, and, for a considerable period of time and at all times pertinent to the allegations of this Complaint have engaged in, unlawful business practices prohibited by California's Unfair Competition Law by maintaining and managing the PROPERTIES in the following ways, in violation of the following laws:

- a. maintaining and renting out substandard housing in violation of the State Housing Law (CA Health and Safety Code Sections 17910-17980.9);
- b. violating the San Francisco Building, Housing, Plumbing, and Administrative Codes;
- c. creating and maintaining a public nuisance in violation of California Civil Code §§ 3479 and 3480, and California Code of Civil Procedure § 731; and

113. As described above, DEFENDANTS in the course of their business as the owner, operator, lessor, and manager of the PROPERTIES, have engaged, and are engaging, in unlawful acts and courses of conduct constituting unlawful business practices and unfair competition as prohibited by Business and Professions Code Sections 17200-17210.

1 114. On information and belief, DEFENDANTS have also engaged in, and, for a  
2 considerable period of time pertinent to the allegations of this Complaint have engaged in, unfair  
3 business practices prohibited by California’s Unfair Competition Law by endangering the health and  
4 safety of tenants at the PROPERTIES by maintaining substandard dwelling units.

5 115. Plaintiff PEOPLE are informed and believe that as a direct and proximate result of the  
6 foregoing acts and practices, DEFENDANTS have received and will receive income and other  
7 benefits, which they would not have received if they had not engaged in the violations described in  
8 this Complaint.

9 116. As a direct and proximate result of the foregoing acts and practices, DEFENDANTS  
10 have obtained an unfair competitive advantage over similar property owners who have not engaged in  
11 such practices.

12 117. Plaintiff PEOPLE have no adequate remedy at law in that damages are insufficient to  
13 protect the public from the present harm caused by the conditions described in this Complaint. Unless  
14 injunctive relief is granted to enjoin DEFENDANTS’ unlawful business practices, DEFENDANTS  
15 will continue to violate the law.

16 118. By engaging in unfair and unlawful business practices described herein,  
17 DEFENDANTS are subject to civil penalties in the amount of up to \$2,500 per violation, pursuant to  
18 California Business and Professions Code Section 17206 and 17206.1.

19 **PRAYER**

20 WHEREFORE, Plaintiffs CITY and PEOPLE pray that:

21 **Declaratory Relief**

22 1. DEFENDANTS be declared to have violated the San Francisco Municipal Codes,  
23 including the San Francisco Building, Housing, and Plumbing Codes; California Civil Code Sections  
24 3479 and 3480; and California Health and Safety Code Sections 17910-17995.5;

25 2. The PROPERTIES and structures located at 1443-1449 Powell Street, 790 Vallejo  
26 Street, and 912 Jackson Street, San Francisco, California, be declared public nuisances;

27 3. The PROPERTIES be declared to be in a condition that substantially endangers the  
28 health and safety of the occupants of the PROPERTIES and the general public;

1           **Injunctive Relief**

2           4.       The Court issue a permanent injunction, ordering DEFENDANTS to permanently abate  
3 all code violations and other public nuisances at the PROPERTIES, in accordance with the San  
4 Francisco Municipal Codes and California State Codes;

5           5.       The Court issue whatever orders may be useful or necessary to cause the abatement of  
6 the nuisance at the PROPERTIES;

7           6.       The Court require DEFENDANTS to bear the expenses of abating the nuisance,  
8 including but not limited to reimbursing PLAINTIFFS for expenses PLAINTIFFS may incur to abate  
9 the nuisance at the PROPERTIES;

10          7.       DEFENDANTS and their agents, officers, managers, representatives, employees, and  
11 anyone acting on their behalf, be preliminarily and permanently enjoined from maintaining, operating,  
12 and using the PROPERTIES and structures at 1443-1449 Powell Street, 790 Vallejo Street, and 912  
13 Jackson Street, San Francisco, California, in violation of the law;

14          8.       DEFENDANTS and their agents, officers, managers, representatives, employees, and  
15 anyone acting on their behalf, be preliminarily and permanently ordered to cause the PROPERTIES  
16 and all parts thereof, to conform to law, and to maintain it in such conformity at all times;

17          9.       Pursuant to Health and Safety Code Section 17980.7, DEFENDANTS be ordered to not  
18 claim any deduction with respect to state taxes for interest, expenses, depreciation, or amortization  
19 paid or incurred with respect to the cited structure, and to file an amended tax return for any years in  
20 which they have already claimed such deduction; that the Court appoint a receiver for the substandard  
21 building; that DEFENDANTS pay all reasonable and actual costs of Plaintiff CITY including, but not  
22 limited to, inspection costs, investigation costs, including expert witness fees, attorney's fees and  
23 costs, and all costs of investigation and prosecution; that DEFENDANTS pay relocation benefits to  
24 each lawful tenant for repairs or rehabilitation that significantly affect the safe and sanitary use of the  
25 premises by any lawful tenant so that the tenant cannot safely reside in the premises if the Court does  
26 not find that the tenant was substantially responsible for causing or substantially contributing to the  
27 substandard conditions; that any tenants notify Plaintiff CITY and DEFENDANTS of the address of  
28 the premises to which the tenant has relocated within five days after the relocation; and that

1 DEFENDANTS shall offer the first right of occupancy of the premises to each tenant who received  
2 relocation benefits;

3 10. PLAINTIFFS be authorized to record an Abstract of Judgment that constitutes a prior  
4 lien over any lien that any DEFENDANTS in this case may hold on the PROPERTIES;

5 11. That the Court appoint a receiver pursuant to California Code of Civil Procedure  
6 Section 564 to carry the judgment into effect and to preserve the PROPERTIES, including taking over  
7 the PROPERTIES and causing the PROPERTIES to comply with the law;

8 **Penalties**

9 12. Pursuant to San Francisco Housing Code Section 204(c)(2), DEFENDANTS be  
10 ordered to pay a civil penalty of \$1,000 for each of the PROPERTIES' three buildings for each day  
11 that the Housing Code violations alleged in the Complaint existed or were permitted to occur in the  
12 amount of at least \$1,053,000 through October 5, 2023 (\$1,000 x 365 days for both 1443-1449 Powell  
13 Street and 912 Jackson Street; \$1,000 x 323 days for 790 Vallejo Street), plus \$1,000 per day per  
14 building thereafter that the violations continue to occur through entry of judgment, or a greater amount  
15 as may be shown by the evidence;

16 13. Pursuant to San Francisco Building Code Section 103A, DEFENDANTS be ordered to  
17 pay a civil penalty of \$500 for each of the PROPERTIES' three buildings for each day that the  
18 Building Code violations alleged in the Complaint existed or were permitted to occur in the amount of  
19 at least \$209,500 through April 27, 2023 (\$500 x 248 days for 1443-1449 Powell Street; \$500 x 59  
20 days for 790 Vallejo St.; \$500 x 112 days for 912 Jackson Street), plus a civil penalty of \$1,000 per  
21 violation per day, with a minimum daily amount of \$200 per violation, for each day that the Building  
22 Code violations alleged in the Complaint existed or were permitted to occur in the amount of at least  
23 \$4,800,000 through October 5, 2023 (\$1,000 x 30 violations x 160 days), plus \$1,000 per violation for  
24 each day thereafter that the violations continue to occur through entry of judgment, or a greater  
25 amount as may be shown by the evidence;

26 14. Pursuant to San Francisco Plumbing Code Section 106.3, DEFENDANTS be ordered  
27 to pay a civil penalty of \$500 for each of the PROPERTIES per day for each day that the Plumbing  
28 Code violations alleged in the Complaint existed or were permitted to occur in the amount of at least

1 \$270,500 through October 5, 2023 (\$500 x 184 days for 1443-1449 Powell Street; \$500 x 178 days for  
2 both 790 Vallejo Street and 912 Jackson Street), plus \$500 per day thereafter that the violations  
3 continue to occur through entry of judgment, or a greater amount as may be shown by the evidence;

4 15. Pursuant to California Business and Professions Code Section 17206, DEFENDANTS  
5 be ordered to pay a civil penalty of up to \$2,500.00 for each violation alleged in the Complaint for a  
6 total of \$212,500 (\$2,500 x 48 months for 1443-1449 Powell Street; \$2500 x 11 months for 790  
7 Vallejo Street; and \$2500 x 24 months for 912 Jackson Street) as of October 5, 2023, plus \$2,500 per  
8 unit for each month thereafter that the violations continue to occur through entry of judgment, or a  
9 greater amount as may be shown by the evidence.

10 **Fees and Costs**

11 16. DEFENDANTS be ordered to pay all assessment and abatement costs pursuant to  
12 Building Code Section 102; and

13 17. DEFENDANTS be ordered to pay all of the City's attorney's fees and costs incurred in  
14 bringing this lawsuit pursuant to the San Francisco Housing Code Section 204, San Francisco Building  
15 Code Section 102A.8, San Francisco Plumbing Code section 108.0, and California Health and Safety  
16 Code Section 17980.7.

17 18. Other and further relief be ordered as this Court should find just and proper.

18 Dated: October 5, 2023

19 DAVID CHIU  
20 City Attorney  
21 JENNIFER CHOI  
22 Chief Attorney  
23 Neighborhood and Residential Safety Division  
24 WADE CHOW  
25 Deputy City Attorney

26 By: /s/ Wade Chow  
27 WADE CHOW

28 Attorneys for Plaintiffs  
CITY AND COUNTY OF SAN FRANCISCO and  
THE PEOPLE OF THE STATE OF CALIFORNIA



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<b><u>Exhibit</u></b>	<b><u>Description</u></b>
1	Notice of Violation (“NOV”) 201644841
2	Final Warning Letter (“FWL”) 201644841
3	NOV 201880811
4	FWL 201880811
5	Order of Abatement (“OOA”) 201880811
6	NOV 201970321
7	OOA 201970321
8	FWL 201970321
9	NOV 201978941
10	OOA 201970321
11	FWL 201970321
12	NOV 201996271
13	OOA 201996271
14	FWL 201996271
15	NOV 202048351
16	OOA 202048351
17	FWL 202048351
18	NOV 202069111
19	FWL 202069111
20	OOA 202069111
21	NOV 202291764
22	FWL 202291764
23	OOA 202291764
24	NOV 202293621
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26 OOA 202293621  
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33 FWL 202298515  
34 OOA 202298515  
35 NOV 202304157  
36 FWL 202304157  
37 OOA 202304157  
38 NOV 202302871  
39 NOV 202180879  
40 FWL 202180879  
41 OOA 202180879  
42 NOV 202299845  
43 FWL 202299845  
44 OOA 202299845  
45 NOV 202301137  
46 FWL 202301137  
47 NOV 202301489  
48 FWL 202301489  
49 NOV 202304053  
50 FWL 202304053  
51 OOA 202304053  
52 NOV 202305292  
53 NOV 202302872

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# EXHIBIT 1



# 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: 201644841  
DATE: 10-APR-18

ADDRESS: 1449 POWELL ST  
OCCUPANCY/USE: ()

BLOCK: 0148 LOT: 031

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: 1449 POWELL STREET LLC  
MAILING 1449 POWELL STREET LLC  
ADDRESS 1761 UNIVERSTIY AVE  
BERKELEY CA

PHONE #: --

94703

PERSON CONTACTED @ SITE: 1449 POWELL STREET LLC

PHONE #: --

## VIOLATION DESCRIPTION:

	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	103A
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4; 106A.3.7
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102A.1

ELECTRICAL WIRING INSTALLED IN UNITS 1,2,34 & 35 WITHOUT A PERMIT; ELECTRICAL PERMIT #E20161104909 ISSUED FOR CORRECTIVE ACTION; EP EXPIRED WITH NO ACTIVITY

## CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

- FILE BUILDING PERMIT WITHIN DAYS       (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 5 DAYS AND COMPLETE ALL WORK WITHIN 30 DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
- CORRECT VIOLATIONS WITHIN 30 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.

HAVE A LICENSED CALIFORNIA STATE (C-10) ELECTRICAL CONTRACTOR APPLY FOR AN ELECTRICAL PERMIT. INCLUDE IN THE FEE A 9X (NINE TIMES) INVESTIGATIVE FEE OF \$2,511 AND A PERMIT FEE OF \$279, FOR A TOTAL FEE OF \$2,790 PRIOR TO THE COMMENCEMENT OF WORK AND COMPLETION OF THE INSPECTION PROCESS. A \$52 MONTHLY VIOLATION MONITORING FEE WILL BE ASSESSED. SFBC 102A.3 TABLE 1 A-K.

**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 INSPECTION**

CONTACT INSPECTOR: Nicholas Russell

PHONE # 628-652-3671

DIVISION: EID

DISTRICT : 11

By:(Inspectors's Signature) \_\_\_\_\_



# NOTICE OF VIOLATION

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

Pursuant to SFBC 107A.5 and 106A.4.7 investigation fees are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14th Floor), (628) 652-1150.

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be lited for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 102A.2 & 110A.

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(6) of the Revenue and Taxation Code.

**WARNING:** Section 103A of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107A.5 y 106A.4.7 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 652-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobraran al dueño del edificio o la propiedad será embargada para recuperar dichos gastos. Referencia a la Sección 102A.2 y 110A de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de incanformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios o 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o esta diligentemente, rapidamente y contia mente acusado despues de seis(6) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesion de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103A de el Código de edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja desobedezca, omite, descuide, se niega a cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas per delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurra.

Sang-ayon sa SFBC 107A.5 at 106A.4.7 ang bayad sa pagsusuri ay sisiglin sa mga gusaling naumpisahan na o ginawa na walang permit o sa mga gawaing tabis sa sakop ng permit. Ang gayong singil ay maaring iapeta sa Board of Permit Appeals sa loob ng 15 na araw mula sa pag-isyu ng permit sa 49 South Van Ness Ave., suite 1475 (14th palapag), (628)652-1150.

**BABALA:** Ang kabiguan na gumawa ng aksiyon tulad ng kinakailangan upang iwasto ang mga nasabing paglabag ay magresulta sa paglilitis ng abatement ng Kagawaran ng Inspeksyon ng Gusali. Kung meron Order of Abatement ang naitala laban sa isang ari-arian, ang may-ari ay sisiglin o di kaya ang ari-arian ay gagamitin na lien sa ihat ng mga gastos na natamo sa proseso ng pagpapatupad mula sa unang "Paunawa sa Paglabag" hanggang sa tahat ng gastos ay mabayaran, SFBC 102A.2 & 110A.

**BABALA:** Ang Seksyon 204 ng Housing Code ng San Francisco ay nagtatakda ng agad-agad na multa na \$100 sa bawat halimbawa ng unang hindi pagsunod, at susundan ng multa na \$200 sa bawat paglabag sa pangalawang hindi pagsunod, hanggang sa sukduhan na \$7,500 sa bawat gusali. Ang seksyon na ito ay itinatagda na magsasampa rin ng kasong kriminal bilang isang misdemeanor sa bawat paglabag at magresulta sa multa na hindi bababa ng \$1,000 sa bawat araw o di kaya sa anim na buwan na pagkabilanggo o parehong ipapataw.

**BABALA:** Sinumang kumikita sa pag-ups ng pabahay na tinukoy ng Kagawaran ng Inspeksyon ng Gusali na substandard, ay hindi maaring ibawas ang ganong kita sa buwis sa estado ng kifang personal, at gayundin sa buwis na kita sa interes sa bangko at korporasyon, at sa depresasyon o mga buwis na malughay sa gusaling substandard. Kung ang Gawain sa pagwawasto ay hindi nakumpleto o hindi masigasig, mabilis at tuloy-tuloy ang paggawa matapos ang anim (6) na buwan mula sa petee nitong paunawa, ay magpapadala ng aliso sa Franchise Tax Board na itinakda sa Seksyon 17264(6) ng Revenue and Taxation code.

**BABALA:** Ang Seksyon 103A ng Building Code ng San Francisco ay nagtatakda ng mga multang sbil hanggang sa \$500 sa bawat araw sa anumang lumabag, sumuway, magtanggap, magpabaya o tumanggap sumunod o di kaya sumalungat sa pagpapatupad ng mga probisyon nitong code. Nagpapataw din itong seksyon ng multang misdemeanor kapag nahatulan, ng hanggang sa \$500 at o di kaya anim na buwan na pagkabilanggo sa bawat magkahiwalay na pagkasala para sa bawat araw na nangyari ang ganong pagkasala.

根據《三藩市建築物條例》第107.5條款和第106.4.7條款，對未經許可的建築工程或者工程超過許可範圍的檢查，將會收取檢查費用。對該費用可以作出上訴，可以在許可證發出的15天之內，向“上訴委員會”（Board of Appeals）作出上訴。上訴委員會地址：49 South Van Ness Ave., Suite 1475 (14th Floor)，電話：(628) 652-1150。

**警告：**如果沒有立即採取行動更正以上的違規情況，可能會引致樓宇檢查局展開執法行動。如果執法命令正式紀錄於該物業，業主可能會收到臨帶，或者該物業會被抵押，用於支付從張貼第一張“違例通知”開始，在執法過程中所產生的所有費用，直至所有費用付清為止。  
《三藩市建築物條例》第102.2條款和第110條款。

**警告：**三藩市房屋條例第204條對最初的違例會立即處以每項100元的罰款，接下來會對第二次的違例處以每項200元的罰款，最高可以對每座建築物處以7,500元的罰款。該條例還可以對每項違例處以輕微罪行的刑事檢控，可處以每日最少1,000元的罰款或6個月的監禁，或兩者並罰。

**警告：**任何從樓宇檢查局認定為低於標準的房屋中獲取租金收入的個人，對於該低於標準的建築結構，將不能用於其免州的個人所得稅和銀行以及企業的所得稅利息、折舊或適用於該房屋的稅項。如果在該通知日期的6個月之後，更正工程尚未完成，或者沒有努力、快速和繼續進行有關工程，有關通知將會根據《收入及稅務條例》第17264 (6) 條款寄給加州平稅委員會。

**警告：**三藩市建築物條例第103條款可給予每天最高可至500元的行政罰款，對任何違反、不遵從、遺漏、疏忽或拒絕遵守或反對執行該條例的任何條款。該條款可給予輕微罪行的罰款，一經定罪，可以對每一項單獨的違例，違例期間的每一天，處以最高500元和/或最高6個月的監禁。

# EXHIBIT 2



## 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: 04/28/2022

PROPERTY ADDRESS:  
1449 POWELL ST

BLOCK: 0148 LOT: 031

Electrical Complaint #: 201644841

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
1761 UNIVERSTIY AVE  
BERKELEY CA 94703

# NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### NOTICE OF VIOLATION OUTSTANDING:

On 04/10/2018 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!**

# EXHIBIT 3





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 201880811**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**DATE:** 30-JUL-18

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

**LOCATION: 1449 POWELL ST**

**BLOCK: 0148 LOT : 031**

**NOTICE TYPE: COMPLAINT**

**BUILDING TYPE:** APT

**USE TYPE:** R2

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	Inspector Yee investigated the complaint at the subject property and observed violation(s) of the San Francisco Housing Code which are delineated within the Notice of Violation issued. Pertinent observations are as follows: See report.
2 WORK WITHOUT PERMIT (SFHC 301, 106a, 108.4.1 SFBC)	Located in 1449 Powell Street in units 3, 4, 5, 24, and 25. Different phases of construction was performed without permit.  Owner and/or contractor to provide all work to be done and pull all permits necessary before any work can continue. Stop all Work!  A DBI notice has been created for this address. Please see BDI notice 201880811. A reinspection date and time has been scheduled for 8/14/18 at 10:30 am at the property.
3 REMOVE OR COVER DAMAGED PAINT IN AN APPROVED MANNER TO PREVENT A LEAD HAZARD. SEE ATTACHED LEAD HAZARD WARNING. (703 & 1301- SFHC)	Located at all affected units.
PROPER CONTAINMENT AND A 3-DAY NOTIFICATION (TO RESIDENTS & ADJACENT NEIGHBORS) IS REQUIRED FOR LEAD BASED PAINT PROJECTS OF MORE THAN (10) TEN SQUARE FEET. (Sec.3604, SFBC)	It is the owner's responsibility to investigate for possible presence of lead based paint and/or any other hazardous materials and properly contain and remove following procedures set forth by the San Francisco Health and Building Departments. Consult with a qualified lead abatement contractor as required.
	Clean and remove all visable paint debris in units 3, 4, 5, 24 and 25 and/or affected properties and/or areas.



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

### NOTICE OF VIOLATION

4 INSPECTOR COMMENTS

**COMPLAINT: 201880811**

It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas cited within this Notice.

If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector.

YOUR COOPERATION IS APPRECIATED.

ALL ITEMS MUST BE COMPLETED WITHIN 15 DAYS. REINSPECTION DATE : 14 August 2018 10:30 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Dennis Yee AT 628-652-3371

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8

# EXHIBIT 4



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org  
Website: www.sfdbi.org

Date: 03/10/2020

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

Property Address:  
Block: 0148 Lot: 031  
1449 POWELL ST  
Number: 201880811

94131

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### NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

#### **NOTICE OF VIOLATION OUTSTANDING:**

On 07/30/2018 your property was inspected and 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.

#### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Dennis Yee at 628-652-3371 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

#### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

#### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 5

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103



Doc # **2020017631**

City and County of San Francisco  
Carmen Chu, Assessor – Recorder

9/16/2020	10:26:59 AM	Fees	\$0.00
Pages 5	Title 339 AM	Taxes	\$0.00
Customer 048		Other	\$0.00
		SB2 Fees	\$0.00
		Total	\$0.00

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**ORDER OF ABATEMENT**  
**1443 1449 POWELL ST,0000**

Block/Lot/Seq. - 0148 / 031 / 1

NO. 201880811A

DC3- DH 06-AUG-20





## ORDER OF ABATEMENT - ORDER NO. 201880811

Owner: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 1443 1449 POWELL ST, 0000  
Block: 0148 Lot: 031 Seq: 1  
Census Tract: 107 Source: DC3  
Complaint: 201880811  
Date Order of Abatement Issued: August 6, 2020  
Inspector/Division: Yeel\HIS  
Housing Division Representative: James Lawrie  
Hearing Officer: Kenneth Burke

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **August 6, 2020** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **July 30, 2018**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

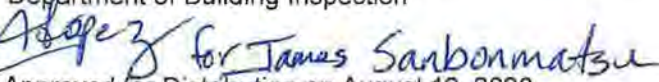
Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

7 **Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

  
Patrick O'Riordan, Interim Director  
Department of Building Inspection

  
Approved for Distribution on August 12, 2020  
by James Sanbonmatsu, Chief Housing Inspector



Housing Inspection Services  
49 South Van Ness San Francisco, CA 94103-1226  
Office (628) 652-3700 - FAX (628) 652-3709 - www.sfdbi.org

# EXHIBIT 6





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 201970321**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC

294 29TH ST

SAN FRANCISCO CA

94131

**DATE:** 16-JUL-19

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT :** 031

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL

**USE TYPE:** R2

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

- |   |  |  |
|---|--|--|
| 1 | THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED. | Inspector Yee investigated the complaint at the subject property and observed violation(s) of the San Francisco Housing Code which are delineated within the Notice of Violation issued. Pertinent observations are as follows: See report.  |
| 2 | REPAIR MALFUNCTIONING BURNERS (504 HC)               | Located at 3rd and 2nd floor kitchens.<br><br>Repair all broken/burned out burners.  |
| 3 | CLEAN OR SANITIZE KITCHEN AND WINDOWS (1306 HC)      | Located at 3rd and 2nd floor kitchens.<br><br>Degrease all windows, walls and ceiling of kitchens to minimize fire hazard.   |
| 4 | REPAIR MALFUNCTIONING WINDOWS. (1001 HC)             | Located at 3rd and 2nd floor kitchens and hallways.<br><br>Not all windows are fully functional. Some are made fully open, while others cannot open. Verify all windows and its function.  |
| 5 | CARETAKER (HC 1311)                                  | A responsible person shall reside upon the premises and shall have charge of every apartment house in which there are 16 or more apartments and every hotel in which there are 12 or more guestrooms.  |
| 6 | INSPECTOR COMMENTS                                   | It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas cited within this Notice.<br><br>If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector. |

YOUR COOPERATION IS APPRECIATED.

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 14 August 2019 10:00 AM**



# DEPARTMENT OF BUILDING INSPECTION

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Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

COMPLAINT: 201970321

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Dennis Yee AT 628-652-3371

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). **ACCORDINGLY**, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached **NOTICE(S)**, to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**NOTICE OF VIOLATION WARNINGS! (Continued from page 1)**

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 7

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103



Doc # **2020034075**

City and County of San Francisco  
Carmen Chu, Assessor – Recorder

10/22/2020	8:02:05 AM	Fees	\$0.00
Pages	5	Title 339 ES	Taxes \$0.00
Customer	048	Other	\$0.00
		SB2 Fees	\$0.00
		Total	\$0.00

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**ORDER OF ABATEMENT**  
**1443 1449 POWELL ST,0000**

Block/Lot/Seq. - 0148 / 031 / 1

NO. 201970321A

DC5- DH 10-SEP-20





## ORDER OF ABATEMENT - ORDER NO. 201970321

Owner: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 1443 1449 POWELL ST, 0000  
Block: 0148 Lot: 031 Seq: 1  
Census Tract: 107 Source: DC5  
Complaint: 201970321  
Date Order of Abatement Issued: September 10, 2020  
Inspector/Division: Yee/HIS  
Housing Division Representative: JAMES SANBONMATSU  
Hearing Officer: KENNETH BURKE

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **September 10, 2020** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **July 16, 2019**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

**7 Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

  
Patrick O'Riordan, Interim Director  
Department of Building Inspection

Approved for Distribution on September 11, 2020  
by James Sanbonmatsu, Chief Housing Inspector

Housing Inspection Services  
49 South Van Ness Avenue San Francisco, CA 94103-1226  
Office (628) 652-3700 - FAX (628) 652-3709 - [www.sfdbi.org](http://www.sfdbi.org)





**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

**NOTICE OF VIOLATION**

**COMPLAINT: 201970321**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**DATE:** 16-JUL-19

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
  
94131

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT:** 031

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL **USE TYPE:** R2

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	Inspector Yee investigated the complaint at the subject property and observed violation(s) of the San Francisco Housing Code which are delineated within the Notice of Violation issued. Pertinent observations are as follows: See report.
2 REPAIR MALFUNCTIONING BURNERS (504 HC)	Located at 3rd and 2nd floor kitchens.  Repair all broken/burned out burners.
3 CLEAN OR SANITIZE KITCHEN AND WINDOWS (1306 HC)	Located at 3rd and 2nd floor kitchens.  Degrease all windows, walls and ceiling of kitchens to minimize fire hazard.
4 REPAIR MALFUNCTIONING WINDOWS. (1001 HC)	Located at 3rd and 2nd floor kitchens and hallways.  Not all windows are fully functional. Some are made fully open, while others cannot open. Verify all windows and its function.
5 CARETAKER (HC 1311)	A responsible person shall reside upon the premises and shall have charge of every apartment house in which there are 16 or more apartments and every hotel in which there are 12 or more guestrooms.
6 INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas cited within this Notice.  If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector.

YOUR COOPERATION IS APPRECIATED.

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 14 August 2019 10:00 AM





## DEPARTMENT OF BUILDING INSPECTION

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Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: [DBIHIDComplaints@sfgov.org](mailto:DBIHIDComplaints@sfgov.org) Website: [www.sfdbi.org](http://www.sfdbi.org)

### NOTICE OF VIOLATION

COMPLAINT: 201970321

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Dennis Yee AT 628-652-3371

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, 4th Floor, San Francisco, California 94103-1226

TEL (628)652-3700, Fax No. (628)652-3709, Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

**NOTICE OF VIOLATION WARNINGS!**

TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1<sup>st</sup> Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3<sup>rd</sup> floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 8



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 11/05/2020

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

--

Property Address:

Block: 0148 Lot: 031  
1449 POWELL ST

Number: 201970321

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 07/16/2019 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Dennis Yee at 628-652-3371 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 9



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 201978941**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC

294 29TH ST

SAN FRANCISCO CA

94131

**DATE:** 21-AUG-19

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT :** 031

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL

**USE TYPE:** R2

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

- |   |  |  |
|---|--|--|
| 1 | THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.   | Inspector Yee investigated the complaint at the subject property and observed violation(s) of the San Francisco Housing Code which are delineated within the Notice of Violation issued. Pertinent observations are as follows: See report.<br><br>1449 Powell |
| 2 | PROVIDE MINIMUM 135 DEGREE VIEWER FOR ENTRY DOORS OF FOLLOWING UNITS (MAX MOUNTING HT OF 58") (706 HC) | Located throughout the property.<br><br>All viewers must be clear of any obstructions and in good working order.   |
| 3 | REPAIR MALFUNCTIONING STOVE TOP. (1001 HC)   | Located at 2nd floor kitchen.<br><br>Located at 3rd floor kitchen.   |
| 4 | CLEAN OR SANITIZE (1306 HC)  | Located at both kitchens.<br><br>Located at 3rd floor stairwell leading to roof.<br><br>Degrease and clean areas to minimize fire hazards.   |
| 5 | REPAIR MALFUNCTIONING SMOKE DETECTOR(S). (1001 HC)   | Located in the hallways.<br><br>There is a chirping sound from the smoke detectors.  |
| 6 | REPAIR MALFUNCTIONING WATER OUTLET. (1001 HC)  | Located at the rear lower level by the back door.<br><br>There is no water flowing out of the water spegget.   |
| 7 | PROVIDE ADEQUATE AND SAFE LIGHTING (504g, 1001 HC)   | Located at the rear lower level of the back door and garbage areas.<br><br>There two light fixtures not working creating a safety hazard.  |



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 201978941**

8 REPAIR MALFUNCTIONING LIGHT OR LIGHT SWITCH  
(504 HC)

Located inside unit 21.

The light switch has a burnt smell when the light is on and the other appliances are on together. Smell never happened before.

9 ELIMINATE COCKROACH INFESTATION (1001b, 1306 HC)

Located throughout the property.

Provide a routine and systematic pest control services until the infestation is eliminated by a licensed professional third party vendor. Provide proof of pest control services at time of inspection.

10 CARETAKER (HC 1311)

A responsible person shall reside upon the premises and shall have charge of every apartment house in which there are 16 or more apartments and every hotel in which there are 12 or more guestrooms.

11 INSPECTOR COMMENTS

It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas cited within this Notice.

If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector.

YOUR COOPERATION IS APPRECIATED.

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 19 September 2019 11:00 AM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.**

**CONTACT HOUSING INSPECTOR : Dennis Yee AT 628-652-3371**

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). **ACCORDINGLY**, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached **NOTICE(S)**, to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.



**NOTICE OF VIOLATION WARNINGS! (Continued from page 1)**

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 10



RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
1660 MISSION STREET, 6TH FLOOR  
SAN FRANCISCO, CA 94103

San Francisco Assessor-Recorder  
Carmen Chu, Assessor-Recorder  
**DOC- 2019-K859144-00**  
Acct 40-SFCC Bureau Of Building Inspections  
Tuesday, NOV 19, 2019 15:59:42  
Ttl Pd \$0.00 Rcpt # 0006106523  
VT1/VV/1-5

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**ORDER OF ABATEMENT**  
**1443 1449 POWELL ST,0000**

Block/Lot/Seq. - 0148 / 031 / 1

NO. 201978941A

DC2- DH 17-OCT-19





**ORDER OF ABATEMENT - ORDER NO. 201978941**

Owner: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 1443 1449 POWELL ST, 0000  
Block: 0148 Lot: 031 Seq: 1  
Census Tract: 107 Source: DC2  
Complaint: 201978941  
Date Order of Abatement Issued: October 17, 2019  
Inspector/Division: Yee\HIS  
Housing Division Representative: MATTHEW LUTON  
Hearing Officer: KENNETH BURKE

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **October 17, 2019** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **August 21, 2019**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

30 **Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (415) 558-6220. Fax (415) 558-6249. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 1660 Mission Street, 6th floor, (415) 558-6220.

Very truly yours,

Handwritten signature of Tom C. Hui in blue ink.

Tom C. Hui, S.E., C.B.O., Director  
Department of Building Inspection

Approved for Distribution on October 18, 2019  
by James Sanbonmatsu, Chief Housing Inspector

Housing Inspection Division  
1660 Mission Street - San Francisco CA 94103  
Office (415) 558-6220 - FAX (415) 558-6249 - [www.sfdbi.org](http://www.sfdbi.org)



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
1660 Mission Street 6th Floor, San Francisco, California 94103-2414  
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT:** 201978941

**OWNER/AGENT:** 1449 POWELL STREET LLC

**DATE:** 21-AUG-19

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
  
94131

**LOCATION:** 1449 POWELL ST

**BLOCK:** 0148 **LOT :** 031

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL

**USE TYPE:** R2

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	Inspector Yee investigated the complaint at the subject property and observed violation(s) of the San Francisco Housing Code which are delineated within the Notice of Violation issued. Pertinent observations are as follows: See report.
2 PROVIDE MINIMUM 135 DEGREE VIEWER FOR ENTRY DOORS OF FOLLOWING UNITS (MAX MOUNTING HT OF 58") (706 HC)	1449 Powell Located throughout the property. All viewers must be clear of any obstructions and in good working order.
3 REPAIR MALFUNCTIONING STOVE TOP. (1001 HC)	Located at 2nd floor kitchen. Located at 3rd floor kitchen.
4 CLEAN OR SANITIZE (1306 HC)	Located at both kitchens. Located at 3rd floor stairwell leading to roof. Degrease and clean areas to minimize fire hazards.
5 REPAIR MALFUNCTIONING SMOKE DETECTOR(S). (1001 HC)	Located in the hallways. There is a chirping sound from the smoke detectors.
6 REPAIR MALFUNCTIONING WATER OUTLET. (1001 HC)	Located at the rear lower level by the back door. There is no water flowing out of the water spegget.
7 PROVIDE ADEQUATE AND SAFE LIGHTING (504g, 1001 HC)	Located at the rear lower level of the back door and garbage areas. There two light fixtures not working creating a safety hazard.



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
1660 Mission Street 6th Floor, San Francisco, California 94103-2414  
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 201978941**

- 8 REPAIR MALFUNCTIONING LIGHT OR LIGHT SWITCH (504 HC)
- 9 ELIMINATE COCKROACH INFESTATION (1001b, 1306 HC)
- 10 CARETAKER (HC 1311)
- 11 INSPECTOR COMMENTS

Located inside unit 21.

The light switch has a burnt smell when the light is on and the other appliances are on together. Smell never happened before.

Located throughout the property.

Provide a routine and systematic pest control services until the infestation is eliminated by a licensed professional third party vendor. Provide proof of pest control services at time of inspection.

A responsible person shall reside upon the premises and shall have charge of every apartment house in which there are 16 or more apartments and every hotel in which there are 12 or more guestrooms.

It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas cited within this Notice.

If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector.

YOUR COOPERATION IS APPRECIATED.

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 19 September 2019 11:00 AM  
IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.  
CONTACT HOUSING INSPECTOR : Dennis Yee AT 415-558-6211

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

1660 Mission Street, 6<sup>th</sup> Floor, San Francisco, California 94103-2414

(415) 558-6220, Fax No. (415) 558-6249, Email: [DBIHIDComplaints@sfgov.org](mailto:DBIHIDComplaints@sfgov.org)

Website: [www.sfdbi.org](http://www.sfdbi.org)

### NOTICE OF VIOLATION WARNINGS!

TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are **required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate inspector through site inspection.**

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

**Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code.** The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1<sup>st</sup> Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3<sup>rd</sup> floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

#### **VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 11





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 11/05/2020

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

--

Property Address:

Block: 0148 Lot: 031  
1449 POWELL ST

Number: 201978941

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 08/21/2019 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Dennis Yee at 628-652-3371 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 12



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 201996271**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC

294 29TH ST

SAN FRANCISCO CA

94131

**DATE:** 23-OCT-19

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT :** 031

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** APT

**USE TYPE:** R2

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

- |    |  |  |
|----|--|--|
| 1  | REPAIR MALFUNCTIONING ELECTRICAL OUTLET / RECEPTACLE (504 HC)                                  | Located inside unit #21.   |
| 2  | REPAIR LEAKING/RUSTING PIPES (504 HC)  | Located inside kitchen of unit #28.  |
| 3  | REMOVE PAD-LOCKS AND/OR EYE-HOOKS AND/OR HINGES AT ENTRY DOORS ON GUEST ROOMS (801,1001(l) HC) | Located outside unit #29 and any other unit doors.   |
| 4  | PROVIDE EXTENSIONS TO ALL RECEPTACLE AND SWITCHES (504 HC)                                     | Located at the second floor kitchen. Current holes on the wall does not meet code for one-hour fire wall rating.   |
| 5  | REPAIR MALFUNCTIONING WINDOWS. (1001 HC)   | Located at third floor kitchen.<br><br>Located at third floor hallway by unit #35. May need new window.  |
| 6  | REPAIR MALFUNCTIONING STOVE TOP. (1001 HC)   | Located at second and third floor kitchens. Burners are not fully functional.  |
| 7  | PROVIDE ACCESS TO ELECTRICAL PANELS. (1001 HC)   | Located in the facility. Show and provide care taker and/or property manager access.   |
| 8  | REPAIR DAMAGED WALLS/CEILINGS (1001b,h,o HC)   | Located at the rear bottom stairwell. Patch all holes to stop rodents from entering into facility.   |
| 9  | CARETAKER (HC 1311)  | A responsible person shall reside upon the premises and shall have charge of every apartment house in which there are 16 or more apartments and every hotel in which there are 12 or more guestrooms.  |
| 10 | INSPECTOR COMMENTS   | It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas cited within this Notice. |

If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector.

YOUR COOPERATION IS APPRECIATED.



# DEPARTMENT OF BUILDING INSPECTION

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Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

COMPLAINT: 201996271

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 22 November 2019 10:19 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Dennis Yee AT 628-652-3371

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). **ACCORDINGLY**, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached **NOTICE(S)**, to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**NOTICE OF VIOLATION WARNINGS! (Continued from page 1)**

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING**

**A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 13

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103



Doc # **2020017633**

City and County of San Francisco  
Carmen Chu, Assessor – Recorder

9/16/2020	10:26:59 AM	Fees	\$0.00
Pages 5	Title 339 AM	Taxes	\$0.00
Customer 048		Other	\$0.00
		SB2 Fees	\$0.00
		Total	\$0.00

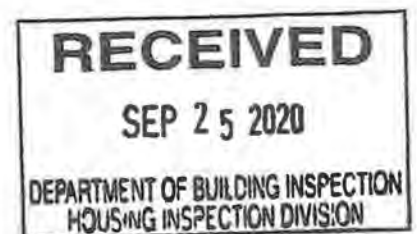
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**ORDER OF ABATEMENT**  
**1443 1449 POWELL ST,0000**

Block/Lot/Seq. - 0148 / 031 / 1

NO. 201996271A

DC4- DH 06-AUG-20







## ORDER OF ABATEMENT - ORDER NO. 201996271

Owner: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 1443 1449 POWELL ST, 0000  
Block: 0148 Lot: 031 Seq: 1  
Census Tract: 107 Source: DC4  
Complaint: 201996271  
Date Order of Abatement Issued: August 6, 2020  
Inspector/Division: Yee\HIS  
Housing Division Representative: James Lawrie  
Hearing Officer: Kenneth Burke

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **August 6, 2020** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **October 23, 2019**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

**7 Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Patrick O'Riordan".

Patrick O'Riordan, Interim Director  
Department of Building Inspection

A handwritten signature in blue ink, appearing to read "James Sanbonmatsu".

Approved for Distribution on August 12, 2020  
by James Sanbonmatsu, Chief Housing Inspector





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

COMPLAINT: 201996271

OWNER/AGENT: 1449 POWELL STREET LLC

### MAILING

ADDRESS: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

DATE: 23-OCT-19

LOCATION: 1449 POWELL ST

BLOCK: 0148 LOT: 031

NOTICE TYPE: COMPLAINT

BUILDING TYPE: APT USE TYPE: R2

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 REPAIR MALFUNCTIONING ELECTRICAL OUTLET / RECEPTACLE (504 HC)	Located inside unit #21.
2 REPAIR LEAKING/RUSTING PIPES (504 HC)	Located inside kitchen of unit #28.
3 REMOVE PAD-LOCKS AND/OR EYE-HOOKS AND/OR HINGES AT ENTRY DOORS ON GUEST ROOMS (801,1001(I) HC)	Located outside unit #29 and any other unit doors.
4 PROVIDE EXTENSIONS TO ALL RECEPTACLE AND SWITCHES (504 HC)	Located at the second floor kitchen. Current holes on the wall does not meet code for one-hour fire wall rating.
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6 REPAIR MALFUNCTIONING STOVE TOP. (1001 HC)	Located at second and third floor kitchens. Burners are not fully functional.
7 PROVIDE ACCESS TO ELECTRICAL PANELS. (1001 HC)	Located in the facility. Show and provide care taker and/or property manager access.
8 REPAIR DAMAGED WALLS/CEILINGS (1001b,h,o HC)	Located at the rear bottom stairwell. Patch all holes to stop rodents from entering into facility.
9 CARETAKER (HC 1311)	A responsible person shall reside upon the premises and shall have charge of every apartment house in which there are 16 or more apartments and every hotel in which there are 12 or more guestrooms.
10 INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas cited within this Notice.

If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector.

YOUR COOPERATION IS APPRECIATED.



## DEPARTMENT OF BUILDING INSPECTION

---

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

### NOTICE OF VIOLATION

COMPLAINT: 201996271

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 22 November 2019 10:19 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Dennis Yee AT 628-652-3371

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, 4th Floor, San Francisco, California 94103-1226

TEL (628)652-3700, Fax No. (628)652-3709, Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

**NOTICE OF VIOLATION WARNINGS!**

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are **required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.**

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

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**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

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**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 14



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 12/17/2020

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

--

Property Address:

Block: 0148 Lot: 031  
1449 POWELL ST

Number: 201996271

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 10/23/2019 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Dennis Yee at 628-652-3371 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 15



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202048351**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**DATE:** 04-AUG-20

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC

294 29TH ST

SAN FRANCISCO CA

94131

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT :** 031

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL

**USE TYPE:** R2

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.

This Notice of Violation describes violations found at the common areas of property at 1449 Powell Street.

2 CLEAN OR SANITIZE (1306 HC)

SFHC Ch. 4 Nuisance (3) & (7): Comply with Order of the Health Officer C19-04. Maintain common area restroom facilities in a sanitary manner. Provide soap and disinfect three times per day. Failure to comply is a misdemeanor punishable by fine, imprisonment, or both.

3 INSPECTOR COMMENTS

It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this Notice.  
If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection time/date with the Inspector, and provide all tenants with notification as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during the reinspection.

**ALL ITEMS MUST BE COMPLETED WITHIN 1 DAYS. REINSPECTION DATE :** 05 August 2020 10:00 AM

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.**

**CONTACT HOUSING INSPECTOR :** Christina H. Dang AT 628-652-3386

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

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**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

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**NOTICE OF VIOLATION WARNINGS! (Continued from page 1)**

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NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 16

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103



Doc # **2020034076**

City and County of San Francisco  
Carmen Chu, Assessor – Recorder

10/22/2020	8:02:05 AM	Fees	\$0.00
Pages	4	Title 339 ES	Taxes \$0.00
Customer	048	Other	\$0.00
		SB2 Fees	\$0.00
		Total	\$0.00

**ORDER OF ABATEMENT**  
**1443 1449 POWELL ST,0000**

Block/Lot/Seq. - 0148 / 031 / 1

NO. 202048351A

DC6- DH 10-SEP-20





## ORDER OF ABATEMENT - ORDER NO. 202048351

Owner: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 1443 1449 POWELL ST, 0000  
Block: 0148 Lot: 031 Seq: 1  
Census Tract: 107 Source: DC6  
Complaint: 202048351  
Date Order of Abatement Issued: September 10, 2020  
Inspector/Division: D. Moy/HIS  
Housing Division Representative: JAMES SANBONMATSU  
Hearing Officer: KENNETH BURKE

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **September 10, 2020** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

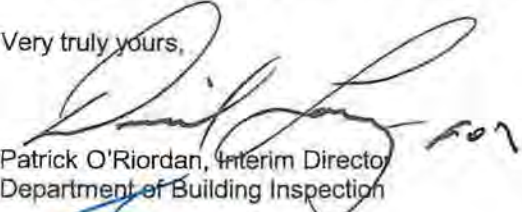
1. That Notice has been duly given as required by law 10 days prior to the hearing.
2. That the conditions are as stated in the complaint of the Director of the Department of Building Inspection attached as the Notice(s) of Violation (NOV) dated: **August 4, 2020**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

**7 Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

  
Patrick O'Riordan, Interim Director  
Department of Building Inspection

Approved for Distribution on September 11, 2020  
by James Sanbonmatsu, Chief Housing Inspector

Housing Inspection Services  
49 South Van Ness Avenue San Francisco, CA 94103-1226  
Office (628) 652-3700 - FAX (628) 652-3709 - [www.sfdbi.org](http://www.sfdbi.org)





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**NOTICE OF VIOLATION**

**COMPLAINT: 202048351**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**DATE:** 04-AUG-20

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT:** 031

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL **USE TYPE:** R2

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	This Notice of Violation describes violations found at the common areas of property at 1449 Powell Street.
2 CLEAN OR SANITIZE (1306 HC)	SFHC Ch. 4 Nuisance (3) & (7): Comply with Order of the Health Officer C19-04. Maintain common area restroom facilities in a sanitary manner. Provide soap and disinfect three times per day. Failure to comply is a misdemeanor punishable by fine, imprisonment, or both.
3 INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this Notice. If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection time/date with the Inspector, and provide all tenants with notification as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during the reinspection.

**ALL ITEMS MUST BE COMPLETED WITHIN 1 DAYS. REINSPECTION DATE : 05 August 2020 10:00 AM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME .**

**CONTACT HOUSING INSPECTOR :** Christina D. Moy AT 628-652-3386

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**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 17





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 01/18/2023

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

--

Property Address:

Block: 0148 Lot: 031  
1449 POWELL ST

Number: 202048351

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

**NOTICE OF VIOLATION OUTSTANDING:**

On 08/04/2020 your property was inspected and 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.

**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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

**IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

**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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 18



**DEPARTMENT OF BUILDING INSPECTION**

**Housing Inspection Services Division**  
**City and County of San Francisco**  
**49 South Van Ness Avenue, San Francisco, California 94103-1226**  
**(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org**

**NOTICE OF VIOLATION**

**COMPLAINT: 202069111**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**DATE:** 04-DEC-20

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT :** 031

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL **USE TYPE:** R1

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	1449 Powell Street and all common areas.
2 BID, EID & PID PERMITS (301 SFHC)	In unit #28, stove present at time of inspection. Provide permits and plans.
3 INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

**ALL ITEMS MUST BE COMPLETED WITHIN 15 DAYS. REINSPECTION DATE : 16 December 2020 11:00 AM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.**

**CONTACT HOUSING INSPECTOR :** Christina H. Dang AT 628-652-3386

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). **ACCORDINGLY**, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached **NOTICE(S)**, to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**NOTICE OF VIOLATION WARNINGS! (Continued from page 1)**

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 19



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 12/17/2020

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

--

Property Address:

Block: 0148 Lot: 031  
1449 POWELL ST

Number: 202069111

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 12/04/2020 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 20





Doc # 2021044398

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103

City and County of San Francisco  
Joaquín Torres, Assessor – Recorder

3/10/2021	1:28:40 PM	Fees	\$0.00
Pages 4	Title 339 AM	Taxes	\$0.00
Customer 048		Other	\$0.00
		SB2 Fees	\$0.00
		Total	\$0.00

**ORDER OF ABATEMENT**  
**1443 1449 POWELL ST,0000**

Block/Lot/Seq. - 0148 / 031 / 1

NO. 202069111A

DC7- DH 28-JAN-21





## ORDER OF ABATEMENT - ORDER NO. 202069111

Owner: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 1443 1449 POWELL ST, 0000  
Block: 0148 Lot: 031 Seq: 1  
Census Tract: 107 Source: DC7  
Complaint: 202069111  
Date Order of Abatement Issued: January 28, 2021  
Inspector/Division: Moy/HIS  
Housing Division Representative: JAMES SANBONMATSU  
Hearing Officer: KENNETH BURKE

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **January 28, 2021** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **December 4, 2020**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

**7 Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

  
Patrick O'Riordan, Interim Director  
Department of Building Inspection



Approved for Distribution on February 8, 2021  
by James Sanbonmatsu, Chief Housing Inspector



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202069111**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

**DATE:** 04-DEC-20

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT:** 031

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL **USE TYPE:** R1

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	1449 Powell Street and all common areas.
2 BID, EID & PID PERMITS (301 SFHC)	In unit #28, stove present at time of inspection. Provide permits and plans.
3 INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

ALL ITEMS MUST BE COMPLETED WITHIN 15 DAYS. REINSPECTION DATE : 16 December 2020 11:00 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME .

CONTACT HOUSING INSPECTOR : Christina H. Moy AT 628-652-3386

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, 4th Floor, San Francisco, California 94103-1226

TEL (628)652-3700, Fax No. (628)652-3709, Email: DBIHIDComplaints@sfgov.org

Website: [www.sfdbi.org](http://www.sfdbi.org)

**NOTICE OF VIOLATION WARNINGS!**

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are **required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.**

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

**Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code.** The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1<sup>st</sup> Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3<sup>rd</sup> floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 21



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202291764**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**DATE:** 07-JUN-22

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT :** 031

94131

**NOTICE TYPE:** ROUTINE

**BUILDING TYPE:** HOTEL

**USE TYPE:** R1

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

- |   |   |  |
|---|---|--|
| 1 | THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.                        | 1449 POWELL STREET AND ALL COMMON AREAS.   |
| 2 | PROVIDE SECTION 604 AFFIDAVIT (604 SFHC)                                    | Provide affidavit of structural maintenance for all exterior appendages. Have a licensed general contractor, structural pest control licensee, or licensed professional architect or engineer inspect all exterior decks, balconies, landings, exit corridors, stairway systems, guardrails, handrails, fire escapes and all parts thereof and verify that each inspected area is in a safe and good working condition. A blank affidavit form, to be completed and returned, is attached to this Notice of Violation. Until affidavit is received, case cannot be abated. See attached.   |
| 3 | SELF CERTIFIED SMOKE ALARMS AND CARBON MONOXIDE ALARMS AFFIDAVIT (420 SFBC) | Provide self-certification of the numbers of smoke and carbon monoxide detectors installed in the building. A blank affidavit form, to be completed and returned, is attached to this Notice of Violation. Until affidavit is received, case cannot be abated. See attached.   |
| 4 | MAINTAIN FIRE ESCAPE DROP LADDER (801, 1001-b,m HC)                         | On reinspection day, owner or owner's representative must demonstrate the workability of all fire escape drop ladders or provide a certificate from a fire escape maintenance company indicating that the drop ladders are in good working condition.  |
| 5 | INSPECTOR COMMENTS  | It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s). |

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 11 July 2022 11:30 AM**



# DEPARTMENT OF BUILDING INSPECTION

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Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

COMPLAINT: 202291764

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Christina H. Dang AT 628-652-3386

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.



NOTICE OF VIOLATION WARNINGS! (Continued from page 1)

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 22



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 07/19/2022

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

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Property Address:

Block: 0148 Lot: 031  
1449 POWELL ST

Number: 202291764

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 06/07/2022 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 23



Doc # 2022113089

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103

City and County of San Francisco  
Joaquin Torres, Assessor – Recorder

12/22/2022	9:32:58 AM	Fees	\$0.00
Pages	5 Title 339 ES	Taxes	\$0.00
Customer	048	Other	\$0.00
		SB2 Fees	\$0.00
		Paid	\$0.00

**ORDER OF ABATEMENT**  
**1443 1449 POWELL ST**

Block/Lot/Seq. - 0148 / 031 / 1

NO. 202291764A

DA1- DH 03-NOV-22





## ORDER OF ABATEMENT - ORDER NO. 202291764

Owner: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 1443 1449 POWELL ST, 0000  
Block: 0148 Lot: 031 Seq: 1  
Census Tract: 107 Source: DA1  
Complaint: 202291764  
Date Order of Abatement Issued: November 3, 2022  
Inspector/Division: Moy/HIS  
Housing Division Representative: James Lawrie  
Hearing Officer: Kenneth Burke

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **November 3, 2022** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

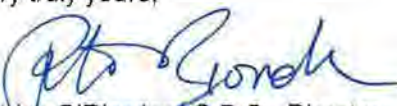
1. That Notice has been duly given as required by law 10 days prior to the hearing.
2. That the conditions are as stated in the complaint of the Director of the Department of Building Inspection attached as the Notice(s) of Violation (NOV) dated: **June 7, 2022**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

30 **Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

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

Approved for Distribution on November 8, 2022  
by James Sanbonmatsu, Chief Housing Inspector





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

COMPLAINT: 202291764

OWNER/AGENT: 1449 POWELL STREET LLC

### MAILING

ADDRESS: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

DATE: 07-JUN-22

LOCATION: 1449 POWELL ST

BLOCK: 0148 LOT: 031

NOTICE TYPE: ROUTINE

BUILDING TYPE: HOTEL USE TYPE: R1

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	1449 POWELL STREET AND ALL COMMON AREAS.
2 PROVIDE SECTION 604 AFFIDAVIT (604 SFHC)	Provide affidavit of structural maintenance for all exterior appendages. Have a licensed general contractor, structural pest control licensee, or licensed professional architect or engineer inspect all exterior decks, balconies, landings, exit corridors, stairway systems, guardrails, handrails, fire escapes and all parts thereof and verify that each inspected area is in a safe and good working condition. A blank affidavit form, to be completed and returned, is attached to this Notice of Violation. Until affidavit is received, case cannot be abated. See attached.
3 SELF CERTIFIED SMOKE ALARMS AND CARBON MONOXIDE ALARMS AFFIDAVIT (420 SFBC)	Provide self-certification of the numbers of smoke and carbon monoxide detectors installed in the building. A blank affidavit form, to be completed and returned, is attached to this Notice of Violation. Until affidavit is received, case cannot be abated. See attached.
4 MAINTAIN FIRE ESCAPE DROP LADDER (801, 1001-b,m HC)	On reinspection day, owner or owner's representative must demonstrate the workability of all fire escape drop ladders or provide a certificate from a fire escape maintenance company indicating that the drop ladders are in good working condition.
5 INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 11 July 2022 11:30 AM



## DEPARTMENT OF BUILDING INSPECTION

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Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: [DBIHIDComplaints@sfgov.org](mailto:DBIHIDComplaints@sfgov.org) Website: [www.sfdbi.org](http://www.sfdbi.org)

### NOTICE OF VIOLATION

COMPLAINT: 202291764

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Christina H. Moy AT 628-652-3386

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8





**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Av, 4<sup>th</sup> Floor, San Francisco, CA 94103-1226

Tel. (628) 652-3700, Fax No. (628) 652-3709, Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

**NOTICE OF VIOLATION WARNINGS!**

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are **required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.**

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

**Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code.** The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 49 South Van Ness Av, 2<sup>nd</sup> Fl. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 49 South Van Ness Av, 14<sup>th</sup> Fl, Suite 1475 at (628) 652-1150.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation, the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process, you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 24



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202293621**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**DATE:** 26-JUL-22

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

**LOCATION: 1449 POWELL ST**

**BLOCK:** 0148 **LOT :** 031

**NOTICE TYPE:** COMPLAINT

94131

**BUILDING TYPE:** HOTEL

**USE TYPE:** R1

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

- |   |  |   |
|---|--|---|
| 1 | THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED. | 1449 POWELL STREET UNIT #15-17 AND ALL COMMON AREAS.  |
| 2 | REPAIR OR REPLACE FLOORING (1001, 1306 SFHC)         | In the unit, flooring damaged throughout. Repair or replace.  |
| 3 | ELIMINATE MOLD/MILDEW (1301,1001b(13),1306 SFHC)     | In the bathroom, present of mold/mildew. Locate, eliminate and remove mold/mildew. Provide receipts of materials used to eliminate mold/mildew at time of inspection to Housing Inspector.  |
| 4 | REPAIR VENTILATION (504-d(7ii) SFHC)                 | In the bathroom, vent was removed/damaged. Repair or replace. PERMITS REQUIRED.   |
| 5 | BID, EID & PID PERMITS (301 SFHC)                    | Repairs cited in this Notice require a Building, Plumbing and /or Electrical Permit. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit(s). This case cannot be abated until the Housing Inspector makes a final inspection to verify that all violations have been corrected and all required permits have been obtained and finalized. On reinspection day, present to the Housing Inspector the Job Card, plans and permits indicating that all work under building, plumbing and electrical permits is complete. Prior to reinspection by Housing Inspector, call Building, Plumbing and Electrical Inspectors for required inspections. |
| 6 | INSPECTOR COMMENTS                                   | It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).  |

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 22 August 2022 10:00 AM**



# DEPARTMENT OF BUILDING INSPECTION

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Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

COMPLAINT: 202293621

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CONTACT HOUSING INSPECTOR : Christina H. Dang AT 628-652-3386

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# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
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**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**NOTICE OF VIOLATION WARNINGS! (Continued from page 1)**

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 25



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 08/22/2022

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

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Property Address:

Block: 0148 Lot: 031  
1449 POWELL ST

Number: 202293621

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 07/26/2022 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**



# EXHIBIT 26



Doc # 2022113090

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103

<b>City and County of San Francisco</b>			
<b>Joaquin Torres, Assessor - Recorder</b>			
12/22/2022	9:32:59 AM	Fees	\$0.00
Pages	5 Title 339 ES	Taxes	\$0.00
Customer	048	Other	\$0.00
		SB2 Fees	\$0.00
		Paid	\$0.00

**ORDER OF ABATEMENT  
1443 1449 POWELL ST**

Block/Lot/Seq. - 0148 / 031 / 1

NO. 202293621A

DC8- DH 03-NOV-22





**ORDER OF ABATEMENT - ORDER NO. 202293621**

Owner: 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 1443 1449 POWELL ST,  
Block: 0148 Lot: 031 Seq: 1  
Census Tract: 107 Source: DC8  
Complaint: 202293621  
Date Order of Abatement issued: November 3, 2022  
Inspector/Division: Moy/HIS  
Housing Division Representative: James Lawrie  
Hearing Officer: Kenneth Burke

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **November 3, 2022** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **July 26, 2022**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

30 Days to complete all work - as noted in the above referenced NOV

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the **ASSESSMENT OF COSTS** incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the Inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor. (628) 652-3700.

Very truly yours.

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

Approved for Distribution on November 8, 2022  
by James Sanbonmatsu, Chief Housing Inspector



Housing Inspection Services  
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226  
Office (628) 652-3700 - FAX (628) 652-3709 - www.sfdbi.org



**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHDComplaints@sfgov.org Website: www.sfdbi.org

**NOTICE OF VIOLATION**

**COMPLAINT: 202293621**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**MAILING**

**ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

**DATE:** 26-JUL-22

**LOCATION:** 1449 POWELL ST

**BLOCK:** 0148 **LOT:** 051

**NOTICE TYPE:** COMPLAINT

94131

**BUILDING TYPE:** HOTEL **USE TYPE:** RI

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	1449 POWELL STREET UNIT #15-17 AND ALL COMMON AREAS.
2 REPAIR OR REPLACE FLOORING (1001, 1306 SFIC)	In the unit, flooring damaged throughout. Repair or replace.
3 ELIMINATE MOLD/MILDEW (1301, 1001b(13), 1306 SFIC)	In the bathroom, present of mold/mildew. Locate, eliminate and remove mold/mildew. Provide receipts of materials used to eliminate mold/mildew at time of inspection to Housing Inspector.
4 REPAIR VENTILATION (504-d(7ii) SFIC)	In the bathroom, vent was removed/damaged. Repair or replace. PERMITS REQUIRED.
5 BID, FID & PID PERMITS (30) SFIC)	Repairs cited in this Notice require a Building, Plumbing and/or Electrical Permit. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit(s). This case cannot be abated until the Housing Inspector makes a final inspection to verify that all violations have been corrected and all required permits have been obtained and finalized. On reinspection day, present to the Housing Inspector the Job Card, plans and permits indicating that all work under building, plumbing and electrical permits is complete. Prior to reinspection by Housing Inspector, call Building, Plumbing and Electrical Inspectors for required inspections.
6 INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 22 August 2022 10:00 AM





## DEPARTMENT OF BUILDING INSPECTION

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Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: [DBIHIDComplaints@sfgov.org](mailto:DBIHIDComplaints@sfgov.org) Website: [www.sfdbi.org](http://www.sfdbi.org)

### NOTICE OF VIOLATION

COMPLAINT: 202293621

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Christina H. Moy AT 628-652-3386

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8

# EXHIBIT 27



**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

**NOTICE OF VIOLATION**

**COMPLAINT: 202303758**

**OWNER/AGENT:** 1449 POWELL STREET LLC

**MAILING ADDRESS:** 1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

*Full*

**DATE:** 17-FEB-23

**LOCATION:** 1449 POWELL ST

**BLOCK:** 0148 **LOT:** 031

**NOTICE TYPE:** CA TASK FORCE

**BUILDING TYPE:** HOTEL **USE TYPE:** R1

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	1449 POWELL STREET #9,10,12 AND ALL COMMON AREAS.
2 ELIMINATE MOLD/MILDEW (1301,1001b(13),1306 SFHC)	At time of inspection, present of mold/mildew on the walls and ceilings. Locate, eliminate and remove mold/mildew. Provide receipts of materials used to eliminate mold/mildew at time of inspection to Housing Inspector.
3 REMOVE OR COVER DAMAGED PAINT IN AN APPROVED MANNER TO PREVENT A LEAD HAZARD. SEE LEAD HAZARD WARNING. (1001-b,d,k, 1301 SFHC)	Repaint all areas where paint is removed or damaged or where surfaces are repaired.
4 LEAD HAZARD WARNING (327.4.2 SFBC)	Disturbing lead based paint can be EXTREMELY DANGEROUS to dwelling occupants and visitors, particularly to young children, pregnant women, pets, and to people performing work on the premises. Section 327.4.2 of the San Francisco Building Code regulates work that disturbs or removes lead based paint in the interior or exterior of pre-1979 buildings. Informational packets available at (415) 558-6088 provide information on notification, performance standards, handling, containment and cleanup requirements for projects involving lead-based paint. You can contact the San Francisco Childhood Lead Poisoning Prevention Program at: (415) 554-8930 for free advice. IF YOU CAUSE LEAD DUST TO BE CREATED, YOU COULD BE LIABLE FOR ANY ILLNESS CAUSED BY THE DUST. Ordinance #446-97.
5 PROVIDE HANDRAILS/GUARDRAILS (802c,1001b (13) SFHC, 1015 SFBC)	At the top of the stairs to the roof, handrails/guardrails not present. Provide. PERMITS REQUIRED.



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

### NOTICE OF VIOLATION

**COMPLAINT: 202303758**

6 BID PERMITS (301 SFHC, 106A SFBC)

Repairs cited in this Notice require a Building Permit. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit. This case cannot be abated until the Housing Inspector makes a final inspection to verify that all violations have been corrected and all required permits have been obtained and finalized. On reinspection day, present to the Housing Inspector the Job Card, plans and permits indicating that all work under building permit is complete. Prior to reinspection by Housing Inspector, call Building Inspector for required inspections.

7 INSPECTOR COMMENTS.

It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

**ALL ITEMS MUST BE COMPLETED WITHIN 15 DAYS. REINSPECTION DATE : 07 March 2023 10:30 AM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.**

**CONTACT HOUSING INSPECTOR : Christina H. Dang AT 628-652-3386**

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



# EXHIBIT 28



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org  
Website: www.sfdbi.org

Date: 03/07/2023

1449 POWELL STREET LLC  
1449 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

--

Property Address:

Block: 0148 Lot: 031  
1449 POWELL ST  
Number: 202303758

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

**NOTICE OF VIOLATION OUTSTANDING:**

On 02/17/2023 your property was inspected and 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.

**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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

**IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

**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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 29



# 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: 202305294  
DATE: 20-MAR-23

ADDRESS: 1449 POWELL ST

OCCUPANCY/USE: ()

BLOCK: 0148 LOT: 031

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: 1449 POWELL STREET LLC  
MAILING 1449 POWELL STREET LLC  
ADDRESS 294 29TH ST  
SAN FRANCISCO CA

PHONE #: --

94131

PERSON CONTACTED @ SITE:

PHONE #: --

## VIOLATION DESCRIPTION:

	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	103A
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4; 106A.3.7
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102A.1

The legal use of the building is a 3-story, R-1 SRO mixed hotel consisting of 17 SRO rooms of occupancy over a commercial space. There are 8 merged rooms (dwelling units) and 19 hotel rooms without proof of permits and plans. At the ground level, there is a commercial space with permits and plans. At the back of the commercial space, there is a community kitchen, two rooms without bathrooms, and two rooms with a full bathroom and a community bathroom all of which are illegal and unpermitted.

- \*NO PERMANENT HEAT SOURCE (SFHC- 701)
- \*THERE IS UNAPPROVED WIRING & UNAPPROVED PLUMBING (SFHC-1001e-f)
- \*IMPROPER OCCUPANCY (SFHC-1001-n)
- \*PROHIBITED USES OF COOKING/SLEEPING AND BATHROOM FACILITIES (SFHC-505 & 709)
- \*THERE IS NO CERTAINTY THAT THE REQUIRED ONE HOUR FIRE RESISTANT MATERIAL WERE USED AT TIME OF CONSTRUCTION (SFHC-601)
- \*NO MEANS OF EMERGENCY EGRESS, POSING A SERIOUS LIFE HAZARD TO BUILDING OCCUPANTS (SFHC-801-4)

## CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4
- 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 SHUTOFF.
- 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.

Legalize units eligible under Ordinance 33-16.

Because of the above cited alterations without permit, you are required to comply with the following ordinance:

NOTICE per Ordinance 33-16: SFBC Section 102A.3.1. Dwelling units constructed or installed without required permit(s). In case of an unauthorized dwelling unit constructed or installed in an existing building without the required permit or permits, in addition to the above requirements the written Notice of Violation shall order the property owner to file an application for a building and other



# NOTICE OF VIOLATION

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

permits required to legalize the unit pursuant to Building Code Section 106A.3.1.3 and Planning Code 207.3.

Exceptions:

- \*Removal of the unit has been approved by the Planning Commission pursuant to Planning Code Section 317; or
- \*After performing a screening under Section 106A.3.1.3(a) of this Code, the Department has determined that the unauthorized dwelling unit is not able to be legalized under Section 106A.3.1.3 of this Code; or
- \*The Building Official has determined that a serious and imminent hazard under Section 102A.16 of this Code exists on the subject property.

If none of the three exceptions listed above are met, submit a copy of this Notice and two sets of plans with a Building Permit Application to legalize the conversion of the rear of the garage into a legal dwelling unit. After the Building Permit is issued, Plumbing and Electrical Permits must be obtained.

If any of the above 3 exceptions are met, the owner shall submit a copy of this Notice and two sets of plans with a Building Permit Application to revert the areas of violation back to their last legal use by removing the unpermitted dwelling unit. After the Building Permit is issued, Plumbing and Electrical Permits must be obtained.

Whether areas of violation are brought in to conformance pursuant to Ordinance 33-16, or reverted to last legal use, a Building Permit is required to remove all unpermitted property line windows/doors and re-install approved siding.

To abate this Notice of Violation, you must obtain all permits and complete all work as specified above. Then, when work is completed and all Building, Plumbing, and Electrical Permits are signed off and completed, you must contact the district Housing Inspector for a final inspection. At final inspection, all finalized Building, Plumbing and Electrical Permits and plans must be produced, and access must be provided to all storage rooms and other uninhabitable spaces.

**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 INSPECTION**

CONTACT INSPECTOR: Christina H. D Dang

PHONE # 628-652-3386

DIVISION: HIS

DISTRICT : 19

By:(Inspector's Signature) \_\_\_\_\_



# NOTICE OF VIOLATION

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

Pursuant to SFBC 107A.5 and 106A.4.7 investigation fees are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14th Floor), (628) 652-1150

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid, SFBC 102A.2 & 110A.

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(6) of the Revenue and Taxation Code.

**WARNING:** Section 103A of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107A.5 y 106A.4.7 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 552-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de infracción hasta que todos los gastos estén pagados, se le cobraran al dueño del edificio o la propiedad será embargada para recuperar dichos gastos. Referencia a la Sección 102A.2 y 110A de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de incanformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios o 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquiera persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o este diligentemente, rápidamente y continuamente acusado después de seis (6) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103A de el Código de edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omite, descuide, se niega a cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas por delito menor si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurra.

Sang-ayon sa SFBC 107A.5 at 106A.4.7 ang bayad sa pagsusuri ay sisingilin sa mga gusaling naumpisahan na o ginawa na walang permit o sa mga gawaling labis sa sakop ng permit. Ang gayong singil ay maaring iapela sa Board of Permit Appeals sa loob ng 15 na araw mula sa pag-isyu ng permit sa 49 South Van Ness Ave., suite 1475 (14th palapag), (628)652-1150.

**BABALA:** Ang kabiguan na gumawa ng aksiyon tulad ng kinakailangan upang iwasto ang mga nasabing paglabag ay magresulta sa paglilitis ng abatement ng Kagawaran ng Inspeksyon ng Gusali. Kung meron Order of Abatement ang nalala laban sa isang ar-arlan, ang may-ari ay disingilin o di kaya ang ar-arlan ay gagamitin na lien sa lahat ng mga gastos na natamo sa proseso ng pagpapatupad mula sa unang "Paunawa sa Paglabag" hanggang sa lahat ng gastos ay mabayaran, SFBC 102A.2 & 110A.

**BABALA:** Ang Seksyon 204 ng Housing Code ng San Francisco ay nagtatakda ng multa na \$100 sa bawat halimbawa ng unang hindi pagsunod, at susundan ng multa na \$200 sa bawat paglabag sa pangalawang hindi pagsunod, hanggang sa sukdulan na \$7,500 sa bawat gusali. Ang seksyon na ito ay itinatakda na magsasampa rin ng kasong kriminal bilang isang misdemeanor sa bawat paglabag at magresulta sa multa na hindi bababa ng \$1,000 sa bawat araw o di kaya sa anim na buwan na pagkabilanggo o parehong ipapataw.

**BABALA:** Sinumang kumikita sa pag-upa ng pagbahay na tinukoy ng Kagawaran ng Inspeksyon ng Gusali na substandard, ay hindi maaring ibawas ang ganong kita sa buwis sa estado ng kiting personal, at gayundin sa buwis na kita sa interes sa bangko at korporasyon, at sa depresasyon o mga buwis na maliughay sa gusaling substandard. Kung ang Gawain sa pagwawasto ay hindi nakumpleto o hindi masigasag, mabilis at tuloy-tuloy ang paggawa matapos ang anim (6) na buwan mula sa petsa nitong paunawa, ay magpapadala ng abiso sa Franchise Tax Board na itinakda sa Seksyon 17264(6) ng Revenue and Taxation code.

**BABALA:** Ang Seksyon 103A ng Building Code ng San Francisco ay nagtatakda ng mga multang sibil hanggang sa \$500 sa bawat araw sa anumang lumabag, sumuway, magtanggap, magpapaya o tumanggap sumunod o di kaya sumalungat sa pagpapatupad ng mga probisyon nitong code. Nagpapataw din itong seksyon ng multang misdemeanor kapag nahalulan, ng hanggang sa \$500 at o di kaya anim na buwan na pagkabilanggo sa bawat magkahiwalay na pagkasala para sa bawat araw na nangyari ang ganuon pagkasala.

根據《三藩市建築條例》第107.5條款和第106.4.7條款，對未經許可的建築工程或者工程超過許可證範圍的檢查，將會收取檢查費用。對該費用可以作出上訴，可以在許可證發出的15天之內，向“上訴委員會”（Board of Appeals）作出上訴。上訴委員會地址：49 South Van Ness Ave., Suite 1475 (14th Floor)，電話：(628) 652-1150。

警告：如果沒有立即採取行動更正以上的違規情況，可能會引致樓宇檢查局展開執法行動。如果執法命令正式紀錄於該物業，業主可能會收到賬單，或者該物業會被抵押，用於支付從張貼第一張“違例通知”開始，在執法過程中所產生的所有費用。直至所有費用付清為止。

《三藩市建築條例》第102.2條款和第110條款。

警告：三藩市房屋條例第204條對最初的違例會立即處以每項100元的罰款，接下來會對第二次的違例處以每項200元的罰款，最高可以對每座建築物處以7,500元的罰款。該條例還可以对每項違例處以輕微罪行的刑事檢控，可處以每日最少1,000元的罰款或6個月的監禁，或兩者並罰。

警告：任何從樓宇檢查局認定為低於標準的房屋中獲取租金收入的個人，對於該低於標準的建築結構，將不能用於避免州的個人所得稅和銀行以及企業的所得稅利息、折舊或適用於該房屋的稅項。如果在該通知日期的6個月之後，更正工程尚未完成，或者沒有努力、快速和繼續進行有關工程，有關通知將會根據《收入及稅務條例》第17264 (6) 條款寄給加州平稅委員會。

警告：三藩市建築條例第103條款可給予每天最高可至500元的行政罰款，對任何違反、不遵從、遺漏、疏忽或拒絕遵守或反對執行該條例的任何條款。該條款可給予輕微罪行的罰款，一經定罪，可以对每一項單獨的違規，違例期間的每一天，處以最高500元和/或最高6個月的監禁。

# EXHIBIT 30



# NOTICE OF VIOLATION

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

## DEPARTMENT OF BUILDING INSPECTION

City and County of San Francisco  
49 South Van Ness Av Suite#400  
San Francisco, CA 94103

- FIRST NOTICE
- SECOND NOTICE
- OTHER: \_\_\_\_\_

## COMPLAINT NUMBER

202303583

ADDRESS 1447 Powell St.

DATE 3/27/23

OCCUPANCY/USE R-2, B

BLOCK 0148 LOT 031

CONST. TYPE 5

STORIES 3  BASEMENT

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: 1449 POWELL STREET LLC

PHONE#: \_\_\_\_\_

MAILING ADDRESS: 294 29<sup>th</sup> St. CITY \_\_\_\_\_

San Francisco ZIP 94131

PERSON CONTACTED @ SITE \_\_\_\_\_

PHONE#: \_\_\_\_\_

## VIOLATION DESCRIPTION:

WORK WITHOUT PERMIT (SFBC 103A);  ADDITIONAL WORK-PERMIT REQUIRED (SFBC 106.4.7);

EXPIRED PERMIT (SFBC 106A.4.4)  CANCELLED PERMIT (SFBC 106.3.7) PA#: \_\_\_\_\_;

UNSAFE BUILDING (SFBC 102A);  SEE ATTACHMENTS

CODE / SECTION #

A Taskforce Inspection was performed on 2/14/23. Observed the following conditions in the commercial medical office; all work is completed:

- 1.) Two Walls built has created two separate rooms from the (e) meeting room.
- 2.) The existing (2) storage space directly behind the existing office and office counters have been reconfigured into an office room and filing storage area.

**SFBC 103A**

Please reference PA201711133834/PA201711133835 - Soft Story & PA200708028611 – Remodel of Medical Office. This violation is only limited to the front commercial space.

MONTHLY MONITORING FEE Section 110A TABLE 1A-k

BC – Building Code HC – Housing Code PC – Plumbing Code [EC – Electrical Code] MC – Mechanical Code

## CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

FILE BUILDING PERMIT APPLICATION 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 SIGNOFF.

CORRECTION 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 PROCEEDING TO BEGIN. SEE REVERSE SIDE FOR ADDITIONAL WARNINGS.

Submit a copy of this notice and two sets of plans with a new permit to legalize the unpermitted work and floor plan alteration. Alternatively obtain a building permit to revert all conditions to last approved condition. PA must state to comply with NOV & 9x penalty paid, along with Planning Approval.

INVESTIGATION FEE OR OTHER FEE WILL APPLY See reverse side for further explanation

9x Fee (Work w/o Permit after 9/1/60)

2x Fee (Work Exceeding Scope of Permit)

OTHER: \_\_\_\_\_  Re-inspection Fee\$ \_\_\_\_\_  No penalty (Work w/o permit prior to 9/1/60)

APPROX. DATE OF WORK W/O PERMIT 3/21/23 VALUE OF WORK PERFORMED W/O PERMITS \$ 25,000.00

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

CONTACT INSPECTOR Gilbert Lam  
(Inspector – Print Name)

OFFICE HOURS 8:00 AM TO 9:00 AM AND 3:00 PM TO 4:00 PM

PHONE # (628) 652-3418 gilbert.lam@sfgov.org

By: (Inspector's Signature) Gilbert Lam DISTRICT # \_\_\_\_\_

- Building Inspection Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3450
- Housing Inspection Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3700
- Electrical Inspection Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3450
- Plumbing Inspection Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3450
- Code Enforcement Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3430

CC:  DCP  EID  PID  BID  HIS  CED  CPC  DAD  SFFD  DPH  RPC



Pursuant to SFBC 107A.5 and 106A.4.7 investigation fees are charged for work begun or performed without permits or for Work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14th Floor). (628) 652-1150.

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid, SFBC 102A.2 & 110A.

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(6) of the Revenue and Taxation Code.

**WARNING:** Section 103A of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107A.5 y 106A.4.7 del Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 652-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendra el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos esten pagados, se le cobrarán al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 102A.2 y 110A de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de incanformidad, aumentando hasta un maximo de \$7,500 por cada edificio. Esta Sección tambien permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios ó 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o esta diligentemente, rapidamente y contua.mente acusado despues de seis(c) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesion de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103A de el Código de edificios de San Francisco impone multas civiles hasta de \$500 por cada dia a cualquier persona que infrinja, desobedezca, omita, descuide, se niege a cumplir, resiste o se opone a la ejecucion de las provisiones de este codigo. Esta sección tambien impone multas per delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada dia que dicha ofensa ocurra.

Sang-ayon sa SFBC 107A.5 at 106A.4.7 ang bayad sa pagsusuri ay sisingilin sa mga gusaling naumpisahan na o ginawa na walang permit o sa mga gawaing labis sa sakop ng permit. Ang gayong singil ay maaring iapela sa Board of Permit Appeals sa loob ng 15 na araw mula sa pag-isyu ng permit sa 49 South Van Ness Ave., suite 1475 (14th palapag). (628)652-1150.

**BABALA:** Ang kabiguan na gumawa ng aksiyon tulad ng kinakailangan upang iwasto ang mga nasabing paglabag ay magreresulta sa paglilitis ng abatement ng Kagawaran ng Inspeksyon ng Gusali. Kung meron Order of Abatement ang naitala laban sa isang ari-arian, ang may-ari ay sisingilin o di kaya ang ari-arian ay gagamitin na lien sa lahat ng mga gastos na natamo sa proseso ng pagpapatupad mula sa unang "Paunawa sa Paglabag" hanggang sa lahat ng gastos ay mabayaran, SFBC 102A.2 & 110A.

**BABALA:** Ang Seksyon 204 ng Housing Code ng San Francisco ay nagtatakda ng agad-agad na multa na \$100 sa bawat halimbawa ng unang hindi pagsunod, at susundan ng multa na \$200 sa bawat paglabag sa pangalawang hindi pagsunod, hanggang sa sukduhan na \$7,500 sa bawat gusali. Ang seksyon na ito ay itinatakda na magsasampa rin ng kasong kriminal bilang isang misdemeanor sa bawat paglabag at magreresulta sa multa na hindi bababa ng \$1,000 sa bawat araw o di kaya sa anim na buwan na pagkabilanggo o parehong ipapataw.

**BABALA:** Sinumang kumikita sa pag-upa ng pabahay na tinukoy ng Kagawaran ng Inspeksyon ng Gusali na substandard, ay hindi maaring ibawas ang ganoong kita sa buwis sa estado ng kitang personal, at gayundin sa buwis na kita sa interes sa bangko at korporasyon, at sa depresasyon o mga buwis na maiiugnay sa gusaling substandard. Kung ang Gawain sa pagwawasto ay hindi nakumpleto o hindi masigasig, mabilis at tuloy-tuloy ang paggawa matapos ang anim (6) na buwan mula sa petsa nitong paunawa, ay magpapadala ng abiso sa Franchise Tax Board na itinakda sa Seksyon 17264(6) ng Revenue and Taxation code.

**BABALA:** Ang Seksyon 103A ng Building Code ng San Francisco ay nagtatakda ng mga multang sibil hanggang sa \$500 sa bawat araw sa sinumang lumabag, sumuway, magtanggap, magpabaya o tumangging sumunod o di kaya sumalungat sa pagpapatupad ng mga probisyon nitong code. Nagpapataw din itong seksyon ng multang misdemeanor kapag nahatulan, ng hanggang sa \$500 at o di kaya anim na buwan na pagkabilanggo sa bawat magkahiwalay na pagkasala para sa bawat araw na nangyari ang ganoong pagkasala.

根據《三藩市建築法規》(簡稱 SFBC) 第 107.5 項和第 106.4.7 項條款的規定，對沒有許可證便已開始的工程和或正在進行的工程、或者超越許可範圍的工程，將收取調查費。當舉人可以在此許可證發出日起 15 天之內，向調查費可以向許可上訴委員會提出上訴。該委員會地址在 South Van Ness 街 49 號 4 樓，電話：(628) 652-3430。

警告：如不按照要求立即採取行動、以糾正上述違規行為，將導致建築審查局付強強制糾正程序的執行。倘對此房地產頒發的強制糾正程序令一經在市府備案，則自通知張貼日起的各項與此糾正程序令有關的費用，將向房地產主索取，或將房地產扣押，直至付清各項費用。請參閱《三藩市建築法規》第 102.2 項和第 110 項條款。

警告：《三藩市房屋法規》(即 SFHC) 第 204(b) 項條款規定：對每一違章初犯者立即將被罰款 100 元，二次違犯者罰款 200 元，每樁樓宇的最高罰款可達 7,500 元。此項法規還規定對每一違章罪者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。

警告：任何人通過出租房屋獲得收入，而該房屋已被建築審查局定為低於規定標準者，不能從加州個人所得稅、銀行和公司所得稅利息、以及與該低於規定標準的建築有關的折舊或稅款中扣除稅費。如果在此報告公布六個月後，改正工程沒有完成，或者沒有積極、迅速有效地繼續進行，我們將根據《國家稅收法規》(即 Revenue & Taxation Code) 第 1264(c) 項條款，通知加州稅務委員會(The Franchise Tax Board)。

警告：《三藩市建築法規》第 103 項條款規定：對於任何違反、不服從、疏忽、忽視、或拒絕遵照此法規者，或者抵制、反對實施此法規中的任何條款的個人，將付最高 500 元的民事罰款。此法規還規定對違法者，如果被定罪，對每天所發生的、每一單獨的犯法行為，將付最高達 500 元的罰款，和/或者監禁六個月。

# EXHIBIT 31



# 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: 202302870  
DATE: 04-APR-23

ADDRESS: 1449 POWELL ST

OCCUPANCY/USE: ()

BLOCK: 0148 LOT: 031

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: 1449 POWELL STREET LLC  
MAILING 1449 POWELL STREET LLC  
ADDRESS 294 29TH ST  
SAN FRANCISCO CA

PHONE #: --

94131

PERSON CONTACTED @ SITE: 1449 POWELL STREET LLC

PHONE #: --

## VIOLATION DESCRIPTION:

	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	CPC 103.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	

As per 2/14/2023 - Observed during group inspection following violations:

A) Provide high-low comb air for WH location. Basement items: B) Provide BF cert for the FS-DCA, C) Provide permit & insp or remove improper commercial space HE-FA4. D) Remove all & cap off all improperly installed - non servicable bathroom locations & fixtures. Incl electric WH loc & open sewer outlets under near sidewalk: basement area.

Code/Section: CPC Chapters: 1, 3, 4, 5, 7, 9, 11. CMC 1-7

Monthly monitoring fee applies.

Code/Section: SFBC 110A Table 1A-K

## CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4
- FILE BUILDING PERMIT WITHIN DAYS       (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN 60 DAYS, INCLUDING FINAL INSPECTION AND SHUTOFF.
- CORRECT VIOLATIONS WITHIN 90 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.

Hire state license contractor, obtain require permits, make required repairs & call for inspections.

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 INSPECTION**

CONTACT INSPECTOR: Michael J Allen

PHONE # (628)652-3400

DIVISION: PID

DISTRICT :

By:(Inspectors's Signature) \_\_\_\_\_



# NOTICE OF VIOLATION

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

Pursuant to SFBC 107A.5 and 106A.4.7 investigation fees are charged for work begun or performed without permits or for Work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14th Floor) (628) 652-1150.

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 102A.2 & 110A.

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(6) of the Revenue and Taxation Code.

**WARNING:** Section 103A of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107A.5 y 106A.4.7 de el Código de Construcción, de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 652-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobrarán al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 102A.2 y 110A de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa, de \$200 por cada segunda infracción de inconformidad, aumentando hasta un maximo de \$7,500 por cada edificio. Esta Sección tambien permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios o 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o esta diligentemente, rapidamente y contuamente acusado despues de seis(c) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103A de el Código de edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omite, descuide, se niega a cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección tambien impone multas per delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurre.

Sang-ayon sa SFBC 107A.5 at 106A.4.7 ang bayad sa pagsusun ay sisingilin sa mga gusaling naumpisahan na o ginawa na walang permit o sa mga gawaing labis sa sakop ng permit. Ang gayong singil ay maaring iapeta sa Board of Permit Appeals sa loob ng 15 na araw mula sa pag-isyu ng permit sa 49 South Van Ness Ave., suite 1475 (14th palapag). (628)652-1150.

**BABALA:** Ang kabiguan na gumawa ng aksiyon tulad ng kinakailangan upang iwasto ang mga nasabing paglabag ay magresulta sa paglilitis ng abatement ng Kagawaran ng Inspeksyon ng Gusali. Kung meron Order of Abatement ang naitala laban sa isang aril-arilan, ang may-ari ay sisingilin o di kaya ang aril-arilan ay gagamitin na lien sa lahat ng mga gastos na natamo sa proseso ng pagpapatupad mula sa unang "Paunawa sa Paglabag" hanggang sa lahat ng gastos ay mabayaran. SFBC 102A.2 & 110A.

**BABALA:** Ang Seksyon 204 ng Housing Code ng San Francisco ay nagtatakda ng agad-agad na multa na \$100 sa bawat halimbawa ng unang hindi pagsunod, at susundan ng multa na \$200 sa bawat paglabag sa pangalawang hindi pagsunod, hanggang sa sukdulan na \$7,500 sa bawat gusali. Ang seksyon na ito ay itinatagda na magsasampa rin ng kasong kriminal bilang isang misdemeanor sa bawat paglabag at magresulta sa multa na hindi bababa ng \$1,000 sa bawat araw o di kaya sa anim na buwan na pagkabilanggo o parehong ipapatay.

**BABALA:** Sinumang kumikita sa pag-upa ng pabahay na tinukoy ng Kagawaran ng Inspeksyon ng Gusali na substandard, ay hindi maaring ibawas ang ganocng kita sa buwis sa estado ng kitanag personal, at gayundin sa buwis na kita sa interes sa bangko at korporasyon, at sa depresasyon o mga buwis na maliugnay sa gusaling substandard. Kung ang Gawain sa pagwawasto ay hindi nakumpleto o hindi masigatig, mabilis at tuloy-tuloy ang paggawa matapos ang anim (6) na buwan mula sa petsa nitong paunawa, ay magpapatay ng abiso sa Franchise Tax Board na itinakda sa Seksyon 17264(6) ng Revenue and Taxation code.

**BABALA:** Ang Seksyon 103A ng Building Code ng San Francisco ay nagtatakda ng mga multang sibil hanggang sa \$500 sa bawat araw sa sinumang lumabag, sumuway, magtanggap, magpabaya o tumangging sumunod o di kaya sumalungat sa pagpapatupad ng mga probisyon nitong code. Nagpapatay din itong seksyon ng multang misdemeanor kapag nahatulan, ng hanggang sa \$500 at o di kaya anim na buwan na pagkabilanggo sa bawat magkahlwalay na pagkasala para sa bawat araw na nangyari ang ganocng pagkasala.

根據《三藩市建築物條例》第107.5條款和第106.4.7條款，對未經許可的建築工程或者工程超過許可範圍的檢查，將會收取檢查費用。對該費用可以作出上訴，可以在許可證發出的15天之內，向“上訴委員會”(Board of Appeals)作出上訴。上訴委員會地址：49 South Van Ness Ave., Suite 1475 (14th Floor)，電話：(628) 652-1150。

警告：如果沒有立即採取行動更正以上的違規情況，可能會引致樓宇檢查局展開執法行動。如果執法命令正式紀錄於該物業，業主可能會收到罰單，或者該物業會被抵押，用於支付從張貼第一張“違例通知”開始，在執法過程中所產生的所有費用，直至所有費用付清為止。  
《三藩市建築物條例》第102.2條款和第110條款。

警告：三藩市房屋條例第204條對最初的違例會立即處以每項100元的罰款，接下來會對第二次的違例處以每項200元的罰款，最高可以對每座建築物處以7,500元的罰款。該條例還可以對每項違例處以輕微罪行的刑事檢控，可處以每日最少1,000元的罰款或6個月的監禁，或兩者並罰。

警告：任何從樓宇檢查局認定為低於標準的房屋中獲取租金收入的個人，對於該低於標準的建築結構，將不能用於減免州的個人所得稅和銀行以及企業的所得稅利息、折舊或適用於該房屋的稅項。如果在該通知日期的6個月之後，更正工程尚未完成，或者沒有努力、快速和繼續進行有關工程，有關通知將會根據《收入及稅務條例》第17264(6)條款寄給加州平稅委員會。

警告：三藩市建築物條例第103條款可給予每天最高可至500元的行政罰款，對任何違反、不遵從、逃避、藉故或拒絕遵守或反對執行該條例的任何條款。該條款可給予輕微罪行的罰款，一經定罪，可以對每一項單獨的違例。違例期間的每一天，處以最高500元和/或最高6個月的監禁。

# EXHIBIT 32



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202298515**

**OWNER/AGENT:** 1500 POWELL STREET LLC

**MAILING**

**ADDRESS:** 1500 POWELL STREET LLC

294 29TH ST

SAN FRANCISCO CA

94131

**DATE:** 14-NOV-22

**LOCATION: 790 VALLEJO ST**

**BLOCK:** 0130 **LOT :** 022

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL

**USE TYPE:** R1

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

- |   |   |   |
|---|---|---|
| 1 | THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.  | 790 VALLEJO STREET AND ALL COMMON AREAS.  |
| 2 | REPAIR DOOR KNOB/LOCK (706, 1001 SFHC)                | At the front gate, door knob/lock broken. Repair or replace.  |
| 3 | REPAIR LEAKS (505,1001 SFHC)                          | At the top floor kitchen sink, present of leaks. Repair or replace. If plumbing is replaced, PERMITS REQUIRED.  |
| 4 | REPAIR COUNTER (1001 SFHC)                            | At the top floor kitchen sink counter, clauking damaged. Repair or replace.   |
| 5 | REPAIR ELECTRICAL OUTLET (504,1001 SFHC)              | At the top floor kitchen, electrical outlet damaged. Repair or replace. If replaced, PERMITS REQUIRED.  |
| 6 | REPAIR STOVES (505,1001 SFHC)                         | In all kitchens, stoves broken. Identify all broken stoves, repair or replace.  |
| 7 | CLEAN AND REMOVE ALL DEBRIS (1001, 1306 SFHC)         | At all stoves, present of debris and dead bugs. Clean and remove all debris and dead bugs.  |
| 8 | ELIMINATE COCKROACHES INFESTATION (1001-b, 1306 SFHC) | Throughout the building, present of cockroaches especially in the kitchens. Have licensed Pest Control Contractor treat building in approved manner to eliminate cockroaches. Provide written documentation of treatment from Pest Control Company at time of reinspection. Maintain a monthly treatment.   |
| 9 | BID, EID & PID PERMITS (301 SFHC)                     | Repairs cited in this Notice may require a Building, Plumbing and /or Electrical Permit. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit(s). This case cannot be abated until the Housing Inspector makes a final inspection to verify that all violations have been corrected and all required permits have been obtained and finalized. On reinspection day, present to the Housing Inspector the Job Card, plans and permits indicating that all work under building, plumbing and electrical permits is complete. Prior to reinspection by Housing Inspector, call Building, Plumbing and Electrical Inspectors for required inspections. |



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

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## NOTICE OF VIOLATION

**COMPLAINT: 202298515**

10 INSPECTOR COMMENTS.

It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 13 December 2022 10:30 AM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.**

**CONTACT HOUSING INSPECTOR : Christina H. Dang AT 628-652-3386**

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.



**NOTICE OF VIOLATION WARNINGS! (Continued from page 1)**

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 33



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 12/13/2022

1500 POWELL STREET LLC  
1500 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

--

Property Address:

Block: 0130 Lot: 022  
790 VALLEJO ST

Number: 202298515

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 11/14/2022 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 34

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103



Doc # **2023032803**

City and County of San Francisco  
Joaquin Torres, Assessor – Recorder

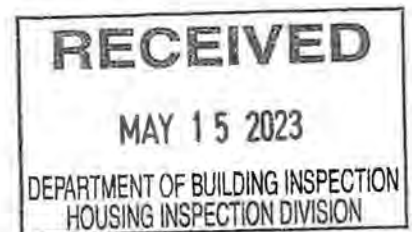
5/9/2023	11:00:52 AM	Fees	\$0.00
Pages 5	Title 339 AL	Taxes	\$0.00
Customer 048		Other	\$0.00
		SB2 Fees	\$0.00
		Paid	\$0.00

**ORDER OF ABATEMENT**  
**790 VALLEJO ST**

Block/Lot/Seq. - 0130 / 022 / 1

NO. 202298515A

DC6- DH 02-MAR-23





## ORDER OF ABATEMENT - ORDER NO. 202298515

Owner: 1500 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 790 VALLEJO ST,  
Block: 0130 Lot: 022 Seq: 1  
Census Tract: 107 Source: DC6  
Complaint: 202298515  
Date Order of Abatement Issued: March 16, 2023  
Inspector/Division: Dang\HIS  
Housing Division Representative: LUIS BARAHONA  
Hearing Officer: Kenneth Burke

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **March 2, 2023** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **November 14, 2022**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

7 **Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

Handwritten signature of Patrick O'Riordan in blue ink.

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

Handwritten signature of James Sanbonmatsu in blue ink.

Approved for Distribution on March 21, 2023  
by James Sanbonmatsu, Chief Housing Inspector





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT:** 202298515

**OWNER/AGENT:** 1500 POWELL STREET LLC

**MAILING**

**ADDRESS:** 1500 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

**DATE:** 14-NOV-22

**LOCATION:** 790 VALLEJO ST

**BLOCK:** 0130 **LOT:** 022

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL **USE TYPE:** R1

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	790 VALLEJO STREET AND ALL COMMON AREAS.
2 REPAIR DOOR KNOB/LOCK (706, 1001 SFHC)	At the front gate, door knob/lock broken. Repair or replace.
3 REPAIR LEAKS (505,1001 SFHC)	At the top floor kitchen sink, present of leaks. Repair or replace. If plumbing is replaced, PERMITS REQUIRED.
4 REPAIR COUNTER (1001 SFHC)	At the top floor kitchen sink counter, clauking damaged. Repair or replace.
5 REPAIR ELECTRICAL OUTLET (504,1001 SFHC)	At the top floor kitchen, electrical outlet damaged. Repair or replace. If replaced, PERMITS REQUIRED.
6 REAIR STOVES (505,1001 SFHC)	In all kitchens, stoves broken. Identify all broken stoves, repair or replace.
7 CLEAN AND REMOVE ALL DEBRIS (1001, 1306 SFHC)	At all stoves, present of debris and dead bugs. Clean and remove all debris and dead bugs.
8 ELIMINATE COCKROACHES INFESTATION (1001-b, 1306 SFHC)	Throughout the building, present of cockroaches especially in the kitchens. Have licensed Pest Control Contractor treat building in approved manner to eliminate cockroaches. Provide written documentation of treatment from Pest Control Company at time of reinspection. Maintain a monthly treatment.
9 BID, EID & PID PERMITS (301 SFHC)	Repairs cited in this Notice may require a Building, Plumbing and /or Electrical Permit. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit(s). This case cannot be abated until the Housing Inspector makes a final inspection to verify that all violations have been corrected and all required permits have been obtained and finalized. On reinspection day, present to the Housing Inspector the Job Card, plans and permits indicating that all work under building, plumbing and electrical permits is complete. Prior to reinspection by Housing Inspector, call Building, Plumbing and Electrical Inspectors for required inspections.



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

### NOTICE OF VIOLATION

**COMPLAINT: 202298515**

10 INSPECTOR COMMENTS.

It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 13 December 2022 10:30 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Christina H. Dang AT 628-652-3386

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8





## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Av, 4<sup>th</sup> Floor, San Francisco, CA 94103-1226

Tel. (628) 652-3700, Fax No. (628) 652-3709, Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

### NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are **required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.**

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

**Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code.** The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 49 South Van Ness Av, 2<sup>nd</sup> Fl. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 49 South Van Ness Av, 14<sup>th</sup> Fl, Suite 1475 at (628) 652-1150.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation, the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

#### **VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process, you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 35



**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

**NOTICE OF VIOLATION**

**COMPLAINT: 202304157**

**OWNER/AGENT:** 1500 POWELL STREET LLC

**DATE:** 27-FEB-23

**MAILING ADDRESS:** 1500 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
  
94131

**LOCATION: 790 VALLEJO ST**

**BLOCK:** 0130 **LOT :** 022

**NOTICE TYPE:** ROUTINE

**BUILDING TYPE:** HOTEL **USE TYPE:** R1

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	790 VALLEJO STREET #23,30 AND ALL COMMON AREAS.
2 REPAIR WALLS AND CEILINGS (1001 SFHC)	In the following areas, walls and ceilings damaged: a) #23 b) 2nd floor hallway outside of room #2 & #3 c )rear staircase landing at ground level d) 2nd floor closet adjacent to room #14 e) lightwell f) 3rd floor closet adjacent to #25  Repair or replace. If replaced, PERMITS REQUIRED.
3 REMOVE OR COVER DAMAGED PAINT IN AN APPROVED MANNER TO PREVENT A LEAD HAZARD. SEE LEAD HAZARD WARNING. (1001-b,d,k, 1301 SFHC)	Repaint all areas where paint is removed or damaged or where surfaces are repaired.
4 LEAD HAZARD WARNING (327.4.2 SFBC)	Disturbing lead based paint can be EXTREMELY DANGEROUS to dwelling occupants and visitors, particularly to young children, pregnant women, pets, and to people performing work on the premises. Section 327.4.2 of the San Francisco Building Code regulates work that disturbs or removes lead based paint in the interior or exterior of pre-1979 buildings. Informational packets available at (415) 558-6088 provide information on notification, performance standards, handling, containment and cleanup requirements for projects involving lead-based paint. You can contact the San Francisco Childhood Lead Poisoning Prevention Program at: (415) 554-8930 for free advice. <b>IF YOU CAUSE LEAD DUST TO BE CREATED, YOU COULD BE LIABLE FOR ANY ILLNESS CAUSED BY THE DUST.</b> Ordinance #446-97.



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202304157**

5 PROVIDE SELF CLOSING DEVICE & LOCKS (707 SFHC)

In the following areas, door closure, locks missing/damaged:

- a) 2nd floor main staircase landing and hallway to #2 & #3
- b) 2nd floor toilet rooms adjacent to #10
- c) 2nd floor door to hallway between #14
- d) 3rd floor hallway door to #16 & #15
- e) 3rd floor closet door adjacent to #25

Repair, replace or provide. If replaced, PERMITS REQUIRED.

6 PROVIDE PROPER DOOR THRESHOLD (706,909,1001 SFHC)

In the following areas, large gap at doors:

- a) #30
- b) 2nd floor rear staircase leading to Powell Street

Repair or replace threshold.

7 COVER OR REMOVE EXPOSED WIRING/POWER STRIPS (505,1001 SFHC)

In the following areas, electrical wiring exposed/power strips:

- a) 2nd floor top stairs closet
- b) closet adjacent to #14
- c) #30

Cover/remove.

8 PROVIDE HANDRAILS/GUARDRAILS (802c,1001b (13) SFHC, 1015 SFBC)

At the rear staircase leading to Powell Street, from second floor, handrail not continuous and mounted too high. Adjust or provide proper installation. PERMITS REQUIRED.

9 PROVIDE SMOKE ENCLOSURE DOORS WITH 3/4" UNDERCUT MAXIMUM (709.5 CBC, 706 SFHC)

On the 3rd floor, missing fire door at end of hallway servicing #29 & #30. Provide. PERMITS REQUIRED.

10 MAINTAIN FIRE ESCAPE DROP LADDER (801, 1001-b,m SFHC)

On the 3rd floor, fire escape drop ladder is loose. Repair or replace. If replaced, PERMITS REQUIRED.

11 REPAIR TOILET (1001 SFHC)

On the 3rd floor, toilet room adjacent to #24 seat cover broken. Repair or replace.

12 BID, EID & PID PERMITS (301 SFHC)

Repairs cited in this Notice require a Building, Plumbing and /or Electrical Permit. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit(s). This case cannot be abated until the Housing Inspector makes a final inspection to verify that all violations have been corrected and all required permits have been obtained and finalized. On reinspection day, present to the Housing Inspector the Job Card, plans and permits indicating that all work under building, plumbing and electrical permits is complete. Prior to reinspection by Housing Inspector, call Building, Plumbing and Electrical Inspectors for required inspections.



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

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## NOTICE OF VIOLATION

**COMPLAINT: 202304157**

13 INSPECTOR COMMENTS.

It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

**ALL ITEMS MUST BE COMPLETED WITHIN 15 DAYS. REINSPECTION DATE : 16 March 2023 10:00 AM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME .**

**CONTACT HOUSING INSPECTOR : Christina H. Dang AT 628-652-3386**

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**NOTICE OF VIOLATION WARNINGS! (Continued from page 1)**

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING**

**A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 36





## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: [DBIHIDComplaints@sfgov.org](mailto:DBIHIDComplaints@sfgov.org)  
Website: [www.sfdbi.org](http://www.sfdbi.org)

Date: 03/16/2023

1500 POWELL STREET LLC  
1500 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

Property Address:

Block: 0130 Lot: 022  
790 VALLEJO ST

Number: 202304157

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 02/27/2023 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 37



## ORDER OF ABATEMENT - ORDER NO. 202304157

Owner: 1500 POWELL STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 790 VALLEJO ST,  
Block: 0130 Lot: 022 Seq: 1  
Census Tract: 107 Source: XF0  
Complaint: 202304157  
Date Order of Abatement Issued: June 15, 2023  
Inspector/Division: Dang/HIS  
Housing Division Representative: James Lawrie  
Hearing Officer: Kenneth Burke

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **June 15, 2023** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

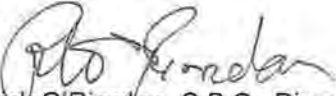
1. That Notice has been duly given as required by law 10 days prior to the hearing.
2. That the conditions are as stated in the complaint of the Director of the Department of Building Inspection attached as the Notice(s) of Violation (NOV) dated: **February 27, 2023**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

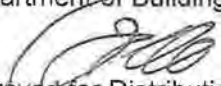
Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

30 Days to complete all work - as noted in the above referenced NOV

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

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

  
Approved for Distribution on June 15, 2023  
by James Sanbonmatsu, Chief Housing Inspector

Housing Inspection Services  
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226  
Office (628) 652-3700 - FAX (628) 652-3709 - [www.sfdbi.org](http://www.sfdbi.org)

# EXHIBIT 38



**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: 202302871  
DATE: 10-APR-23

ADDRESS: 790 VALLEJO ST

OCCUPANCY/USE: ()

BLOCK: 0130 LOT: 022

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: 1500 POWELL STREET LLC  
MAILING 1500 POWELL STREET LLC  
ADDRESS 294 29TH ST  
SAN FRANCISCO CA

PHONE #: --

94131

PERSON CONTACTED @ SITE: 1500 POWELL STREET LLC

PHONE #: --

**VIOLATION DESCRIPTION:**

VIOLATION DESCRIPTION:	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	CPC 103.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	
<input type="checkbox"/> UNSAFE BUILDING <input checked="" type="checkbox"/> SEE ATTACHMENTS	

AS PER 2/21/2023 OBSERVED DURING GROUP INSPECTION THE FOLLOWING VIOLATIONS: A) REMOVE & CAP ABANDONED SHOWER DRAIN @ 3RD FLOOR CORNER CLEANING CLOSET, B) PROPERLY INSTALL & HAVE ALL REPLACED SINKS INSPECTED: RMS: 8,9,12,12 1/2,14,21,24,27 & 28. C) PROPERLY CAP OR COMPLETE UNKNOWN DRAIN NEAR RM 14. D) INSIDE LIGHTWELL AREA: D)CORRECTLY INSTALL - THREE TANK WATER HEATERS, E) PROPERLY TERMINATE 2" DWV VENT TO ROOF & CAP OPEN UNUSED OUTLETS, BASEMENT AREA: F) WORK WITHOUT PERMIT - 4" & 3" DWV NO HUB: OPEN OUTLETS - DISCONNECTED PIPING - IMPROPER HANGERS. IMPROPERLY INSTALLED FOOD PREP SINK & FLOOR DRAIN, BW PROTECTION REQUIRED FOR BELOW GRADE FLOOR SINK.

CODE/SECTION: CPC CHAPTERS 1,3,4,5,7,9,11.

Monthly monitoring fee applies.

Code/Section: SFBC 110A, Table 1A-K

**CORRECTIVE ACTION:**

STOP ALL WORK SFBC 104.2.4

FILE BUILDING PERMIT WITHIN DAYS  (WITH PLANS) A copy of This Notice Must Accompany the Permit Application

OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN 60 DAYS, INCLUDING FINAL INSPECTION SIGN-OFF.

CORRECT VIOLATIONS WITHIN 90 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.

HIRE A STATE LICENSE CONTRACTOR, OBTAIN REQUIRED PERMITS, MAKE REQUIRED REPAIRS & CALL FOR INSPECTIONS.

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 INSPECTION



**NOTICE OF VIOLATION**  
of the San Francisco Municipal Codes Regarding Unsafe,  
Substandard or Noncomplying Structure or Land or Occupancy

CONTACT INSPECTOR: Michael J Allen

PHONE # (628)652-3400

By:(Inspectors's Signature) \_\_\_\_\_

DIVISION: PID

DISTRICT :



# NOTICE OF VIOLATION

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

Pursuant to SFBC 107A.5 and 106A.4.7 investigation fees are charged for work begun or performed without permits or for Work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14th Floor), (628) 652-1150

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be liable for the property will be liable for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 102A.2 & 110A.

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17254(6) of the Revenue and Taxation Code.

**WARNING:** Section 103A of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107A.5 y 106A.4.7 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 652-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobrarán al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 102A.2 y 110A de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de incanformidad, aumentando hasta un maximo de \$7,500 por cada edificio. Esta Sección tambien permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarias o 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o esta diligentemente, rapidamente y continua mente acusado despues de seis(c) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesion de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103A de el Código de edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omita, descuide, se niega a cumplir, resista o se opone a la ejecución de las provisiones de este código. Esta sección tambien impone multas per delito menor si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurre.

Sang-ayon sa SFBC 107A.5 at 106A.4.7 ang bayad sa pagsusun ay sisingilin sa mga gusaling naumpisahan na o ginawa na walang permit o sa mga gawaling labis sa sakop ng permit. Ang gayong singil ay maaring iapela sa Board of Permit Appeals sa loob ng 15 na araw mula sa pag-isyu ng permit sa 49 South Van Ness Ave., suite 1475 (14th patapag) (628)652-1150.

**BABALA:** Ang kabiguan na gumawa ng aksiyon tulad ng kinakailangan upang iwasto ang mga nasabing paglabag ay magreresulta sa paglilis ng abatement ng Kagawaran ng Inspeksyon ng Gusali. Kung meron Order of Abatement ang natalala laban sa isang aril-arlan, ang may-aril ay sisingilin o di kaya ang an-aran ay gagamitin na lien sa lahat ng mga gastos na natamo sa proseso ng pagpapatupad mula sa unang "Paunawa sa Paglabag" hanggang sa lahat ng gastos ay mabayaran. SFBC 102A.2 & 110A.

**BABALA:** Ang Seksyon 204 ng Housing Code ng San Francisco ay nagtatakda ng agad-agad na multa na \$100 sa bawat nalimbawa ng unang hindi pagsunod, at susundan ng multa na \$200 sa bawat paglabag sa pangalawang hindi pagsunod, hanggang sa sukduhan na \$7,500 sa bawat gusali. Ang seksyon na ito ay itinatagda na magsasampa rin ng kasong kriminal bilang isang misdemeanor sa bawat paglabag at magreresulta sa multa na hindi bababa ng \$1,000 sa bawat araw o di kaya sa anim na buwan na pagkabilanggo o parehong ipapataw.

**BABALA:** Sinumang mukikita sa pag-upa ng pabahay na tinukoy ng Kagawaran ng Inspeksyon ng Gusali na substandard, ay hindi maaring ibawas ang ganapong kita sa buwis sa estado ng kiting personal, at gayundin sa buwis na kita sa interes sa bangko at korporasyon, at sa depresasyon o mga buwis na malugnay sa gusaling substandard. Kung ang Gawain sa pagwawasto ay hindi nakumpleto o hindi masigasig, mabilis at tuloy-tuloy ang paggawa matapos ang anim (6) na buwan mula sa petsa nitong paunawa, ay magpapatata ng abiso sa Franchise Tax Board na itinatagda sa Seksyon 17254(6) ng Revenue and Taxation code.

**BABALA:** Ang Seksyon 103A ng Building Code ng San Francisco ay nagtatakda ng mga multang sibil hanggang sa \$500 sa bawat araw sa anumang lumabag, sumuway, magtanggap, magpabaya o tumanggap sumunod o di kaya sumalungat sa pagpapatupad ng mga probisyon nitong code. Nagpapataw din itong seksyon ng multang misdemeanor kapag nahatulan, ng hanggang sa \$500 at o di kaya anim na buwan na pagkabilanggo sa bawat magkahlwalay na pagkasala para sa bawat araw na nangyari ang ganapong pagkasala.

根據《三藩市建築物條例》第107.5條款和第106.4.7條款，對未經許可的建築工程或者工程超過許可證範圍的檢查，將會收取檢查費用。對該費用可以作出上訴，可以在許可證發出的15天之內，向“上訴委員會”(Board of Appeals)作出上訴。上訴委員會地址：49 South Van Ness Ave., Suite 1475 (14th Floor)，電話：(628) 652-1150。

警告：如果沒有立即採取行動更正以上的違規情況，可能會引致稅務局展開執法行動。如果執法命令正式紀錄於該物業，業主可能會收到賬單，或者該物業會被抵押，用於支付從賬貼第一張“違例通知”開始，在執法過程中所產生的所有費用，直至所有費用付清為止。  
《三藩市建築物條例》第102.2條款和第110條款。

警告：三藩市房屋條例第204條對最初的違例會立即處以每項100元的罰款，接下來會對第二次的違例處以每項200元的罰款，最高可以對每座建築物處以7,500元的罰款。該條例還可以對每項違例處以輕微罪行的刑事檢控，可處以每日最少1,000元的罰款或6個月的監禁，或兩者並罰。

警告：任何從稅務局認定為低於標準的房產中獲取租金收入的個人，對於該低於標準的建築結構，將不能用於減免州的個人所得稅和銀行以及企業的所得稅利息、折舊或變用於該房屋的情況。如果在該通知日期的6個月之後，更正工程尚未完成，或者沒有努力、快速和繼續進行有關工程，有關通知將會根據《收入及稅務條例》第17264(6)條款寄給加州平稅委員會。

警告：三藩市建築物條例第103條款可給予每天最高可至500元的行政罰款，對任何違反、不遵從、延擱、疏忽或拒絕遵守或反對執行該條例的任何條款，該條款可給予輕微罪行的罰款，一經定罪，可以對每一項單獨的違例，違例期間的每一天，處以最高500元和/或最高6個月的監禁。

# EXHIBIT 39





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202180879**

**OWNER/AGENT:** 912 JACKSON STREET LLC

**MAILING**

**ADDRESS:** 912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

94131

**DATE:** 09-AUG-21

**LOCATION: 912 JACKSON ST**

**BLOCK:** 0180 **LOT :** 007

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL

**USE TYPE:** R1

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

- |   |  |   |
|---|--|---|
| 1 | THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED. | 912 JACKSON STREET AND ALL COMMON AREAS.  |
| 2 | REPAIR DAMAGED CEILING (1001 SFHC)                   | In all shower and toilet rooms, present of damaged ceiling. Repair or replace. If replaced, PERMITS REQUIRED.   |
| 3 | ELIMINATE MOLD/MILDEW (1301,1001b(13),1306 SFHC)     | In all shower and toilet rooms, present of mold/mildew. Locate, eliminate and remove mold/mildew. Provide receipts of materials used to eliminate mold/mildew at time of inspection to Housing Inspector.   |
| 4 | SERVICE CENTRAL ALARM SYSTEM (908, 909 SFHC)         | At time of inspection, central fire alarm system trouble light came on. Have licensed Fire Alarm Company service / certify fire alarm system.   |
| 5 | REPAIR OR REPLACE SMOKE DETECTOR (909 SFHC)          | At time of inspection, red light on all smoke detectors at hallways turned on. Repair or replace.   |
| 6 | FIRE EXTINGUISHERS (905, 907 SFHC)                   | Over one year since last recharge. Recharge and date tag all fire extinguishers. Fire extinguishers are required in common area on all occupied levels.   |
| 7 | REPAIR FLOORING (1001 SFHC)                          | On the 3rd floor shower, damaged flooring causing leak to 2nd floor shower. Repair.   |
| 8 | BID PERMITS (301 SFHC, 106A SFBC)                    | Repairs cited in this Notice require a Building Permit. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit. This case cannot be abated until the Housing Inspector makes a final inspection to verify that all violations have been corrected and all required permits have been obtained and finalized. On reinspection day, present to the Housing Inspector the Job Card, plans and permits indicating that all work under building permit is complete. Prior to reinspection by Housing Inspector, call Building Inspector for required inspections. |



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202180879**

9 INSPECTOR COMMENTS

It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 13 September 2021 10:00 AM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.**

**CONTACT HOUSING INSPECTOR : Christina H. Dang AT 628-652-3386**

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

NOTICE OF VIOLATION WARNINGS! (Continued from page 1)

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 40



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 09/13/2021

912 JACKSON STREET LLC  
912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

Property Address:

Block: 0180 Lot: 007  
912 JACKSON ST

Number: 202180879

94131

--

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 08/09/2021 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 41

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103



Doc # **2022017042**

City and County of San Francisco  
Joaquin Torres, Assessor – Recorder

2/17/2022	9:55:24 AM	Fees	\$0.00
Pages 5	Title 339 ES	Taxes	\$0.00
Customer 040		Other	\$0.00
		SB2 Fees	\$0.00
		Paid	\$0.00

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**ORDER OF ABATEMENT**  
**912 JACKSON ST,0000**

Block/Lot/Seq. - 0180 / 007 / 1

NO. 202180879A

DC1- DH 16-DEC-21







## ORDER OF ABATEMENT - ORDER NO. 202180879

Owner: 912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 912 JACKSON ST, 0000  
Block: 0180 Lot: 007 Seq: 1  
Census Tract: 113 Source: DC1  
Complaint: 202180879  
Date Order of Abatement Issued: December 16, 2021  
Inspector/Division: Moy/HIS  
Housing Division Representative: JAMES LAWRIE  
Hearing Officer: KENNETH BURKE

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **December 16, 2021** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **August 9, 2021**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

**7 Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Patrick O'Riordan".

Patrick O'Riordan, Interim Director  
Department of Building Inspection

Approved for Distribution on December 20, 2021  
by James Sanbonmatsu, Chief Housing Inspector

**Housing Inspection Services**  
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226  
Office (628) 652-3700 - FAX (628) 652-3709 - www.sfdbi.org



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT:** 202180879

**OWNER/AGENT:** 912 JACKSON STREET LLC

**MAILING**

**ADDRESS:** 912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

**DATE:** 09-AUG-21

**LOCATION:** 912 JACKSON ST

**BLOCK:** 0180 **LOT:** 007

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL **USE TYPE:** R1

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	912 JACKSON STREET AND ALL COMMON AREAS.
2 REPAIR DAMAGED CEILING (1001 SFHC)	In all shower and toilet rooms, present of damaged ceiling. Repair or replace. If replaced, PERMITS REQUIRED.
3 ELIMINATE MOLD/MILDEW (1301,1001b(13),1306 SFHC)	In all shower and toilet rooms, present of mold/mildew. Locate, eliminate and remove mold/mildew. Provide receipts of materials used to eliminate mold/mildew at time of inspection to Housing Inspector.
4 SERVICE CENTRAL ALARM SYSTEM (908, 909 SFHC)	At time of inspection, central fire alarm system trouble light came on. Have licensed Fire Alarm Company service / certify fire alarm system.
5 REPAIR OR REPLACE SMOKE DETECTOR (909 SFHC)	At time of inspection, red light on all smoke detectors at hallways turned on. Repair or replace.
6 FIRE EXTINGUISHERS (905, 907 SFHC)	Over one year since last recharge. Recharge and date tag all fire extinguishers. Fire extinguishers are required in common area on all occupied levels.
7 REPAIR FLOORING (1001 SFHC)	On the 3rd floor shower, damaged flooring causing leak to 2nd floor shower. Repair.
8 BID PERMITS (301 SFHC, 106A SFBC)	Repairs cited in this Notice require a Building Permit. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit. This case cannot be abated until the Housing Inspector makes a final inspection to verify that all violations have been corrected and all required permits have been obtained and finalized. On reinspection day, present to the Housing Inspector the Job Card, plans and permits indicating that all work under building permit is complete. Prior to reinspection by Housing Inspector, call Building Inspector for required inspections.



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202180879**

9 INSPECTOR COMMENTS

It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 13 September 2021 10:00 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Christina H. Moy AT 628-652-3386

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Av, 4<sup>th</sup> Floor, San Francisco, California 94103-1226

(628)652-3700, Fax No. (628)652-3709, Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

**NOTICE OF VIOLATION WARNINGS!**

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are **required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.**

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

**Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code.** The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 49 South Van Ness Av. 2<sup>nd</sup> Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 49 South Van Ness Av. 14<sup>th</sup> Fl. Suite 1475 at (628) 652-1150.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation, the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process, you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 42



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202299845**

**OWNER/AGENT:** 912 JACKSON STREET LLC

**MAILING**

**ADDRESS:** 912 JACKSON STREET LLC

294 29TH ST

SAN FRANCISCO CA

94131

**DATE:** 07-DEC-22

**LOCATION: 912 JACKSON ST**

**BLOCK:** 0180 **LOT :** 007

**NOTICE TYPE:** COMPLAINT

**BUILDING TYPE:** HOTEL

**USE TYPE:** R1

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

- |   |  |  |
|---|--|--|
| 1 | THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED. | 912 JACKSON STREET AND ALL COMMON AREAS.   |
| 2 | ELIMINATE MOLD/MILDEW (1301,1001b(13),1306 SFHC)     | At the first floor toilet room, present of mold/mildew and growing of mushrooms at the walls and ceilings. Locate, eliminate and remove mold/mildew/mushrooms. Provide receipts of materials used to eliminate mold/mildew/mushrooms at time of inspection to Housing Inspector.   |
| 3 | FIRE EXTINGUISHERS (905, 907 SFHC)                   | Over one year since last recharge. Recharge and date tag all fire extinguishers. Fire extinguishers are required in common area on all occupied levels.  |
| 4 | INSPECTOR COMMENTS.                                  | It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s). |

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 10 January 2023 10:00 AM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.**

**CONTACT HOUSING INSPECTOR :** Christina H. Dang AT 628-652-3386

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

NOTICE OF VIOLATION WARNINGS! (Continued from page 1)

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011



# EXHIBIT 43



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

Date: 01/10/2023

912 JACKSON STREET LLC  
912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

Property Address:

Block: 0180 Lot: 007  
912 JACKSON ST

Number: 202299845

94131

--

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 12/07/2022 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 44

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103



Doc # **2023032801**

City and County of San Francisco  
Joaquin Torres, Assessor – Recorder

5/9/2023	11:00:50 AM	Fees	\$0.00
Pages 4	Title 339 AL	Taxes	\$0.00
Customer 048		Other	\$0.00
		SB2 Fees	\$0.00
		Paid	\$0.00

**ORDER OF ABATEMENT  
912 JACKSON ST**

Block/Lot/Seq. - 0180 / 007 / 1

NO. 202299845A

DC2- DH 23-MAR-23





## ORDER OF ABATEMENT - ORDER NO. 202299845

Owner: 912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 912 JACKSON ST,  
Block: 0180 Lot: 007 Seq: 1  
Census Tract: 113 Source: DC2  
Complaint: 202299845  
Date Order of Abatement Issued: March 30, 2023  
Inspector/Division: Dang/HIS  
Housing Division Representative: James Lawrie  
Hearing Officer: Kenneth Burke

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **March 23, 2023** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **December 7, 2022**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

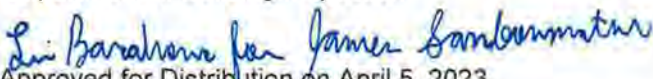
Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

30 **Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

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

  
Approved for Distribution on April 5, 2023  
by James Sanbonmatsu, Chief Housing Inspector





# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202299845**

**OWNER/AGENT:** 912 JACKSON STREET LLC

**DATE:** 07-DEC-22

**MAILING**

**ADDRESS:** 912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
  
94131

**LOCATION: 912 JACKSON ST**

**BLOCK: 0180 LOT: 007**

**NOTICE TYPE: COMPLAINT**

**BUILDING TYPE:** HOTEL                      **USE TYPE:** R1

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	912 JACKSON STREET AND ALL COMMON AREAS.
2 ELIMINATE MOLD/MILDEW (1301,1001b(13),1306 SFHC)	At the first floor toilet room, present of mold/mildew and growing of mushrooms at the walls and ceilings. Locate, eliminate and remove mold/mildew/mushrooms. Provide receipts of materials used to eliminate mold/mildew/mushrooms at time of inspection to Housing Inspector.
3 FIRE EXTINGUISHERS (905, 907 SFHC)	Over one year since last recharge. Recharge and date tag all fire extinguishers. Fire extinguishers are required in common area on all occupied levels.
4 INSPECTOR COMMENTS.	It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE :** 10 January 2023 10:00 AM

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME .**

**CONTACT HOUSING INSPECTOR :** Christina H. Dang AT 628-652-3386

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

49 South Van Ness Av, 4<sup>th</sup> Floor, San Francisco, CA 94103-1226

Tel. (628) 652-3700, Fax No. (628) 652-3709, Email: DBIHIDComplaints@sfgov.org

Website: www.sfdbi.org

### NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

**Assessment of Costs will accrue when the property owner fails to comply with this Notice through:** (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 49 South Van Ness Av, 2<sup>nd</sup> Fl. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 49 South Van Ness Av, 14<sup>th</sup> Fl, Suite 1475 at (628) 652-1150.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation, the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

#### **VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process, you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 45





# 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:** 202301137  
**DATE:** 05-JAN-23

**ADDRESS:** 912 JACKSON ST 0

**OCCUPANCY/USE:** ()

**BLOCK:** 0180    **LOT:** 007

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:** 912 JACKSON STREET LLC  
**MAILING ADDRESS:** 912 JACKSON STREET LLC  
 294 29TH ST  
 SAN FRANCISCO CA

**PHONE #:** --

94131

**PERSON CONTACTED @ SITE:**

**PHONE #:** --

## VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> <b>WORK WITHOUT PERMIT</b>	103A
<input type="checkbox"/> <b>ADDITIONAL WORK-PERMIT REQUIRED</b>	106A.4.7
<input type="checkbox"/> <b>EXPIRED OR</b> <input type="checkbox"/> <b>CANCELLED PERMIT PA#:</b>	106A.4.4; 106A.3.7
<input checked="" type="checkbox"/> <b>UNSAFE BUILDING</b> <input type="checkbox"/> <b>SEE ATTACHMENTS</b>	102A.1

- 1.) On September 15, 2018, we identified your building as part of the Mandatory Soft Story Program. You have failed to complete all associated work including final signoff and Certificate Of final completion issued by DBI as required by the Mandatory Soft Story Retrofit Program. This building is in Violation of the requirements of the San Francisco Building Code regarding earthquake Safety. The owner of this building has not complied With the Mandatory Soft Story Program as required by S.F.E.B.C. 505E.
- 2.) Monthly Monitoring Fee section 110A, Table 1A-k
- 3.) Do not remove the posted Earthquake warning Placard 505E.2
- S.F.B.C.102A.3  
 S.F.E.B.C.505E.6.1

## CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4**
- FILE BUILDING PERMIT WITHIN DAYS**     **(WITH PLANS)** A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN 30 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.**
- CORRECT VIOLATIONS WITHIN 30 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.**

You have thirty (30) days to complete all work associated with the mandatory seismic retrofit program including final signoff and certificate of final completion issued by DBI.

**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 INSPECTION**



# NOTICE OF VIOLATION

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

Pursuant to SFBC 107A.5 and 106A.4.7 investigation fees are charged for work begun or performed without permits or for Work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14th Floor). (628) 652-1150.

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be lited for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid, SFBC 102A.2 & 110A.

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(6) of the Revenue and Taxation Code.

**WARNING:** Section 103A of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107A.5 y 106A.4.7 de el Código de Construcción, de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 652-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobrarán al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 102A.2 y 110A de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de incumplimiento, seguida por una multa de \$200 por cada segunda infracción de incumplimiento, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios ó 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o esta diligentemente, rapidamente y continua mente acusado despues de seis (6) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesion de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103A de el Código de edificios de San Francisco impone multas civiles hasta de \$500 por cada dia a cualquier persona que infrinja, desobedezca, omite, descuide, se niega a cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas per delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada dia que dicha ofensa ocurre.

Sang-ayon sa SFBC 107A.5 at 106A.4.7 ang bayad sa pagsusuri ay sisilingin sa mga gusaling naumpisahan na o ginawa na walang permit o sa mga gawaing labis sa sakop ng permit. Ang gayong singil ay maaring ipapala sa Board of Permit Appeals sa loob ng 15 na araw mula sa pag-isyu ng permit sa 49 South Van Ness Ave., suite 1475 (14th palapag). (628)652-1150.

**BABALA:** Ang kabiguan na gumawa ng aksiyon tulad ng kinakailangan upang iwasto ang mga nasabing paglabag ay magresulta sa paglilitis ng abatement ng Kagawaran ng Inspeksyon ng Gusali. Kung meron Order of Abatement ang naitala laban sa isang ari-arian, ang may-ari ay sisilingin o di kaya ang ari-arian ay gagamitin na lien sa lahat ng mga gastos na natamo sa proseso ng pagpapatupad mula sa unang "Paunawa sa Paglabag" hanggang sa lahat ng gastos ay mabayaran, SFBC 102A.2 & 110A.

**BABALA:** Ang Seksyon 204 ng Housing Code ng San Francisco ay nagtatakda ng agad-agad na multa na \$100 sa bawat halimbawa ng unang hindi pagsunod, at susundan ng multa na \$200 sa bawat paglabag sa pangalawang hindi pagsunod, hanggang sa sukdulan na \$7,500 sa bawat gusali. Ang seksyon na ito ay itinatakda na magsasamparin ng kasong kriminal bilang isang misdemeanor sa bawat paglabag at magresulta sa multa na hindi bababa ng \$1,000 sa bawat araw o di kaya sa anim na buwan na pagkabilanggo o parehong ipapataw.

**BABALA:** Sinumang kumikita sa pag-upa ng pabahay na tinukoy ng Kagawaran ng Inspeksyon ng Gusali na substandard, ay hindi maaring ibawas ang ganoong kita sa buwis sa estado ng kitang personal, at gayundin sa buwis na kita sa interes sa bangko at korporasyon, at sa depresasyon o mga buwis na maliugnay sa gusaling substandard. Kung ang Gawain sa pagwawasto ay hindi nakumpleto o hindi masigasig, mabilis at tuloy-tuloy ang paggawa matapos ang anim (6) na buwan mula sa petsa nitong paunawa, ay magpapadala ng abiso sa Franchise Tax Board na itinakda sa Seksyon 17264(6) ng Revenue and Taxation code.

**BABALA:** Ang Seksyon 103A ng Building Code ng San Francisco ay nagtatakda ng mga multang sibil hanggang sa \$500 sa bawat araw sa sinumang lumabag, sumuway, magtanggap, magpabaya o tumanggap sumunod o di kaya sumalungat sa pagpapatupad ng mga probisyon nitong code. Nagpapataw din itong seksyon ng multang misdemeanor kapag nahatulan, ng hanggang sa \$500 at o di kaya anim na buwan na pagkabilanggo sa bawat magkahilwaly na pagkasala para sa bawat araw na nangyari ang ganoong pagkasala.

根據《三藩市建築物條例》第107.5條款和第106.4.7條款，對未經許可的建築工程或者工程超過許可範圍的檢查，將會收取檢查費用。對該費用可以作出上訴，可以在許可證發出的15天之內，向“上訴委員會”（Board of Appeals）作出上訴。上訴委員會地址：49 South Van Ness Ave., Suite 1475 (14th Floor)，電話：(628) 652-1150。

警告：如果沒有立即採取行動更正以上的違例情況，可能會引致樓宇檢查局展開執法行動。如果執法命令正式紀錄於該物業，業主可能會收到賬單，或者該物業會被抵押，用於支付從張貼第一張“違例通知”開始，在執法過程當中所產生的所有費用，直至所有費用付清為止。  
《三藩市建築物條例》第102.2條款和第110條款。

警告：三藩市房屋條例第204條對最初的違例會立即處以每項100元的罰款，接下來會對第二次的違例處以每項200元的罰款，最高可以對每座建築物處以7,500元的罰款。該條例還可以對每項違例處以輕微罪行的刑事檢控，可處以每日最少1,000元的罰款或6個月的監禁，或兩者並罰。

警告：任何從樓宇檢查局認定為低於標準的房屋中獲取租金收入的個人，對於該低於標準的建築結構，將不能用於減免州的個人所得稅和銀行以及企業的所得稅利息、折舊或適用於該房屋的稅項。如果在該通知日期的6個月之後，更正工程尚未完成，或者沒有努力、快速和繼續進行有關工程，有關通知將會根據《收入及稅務條例》第17264 (6) 條款寄給加州平稅委員會。

警告：三藩市建築物條例第103條款可給予每天最高可至500元的行政罰款，對任何違反、不遵從、遺漏、疏忽或拒絕遵守或反對執行該條例的任何條款。該條款可給予輕微罪行的罰款，一經定罪，可以對每一項單獨的違例，違例期間的每一天，處於最高500元和/或最高6個月的監禁。

# EXHIBIT 46



## DEPARTMENT OF BUILDING INSPECTION

### Inspection Services

City and County of San Francisco

49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

(628) 652-3240 Website: [www.sfdbi.org](http://www.sfdbi.org)

DATE: 03/28/2023

PROPERTY ADDRESS:

912 JACKSON ST

BLOCK: 0180 LOT: 007

Complaint#: 202301137

912 JACKSON STREET LLC  
912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA 94131

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# NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### NOTICE OF VIOLATION OUTSTANDING:

On 01/05/2023 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](tel:6286523430) 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!**

# EXHIBIT 47



**DEPARTMENT OF BUILDING INSPECTION**

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

**NOTICE OF VIOLATION**

**COMPLAINT: 202301489**

**OWNER/AGENT:** 912 JACKSON STREET LLC

**DATE:** 10-JAN-23

**MAILING**

**ADDRESS:** 912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

**LOCATION: 912 JACKSON ST**

**BLOCK: 0180 LOT: 007**

**NOTICE TYPE: COMPLAINT**

**BUILDING TYPE:** HOTEL **USE TYPE:** R1

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	912 JACKSON STREET AND ALL COMMON AREAS.
2 IDENTIFY SOURCE OF MOISTURE AND REPAIR (1001, 1306 SFHC)	On the 2nd floor toilet room, a mushroom-like fungus is growing on interior trim and ceiling at exterior window in toilet room. Submit a written report from qualified personnel identifying source of moisture and repair as required.
3 INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE :** 13 February 2023 11:00 AM

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME .**

**CONTACT HOUSING INSPECTOR :** Christina H. Dang AT 628-652-3386

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**

# EXHIBIT 48



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org  
Website: www.sfdbi.org

Date: 02/13/2023

912 JACKSON STREET LLC  
912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

Property Address:

Block: 0180 Lot: 007  
912 JACKSON ST  
Number: 202301489

94131

**REINSPECTION SCHEDULED FOR TUESDAY, MARCH 14, 2023 @ 10:30 AM**

## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

**NOTICE OF VIOLATION OUTSTANDING:**

On 01/10/2023 your property was inspected and 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.

**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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

**IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

**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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**



# EXHIBIT 49



**DEPARTMENT OF BUILDING INSPECTION**

**Housing Inspection Services Division**  
**City and County of San Francisco**  
**49 South Van Ness Avenue, San Francisco, California 94103-1226**  
**(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org**

**NOTICE OF VIOLATION**

**COMPLAINT: 202304053**

**OWNER/AGENT:** 912 JACKSON STREET LLC

**DATE:** 24-FEB-23

**MAILING**

**ADDRESS:** 912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

**LOCATION: 912 JACKSON ST**

**BLOCK:** 0180 **LOT :** 007

**NOTICE TYPE:** ROUTINE

94131

**BUILDING TYPE:** HOTEL

**USE TYPE:** R1

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	912 JACKSON STREET #7,10,23,A AND ALL COMMON AREAS.
2 ELIMINATE MOLD/MILDEW (1301,1001b(13),1306 SFHC)	In the following areas, mold/mildew were present at time of inspection: a) #7 b) #10 c) #23 d) #A e) second floor shower room  Locate, eliminate and remove mold/mildew. Provide receipts of materials used to eliminate mold/mildew at time of inspection to Housing Inspector.
3 PROVIDE SMOKE DETECTOR (909 SFHC)	At the time of inspection, smoke detectors were not present in #23 and #A. Provide.
4 ELIMINATE RODENTS INFESTATION (1001-b, 1306 SFHC)	In unit #A evidence of rodents exists. Have licensed pest control company treat this room and the building in approved manner so that rodents are eliminated. Provide documentation from pest control company at time of reinspection.
5 REPAIR SELF-CLOSE DOOR (807 SFHC)	Entry door to room #10 self closure is broken. Repair.
6 REMOVE OR COVER DAMAGED PAINT IN AN APPROVED MANNER TO PREVENT A LEAD HAZARD. SEE LEAD HAZARD WARNING. (1001-b,d,k, 1301 SFHC)	In the following rooms: a)#7 b)#23 c)#A  Present of peeling paint throughout. Repaint all areas where paint is removed or damaged or where surfaces are repaired.
7 FIRE EXTINGUISHERS (905, 907 SFHC)	At the ground floor level, at the front of #A. Over one year since last recharge. Recharge and date tag all fire extinguishers. Fire extinguishers are required in common area on all occupied levels.



# DEPARTMENT OF BUILDING INSPECTION

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## NOTICE OF VIOLATION

**COMPLAINT: 202304053**

8 INSPECTOR COMMENTS.

It is the property owner's responsibility to be present or direct his/her representative to attend the reinspection as scheduled on this Notice of Violation for the purpose of providing the Inspector access to interior common areas, storage rooms, boiler room, garages, exit paths, basement and rear of building and to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

**ALL ITEMS MUST BE COMPLETED WITHIN 15 DAYS. REINSPECTION DATE : 14 March 2023 10:30 AM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME .**

**CONTACT HOUSING INSPECTOR : Christina H. Dang AT 628-652-3386**

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

49 South Van Ness Avenue, San Francisco, California 94103-1226

(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011

# EXHIBIT 50



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org  
Website: www.sfdbi.org

Date: 03/15/2023

912 JACKSON STREET LLC  
912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA

Property Address:  
Block: 0180 Lot: 007  
912 JACKSON ST  
Number: 202304053

94131

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## NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

### **NOTICE OF VIOLATION OUTSTANDING:**

On 02/24/2023 your property was inspected and 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.

### **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 of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector Christina H. Dang at 628-652-3386 to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

### **IF PERMITS ARE REQUIRED:**

Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

### **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 repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

**YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!**

# EXHIBIT 51





## ORDER OF ABATEMENT - ORDER NO. 202304053

Owner: 912 JACKSON STREET LLC  
294 29TH ST  
SAN FRANCISCO CA  
94131

Address: 912 JACKSON ST,  
Block: 0180 Lot: 007 Seq: 1  
Census Tract: 113 Source: XF0  
Complaint: 202304053  
Date Order of Abatement Issued: June 15, 2023  
Inspector/Division: Dang\HIS  
Housing Division Representative: James Lawrie  
Hearing Officer: Kenneth Burke

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **June 15, 2023** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID NOT** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 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 attached as the Notice(s) of Violation (NOV) dated: **February 24, 2023**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

14 **Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Patrick O'Riordan".

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

Approved for Distribution on June 15, 2023  
by James Sanbonmatsu, Chief Housing Inspector

**Housing Inspection Services**  
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226  
Office (628) 652-3700 - FAX (628) 652-3709 - [www.sfdbi.org](http://www.sfdbi.org)

# EXHIBIT 52



# 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: 202305292  
DATE: 20-MAR-23

ADDRESS: 912 JACKSON ST

OCCUPANCY/USE: ()

BLOCK: 0180 LOT: 007

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: 912 JACKSON STREET LLC  
MAILING 912 JACKSON STREET LLC  
ADDRESS 294 29TH ST  
SAN FRANCISCO CA

PHONE #: --

94131

PERSON CONTACTED @ SITE:

PHONE #: --

## VIOLATION DESCRIPTION:

VIOLATION DESCRIPTION:	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	103A
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106A.4.4; 106A.3.7
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102A.1

The legal use of the building is an R-1 SRO hotel consisting of 23 SRO rooms on three floors and a basement. There is an illegal merged SRO room, converted SRO room and an enclosed stairway on the ground floor. At the basement floor level, there is an illegal dwelling unit with a kitchen, bathroom, and three bedrooms built without permits or plans.

- \*NO PERMANENT HEAT SOURCE (SFHC- 701)
- \*THERE IS UNAPPROVED WIRING & UNAPPROVED PLUMBING (SFHC-1001e-f)
- \*IMPROPER OCCUPANCY (SFHC-1001-n)
- \*PROHIBITED USES OF COOKING/SLEEPING AND BATHROOM FACILITIES (SFHC-505 & 709)
- \*THERE IS NO CERTAINTY THAT THE REQUIRED ONE HOUR FIRE RESISTANT MATERIAL WERE USED AT TIME OF CONSTRUCTION (SFHC-601)
- \*NO MEANS OF EMERGENCY EGRESS, POSING A SERIOUS LIFE HAZARD TO BUILDING OCCUPANTS (SFHC-801-4)
- \*UNLAWFUL CONVERSION OF GUESTROOM. (41.20 (a)(1) SF ADMIN. CODE)

At the basement level, utility room door missing one hour fire protection, provide. Permits required.

## CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4
- 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 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.

Restore merged units #3 & #5 to original guestroom use.

Legalize units eligible under Ordinance 33-16.

Because of the above cited alterations without permit, you are required to comply with the following ordinance:



**NOTICE OF VIOLATION**  
of the San Francisco Municipal Codes Regarding Unsafe,  
Substandard or Noncomplying Structure or Land or Occupancy

NOTICE per Ordinance 33-16: SFBC Section 102A.3.1. Dwelling units constructed or installed without required permit(s). In case of an unauthorized dwelling unit constructed or installed in an existing building without the required permit or permits, in addition to the above requirements the written Notice of Violation shall order the property owner to file an application for a building and other permits required to legalize the unit pursuant to Building Code Section 106A.3.1.3 and Planning Code 207.3.

Exceptions:

- \*Removal of the unit has been approved by the Planning Commission pursuant to Planning Code Section 317; or
- \*After performing a screening under Section 106A.3.1.3(a) of this Code, the Department has determined that the unauthorized dwelling unit is not able to be legalized under Section 106A.3.1.3 of this Code; or
- \*The Building Official has determined that a serious and imminent hazard under Section 102A.16 of this Code exists on the subject property.

If none of the three exceptions listed above are met, submit a copy of this Notice and two sets of plans with a Building Permit Application to legalize the conversion of the rear of the garage into a legal dwelling unit. After the Building Permit is issued, Plumbing and Electrical Permits must be obtained.

If any of the above 3 exceptions are met, the owner shall submit a copy of this Notice and two sets of plans with a Building Permit Application to revert the areas of violation back to their last legal use by removing the unpermitted dwelling unit. After the Building Permit is issued, Plumbing and Electrical Permits must be obtained.

Whether areas of violation are brought in to conformance pursuant to Ordinance 33-16, or reverted to last legal use, a Building Permit is required to remove all unpermitted property line windows/doors and re-install approved siding.

To abate this Notice of Violation, you must obtain all permits and complete all work as specified above. Then, when work is completed and all Building, Plumbing, and Electrical Permits are signed off and completed, you must contact the district Housing Inspector for a final inspection. At final inspection, all finalized Building, Plumbing and Electrical Permits and plans must be produced, and access must be provided to all storage rooms and other uninhabitable spaces.

**INVESTIGATION FEE OR OTHER FEE WILL APPLY**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> 9x FEE (WORK W/O PERMIT AFTER 9/1/60) | <input type="checkbox"/> 2x FEE (WORK EXCEEDING SCOPE OF PERMIT) |
| <input type="checkbox"/> OTHER:   | <input type="checkbox"/> REINSPECTION FEE \$                     |
| <b>APPROX. DATE OF WORK W/O PERMIT</b>                                    | <b>VALUE OF WORK PERFORMED W/O PERMITS \$</b>                    |

NO PENALTY  
(WORK W/O PERMIT PRIOR TO 9/1/60)



**NOTICE OF VIOLATION**  
of the San Francisco Municipal Codes Regarding Unsafe,  
Substandard or Noncomplying Structure or Land or Occupancy

**BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION**

CONTACT INSPECTOR: Christina H. D Dang

PHONE # 628-652-3386

DIVISION: HIS

DISTRICT : 19

By:(Inspectors's Signature) \_\_\_\_\_



# NOTICE OF VIOLATION

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

Pursuant to SFBC 107A.5 and 106A.4.7 investigation fees are charged for work begun or performed without permits or for Work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14th Floor), (628) 652-1150

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid, SFBC 102A.2 & 110A.

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard **cannot deduct** from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(6) of the Revenue and Taxation Code.

**WARNING:** Section 103A of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107A.5 y 106A.4.7 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince días de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 652-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobrarán al dueño del edificio o la propiedad será embargada para recuperar dichos gastos. Referencia a la Sección 102A.2 y 110A de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de incanformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios o 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o esta diligentemente, rapidamente y contuamente acusado despues de seis(6) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesion de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103A de el Código de edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omite, descuide, se niega a cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas per delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurre.

Sang-ayon sa SFBC 107A.5 at 106A.4.7 ang bayad sa pagsusun ay sisigilin sa mga gusaling naumpisahan na o ginawa na walang permit o sa mga gawaing labis sa sakop ng permit. Ang gayong singi ay maaring iapela sa Board of Permit Appeals sa loob ng 15 na araw mula sa pag-isyu ng permit sa 49 South Van Ness Ave., suite 1475 (14th palapag), (628)652-1150.

**BABALA:** Ang kabiguan na gumawa ng aksiyon tulad ng kinakailangan upang iwasto ang mga nasabing paglabag ay magreresulta sa paglilitis ng abatement ng Kagawaran ng Inspeksyon ng Gusali. Kung meron Order of Abatement ang naitala laban sa isang ari-arian, ang may-ari ay sisigilin o di kaya ang an-arian ay gagamitin na lian sa lahat ng mga gastos na natamo sa proseso ng pagpapatupad mula sa unang "Paunawa sa Paglabag" hanggang sa lahat ng gastos ay mabayaran, SFBC 102A.2 & 110A.

**BABALA:** Ang Seksyon 204 ng Housing Code ng San Francisco ay nagtatakda ng agad-agad na multa na \$100 sa bawat halimbawa ng unang hindi pagsunod, at susundan ng multa na \$200 sa bawat paglabag sa pangalawang hindi pagsunod, hanggang sa sukduluan na \$7,500 sa bawat gusali. Ang seksyon na ito ay itinatagda na magkasampa rin ng kasong kriminal bilang isang misdemeanor sa bawat paglabag at magreresulta sa multa na hindi bababa ng \$1,000 sa bawat araw o di kaya sa anim na buwan na pagkabilanggo o parehong ipapataw.

**BABALA:** Sinumang kumikita sa pag-upa ng pagbahay na tinukoy ng Kagawaran ng Inspeksyon ng Gusali na substandard, ay hindi maaring ibawas ang ganoong kita sa buwis sa estado ng kitang personal, at gayundin sa buwis na kita sa interes sa bangko at korporasyon, at sa depreasyon o mga buwis na mailugnay sa gusaling substandard. Kung ang Gawain sa pagwawasto ay hindi nakumpleto o hindi masigasag, mabilis at tuloy-tuloy ang paggawa matapos ang anim (6) na buwan mula sa petsa nitong paunawa, ay magpapadala ng abiso sa Franchise Tax Board na itinatagda sa Seksyon 17264(6) ng Revenue and Taxation code.

**BABALA:** Ang Seksyon 103A ng Building Code ng San Francisco ay nagtatakda ng mga multang sibil hanggang sa \$500 sa bawat araw sa anumang tumabag, sumuway, magtanggap, magpapabaya o tumanggap sumunod o di kaya sumalungat sa pagpapatupad ng mga pribisyon nitong code. Nagpapataw din itong seksyon ng multang misdemeanor kapag nahatulan, ng hanggang sa \$500 at o di kaya anim na buwan na pagkabilanggo sa bawat magkahiwalay na pagkasala para sa bawat araw na nangyari ang ganoong pagkasala.

根據《三藩市建築條例》第107.5條款和第106.4.7條款，對未經許可的建築工程或者工程超過許可範圍的檢查，將會收取檢查費用。對該費用可以作出上訴，可以在許可證發出的15天之內，向「上訴委員會」(Board of Appeals) 作出上訴。上訴委員會地址：49 South Van Ness Ave., Suite 1475 (14th Floor)，電話：(628) 652-1150。

警告：如果沒有立即採取行動更正以上的違例情況，可能會引致樓宇檢查局展開執法行動。如果執法命令正式紀錄於該物業，業主可能會收到應單，或者該物業會被抵押，用於支付從張貼第一張“違例通知”開始，在執法過程當中所產生的所有費用，直至所有費用付清為止。  
《三藩市建築條例》第102.2條款和第110條款。

**警告：**三藩市房屋條例第204條對最初的違例會立即處以每項100元的罰款，接下來會對第二次的違例處以每項200元的罰款，最高可以對每座建築物處以7,500元的罰款。該條例還可以對每項違例處以輕微罪行的刑事檢控，可處以每日最少1,000元的罰款或6個月的監禁，或兩者並罰。

**警告：**任何從樓宇檢查局認為低於標準的房屋中獲取租金收入的個人，對於該低於標準的建築結構，將不能用於減免州的個人所得稅和銀行以及企業的所得稅利息、折舊或適用於該房屋的稅項。如果在該通知日期的6個月之後，更正工程尚未完成，或者沒有努力、快速和繼續進行有關工程，有關通知將會根據《收入及稅務條例》第17264 (6) 條款寄給加州平稅委員會。

**警告：**三藩市建築物條例第103條款可給予每天最高可至500元的行政罰款，對任何違反、不遵從、攔阻、疏忽或拒絕遵守或反對執行該條例的任何條款，該條款可給予輕微罪行的罰款，一經定罪，可以對每一項單獨的違例，違例期間的每一天，處於最高500元和/或最高6個月的監禁。

# EXHIBIT 53



# 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: 202302872  
DATE: 10-APR-23

ADDRESS: 912 JACKSON ST

OCCUPANCY/USE: ()

BLOCK: 0180 LOT: 007

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: 912 JACKSON STREET LLC  
MAILING 912 JACKSON STREET LLC  
ADDRESS 294 29TH ST  
SAN FRANCISCO CA

PHONE #: --

94131

PERSON CONTACTED @ SITE: 912 JACKSON STREET LLC

PHONE #: --

## VIOLATION DESCRIPTION:

CODE/SECTION#  
CPC 103.1

- WORK WITHOUT PERMIT

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- ADDITIONAL WORK-PERMIT REQUIRED

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- EXPIRED OR  CANCELLED PERMIT PA#:

---

- UNSAFE BUILDING     SEE ATTACHMENTS

As per 2/21/2023 OBSERVED DURING GROUP INSPECTION THE FOLLOWING VIOLATIONS: A) PROPERLY INSTALL & HAVE ALL REPLACED SINKS INSPECTED: RMS: 2,3,4,6,11,11 1/2,15,19,22. B) REPAIR RUSTED & FAILING 3 INCH MAIN ROOF RWL (OBSERVED FROM #16 WINDOW), C) BASEMENT APT-912a: PROVIDE PERMIT - DOCUMENTS FOR KIT & BATHROOM, D) PROPERLY INSTALL - REMOVE EXIST FAU - 10 YR NON FUNCTIONAL, E) PROPERLY INSTALL REMOVE: NON OPERATING DOM H. WATER EQUIPMENT & 2 IMPROPERLY INSTALLED TANK WATER HEATERS, F) REPAIR/REPLACE QUESTIONABLE FLUE - SECTIONS REQUIRE NEW STRAPPING & CORRECT ROOF TERMINATION CAP.

CODE/SECTION: CPC CHAPTERS: 1,3,4,5,7,9,11. CMC 1-7  
Monthly monitoring fee applies.  
Code/Section: SFBC 110A, Table 1A-K

## CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4
- FILE BUILDING PERMIT WITHIN DAYS     (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN 60 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- CORRECT VIOLATIONS WITHIN 90 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.

HIRE A STATE LICENSE CONTRACTOR, OBTAIN REQUIRED PERMITS, MAKE REQUIRED REPAIRS & CALL FOR INSPECTIONS.

**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 INSPECTION**

CONTACT INSPECTOR: Michael J Allen





**NOTICE OF VIOLATION**  
of the San Francisco Municipal Codes Regarding Unsafe,  
Substandard or Noncomplying Structure or Land or Occupancy

PHONE # (628)652-3400  
By:(Inspectors's Signature) \_\_\_\_\_

DIVISION: PID

DISTRICT :



# NOTICE OF VIOLATION

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

Pursuant to SFBC 107A.5 and 106A.4.7 investigation fees are charged for work begun or performed without permits or for Work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14th Floor), (628) 652-1150

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 102A.2 & 110A.

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(6) of the Revenue and Taxation Code.

**WARNING:** Section 103A of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor or fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107A.5 y 106A.4.7 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14th Floor), telefono (628) 652-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobrarán al dueño del edificio o la propiedad será embargada para recuperar dichos gastos. Referencia a la Sección 102A.2 y 110A de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa, de \$200 por cada segunda infracción de incanformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios o 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o esta diligentemente, rapidamente y continua, mente acusado despues de seis(6) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesion de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103A de el Código de edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omite, descuide, se niega a cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas por delito menor o es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurre.

Sang-ayon sa SFBC 107A.5 at 106A.4.7 ang bayad sa pagsusun ay siingilin sa mga gusaling naumpisahan na o ginawa na walang permit o sa mga gawaing labis sa sakop ng permit. Ang gayong singil ay maaring iapela sa Board of Permit Appeals sa loob ng 15 na araw mula sa pag-lisyu ng permit sa 49 South Van Ness Ave., suite 1475 (14th palapag), (628)652-1150.

**BABALA:** Ang kabiguan na gumawa ng aksiyon tulad ng kinakailangan upang iwasto ang mga nasabing paglabag ay magreresulta sa paglilitis ng abatement ng Kagawaran ng Inspeksyon ng Gusali. Kung meron Order of Abatement ang natatala laban sa isang ari-arian, ang may-ari ay siingilin o di kaya ang ari-arian ay gagamitin na lien sa lahat ng mga gastos na natamo sa proseso ng pagpapatupad mula sa unang "Paunawa sa Paglabag" hanggang sa lahat ng gastos ay mabayaran. SFBC 102A.2 & 110A.

**BABALA:** Ang Seksyon 204 ng Housing Code ng San Francisco ay nagtatakda ng agad-agad na multa na \$100 sa bawat halimbawa ng unang hindi pagsunod, at susundan ng multa na \$200 sa bawat paglabag sa pangalawang hindi pagsunod, hanggang sa sukduhan na \$7,500 sa bawat gusali. Ang seksyon na ito ay itinatakda na magsasampa rin ng kasong kriminal bilang isang misdemeanor sa bawat paglabag at magreresulta sa multa na hindi bababa ng \$1,000 sa bawat araw o di kaya sa anim na buwan na pagkabilanggo o parohong ipapatay.

**BABALA:** Sinumang kumikita sa pag-upa ng pabahay na tinukoy ng Kagawaran ng Inspeksyon ng Gusali na substandard, ay hindi maaring ibawas ang ganong kita sa buwis sa estado ng kinaug personal, at gayundin sa buwis na kita sa interes sa bangko at korporasyon, at sa depresasyon o mga buwis na malugnay sa gusaling substandard. Kung ang Gawain sa pagwawasto ay hindi nakumpleto o hindi masigasig, mabilis at tuloy-tuloy ang paggawa matapos ang anim (6) na buwan mula sa petas nitong paunawa ay magpapatada ng abiso sa Franchise Tax Board na rinakda sa Seksyon 17264(6) ng Revenue and Taxation code

**BABALA:** Ang Seksyon 103A ng Building Code ng San Francisco ay nagtatakda ng mga multang sibil hanggang sa \$500 sa bawat araw sa sinumang lumabag, sumuway, magtanggap, magpabaya o tumanggap sumunod o di kaya sumalungat sa pagpapatupad ng mga probisyon nitong code. Nagpapatay din itong seksyon ng multang misdemeanor kapag nahatulan, ng hanggang sa \$500 at o di kaya anim na buwan na pagkabilanggo sa bawat magkahiwalay na pagkasala para sa bawat araw na nangyari ang ganoo ng pagkasala.

根據《三藩市建築物條例》第107.5條款和第106.4.7條款，對未經許可的建築工程或工程超過許可證範圍的檢索，將會收取檢查費用。對該費用可以作出上訴，可以在許可證發出的15天之內，向「上訴委員會」(Board of Appeals)作出上訴。上訴委員會地址：49 South Van Ness Ave., Suite 1475 (14th Floor)，電話：(628) 652-1150。

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警告：任何從樓宇檢查局認定為低於標準的房屋中獲取租金收入的個人，對於該低於標準的建築結構，將不能用於減免州的個人所得稅和銀行以及企業的所得稅利息、折舊或適用於該房屋的稅項。如果在該通知日期的6個月之後，更正工程尚未完成，或者沒有努力、快速和繼續進行有關工程，有違通知將會根據《收入及稅務條例》第17264(6)條款寄給加州平稅委員會。

警告：三藩市建築物條例第103條款可給予每天最高可至500元的行政罰款，對任何違反、不遵從、逃避、疏忽或拒絕遵守或反對執行該條例的任何條款，該條款可給予輕微罪行的罰款，一經定罪，可以對每一項罪行的違例，違例期間的每一天，處以最高500元和/或最高6個月的監禁。