



Date Filed:

BOARD OF APPEALS

AUG 21 2014

APPEAL # 14-147

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

PRELIMINARY STATEMENT OF APPEAL

I / We, **Henry Go**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit 2014/06/11/8118** by the **Department of Building Inspection** which was issued or became effective on: **August 06, 2014**, to: **Clay Go**, for the property located at: **147 Hahn Street**.

BRIEFING SCHEDULE:

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **October 09, 2014, (no later than three (3) Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Respondent's and Other Parties' Briefs are due on or before: **October 23, 2014, (no later than one (1) Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Only photographs and drawings may be submitted by the parties at hearing.

Hearing Date: **Wednesday, October 29, 2014, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit an original and 10 copies of all documents of support/opposition no later than one (1) Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

If you have any questions please call the Board of Appeals at 415-575-6880

The reasons for this appeal are as follows:

Henry Go is only challenging the demolition section of the permit. 1. Due process issues. 2. The permit holders, Clay and Jossie Go have not been recognized as the owners of the property by Assessor's office. 3. If it is reasonably feasible to legalize the unit, the permit holder should do so rather than demolish it. Henry Go is concerned that the permit holder will demolish his unit to evict him, and then install another illegal unit.

Appellant or Agent (Circle One):

Signature: 

Print Name: HENRY GO



2x
7800

APPROVED
Dept. of Building Insp.

AUG 06 2014

Tom C. Hui
TOM C. HUI, S.E.
DIRECTOR

APPROVED FOR ISSUANCE

BLDG. FORM 3/8

APPLICATION NUMBER
2014 061 8118

OSHA APPROVAL REQUIRED

2014-48,961 (CES)
NOV 20 11 58 AM '14, HIS 201451831

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF
BUILDING INSPECTION OF SAN FRANCISCO FOR
PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS
AND SPECIFICATIONS SUBMITTED HERewith AND
ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE
HEREINAFTER SET FORTH.

FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
2 NUMBER OF PLAN SETS *OB*

DO NOT WRITE ABOVE THIS LINE

DATE FILED 7.30.14	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB 147 HAYN ST.	BLOCK & LOT 6297/036 SF. CA 94134
PERMIT NO. 1332448	ISSUED 8-06-14	(2A) ESTIMATED COST OF JOB \$2,500	(2B) REVISED COST \$18,000 DATE 7/31/14

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. VR	(5A) NO. OF STORIES OF OCCUPANCY 2	(5A) NO. OF BASEMENTS AND CELLARS 0	(7A) PRESENT USE SINGLE FAMILY HOME	(8A) OCCUP. CLASS R3	(9A) NO. OF DWELLING UNITS 1
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. VB	(5) NO. OF STORIES OF OCCUPANCY 2	(6) NO. OF BASEMENTS AND CELLARS 0	(7) PROPOSED USE (LEGAL USE) SINGLE FAMILY HOME	(8) OCCUP. CLASS R3	(9) NO. OF DWELLING UNITS 1
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(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--	--	--	--

(14) GENERAL CONTRACTOR	ADDRESS	ZIP	PHONE	CALIF. LIC. NO.	EXPIRATION DATE
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(15) OWNER - LESSEE (CROSS OUT ONE)	ADDRESS	ZIP	CITY	PHONE (FOR CONTACT BY DEPT.)
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(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

Comply with NOV 2014 48461, 201451831, 201486731
Replace 3 windows and siding at rear, PORCH WINDOW
Replace old garage door to a new garage door 7' X 7' wide
Get a permit for demolition of the rooms inside the garage
Replace existing window

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT.
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

(25) ARCHITECT OR ENGINEER (DESIGN <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/>	ADDRESS	CALIF. CERTIFICATE NO.
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(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")	ADDRESS
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IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.
No portion of building or structure or scaffolding used during construction is to be closer than 6'0" to any wire containing more than 750 volts. See Section 385, California Penal Code.
Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.
Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings must be submitted to this department for approval.
ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.
BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.
APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24).
THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.
In dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (I) or (II) designated below, or shall indicate item (III), (IV), or (V), whichever is applicable. If however item (V) is checked, item (IV) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

- () I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- () II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are: _____
- () III. The cost of the work to be done is \$100 or less.
- () IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.
- () V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

CHECK APPROPRIATE BOX

<input type="checkbox"/> OWNER	<input type="checkbox"/> ARCHITECT
<input type="checkbox"/> LESSEE	<input type="checkbox"/> AGENT
<input type="checkbox"/> CONTRACTOR	<input type="checkbox"/> ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.


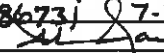




Signature of Applicant or Agent: *[Signature]* Date: 7-30-14

BOARD OF APPEALS

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CONDITIONS AND STIPULATIONS

<p>REFER TO: OFFICIAL COPY</p>	<p>APPROVED:  RICHARD TAM, DBI JUL 31 2014</p> <p>Call 415-883-6576, to schedule inspections for building, electrical and / or plumbing. This application is approved without site inspection, unless plumbing or electrical plan review and does not require an approval of the building. Work and/or work must be done in strict accordance with all applicable codes. Any electrical or plumbing work shall require approval from the Department of Building Inspection, DEPT. OF BLDG. INSP.</p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input checked="" type="checkbox"/></p>	<p>APPROVED: Replace 3 front windows with Fiberglass Wood Clad windows. Remove and replace siding @ rear. Replace garage door in kind. Remove bedroom, family room and fullbath and restore to garage as shown on plans. Comply with NOV.# 201448461, 201451831, 201486731 7-31-14 DEPARTMENT OF CITY PLANNING </p>	<p>DATE: 7/31/14 REASON: OK PROCESS NOTIFIED MR. </p>
<p><input type="checkbox"/></p>	<p>APPROVED: N/A BUREAU OF FIRE PREVENTION & PUBLIC SAFETY</p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input checked="" type="checkbox"/></p>	<p>APPROVED:  Danny Lau, DBI JUL 31 2014 MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION</p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED: N/A CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION</p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED: _____ BUREAU OF ENGINEERING</p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED: _____ DEPARTMENT OF PUBLIC HEALTH</p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED: Need separate permit for complaint # 201448461 REDEVELOPMENT AGENCY</p>	<p>DATE: 8/6/14 REASON: _____ NOTIFIED MR. CES </p>
<p><input checked="" type="checkbox"/></p>	<p>APPROVED: _____ VIOLATION # 201451831 5/21/14 R-3 occupancy FOR WORK STATED ONLY HOUSING INSPECTION DIVISION </p>	<p>DATE: _____ REASON: _____ NOTIFIED MR. _____</p>

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

BOARD OF APPEALS
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I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

OWNER'S AUTHORIZED AGENT

1 Dennis Zaragoza, Esq. (SBN 084217)
LAW OFFICES OF DENNIS ZARAGOZA
2 P.O. Box 15128
San Francisco, CA 94115
3 Telephone: (510) 375-7238

4 Attorney for Appellant Henry Go

5
6 BOARD OF APPEALS
7 CITY AND COUNTY OF SAN FRANCISCO
8

9 HENRY GO,
10

11 Appellant,

12 vs.

13 DEPARTMENT OF BUILDING
14 INSPECTIONS,

15 Respondent.
16

17 CLAY GO and JOSSIE GO,

18 Real Parties in Interest.
19

Permit No. 2014/06/11/8118

APPELLANT HENRY GO'S BRIEF IN
SUPPORT OF REVOCATION OF
PERMIT

20 Summary

21 On August 6, 2014, Real Parties in Interest CLAY GO and JOSSIE GO ("**Real Parties**")
22 obtained a permit allowing them to demolish an illegal unit behind the garage at 147 Hahn Street,
23 San Francisco, California. The permit was issued at the counter without notice to the residents of the
24 illegal unit, HENRY GO and GRACE P. GONZALEZ. (Sometimes collectively referred to as
25 "**Tenants**" or "**Henry Go.**")

26 The following day, **Real Parties** appeared at a settlement conference in an unlawful detainer
27 action brought against **Henry Go**. In an effort to reinforce their demands that **Henry Go** must move
28 from the premises, **Real Parties** disclosed that a demolition permit had been issued the previous day

1 for his unit. After the settlement conference ended, counsel for **Henry Go** went to the Department
2 of Building Inspections and confirmed that a demolition permit had been issued for **Henry Go's**
3 unit.

4 Issues on Appeal

5 In this appeal, **Henry Go** seeks the revocation of the demolition permit allowing **Real**
6 **Parties** to demolish the illegal residence located in and past the garage area. The issues on appeal
7 are:

- 8 1. Under California law, **Henry Go** had rights as a tenant even after the Notice of
9 Violation were issued by the Department of Building Inspection. By issuing a
10 demolition permit without notice or hearing, **Henry Go's** rights to procedural due
11 process were violated as protected by the 5th Amendment to the U.S. Constitution, as
12 imposed on the States through the 14th Amendment and as protected by Article I,
13 Section 7, of the California Constitution.
- 14 2. A question arises whether the local procedures allowing a demolition permit to be
15 issued for an illegal unit, without notice or hearing, conflicts with California state law
16 provisions on housing policy as well as the rights afforded to tenants living in
17 substandard housing to seek an injunction requiring the landlord to upgrade the unit.
- 18 3. Finally, because the San Francisco Assessor's Office did not recognize the **Real**
19 **Parties** as the owners of 147 Hahn (due to a cloud on title), the Department of
20 Building Inspections issued the Notice of Violations to one of the past owners of
21 record, Frederico Parangan. Nevertheless, the Department of Building Inspections
22 issued the demolition permit to **Real Parties** despite knowledge of this apparent
23 problem.

24 Facts on Appeal

25 Henry Go (the individual) is 58 years old. While he has been disabled for some years, the
26 State of California formally acknowledged his disability in January of 2014. (Please see Declaration
27 of Henry Go, ¶ 1.) Henry Go began living at 147 Hahn Street in or around 2004. Frederico Parangan
28 was his landlord. At that time, he was living in the upper (legal) portion of the house. (Please see
Declaration of Henry Go, ¶2.)

In or around November 2011, **Henry Go** was told that **Real Parties** would be purchasing 147
Hahn, and that they could no longer stay in the main house. The storage area and garage below the
house was modified so that it would now contain their new living unit. (Henry Go Declaration, ¶ 3.)

1 In or around December 2011, the **Tenants** moved into the downstairs unit. (*Id.*, ¶4.) As of May
2 2014, approximately one-half of Henry Go's income was paid for rent.

3 At the time that they moved in and up to the present, this new unit had no heater. There is no
4 kitchen sink. The only sink for washing dishes is in the bathroom. There are no smoke detectors.
5 The lighting is poor. The bathroom ventilation is poor resulting in mold. Electrical wiring hangs
6 from the walls and ceilings. At one point, the bedroom window and the bathroom window were
7 covered by plywood. In late 2013, the landlord installed a double bolt lock for the back door leading
8 to the backyard, resulting in the **Tenants** having no fire escape other than the front door near the
9 garage door. (Henry Go Declaration, ¶¶ 4-5.)

10 Due to a complaint, the Department of Building Inspections began examining work
11 performed at the house without permit, including an exterior deck at the back of the house. (Please
12 see Ex. A, page 1 of the Complaint Data Sheet, dated January 27, 2014, and the Notice of Violation,
13 dated January 30, 2014, to Request for Judicial Notice.) Eventually, the Department of Building
14 Inspections determined that the lower unit was illegal. (Feb. 18, 2014, Complaint Data Sheet,
15 Request for Judicial Notice, Ex. B and further described in a May 21, 2014, Notice of Violation,
16 attached as Ex. C to the Request for Judicial Notice.) Additional inspections, including the
17 respective Notices of Violation requiring certain repairs to the property have been attached to the
18 Request for Judicial Notice as Exhibits E and F.

19 On August 7, 2014, a mandatory settlement conference was held in an unlawful detainer
20 action brought by the **Real Parties** against **Henry Go**. After this conference ended, **Tenants'**
21 attorney was able to confirm that a permit had been issued to **Real Parties** on August 6, 2014,
22 allowing the demolition of their unit without prior notice or hearing. (Please see Declaration of
23 Dennis Zaragoza, ¶ 3 and Henry Go Declaration, ¶¶ 6-7.)

24 Analysis of Facts and Law

25 **1. The Violation of Procedural Due Process**

26 In *Arrieta v. Mahon* (1982) 31 Cal.3d 381, the California Supreme Court held that the
27 eviction procedures used by the Los Angeles County Marshal's Department violated the right to
28 procedural due process as protected by the 5th Amendment to the U.S. Constitution as applied to the

1 states through the 14th Amendment and Article I, section 7, of the California Constitution. As
2 explained by the California High Court, the Los Angeles County Marshal's Department's procedure
3 allowed them to evict all tenant, including those living there before the unlawful detainer action
4 started, irrespective of whether they had notice of the unlawful detainer proceedings. (At p. 384.)

5 The tenants brought a taxpayer's action as authorized by Code of Civil Procedure section
6 526a, seeking declaratory relief and an injunction based upon the due process violations. (*Arrieta v.*
7 *Mahon, supra*, 31 Cal.3d 381, 385.) Even though a nonstatutory remedy was available to tenants,
8 the California High Court found that this remedy was "not an acceptable substitute for a regular
9 process assuring notice and a hearing." (At p. 391.)

10 The situation at hand is similar to the situation in *Arrieta* because a tenant in possession has
11 no right to notice before the demolition permit is issued, and, due to a lack of notice, the time to
12 appeal its issuance can run before a tenant has the right to a hearing challenging whether the permit
13 should be issued.

14 Does the fact that this unit was illegal diminish or eliminate the tenant's rights? The answer
15 to this question is "no." In the recent case of *Erlach v. Sierra Asset Servicing* (2014) 226
16 Cal.App.4th 1281, 1296, the appellate court explained how tenants living in an illegal unit or in
17 substandard housing continue to have rights in the premises.

18 As a general rule, California law recognizes that the courts will not enforce an illegal bargain
19 or help a party to an illegal act. (*Erlach v. Sierra Asset, supra*, 226 Cal.App.4th 1281, 1295.) Rental
20 agreements involving units without a certificate of occupancy are generally considered as unlawful
21 and void. (*Id.*)

22 "Nonetheless, the rule barring the enforcement of unlawful contracts is not
23 absolute. Because the rationale for the rule is founded on deterrence, the Supreme
24 Court has made clear that courts "'should not ... blindly extend the rule to every case
25 where illegality appears somewhere in the transaction. The fundamental purpose of
26 the rule must always be kept in mind, and the realities of the situation must be
27 considered. Where, by applying the rule, the public cannot be protected because the
28 transaction has been completed, where no serious moral turpitude is involved, where
the defendant is the one guilty of the greatest moral fault, and where to apply the rule
will be to permit the defendant to be unjustly enriched at the expense of the plaintiff,
the rule should not be applied.'" [Citation.]" (*Id.*, at p. 1295, quoting *Carter v. Cohen,*
supra, 188 Cal.App.4th 1038, 1048.)

1 “Courts have thus permitted parties to obtain benefits under a law enacted for their
2 protection, despite their participation in transactions that contravened the law
3 [citation]. Similarly, courts have permitted parties to enforce contracts that
4 contravene statutes enacted for the parties' benefit [citation.]” (*Id.*, quoting *Carter v.*
Cohen, supra, 188 Cal.App.4th at p. 1048.)

5 As explained in *Erlach*, the California Legislature has recognized that a tenant continues to have
6 rights in the premises even if the building has been red tagged. Here, the landlord should not benefit
7 by his or her illegal conduct by accepting rent for an illegal unit and then demolishing the unit to
8 avoid the legal consequences of his or her misconduct.

9 In *Erlach*, the new owner of a foreclosed building argued that the tenancy ended when the
10 building was red tagged. (The previous owner shut off the utilities to the building.) (*Erlach v.*
11 *Sierra Asset, supra*, 226 Cal.App.4th 1281, 1291-1292.) Construing various state statutes, the
12 *Erlach* court held:

13 Throughout much of its argument Sierra conflates the right to occupy with the
14 right to maintain a tenancy. A tenancy is not terminated when a building inspector
15 orders the tenants to vacate the property due to unsafe conditions. Rather, pursuant to
16 *Civil Code section 1941*, with exceptions not relevant here, and *Health and Safety*
17 *Code section 17980.6*, the landlord must put the property into a condition fit for
occupation and repair all subsequent dilapidations. (*Erlach v. Sierra Asset Servicing,*
supra, 226 Cal.App.4th 1281, 1292.)

18 California law thus supports the preservation of adequate housing by generally requiring that the
19 landlord make an untenable unit habitable.

20 The *Erlach* court then explained how Health and Safety Code sections 17980.6 and 17980.7
21 create a statutory scheme providing certain remedies to address substandard housing that is unsafe.
22 (*Erlach v. Sierra Asset Servicing, supra*, 226 Cal.App.4th 1281, 1293.) The *Erlach* court went on to
23 explain the remedies available to the agency if a landowner fails to comply with a notice of violation
24 within a reasonable time. (*Id.*) Because this statutory scheme consistently refers to tenants living in
25 substandard housing as tenants, even if the building is found to be untenable, the *Erlach* court
26 concluded that the tenant continues to have all of the statutory legal rights and remedies, including
27 the right of injunctive relief requiring that the landlord bring the unit up to code. (*Id.*, at p. 1294.)

28 In footnote 7 of the *Erlach* opinion, the court quoted Health & Safety Code section 17980,

1 subd. (c)(2), for the following requirement:

2 However, "[i]n deciding whether to require vacation of the building or to
3 repair as necessary, the enforcement agency shall give preference to the repair of the
4 building whenever it is economically feasible to do so without having to repair more
5 than 75 percent of the dwelling, as determined by the enforcement agency, and shall
6 give full consideration to the needs for housing as expressed in the local jurisdiction's
7 housing element." (*Erlach v. Sierra Asset Servicing, supra*, 226 Cal.App.4th 1281,
8 1294, fn. 7.)

9 As there was no notice, hearing or record of the information presented to obtain the demolition
10 permit, it cannot be determined whether this state imposed standard was met at the time when the
11 demolition permit was issued. Instead, the absence of a record creates an inference that the
12 responsible agency failed to recognize the requirements of this statute and make any determination
13 regarding whether it was economically feasible to repair the dwelling to meet code requirements.

14 Here, these various failures demonstrate that the **Tenants** were deprived of procedural due
15 process and the right to be heard regarding their interests in the tenancy. As a result of these
16 violations, the demolition permit should be revoked.

17 **2. Local Procedure Conflicts with State Law**

18 Henry Go is 58 and disabled. He pays approximately 50% of his income for rent. And while
19 that may seem to be high, after living at 147 Hahn for 10 years, a move to a new location in San
20 Francisco is likely to cost much more than his current payment.

21 For decades, the California legislature has recognized the need to protect and preserve
22 housing, and particularly for low income residents, the elderly and the disabled. For example,
23 Health & Safety Code section 50004, relating to State Housing Policy and General Provisions,
24 recognizes the economic benefit to the state and public to encourage the availability of adequate
25 housing for persons and families of low or moderate income and the need to provide decent housing
26 for those persons and families.

27 Health & Safety Code section 50003.3, while primarily dealing with the need for housing for
28 the homeless, identifies the need for public programs that implement and have the goal of, inter alia,
 preventing the displacement of very low income households from existing housing. (Health &
 Safety Code, §50003.3, subd. (f).)

1 Finally, in 1997, the California Legislature passed Health & Safety Code section 50010 as
2 part of the State Housing Policy and General Provisions. One findings appearing in this statute is:
3 “Sufficient safe, sanitary, and affordable housing is not available for households with special needs,
4 particularly elderly and disabled households.” (Health & Safety Code, §50010, subd. (a)(4).) One
5 of the legislative declarations in this statute is the critical need to “preserve and rehabilitate homes
6 and rental housing.” (Health & Safety Code, §50010, subd. (b)(4)(C).)

7 In this case, the **Real Parties** (owning a partial interest in the property as discussed below)
8 were able to obtain a demolition permit for an existing unit that was currently rented out to tenants.
9 As part of the application process, the record fails to show any investigation as to whether the unit
10 was occupied, and whether those tenants had any special needs criteria as discussed in Health &
11 Safety Code section 50010, which should have afforded them some additional protection from
12 having their unit destroyed without notice or hearing.

13 The record does show that the permit was issued to cure or correct certain Notices of
14 Violation that were issued by the Department of Building Inspections. However, as discussed
15 above, the record fails to show whether the unit could be repaired under the standard found in Health
16 & Safety Code section 17980, subd. (c)(2) before a permit was issued allowing the owner to
17 demolish the unit.

18 From all appearances, the current local procedure allowing an owner to obtain a demolition
19 permit for a residential unit without: (1) an inquiry as to the status of the tenant; (2) the tenant’s
20 rights to require repair of the unit, (3) notice and an opportunity to hear any objections by the tenant,
21 and (4) the condition of the tenant as elderly or a special needs tenant conflicts with the State
22 Housing Policy as well as Health and Safety Code sections 17980.6 and 17980.7.

23 “If otherwise valid local legislation conflicts with state law, it is
24 preempted by such law and is void.” (*Sherwin-Williams Co. v. City of Los*
25 *Angeles* (1993) 4 Cal.4th 893, quoting *Candid Enterprises, Inc. v. Grossmont*
Union High School Dist. (1985) 39 Cal.3d 878, 885.)

26 Preemption is evident because the local procedure fails to adequately protect a tenant’s rights as
27 recognized by Health and Safety Code sections 17980.6 and 17980.7.

28 If an owner of a building is seeking a demolition permit to cure a notice of violation without

1 notice or hearing, the owner should first certify that the unit is vacant and is not the subject of an
2 existing rental agreement. For example, if the owner obtains the tenant's cooperation for repairs and
3 asks that the tenant temporarily leave the unit, these circumstances would not create a "vacant" unit
4 as the tenant would continue to have ongoing rights.

5 Due to the lack of affordable housing in California, the State, the existing tenants and the
6 local governing entity have an interest in maintaining residential properties. When a local procedure
7 conflicts with the stated goals of state law, it should be amended so that it conforms to the governing
8 law or its stated goal(s). Here, the local procedures failed to identify and balance the statutorily
9 identified interests of the State and the **Tenants**. Because of this failure, the permit should be
10 revoked.

11 **3. The Inconsistent Treatment re: Ownership**

12 In this particular case, the San Francisco Recorder's Office has a grant deed on file, recorded
13 on September 15, 2009, whereby Frederico Parangan deeded to Rolando DeGuzman, a single person,
14 and to Frederico Parangan, a single man, an interest in 147 Hahn Street as joint tenants. (Ex. D to the
15 Request for Judicial Notice.) On December 7, 2011, a grant deed was recorded deeding 147 Hahn
16 Street from Frederico A. Parangan to Clay I. Go and Jossie F. Go. (Ex. E to the Request for Judicial
17 Notice.) The Recorder's Office fails to show any grant deed from Rolando DeGuzman or his
18 representative to the **Real Parties**, creating a cloud on title.

19 As a result of this irregularity, the Notices of Violation for those violations found at 137 Hahn
20 were directed to Frederico Parangan. (Ex.s A to C of the Request for Judicial Notice.) Given this
21 treatment of the property's title, an apparent lack of symmetry arises when a demolition permit was
22 issued to **Real Parties**.

23 **Conclusion**

24 First, **Henry Go's** rights to procedural due process was violated when a demolition permit
25 was issued allowing the destruction of the residential unit that is his dwelling without notice or
26 hearing. State law recognizes that a tenant continues to have rights in a residential dwelling even if
27 the building is red tagged. These statutory interests must be taken into consideration before due
28 process can be satisfied. However, the permit process did not recognize the Tenants' rights to

1 contest whether repair should be favored over demolition. As a result of these deficiencies, the
2 demolition permit should be revoked because of this due process violation.

3 Second, the local entity's issuance of a demolition permit for a residential unit without
4 inquiry as to whether existing state law goal or statutes would be violated places the local procedures
5 in conflict with state law, raising the issue of preemption.

6 DATED: October 9, 2014

Respectfully submitted,
LAW OFFICES OF DENNIS ZARAGOZA

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9 _____
Dennis Zaragoza

10 Attorney for Appellant Henry Go
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1 Dennis Zaragoza, Esq. (SBN 084217)
LAW OFFICES OF DENNIS ZARAGOZA
2 P.O. Box 15128
San Francisco, CA 94115
3 Telephone: (510) 375-7238

4 Attorney for Appellant Henry Go

5
6 BOARD OF APPEALS
7 CITY AND COUNTY OF SAN FRANCISCO
8

9
10 HENRY GO,

11 Appellant,

12 vs.

13
14 DEPARTMENT OF BUILDING
INSPECTIONS,

15 Respondent.

16
17 CLAY GO and JOSSIE GO,

18 Real Parties in Interest.
19

Permit No. 2014/06/11/8118

APPELLANT HENRY GO'S
DECLARATION IN SUPPORT OF
REVOVATION OF PERMIT

20 I, Henry Go, declare:

21 1. I am a resident of San Francisco, residing at 147 Hahn Street, and am the appellant to
22 this appeal. Currently, I am 58 years of age, and as of January 2014, the State of California has
23 recognized that I am disabled. I am receiving disability benefits from the state. These benefits are
24 my sole source of income.

25 2. I have lived at 147 Hahn Street for over 10 years. Initially, I lived in the upper unit
26 above the garage, renting a room from Frederico Parangan.

27 3. In or around November of 2011, I was told that Clay Go and his wife, Jossie Go,
28 would be purchasing the house, and they wanted me to move out of the main house. Rather than

1 have me move out completely, they were going to fix up the storage area and the garage so that I
2 could live there with my girlfriend, Grace P. Gonzalez.

3 4. In or around December 2011, we moved into this newly created downstairs unit. At
4 the time that we moved in, this unit had no heater. This condition exists at the present time. Also,
5 there is no kitchen sink. The only sink that is available for washing dishes is in the bathroom. There
6 are no smoke detectors in this unit. The lighting is poor. The bathroom ventilation is poor resulting
7 in mold. Additionally, electrical wires hang from the walls and ceilings. At one point, the bedroom
8 window and the bathroom window were covered by plywood. Clay Go removed these coverings
9 after August 7, 2014.

10 5. In late 2013, the landlord, Clay Go, installed a double bolt lock for the back door
11 leading to the backyard. As a result of this change, we did not have a key to this lock. We had no
12 fire escape other than the front door near the garage door.

13 6. On August 7, 2014, I was informed and believe that Clay and Jossie go had obtained
14 a demolition permit for my unit. Up to that point, I had not received any notice that they were going
15 to apply for such a permit. I was not permitted a hearing to contest their right to receive this permit
16 before it was issued to them.

17 7. Since that time, I have seen a copy of that permit, and recall that it was issued on
18 August 6, 2014, the day before a mandatory settlement conference scheduled in an unlawful detainer
19 action brought by Clay and Jossie Go against Grace P. Gonzalez and myself.

20 I declare the foregoing to be true under penalty of perjury as to those matters stated of my
21 own personal knowledge. As to those matters based on information and belief, I also believe those
22 matters to be true under penalty of perjury.

23 Executed this 8th day of October, 2014, at San Francisco, California.

24
25 _____
26 Henry Go
27
28

1 Dennis Zaragoza, Esq. (SBN 084217)
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2 P.O. Box 15128
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3 Telephone: (510) 375-7238

4 Attorney for Appellant Henry Go

5
6 BOARD OF APPEALS
7 CITY AND COUNTY OF SAN FRANCISCO
8

9
10 HENRY GO,

11 Appellant,

12 vs.

13
14 DEPARTMENT OF BUILDING
INSPECTIONS,

15 Respondent.

16
17 CLAY GO and JOSSIE GO,

18 Real Parties in Interest.
19

Permit No. 2014/06/11/8118

DECLARATION OF DENNIS
ZARAGOZA IN SUPPORT OF
APPELLANT HENRY GO'S APPEAL
SEEKING REVOCATION OF PERMIT

20 I, Dennis Zaragoza, declare:

21 1. I am an attorney at law licensed to practice before the courts of this State, and am
22 counsel for the appellant, Henry Go.

23 2. On August 7, 2014, a mandatory settlement conference was held in an unlawful
24 detainer action brought by CLAY AND JOSSIE GO against HENRY GO and Grace P. Gonzalez.
25 Up to the time of that conference, I had received no notice that the landlords would be seeking or did
26 seek a demolition permit for the unit where HENRY GO and Grace P. Gonzalez resided.

27 3. After this conference ended, I went to the Department of Building Inspections to
28 determine if a demolition permit had been issued for the lower unit at 147 Hahn. Based on my

1 investigation, I learned that a permit had been issued to CLAY and JOSSIE Go on August 6, 2014,
2 allowing the demolition of the unit where HENRY GO and Grace P. Gonzalez resided without prior
3 notice or hearing.

4 4. As Exhibit A to the Request for Judicial Notice, I have attached a true and correct
5 copy of page 1 of the Complaint Data Sheet, dated January 27, 2014, and the Notice of Violation,
6 dated January 30, 2014 as received from the Department of Building Inspections.

7 5. As Ex. B to the Request for Judicial Notice, I have attached a true and correct copy of
8 the Complaint Data Sheet, dated February 18, 2014, finding that the lower unit was likely an illegal
9 unit. I received copies of these documents from the Department of Building Inspections.

10 6. As Ex. C to the Request for Judicial Notice, I have attached a true and correct copy of
11 the Notice of Violation, dated May 21, 2014, again addressing conditions of the illegal lower unit. I
12 obtained this document from the San Francisco Department of Building Inspections.

13 7. As Exhibit D to the Request for Judicial Notice, I have attached a true and correct
14 copy of the Complaint Data Sheet, dated July 22, 2014. A copy of these documents was received
15 from the San Francisco Department of Building Inspections.

16 8. As Exhibit E to the Request for Judicial Notice, I have attached a true and correct
17 copy of the Complaint Data Sheet, dated July 25, 2014, and the Notice of Violation dated July 28,
18 2014, requiring various repairs to the illegal unit. A copy of these documents was received from the
19 San Francisco Department of Building Inspections.

20 9. As Exhibit F to the Request for Judicial Notice, I have attached a true and correct
21 copy of a grant deed, recorded on September 15, 2009, and produced from the Records of the City
22 Recorder's office.

23 10. As Exhibit G to the Request for Judicial Notice, I have attached a true and correct
24 copy of a grant deed recorded on December 7, 2011, relating to 147 Hahn Street, in which Frederico
25 A. Parangan transfers his interest to Clay I. Go and Jossie F. Go. This document was printed from
26 those records available to the public at the City and County of San Francisco Recorder's Office.

27 11. As Exhibit H to the Request for Judicial Notice, I have attached a true and correct
28 copy of the permit that is the subject of this appeal. I would note that the copy has been reduced

1 from legal size paper to letter size paper. A copy of this document was received from the San
2 Francisco Department of Building Inspections.

3 12. I am informed and believe that Jossie Go has accepted a job as a resident manager of
4 a hotel or motel. As a result of this employment, I am informed and believe that she and her
5 husband, Clay Go, are no longer living at 147 Hahn Street. However, their current address is
6 unknown. As I have not received any notice of a change of address, I will be required to serve the
7 Real Parties in Interest at their last known address, 147 Hahn Street, San Francisco, CA.

8 I declare the foregoing to be true under penalty of perjury as to those matters stated of my
9 own personal knowledge. As to those matters based on information and belief, I also believe those
10 matters to be true under penalty of perjury.

11 Executed this 9th day of October, 2014, at San Francisco, California.

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13 _____
14 Dennis Zaragoza
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6 Attorney for Appellant Henry Go

7 BOARD OF APPEALS
8 CITY AND COUNTY OF SAN FRANCISCO

9 HENRY GO,

10 Appellant,

11 vs.

12 DEPARTMENT OF BUILDING
13 INSPECTIONS,

14 Respondent.

15
16
17 CLAY GO and JOSSIE GO,

18 Real Parties in Interest.

Permit No. 2014/06/11/8118

REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF APPELLANT HENRY
GO'S APPEAL SEEKING
REVOVATION OF PERMIT

19
20 TO ALL PARTIES, PLEASE TAKE NOTICE:

21 Appellant Henry Go hereby requests judicial notice for purposes of his appeal as authorized
22 under Evidence Code section 452, subd. (c) and (h), as they reflect either official actions by the
23 Department of Building Inspections or documents recorded by the San Francisco Recorder's office
24 and are matters of public record.

25 1. As Exhibit A, a copy of page 1 of the Complaint Data Sheet, dated January 27, 2014,
26 and the Notice of Violation, dated January 30, 2014 as received from the Department of Building
27 Inspections has been attached.

28 2. As Ex. B, a copy of the Complaint Data Sheet, dated February 18, 2014, finding that

1 the lower unit was likely an illegal unit has been attached.

2 3. As Ex. C, a copy of the Notice of Violation, dated May 21, 2014, again addressing
3 conditions of the illegal lower unit has been attached. This document was obtained from the San
4 Francisco Department of Building Inspections.

5 4. As Exhibit D, a copy of the Complaint Data Sheet, dated July 22, 2014, from the San
6 Francisco Department of Building Inspections, has been attached.

7 5. As Exhibit E to this Request for Judicial Notice, a copy of the Complaint Data Sheet,
8 dated July 25, 2014, and the Notice of Violation dated July 28, 2014, requiring various repairs to the
9 illegal unit has been attached. A copy of these documents was received from the San Francisco
10 Department of Building Inspections.

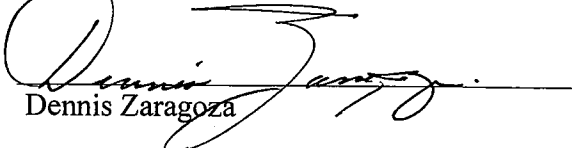
11 6. As Exhibit F to this Request for Judicial Notice, a copy of a grant deed, recorded on
12 September 15, 2009, and produced from the Records of the City Recorder's office.

13 7. As Exhibit G to this Request for Judicial Notice, a copy of a grant deed recorded on
14 December 7, 2011, relating to 147 Hahn Street, in which Frederico A. Parangan transfers his interest
15 to Clay I. Go and Jossie F. Go. This document was printed from those records available to the
16 public at the City and County of San Francisco Recorder's Office.

17 8. As Exhibit H, a copy of the permit that is the subject of this appeal has been attached
18 albeit the copy has been reduced from legal size paper to letter size paper.

19
20 DATED: October 9, 2014

21 Respectfully submitted,
22 LAW OFFICES OF DENNIS ZARAGOZA

23 
24 Dennis Zaragoza

25 Attorney for Appellant Henry Go
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27
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Exhibit A



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 201448461

OWNER/AGENT: PARANGAN FEDERICO
 PARANGAN FEDERICO
 147 HAHN ST
 SAN FRANCISCO CA

DATE FILED: 27-JAN-14
LOCATION: 147 HAHN ST
BLOCK: 6297 **LOT:** 036
SITE:

94134
OWNER'S PHONE --
CONTACT NAME
CONTACT PHONE --

RATING: **OCCUPANCY CODE**
RECEIVED BY: Maria Asuncion **DIVISION:** PID
COMPLAINT SOURCE: OFFICE VISIT

COMPLAINANT: Neighbor

ASSIGNED TO DIVISION: CES

SAN FRANCISCO

COMPLAINANT'S PHONE 415-586-5218

DESCRIPTION: Home was built in backyard behind original home w/o permit. We have lost our privacy.
INSTRUCTIONS: Neighbor wants to be informed when the inspector goes for inspection.

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
CES	HINCHION	1125		

REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
07-MAR-14	Maria Asuncion	CES	Refer to Director's Hearing for abatement.

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIVISION	INSPECTOR	STATUS	COMMENT
27-JAN-14	CASE OPENED	BID	D CARLIN JR.	CASE RECEIVED	
30-JAN-14	OTHER BLDG/HOUSING VIC	INS	D DUFFY	FIRST NOV SENT	NOV issued by DD
31-JAN-14	OTHER BLDG/HOUSING VIC	INS	D DUFFY	CASE UPDATE	first NOV mailed by GPS
05-MAR-14	OTHER BLDG/HOUSING VIC	BID	D DUFFY	SECOND NOV SENT	2nd NOV sent by DD
05-MAR-14	OTHER BLDG/HOUSING VIC	BID	D DUFFY	CASE UPDATE	2nd copy of NOV mailed by jj
07-MAR-14	GENERAL MAINTENANCE	BID	D DUFFY	REFERRED TO OTHER DIV	transfer to div CES
11-MAR-14	CASE OPENED	CES	J HINCHION	CASE RECEIVED	
12-MAR-14	WITHOUT PERMIT - OTHE	CES	T THERIAULT	CASE UPDATE	No PTS record. Monitoring fee applies.
14-MAR-14	WITHOUT PERMIT - OTHE	CES	T THERIAULT	ASSESSMENTS DUE	One month monitoring fee due to date. No permit to comply



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

NUMBER: 201448461

City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

DATE: 30-JAN-14

ADDRESS: 147 HAHN ST

OCCUPANCY/USE: ()

BLOCK: 6297 LOT: 036

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: PARANGAN FEDERICO
MAILING PARANGAN FEDERICO
ADDRESS 147 HAHN ST
SAN FRANCISCO CA

PHONE #: --

94134

PERSON CONTACTED @ SITE: PARANGAN FEDERICO

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

A complaint has been filed with this department regarding unpermitted construction in rear yard. Construction of a building approx 25 ft long x 16 ft wide x 12 ft tall. New siding and windows at rear of main building.

Code/section 103A, 102A.3 Table 1A-K

monthly violation monitoring fee

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4 415-558-6120
- 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 SIGNOFF.
- 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.

Obtain a building permit for legalization removal or modification of work performed without permit. Obtain required inspections to close the complaint.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

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

APPROX. DATE OF WORK W/O PERMIT 01-JAN-14 VALUE OF WORK PERFORMED W/O PERMITS \$25000

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy

PHONE # 415-558-6120

DIVISION: CES

DISTRICT :

By:(Inspectors's Signature) _____



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
1660 Mission St. San Francisco, CA 94103

NOTICE: 2

NUMBER: 201448461
DATE: 05-MAR-14

ADDRESS: 147 HAHN ST

OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS, TOWNHOUSES) BLOCK: 6297 LOT: 036

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: PARANGAN FEDERICO
MAILING: PARANGAN FEDERICO
ADDRESS: 147 HAHN ST
SAN FRANCISCO CA

PHONE #: --

94134

PERSON CONTACTED @ SITE: PARANGAN FEDERICO

PHONE #: --

VIOLATION DESCRIPTION:

VIOLATION DESCRIPTION:	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

You failed to comply with notice of violation dated 1/30/14 . Therefore, this department has initiated abatement proceedings against the property.

Monthly violation monitoring fee \$52
Code sec: 103A, 102A.3, Table 1A-K

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4 415-558-6120
- FILE BUILDING PERMIT WITHIN DAYS (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
- CORRECT VIOLATIONS WITHIN DAYS. NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED 30-JAN-14, 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 will be notified of time, date and place of directors hearing by code enforcement division.

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: Donal J Duffy
PHONE # 415-558-6120

DIVISION: CES

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 304(e) and 332.3 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 875 Stevenson St., 4th floor. 554-6720

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 fined for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 203(b) & 332.3

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(c) of the Revenue and Taxation Code.

WARNING: Section 205(a) 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 304(e) y 332.3 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 límite 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 875 de la calle Stevenson, cuarto piso, teléfono 554-6720.

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 203(b) y 332.3 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 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 está diligentemente, rápidamente y continuamente acusado después de seis (6) meses de la fecha de este aviso, se le enviará 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 205(a) 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, rehúsa 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.

根據《三藩市建築法規》(簡稱 SFBC) 第 304(e) 項和第 332.3 項條款的規定，對沒有許可證便已開始的工程和或在進行的工程，或者超越許可範圍的工程，將收取調查費。當事人可以在許可證發出日起 15 天之內，調查費可以向許可上訴委員會提出上訴。該委員會地址在 Stevenson 街 875 號 4 樓，電話：554-6720。

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判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。如果在此通告公布六個月後，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：如不按原要求立即採取行動，以糾正上述違章行為，將導致建築檢查局付諸強制糾正程序的執行。倘對此房地產開發的強制糾正程序令一經在市府備案，則自違章通知張貼日起的各項與此糾正程序有關的費用，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 203 (b) 項和第 332.3 項條款。

警告：《三藩市建築法規》第 205(a) 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 500 元的罰款，和/或者監禁六個月。

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，二次重犯者罰款 200 元，每種違章的最高罰款可達 7,500 元。此項法規還規定對每一違章重犯者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。

Exhibit B



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 201451831

OWNER/AGENT: PARANGAN FEDERICO
 PARANGAN FEDERICO
 147 HAHN ST
 SAN FRANCISCO CA

DATE FILED: 18-FEB-14
LOCATION: 147 HAHN ST
BLOCK: 6297 **LOT:** 036
SITE:

94134

RATING: **OCCUPANCY CODE R-3**

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

RECEIVED BY: Isabel Olivares **DIVISION:** HIS
COMPLAINT SOURCE: TELEPHONE

COMPLAINANT: ANONYMOUS

ASSIGNED TO DIVISION: HIS

SAN FRANCISCO

COMPLAINANT'S PHONE --

DESCRIPTION: Illegal unit at basement level, multiple rooms built upstairs. Change of Use. Complaint filed in 2009 not investigated. Also, there is active work without permit at rear yard, please see recent DBI complaint.

INSTRUCTIONS:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	LUTON	6300	18	

REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
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COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIVISION	INSPECTOR	STATUS	COMMENT
18-FEB-14	CASE OPENED	HIS	A LEPE	CASE RECEIVED	
19-FEB-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	TELEPHONE CALLS	Inspector Lepe received a call from anonymous caller reagrdng complaint.
21-FEB-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	INSPECTION OF PREMISES MADE	INSPECTOR LEPE ATTEMPTED TO INSPECT SUBJECT PROPERTY, BUT WAS UNABLE TO ENTER. A PERSON STANDING OUTSIDE INDICATED THAT THE OWNER WAS NOT HOME. INSPECTOR LEPE GAVE HIM A BUISNESS CARD TO GIVE TO THE OWNER HAVE THE OWNER CALL HIM.
18-APR-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	INSPECTION OF PREMISES MADE	On 4/11/2014 Inspector Lepe investigated the complaint at the subject property and will perform permit research to verify any violations of the San Francisco Housing Code.
22-APR-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	PERMIT RESEARCH	Permit research requested from the clerical



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 201451831

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIVISION	INSPECTOR	STATUS	COMMENT
					staff.
22-MAY-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	FIRST NOV SENT	SEE D.B.I. N.O.V. ISSUED.
27-MAY-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	BLDG POSTED & TENANTS NOTIFIED AS PER NOTIFICATION REQMNTS	Unit : 1;# of postings left on building: 1;Locations : FACADE;Unit #s mailed posting: 1.
21-JUL-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	REINSPECTION 1	Inspector Lepe attempted to perform a reinspection on 7/21/2014 at 11:00 AM as specified on the Notice of Violation issued on 5/22/2014, at the subject property but was unable too because the property owner/agent failed to provide access as required by the Notice of Violation.
22-JUL-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	FINAL WARNING LETTER SENT	
28-AUG-14	ILLEG CNVRSN/# UNITS	HIS	M LUTON	REINSPECTION 2	Inspector Luton attempted to re-inspect the subject property but could not gain access.
28-AUG-14	ILLEG CNVRSN/# UNITS	HIS	M LUTON	PERMIT RESEARCH	Permit #201406118118 has been suspended per the request of BOA.

COMPLAINT ACTION BY DIVISION

DIVISION	DATE	DESCRIPTION	ACTION COMMENT
<u>NOV (HIS)</u>	<u>NOV (BID)</u>		
21-MAY-14	21-MAY-14		

Exhibit C



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: 201451831

OWNER/AGENT: PARANGAN FEDERICO

DATE: 21-MAY-14

MAILING

ADDRESS: PARANGAN FEDERICO
147 HAHN ST
SAN FRANCISCO CA

94134

LOCATION: 147 HAHN ST

BLOCK: 6297 **LOT:** 036

NOTICE TYPE: COMPLAINT

BUILDING TYPE: NA

USE TYPE: R3

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	147 HAHN ST.
2 WORK WITHOUT PERMIT 106.1.1 SFBC NUISANCE (401(2) (1001(d) HC	SEE D.B.I. N.O.V. ISSUED.
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 DATE AND TIME 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 DWELLING, APARTMENT UNITS OR GUEST ROOMS ARE TO BE ACCESSED DURING THE REINSPECTION.

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 21 July 2014 11:00 AM

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

CONTACT HOUSING INSPECTOR : Anthony Lepe AT 415-575-6912

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 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 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 D



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 201486731

OWNER/AGENT: PARANGAN FEDERICO
 PARANGAN FEDERICO
 147 HAHN ST
 SAN FRANCISCO CA

DATE FILED: 22-JUL-14
LOCATION: 147 HAHN ST
BLOCK: 6297 **LOT:** 036
SITE: GROUND FLOOR

94134

RATING: **OCCUPANCY CODE R-3**

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

RECEIVED BY: Anthony Lepe **DIVISION:** HIS
COMPLAINT SOURCE: FIELD OBSERVATION

COMPLAINANT: HENRY GO
 147 HAHN ST
 SAN FRANCISCO

ASSIGNED TO DIVISION: HIS

COMPLAINANT'S PHONE 650-278-2138

DESCRIPTION: UNSAFE CONDITIONS IN THE ROOM IN THE GARAGE.
INSTRUCTIONS:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	LUTON	6300	18	

REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
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COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIVISION	INSPECTOR	STATUS	COMMENT
21-JUL-14	CASE OPENED	HIS	A LEPE	CASE RECEIVED	
21-JUL-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	INSPECTION OF PREMISES MADE	While conducting a reinspection for Complaint 201451831 Inspector Lepe noted possible work with-out permit at the subject property. Permit research will be performed to verify any violations of the San Francisco Housing Code.
28-JUL-14	GENERAL MAINTENANCE	HIS	A LEPE	FIRST NOV SENT	REINSPECTION ON 08/28/2014 01:30 PM.
04-AUG-14	GENERAL MAINTENANCE	HIS	A LEPE	BLDG POSTED & TENANTS NOTIFIED AS PER NOTIFICATION REQMNTS	Unit : 1;# of postings left on building: 1;Locations : facade;Unit #s mailed posting: 2.
04-AUG-14	GENERAL MAINTENANCE	HIS	A LEPE	CASE CONTINUED	NOV was posted on 7/31/2014.



City and County of San Francisco
Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 201486731

COMPLAINT ACTION BY DIVISION

DIVISION DATE DESCRIPTION

ACTION COMMENT

NOV (HIS)

NOV (BID)

25-JUL-14



NOTICE OF VIOLATION

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

Pursuant to SFBC 304(e) and 332.3 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 875 Stevenson St., 4th floor. 554-6720

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 fined for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 203(b) & 332.3

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(c) of the Revenue and Taxation Code.

WARNING: Section 205(a) 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 304(e) y 332.3 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 límite 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 875 de la calle Stevenson, cuarto piso, teléfono 554-6720.

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 203(b) y 332.3 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 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 está diligentemente, rápidamente y contuamente acusado después de seis (6) meses de la fecha de este aviso, se le enviará 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 205(a) 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, rehusa 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.

根據《三藩市建築法規》(簡稱 SFBC) 第 304(e) 項和第 332.3 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。當事人可以在許可證發出日起 15 天之內，調查費可以向許可上訴委員會提出上訴。該委員會地址在 Stevenson 街 875 號 4 樓，電話：554-6720。

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。如果在此通告公布六個月後，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：如不按票要求立即採取行動、以糾正上述違章行為，將導致建築檢查局付諸強制糾正程序的執行。倘對此房地產領型的強制糾正程序令一經在市府備案，則自違章通知張貼日起的各項與此糾正程序有關的費用，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 203 (b) 項和第 332.3 項條款。

警告：《三藩市建築法規》第 205(a) 項條款規定：對於任何違反、不順從、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 500 元的罰款，和/或者監禁六個月。

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，每種違章的最高罰款可達 7,500 元。此項法規還規定對每一違章罪業者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。

Exhibit E



COMPLAINT DATA SHEET

COMPLAINT NUMBER : 201487343

OWNER/AGENT: PARANGAN FEDERICO
 PARANGAN FEDERICO
 147 HAHN ST
 SAN FRANCISCO CA

DATE FILED: 25-JUL-14

LOCATION: 147 HAHN ST

BLOCK: 6297 LOT: 036

SITE: GARAGE

RATING: OCCUPANCY CODE R-3

RECEIVED BY: Anthony Lepe DIVISION: HIS

COMPLAINT SOURCE: FIELD OBSERVATION

94134

OWNER'S PHONE --

CONTACT NAME

CONTACT PHONE --

COMPLAINANT: HIS/DBI

ASSIGNED TO DIVISION: HIS

SAN FRANCISCO

COMPLAINANT'S PHONE --

DESCRIPTION: ILLEGAL UNIT IN THE GARAGE.
 INSTRUCTIONS:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	LUTON	6300	18	

REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
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COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIVISION	INSPECTOR	STATUS	COMMENT
21-JUL-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	CASE RECEIVED	
21-JUL-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	INSPECTION OF PREMISES MADE	While conducting an inspection for Complaint 201451831 Inspector Lepe noted possible work with-out permit at the subject property. Permit research will be performed to verify any violations of the San Francisco Housing Code.
28-JUL-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	FIRST NOV SENT	
04-AUG-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	BLDG POSTED & TENANTS NOTIFIED AS PER NOTIFICATION REQMNTS	Unit : 1;# of postings left on building: 1;Locations : facade;Unit #s mailed posting: 2.
04-AUG-14	ILLEG CNVRSN/# UNITS	HIS	A LEPE	CASE CONTINUED	NOV was posted on 7/31/2014.
29-SEP-14	ILLEG CNVRSN/# UNITS	HIS	M LUTON	PERMIT RESEARCH	BPA#201406118118 issued and suspended.
29-SEP-14	ILLEG CNVRSN/# UNITS	HIS	M LUTON	REINSPECTION 1	Inspector Lutona attempted to re-inspect but could not gain access.



City and County of San Francisco
Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 201487343

COMPLAINT ACTION BY DIVISION

<u>DIVISION</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>ACTION COMMENT</u>
<u>NOV (HIS)</u>	<u>NOV (BID)</u>		
28-JUL-14	28-JUL-14		



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
 1660 Mission St. San Francisco, CA 94103

NUMBER: 201487343
 DATE: 28-JUL-14

ADDRESS: 147 HAHN ST
 OCCUPANCY/USE: ()

BLOCK: 6297 LOT: 036

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: PARANGAN FEDERICO
 MAILING PARANGAN FEDERICO
 ADDRESS 147 HAHN ST
 SAN FRANCISCO CA

PHONE #: --

94134

PERSON CONTACTED @ SITE: PARANGAN FEDERICO

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input checked="" type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

The legal use of this building is a R-3 single dwelling unit over a garage. Field inspection revealed there are presently two dwelling units on two floors of occupancy. A unit has been built in the garage consisting of a room, a bedroom, and a bathroom.

Permit research failed to produce evidence to show that any valid permits were issued to alter or remodel this building to its present use. 301, 709, 1001(d), 1001(o) HC, 106.1.1, 3403, 3406.4 BC.

The following code violations were noted at the time of inspection:

- *Lack of adequate heating system (701 HC).
- *Water supply & waste lines installed without proper permits (1001(f) HC).
- *Electrical service & wiring systems installed without proper permits (1001(e) HC).
- *Wall partitions installed without proper permits (1001(j) HC, 3403 BC).
- *Lack of proper required one-hour fire resistive material were used at the time of construction (1001(n) HC, 602.5, 708.1 BC).
- * Plumbing fixtures: lavatory and toilet installed without proper permits(709, 1001(f), 1001(g) HC).

CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4 415-575-6912
- FILE BUILDING PERMIT WITHIN 15 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 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.

SUBMIT A COPY OF THIS NOTICE AND TWO SETS OF PLANS WITH THE BUILDING PERMIT APPLICATION TO LEGALIZE ALTERATIONS TO THE APARTMENT UNIT OR REVERT TO THE LAST LEGAL USE. AFTER THE BUILDING PERMIT IS ISSUED, PLUMBING AND ELECTRICAL PERMITS AND INSPECTIONS MUST ALSO BE OBTAINED AND SIGNED OFF BY RESPECTIVE INSPECTORS. TO ABATE THIS NOTICE YOU MUST CONTACT A HOUSING INSPECTOR FOR A FINAL INSPECTION AND PRODUCE ALL PERMITS, PLANS, AND APPROPRIATE SIGN-OFFS BY ELECTRICAL, PLUMBING, AND BUILDING INSPECTORS AS REQUIRED.

INVESTIGATION FEE OR OTHER FEE WILL APPLY



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

- 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 01-JAN-12 VALUE OF WORK PERFORMED W/O PERMITS \$10000

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Anthony M Lepe

PHONE # 415-575-6912

DIVISION: HIS

DISTRICT : 18

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 304(e) and 332.3 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 875 Stevenson St., 4th floor. 554-6720

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 fined for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 203(b) & 332.3

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(c) of the Revenue and Taxation Code.

WARNING: Section 205(a) 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 304(e) y 332.3 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 límite 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 875 de la calle Stevenson, cuarto piso, teléfono 554-6720.

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 sera embargada para recuperar dichos gastos. Referencia a la Sección 203(b) y 332.3 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 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 está diligentemente, rápidamente y contantemente acusado después de seis (6) meses de la fecha de este aviso, se le enviará 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 205(a) de el Código de Edicios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omita, descuide, rehúsa 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.

根據《三藩市建築法規》(簡稱 SFBC) 第 304(e) 項和第 332.3 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，將收取罰金。當事人可以在許可證發出日起 15 天之內，關注費可以向許可上訴委員會提出上訴。該委員會地址在 Stevenson 街 875 號 4 樓，電話：554-6720。

警告：任何人通過出租房屋獲得收入，而該房屋已被建築師或業主判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。如果在此通告公布六個月後，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：如不按原要求立即採取行動，以糾正上述違章行為，將導致建築師或局付諸強制糾正程序的執行。倘對此房地產開發的強制糾正程序令一經在市府備案，則自違章通知張貼日起的各項與此糾正程序有關的費用，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 203 (b) 項和第 332.3 項條款。

警告：《三藩市建築法規》第 205(a) 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，將付予最高 500 元的罰款，和/或者監禁六個月。

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，二次違章者罰款 200 元，每違章中的最高罰款可達 7,500 元。此項法規還規定對每一違章初犯者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。



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: 201486731

OWNER/AGENT: PARANGAN FEDERICO

DATE: 25-JUL-14

MAILING

LOCATION: 147 HAHN ST

ADDRESS: PARANGAN FEDERICO

BLOCK: 6297 **LOT:** 036

147 HAHN ST

NOTICE TYPE: COMPLAINT

SAN FRANCISCO CA

94134

BUILDING TYPE: NA

USE TYPE: R3

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	147 HAHN ST.
2 PROVIDE VENTILATION AT BATHROOM (504(a), 1001(b)(7),(8) HC)	PROVIDE VENTILATION AT THE BATHROOM IN THE GARAGE.
3 PROVIDE MANUAL RELEASE AT SLEEPING ROOM SECURITY BARS OR REMOVE TO PROVIDE EMERGENCY EGRESS TO AT LEAST ONE WINDOW (706b (7)(i))	AT THE SLEEPING ROOM ON THE GROUND FLOOR WITH THE WINDOW ON THE BACK OF THE BUILDING.
4 HAZARDOUS MECHANICAL EQUIPMENT (1001.(g) HC)	THERE IS AN UNAPPROVED FLUE EXHAUST VISIBLE IN THE ROOM IN THE GARAGE. REPAIR AS REQUIRED. A MECHANICAL PERMIT IS REQUIRED. REPAIR/PROVIDE LIGHTING AT THE GROUND FLOOR ROOM IN THE GARAGE.
5 PROVIDE ADEQUATE LIGHTING (504g HC)	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 DATE AND TIME 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 DWELLING, APARTMENT UNITS OR GUEST ROOMS ARE TO BE ACCESSED DURING THE REINSPECTION.

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 28 August 2014 01:30 PM

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

CONTACT HOUSING INSPECTOR : Anthony Lepe AT 415-575-6912

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 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 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 F



WHEN RECORDED MAIL TO:
Rolando DeGuzman and
Federico Parangan
147 Hahn Street
San Francisco, Ca 94134

San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2009-1834899-00
Tuesday, SEP 15, 2009 08:21:05
Ttl Pd \$524.00 Rcpt # 0003751528
REEL J977 IMAGE 0184
esd/ER/1-3

MAIL TAX STATEMENT TO:
Rolando DeGuzman and
Federico Parangan
147 Hahn Street
San Francisco, Ca 94134

ER TAX \$ 500.00
VALUE OF PROPERTY COPIED
 COMPUTED ON FULL VALUE LESS LIENS & ENCL
REMAINING THEREON AT TIME OF SALE.

Federico Parangan
Signature of declarant or agent determining tax.

GRANT, BARGAIN AND SELL DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

FEDERICO PARANGAN

Do(es) hereby GRANT, BARGAIN AND SELL to
Rolando DeGuzman, Single Person and Federico Parangan, Single Person, as joint tenants

3

The real property situate in the County of San Francisco , State of California , described as follows:

147 Hahn Street, San Francisco, Ca 94134 see attached description
6297-36

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any revisions, remainders, rents, issues or profits thereof.

Date:

Federico Parangan 9/14/09
Federico Parangan

PLS. SEE ATTACHED CALIFORNIA ACKNOWLEDGMENT

STATE OF)
COUNTY OF) ss:

The foregoing instrument was acknowledged before me, _____, a notary public in and for the state of _____ by _____

on the _____ day of _____, 20 ____ .
Witness my hand and official seal

NOTARY PUBLIC
My commission expires _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SAN MATEO

On 14 SEPT 2009 before me, CONSTANTE F. AGBAYANI, NOTARY PUBLIC

personally appeared FEDERICO FARANGAN

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: GRANT DEED

Document Date: 14 SEPT 2009 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Exhibit G

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Name CLAY AND JOSSIE GO
Street Address 5630 MISSION ST
City & State S.F. CA 94112



San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2011-J312877-00

Wednesday, DEC 07, 2011 14:24:08
Ttl Pd \$20.00 Rcpt # 0004292755
REEL K537 IMAGE 0733
ofa/KC/1-2

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

Name CLAY & JOSSIE GO
Street Address 5630 MISSION ST
City & State S.F. CA. 94112

DOCUMENTARY TRANSFER TAX \$ 0

- Computed on the consideration or value of property conveyed; or
- Computed on the consideration or value less liens or encumbrances remaining at time of sale.
- Unincorporated area _____
- City of _____

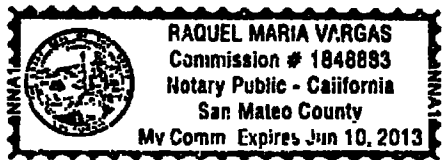
Federico Parangan
(Signature of Agent determining tax)

GRANT DEED

I, FEDERICO A. PARANGAN
grant to CLAY I GO AND JOSSIE F. GO
the real property in the City of S.F. 147 HAHN ST
County of SAN FRANCISCO, State of California,
referred to as SEE ATTACHED

APN # 6297-36 See attached Signature Page Addendum. (Form 251)
Date: 11/16/11, 20 FEDERICO PARANGAN Federico A. Parangan
(Print Name) (Signature)
Date: _____, 20 _____
(Print Name) (Signature)

STATE OF CALIFORNIA
COUNTY OF San Mateo
on 11/16/11 before me,
Raquel Maria Vargas, Notary Public
(Name and title of officer)
personally appeared Federico Aleg Parangan



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) appear subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Signature _____
(Signature of notary public)

(This area for official notarial seal)

TAX STATEMENTS TO BE MAILED AS DIRECTED ABOVE

Exhibit A
Legal Description

All that certain real property in the City of San Francisco, County of San Francisco, State of California, described as follows:

Beginning at a point on the Easterly line of Hahn Street, distant thereon 238 feet and 8 inches Southwesterly from the Southwesterly line of Visitation Avenue; running thence Southwesterly along said line of Hahn Street 25 feet; thence at a right angle Southeasterly 110 feet; thence at a right angle Northeastary 25 feet; thence at a right angle Northwestery 110 feet to the point of beginning.

Exhibit H



Handwritten notes: 94, 7800, 2x, 7800

APPROVED Dept. of Building Insp. AUG 06 2014

APPROVED FOR ISSUANCE AUG 6 2014

BLDG. FORM 318

APPLICATION NUMBER 2014 0611 6118

OSHA APPROVAL REQUIRED APPROVAL NUMBER

2014-48,461 (CES) NOV 20 11 2014 HIS 2014 1831

Tom C. Hui DIRECTOR

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

FORM 3 [] OTHER AGENCIES REVIEW REQUIRED FORM 8 [X] OVER-THE-COUNTER ISSUANCE 2 NUMBER OF PLAN SETS

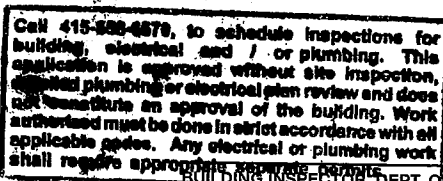

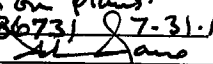



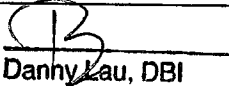

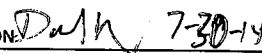
Header section with fields: FILED 6 2014, FILING FEE RECEIPT NO., (1) STREET ADDRESS OF JOB: 147 HARMN ST. SF. CA 94134, (2A) ESTIMATED COST OF JOB: \$2,500, (2B) REVISED COST: \$18,000, PERMIT NO. 1337448, ISSUED 8-06-14, DATE 7/31/14

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

Main form body with sections: LEGAL DESCRIPTION OF EXISTING BUILDING, DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION, (10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?, (11) WILL STREET SPACE BE USED DURING CONSTRUCTION?, (12) ELECTRICAL WORK TO BE PERFORMED?, (13) PLUMBING WORK TO BE PERFORMED?, (14) GENERAL CONTRACTOR, (15) OWNER - LESSEE (CROSS OUT ONE), (16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION, (17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?, (18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT, (19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?, (20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA, (21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?, (22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?, (23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON LOT PLAN), (24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?, (25) ARCHITECT OR ENGINEER (DESIGN [] CONSTRUCTION [X]), (26) CONSTRUCTION LENDER

IMPORTANT NOTICES: No change shall be made in the character of the occupancy or use without first obtaining a Building Permit... NOTICE TO APPLICANT: HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit... I hereby affirm under penalty of perjury one of the following declarations: () I. I have and will maintain a certificate of consent to self-insure for worker's compensation... () II. I have and will maintain worker's compensation insurance... () III. The cost of the work to be done is \$100 or less. () IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California... (X) V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

CONDITIONS AND STIPULATIONS

REFER TO:	APPROVED:   JUL 31 2014 BUILDING INSPECTOR, DEPT. OF BLDG. INSP.	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: Replace 3 front windows with Fiberglass Wood clad windows. Remove and replace siding @ rear. Replace garage door in kind. Remove bedroom, family room and fullbath and restore to garage as shown on plans. Comply with HBV.# 201448461, 201451831, 201486731 7-31-14 DEPARTMENT OF CITY PLANNING 	DATE: 7/31/14 REASON: OK PROCESS NOTIFIED MR. CES 
<input type="checkbox"/>	APPROVED:  N/A BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED:   JUL 31 2014 MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: N/A CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: _____ BUREAU OF ENGINEERING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: _____ DEPARTMENT OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: Need separate permit for complaint # 201448,461 REDEVELOPMENT AGENCY	DATE: 8/6/14 REASON: _____ NOTIFIED MR. CES 
<input checked="" type="checkbox"/>	APPROVED: 5/21/14 201451831 R-3 occupancy FOR WORK STATED ONLY HOUSING INSPECTION DIVISION  7-30-14	DATE: _____ REASON: _____ NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

OWNER'S AUTHORIZED AGENT