

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
MARIA MARANGHI,)
Appellant(s))
vs.)
DEPARTMENT OF BUILDING INSPECTION,)
Respondent)

Appeal No. 14-101

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on May 23, 2014, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the **ISSUANCE** on May 08, 2014, to Xelan Prop 1 LLC , Alteration Permit (three kitchen and four bathroom remodel; units 1008, 1002, 1006 and 1000; no structural work) at 1000 Filbert Street.

APPLICATION NO. 2014/05/07/5172

FOR HEARING ON July 16, 2014

Address of Appellant(s):

Maria Maranghi, Appellant
c/o Nancy Conway, Attorney for Appellant
345 Franklin Street
San Francisco, CA 94102

Address of Other Parties:

Xelan Prop 1 LLC, Permit Holder
c/o Karen Uchiyama, Attorney for Permit Holder
1441 Baker Street
San Francisco, CA 94115



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

MAY 23 2014
APPEAL # 14-101

PRELIMINARY STATEMENT OF APPEAL

I / We, **Maria Maranghi**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit BPA NO. 2014/05/07/5172** by the **Department of Building Inspection** which was issued or became effective on: **May 08, 2014**, to: **Xelan Prop 1 LLC**, for the property located at: **1000 Filbert 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: **June 26, 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: **July 10, 2014, (no later than one (1) Thursday prior to 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.

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

Hearing Date: **Wednesday, July 16, 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: see attached.

Appellant or Agent (Circle One):

Signature: Nancy M. Conway

Print Name: NANCY M. CONWAY

PRELIMINARY STATEMENT OF APPEAL

Date
Filed: **BOARD OF APPEALS**

MAY 23 2014

APPEAL # 14-101

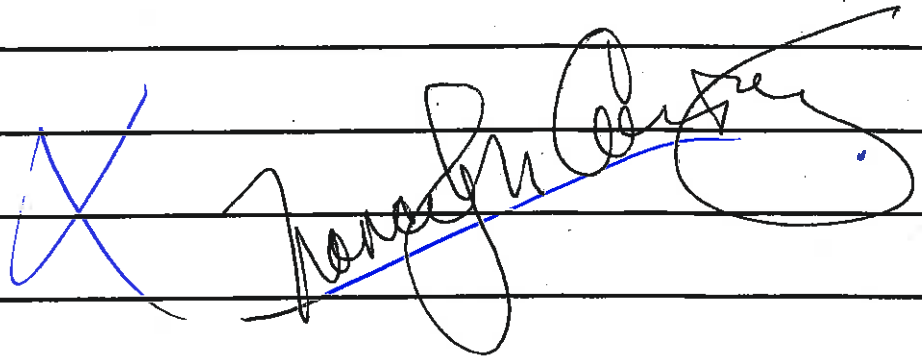
SUMMARY OF REASONS OR GROUNDS FOR APPEAL CONTINUED:

The owner misrepresented the number of buildings on the lot. There are two buildings with a total of 7 rental units.

The owner also has already done plumbing & electrical work without permits in all the units.

The owner misrepresented that there is no basement. There is a basement in both units.

The owner previously ~~represented~~

A handwritten signature in black ink, which appears to be "Joseph [unclear]", is written across the lines. To the left of the signature is a large, hand-drawn blue 'X' mark.



APPROVED

Dept. of Building Insp.

RECEIVED

MAY 08 2014

MAY 08 2014

Tom C. Hui
TOM C. HUI, S.E.
DIRECTOR
DEPT. OF BUILDING INSPECTION

DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY
STANDARD FOR DIGITIZING
ACCEPTED

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

NUMBER OF PLAN SETS *0/21*

DO NOT WRITE ABOVE THIS LINE

DATE FILED <i>5/6/14</i>	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB <i>1000 Filbert Street</i>	BLOCK & LOT <i>0093/010</i>
PERMIT NO. <i>1324012</i>	ISSUED <i>5/8/14</i>	(2A) ESTIMATED COST OF JOB <i>30,000</i>	(2B) REVISED COST: <i>\$63,000</i> BY: <i>D.Y.</i> DATE: <i>5/7/14</i>

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. <i>5</i>	(5A) NO. OF STORIES OF OCCUPANCY: <i>2</i>	(6A) NO. OF BASEMENTS AND CELLARS: <i>0</i>	(7A) PRESENT USE: <i>APARTMENT</i>	(8A) OCCUP. CLASS <i>R2</i>	(9A) NO. OF DWELLING UNITS: <i>5</i>
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. <i>5</i>	(5) NO. OF STORIES OF OCCUPANCY: <i>2</i>	(6) NO. OF BASEMENTS AND CELLARS: <i>0</i>	(7) PROPOSED USE (LEGAL USE)	(8) OCCUP. CLASS <i>R-2</i>	(9) NO. OF DWELLING UNITS: <i>5</i>
---------------------------------	--	---	------------------------------	--------------------------------	--

(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 <i>Owner</i>	ADDRESS	ZIP	PHONE	CALIF. LIC. NO.	EXPIRATION DATE
---	---------	-----	-------	-----------------	-----------------

(15) OWNER - LESSEE (CROSS OUT ONE) <i>OWNER</i>	ADDRESS <i>RELAN PROP 1 MC 584 CASTRO ST #199 SF CA 94114-9178</i>	ZIP	BTRCH#	PHONE (FOR CONTACT BY DEPT.)
---	---	-----	--------	------------------------------

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

*3 Kitchen + 4 Bathroom Remodel - units 1003, 1006, 1009
No structural work*

ADDITIONAL INFORMATION

(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)	(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.
---	---------	------------------------

(26) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN")	ADDRESS
--	---------

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 Sec 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) (19) (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.

CHECK APPROPRIATE BOX

OWNER
 LESSEE
 CONTRACTOR

ARCHITECT
 AGENT
 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 THERETO WILL BE COMPLIED WITH.

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 forthwith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.

X 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.

Arno K. Swain *5/8/14*

Signature of Applicant or Agent Date

BLDG. FORM 3/8
APPROVED FOR ISSUANCE

APPLICATION NUMBER
2014-0507-5172

OSHA APPROVAL REQ'D
APPROVAL NUMBER

BOARD OF APPEALS
MAY 23 2014
APPEAL # 14-101



CONDITIONS AND STIPULATIONS

...to schedule inspections for ... and / or plumbing. This ... approved without site inspection, detailed plumbing or electrical plan review and does not constitute an approval of the building. Work authorized must be done in strict accordance with all applicable codes. Any electrical or plumbing work shall require appropriate separate permits.

Di
Diāne Yin, DBI
MAY 07 2014

BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

APPROVED:

N/A

DEPARTMENT OF CITY PLANNING

APPROVED:



N/A

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

APPROVED:

N/A

MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:

CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:

BUREAU OF ENGINEERING

APPROVED:

DEPARTMENT OF PUBLIC HEALTH

APPROVED:

REDEVELOPMENT AGENCY

APPROVED:

HOUSING INSPECTION DIVISION

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: *5/21/14*

REASON: *Call*

NOTIFIED MR. _____

DATE: _____

REASON: _____

BOARD OF APPEALS

MAY 23 2014

APPEAL # 14-101

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

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

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
MARIA MARANGHI,

Appeal No. **14-104**

Appellant(s)

vs.

DEPARTMENT OF BUILDING INSPECTION,

Respondent

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on June 03, 2014, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on May 19, 2014, to Xelan Prop 1 LLC, Plumbing Permit (install forced air furnace) at 1000 Filbert Street.

APPLICATION NO. PM2014/05/19/847

FOR HEARING ON July 16, 2014

Address of Appellant(s):

Address of Other Parties:

Maria Maranghi, Appellant c/o Nancy Conway, Attorney for Appellant 345 Franklin Street San Francisco, CA 94102

Xelan Prop 1 LLC, Permit Holder c/o Karen Uchiyama, Attorney for Permit Holder 1441 Baker Street San Francisco, CA 94115



Date Filed:

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

JUN 03 2014

APPEAL # 14-104

PRELIMINARY STATEMENT OF APPEAL

I / We, **Maria Maranghi**, hereby appeal the following departmental action: **ISSUANCE of Plumbing Permit PM2014/05/19/847** by the **Department of Building Inspection** which was issued or became effective on: **May 19, 2014**, to: **Xelan Prop. 1 LLC**, for the property located at: **1000 Filbert 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: **June 26, 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: **July 10, 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, July 16, 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: see attached.

Appellant or Agent (Circle One):

Signature: Nancy M. Conway

Print Name: Nancy M. Conway


PRELIMINARY STATEMENT OF APPEAL

Date 6/3/14
Filed: **BOARD OF APPEALS**

JUN 03 2014
APPEAL # 14-104

SUMMARY OF REASONS OR GROUNDS FOR APPEAL CONTINUED:

The work to be done is for a property that has an issue regarding whether the building can be converted from 2 units to a single family home. There are more units on the property than reflected on the permit. The work is being done despite the fact that it has been ordered to stop. The construction is disruptive to the continued tenancy of senior citizen tenants ages 66, 70+, 91 and is undertaken for harassment. There is a need for basic repairs that are not being done -

X 
Nancy M. Conway

Permits, Complaints and Boiler PTO Inquiry

Plumbing Permit Details Report

Report Date: 6/3/2014 3:27:13 PM

Application Number: PM20140519847

Address(es): 0093 / 010 : 1000 FILBERT ST

Description: INSTALLA FORCED AIR FURNACE

Stage:

Action Date	Stage	Comments
5/19/2014	ISSUED	
5/19/2014	FILED	

Contractor Details:

License Number: 937102

Name: DAVID NANCE

Company Name: RAVEN HEATING AND AIR CONDITIONING

Address: 21 COMMERCIAL BLVD #8 NOVATO CA, 94949-0000

Phone: 4158972696

BOARD OF APPEALS

JUN 03 2014

APPEAL # 14-104

Appointment Details:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspection Details:

Activity Date	Inspector	Inspection Description	Inspection Status
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Online Permit and Complaint Tracking home page.](#)

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

1 NANCY M. CONWAY, ESQ. (SBN 122562)
2 LAW OFFICES OF NANCY M. CONWAY
3 345 Franklin Street
4 San Francisco, CA 94102
5 (415) 241-1140
6 (415) 241-1156 fax

7
8
9
10
11
12 Attorneys for Appellant
13 MARIA MARANGHI

BOARD OF APPEALS

JUN 26 2014

APPEAL # 14-101 / 14-104

12 BOARD OF APPEALS
13 CITY AND COUNTY OF SAN FRANCISCO
14 LIMITED JURISDICTION

15 In re: Application Number 2014-03-20-1296
16
17 1020 Filbert Street
18
19 _____

) APPEAL OF ISSUANCE OF
) BUILDING PERMIT
)
)
)

Date: July 17, 2014
Time: 4:00 p.m.

20 Appellant MARIA MARANGHI on behalf of herself and her family appeals the Building
21 Department's issuance of a permit issued May 8, 2014 to Xelan Prop 1. On April 24, 2014 owner
22 obtained permit PP20140424177. The permit was suspended by this board on May 2, 2014, when
23 appealed by appellant. Thereafter owner withdrew permit. The next day she got a permit issued
24 under the number 1000 Filbert Street. She continued to do work at the property which she had been
25 prohibited from doing by the Board of Permit appeals.

26 Although claiming she has a single family home she has pulled permits for the two units in
27 Mrs. Maranghi's building and continued for weeks to do construction after being told to stop in the
28 unit directly above appellants.

There is no need to do work in that unit as permit holder claims that there is only one legal
unit. There is no reason to change the electrical, plumbing and water to a single service if the
building is to remain as only one unit. As both units were identical and at the time appellant initially

1 filed and work was stopped hers was the only occupied and viable unit as the kitchen, bath and
2 plumbing and electric had all been gutted. The work continued on creating a single unit in the
3 property. The interest in this is a side step around doing a lot split and reducing units to 6 rather than
4 7. This reduction in number of units has significant legal implications.

5 This permit was obtained the day after the plaintiff was ordered to stop construction on Unit
6 1020-1022 which she is seeking in another permit to alter into a single family home. The property
7 is two separate flats. The owner immediately recommenced construction on the building the day
8 after the hearing. She is currently under citation for violations of the Order.

9 Appellant bases her Appeal on the statement set forth below and attached exhibits, plus
10 whatever arguments and evidence that will be presented at the hearing and any documentary
11 evidence presented in the interim.

12 Similarly the property owner has continued to install heaters for the property that are
13 designed to serve a single unit. The unpermitted work which has been undertaken by itinerant
14 laborers from Mexico via Los Angeles presents additional dangers for the sole remaining elderly
15 occupants. In efforts to will this into a single unit property, the owner has removed the doorbell and
16 the street numbers from Mrs. Maranghi's flat. Only replacing them after attorney intervention.

17 The property owner has owned the property for less than a year and managed to vacate all
18 units but appellants. Then hoping that elderly long term residents would not have the wear with all
19 to fight back has resorted to trickery and harassment. This Board has the power and the Mayor's
20 directive to preserve affordable housing. This is such a case where it can act decisively.

21
22
23 DATED: June 26, 2014

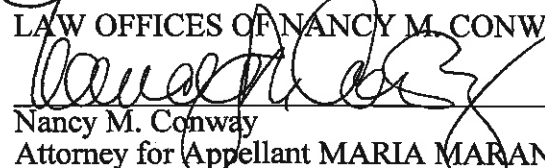
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28
LAW OFFICES OF NANCY M. CONWAY

Nancy M. Conway
Attorney for Appellant MARIA MARANGHI

EXHIBIT A

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
Maria Maranghi,

Appeal No. 14-072

Appellant(s)

vs.

DEPARTMENT OF BUILDING INSPECTION,

Respondent

NOTICE OF APPEAL

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The substance or effect of the decision or order appealed from is the ISSUANCE on April 24, 2014, to Xelan Prop 1 LLC, of a (COMPLY WITH COMPLAINT 201466901: UNITS 1000/1002/1004/1006/1008/1022; KITCHEN & BATHROOM TRIM-OUT) at 1000 Filbert Street.

APPLICATION NO. PP20140424177

FOR HEARING ON June 11, 2014

Address of Appellant(s):

Address of Other Parties:

Maria Maranghi, Appellant c/o Nancy Conway, Attorney for Appellant 345 Franklin Street San Francisco, CA 94102	Xelan Prop 1 LLC, Permit Holder 584 Castro Street #119 San Francisco, CA 94114
---	--

NOTICE OF ADMINISTRATIVE WITHDRAWAL

The subject permit has been CANCELLED by the Department of Building Inspection at the request of the permit holder(s). See attached document(s).

Accordingly, with the cancellation of the subject permit, this appeal is deemed MOOT and is hereby administratively withdrawn. If you have any questions regarding this notice please call the Board office at 415-575-6880.

Date Permit Cancelled: May 07, 2014

Date Notice Released to Department(s): May 12, 2014

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
Maria Maranghi,

Appeal No. 14-072

Appellant(s)

vs.

DEPARTMENT OF BUILDING INSPECTION,

Respondent

NOTICE OF APPEAL

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APPLICATION NO. PP20140424177

FOR HEARING ON June 11, 2014

Address of Appellant(s):

Address of Other Parties:

Maria Maranghi, Appellant c/o Nancy Conway, Attorney for Appellant 345 Franklin Street San Francisco, CA 94102	Xelan Prop 1 LLC , Permit Holder 584 Castro Street #119 San Francisco, CA 94114
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Date Permit Cancelled: May 07, 2014

Date Notice Released to Department(s): May 12, 2014

Permits, Complaints and Boiler PTO Inquiry

Plumbing Permit Details Report

Report Date: 5/12/2014 3:49:54 PM

Application Number: PP20140424177

Address(es): 0093 / 010 : 1000 FILBERT ST

Description: TO COMPLY WITH COMPLAINT 201465525 & 201466901: UNITS
1000/1002/1004/1006/1008/1022: KITCHEN & BATHROOM TRIM-OUT.

Stage:

Action Date	Stage	Comments
5/7/2014	CANCELED	received a letter of cancellation from owner no refund . Owner stated the contractor will obtain a new permit to reflect the correct address/unit numbers.
5/7/2014	REINSTATED	received an email from BOA lifting the suspension. No work being done on this permit.
5/2/2014	SUSPENDED	received suspension letter from Board of Appeals - Appeal No. 14-072
4/24/2014	ISSUED	
4/24/2014	FILED	

Contractor Details:

License Number: 970641
Name: THOMAS J. STUCKY
Company Name: TOM STUCKY PLUMBING
Address: 209 TRINITY RD BRISBANE CA, 94005-0000
Phone: 4153463193

Appointment Details:

Appointment Date | **Appointment AM/PM** | **Appointment Code** | **Appointment Type** | **Description** | **Time Slots**

Inspection Details:

Activity Date | **Inspector** | **Inspection Description** | **Inspection Status**

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Online Permit and Complaint Tracking home page.](#)

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.



APPROVED

Dept. of Building Insp.

RECEIVED

MAY 08 2014

MAY 08 2014

Tom C. Hui

TOM C. HUI, S.E.
DIRECTOR
DEPT. OF BUILDING INSPECTION

DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY
STANDARD FOR DIGITIZING
ACCEPTED

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

NUMBER OF PLAN SETS *0/2/1*

DO NOT WRITE ABOVE THIS LINE

DATE FILED <i>5/6/14</i>	FILED FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB <i>1002 Filbert Street</i>	BLOCK & LOT <i>0093/010</i>
PERMIT NO. <i>1324042</i>	ISSUED <i>5/8/14</i>	(2A) ESTIMATED COST OF JOB <i>30,000</i>	(2B) REVISED COST: <i>\$ 63,000</i> BY: <i>D.Y.</i> DATE: <i>5/7/14</i>

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. <i>5</i>	(5A) NO. OF STORIES OF OCCUPANCY: <i>2</i>	(6A) NO. OF BASEMENTS AND CELLARS: <i>0</i>	(7A) PRESENT USE: <i>APARTMENT</i>	(8A) OCCUP. CLASS <i>R2</i>	(9A) NO. OF DWELLING UNITS: <i>5</i>
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. <i>5</i>	(5) NO. OF STORIES OF OCCUPANCY: <i>2</i>	(6) NO. OF BASEMENTS AND CELLARS: <i>0</i>	(7) PROPOSED USE (LEGAL USE)	(8) OCCUP. CLASS <i>R2</i>	(9) NO. OF DWELLING UNITS: <i>5</i>
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(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? YES NO
 (11) WILL STREET SPACE BE USED DURING CONSTRUCTION? YES NO
 (12) ELECTRICAL WORK TO BE PERFORMED? YES NO
 (13) PLUMBING WORK TO BE PERFORMED? YES NO

(14) GENERAL CONTRACTOR: *Owner* ADDRESS: _____ ZIP: _____ PHONE: _____ CALIF. LIC. NO.: _____ EXPIRATION DATE: _____

(15) OWNER - LESSEE (CROSS OUT ONE) ADDRESS: _____ ZIP: _____ BTRCH: _____ PHONE (FOR CONTACT BY DEPT.): *KELAN PROP LLC 584 CASTRO STREET SF CA 94114*

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

*3 Kitchen + 4 Bathroom Remodel - units 1003, 1006, 1000.
No structural work*

ADDITIONAL INFORMATION

(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 CONSTRUCTION) ADDRESS: _____ CALIF. CERTIFICATE NO.: _____

(26) CONSTRUCTION LEADER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LEADER, ENTER "UNKNOWN") ADDRESS: _____

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 Sec 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.

- CHECK APPROPRIATE BOX
- OWNER
 - LESSEE
 - CONTRACTOR
 - ARCHITECT
 - AGENT
 - 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 THERETO WILL BE COMPLIED WITH.

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 2800 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 (I) 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:
Carrier: _____
Policy Number: _____
- () 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.

(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.

Signature of Applicant or Agent: *Steve Kwan* Date: *5/8/14*

BLDG. FORM 3/8

APPLICATION NUMBER
2014-030751722

OSHA APPROVAL REQUIRED
APPROVAL NUMBER

BOARD OF APPEALS

MAY 23 2014

APPEAL # *14-101*

CONDITIONS AND STIPULATIONS

to schedule inspections for electrical and / or plumbing. This application is approved without site inspection, detailed plumbing or electrical plan review and does not constitute an approval of the building. Work authorized must be done in strict accordance with all applicable codes. Any electrical or plumbing work shall require appropriate separate permits.

Diane Yin
Diane Yin, DBI

MAY 07 2014

BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

APPROVED:

N/A

DEPARTMENT OF CITY PLANNING

APPROVED:

N/A

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

APPROVED:

N/A

MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:

CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

APPROVED:

BUREAU OF ENGINEERING

APPROVED:

DEPARTMENT OF PUBLIC HEALTH

APPROVED:

REDEVELOPMENT AGENCY

APPROVED:

HOUSING INSPECTION DIVISION

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: *3/2/14*

REASON: *sale*

NOTIFIED MR. _____

DATE: _____

REASON: BOARD OF APPEALS

MAY 23 2014

APPEAL # *14-101*

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

BUILDING 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