



Date Filed: \_\_\_\_\_

**City & County of San Francisco  
BOARD OF APPEALS**

**PENALTY APPEAL QUESTIONNAIRE**

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Under San Francisco Building Code Section 107A.5, a property owner or owner’s agent may appeal the amount of a penalty imposed for work done with out a permit if they can provide just cause, such as unfamiliarity with the Building Code or demonstrable negligence on the part of one of their employees.

All **appeals must be filed in person** by the property owner or the owner’s authorized agent. You may complete this form at the time of filing or in advance and bring it to the Board of Appeals office when you file your appeal. **Please call the Board at 415-575-6880 with any questions and to set up an appointment.**

Please answer the following questions:

1. Your relationship to the property involved (owner, contractor, etc.): \_\_\_\_\_
2. When the work was done: \_\_\_\_\_
3. Who did the work: \_\_\_\_\_
4. Did you or the present owner own or possess the property when the work was performed?      Yes      No  
if “NO” please state when the property was acquired: \_\_\_\_\_
5. Describe the unpermitted work performed and how much work, if any, remains to be done:  
\_\_\_\_\_
6. State your occupation (if retired, your former occupation). If you are a co-owner of the property, list all other owners and their occupations:  
\_\_\_\_\_
7. Do you own other property in San Francisco?      Yes      No
8. Have you owned property in San Francisco before?      Yes      No
9. Were you aware of the permit requirements for this work?      Yes      No
10. List and describe other permits you have been granted by the City:  
\_\_\_\_\_
11. If one of your employees was negligent in regard to this permit application, please explain:  
\_\_\_\_\_
12. If you are submitting copies of the Sales Agreement, 3-R Report and/or Disclosure Statement, please explain why: \_\_\_\_\_
13. Additional information you want the Board to consider (you may attach additional pages if needed):

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

## **San Francisco Building Code**

### **Section 107A.5 Investigation Fees: Work Without a Permit**

Whenever any work, for which a permit is required under the provisions of this code, has been started without a permit and where no specific additional fees are imposed as penalties as provided in this chapter, a special investigation shall be made before a permit may be issued for such work. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable fee. Where only a portion of the work has been commenced without a permit, the investigation fee shall be based upon the portion of the work done without a permit. The cost of any penalty for any work done, in conjunction with the investigation fee, shall be borne by the owner.

The owner or owner's agent may appeal the amount of the investigation fee if they can provide just cause, such as unfamiliarity with this code or demonstrable negligence on the part of one of their employees.

Appeals of such investigation fee shall be filed with the Board of Appeals in the manner provided in Part III of the San Francisco Municipal Code. Such filing shall be subject to the fees and rules of the Board of Appeals. The Board of Appeals, in re-viewing the appeal of the investigation fee assessed for doing work without a permit, may reduce the amount of said fee, but in no case shall such reduced investigation fee be less than two times the amount of the permit fee as called for in Section 110A, Table 1A-A – Building Permit Fees – of this code.

**EXCEPTION:** For non-residential uses the Building Official may reduce the investigation fee to two times the amount of the permit fee as called for in Section 110A, Table 1A-A – Building Permit Fees – of this code for work that was constructed prior to the current building ownership, provided that substantiating documentation is provided.