



## **ABATEMENT APPEALS BOARD**

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### **NOTICE OF MEETING**

**Wednesday, September 19, 2012 at 9:00 a.m.**

**City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416**

**Aired Live on SFGTV Channel 78**

### **AGENDA:**

**The Abatement Appeals Board (AAB) will take public comment on every item appearing on the agenda. Members of the public who address the Board have the discretion on whether or not they wish to identify themselves for the record.**

**A. CALL TO ORDER and ROLL CALL.**

**B. OATH: All parties giving testimony before this Board today will rise, raise their right hands and be sworn.**

**C. APPROVAL OF MINUTES: Discussion and possible action to adopt the minutes for the meeting held on June 20, 2012.**

**D. CONTINUED APPEALS: Order(s) of Abatement.**

**1. CASE NO. 6752: 1743 – 12<sup>th</sup> Avenue**

**Owner of Record and Appellant:** Alla Dubrovsky, 1743 – 12<sup>th</sup> Avenue, San Francisco, CA 94122

**Attorney for the Owner:** Heather Wolnick, Tour-Sarkissian Law Offices, 211 Gough Street, 3<sup>rd</sup> Floor, San Francisco, CA 94102

**ACTION REQUESTED BY APPELLANT:** To reverse the Order of Abatement.

On **November 16, 2011**, the AAB voted to continue the case for 90 days to allow parties additional time to resolve the matter.

On **February 15, 2012**, the AAB voted to continue the case for three months to allow additional time for resolution of appellant's forthcoming scheduled binding arbitration proceeding.

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### **MEMBERS OF THE BOARD DEPARTMENT REPRESENTATIVES**

Kevin Clinch, President	Edward Sweeney, Deputy Director and Secretary to the Board	(415) 558-6142
Myrna Melgar, Vice President	Sonya Harris, BIC Secretary	(415) 558-6164
Frank Lee, Commissioner	Teresita Sulit, Recording Secretary	(415) 558-6267

Warren Mar, Commissioner

Angus McCarthy, Commissioner

Dr. James McCray, Jr., Commissioner

Debra Walker, Commissioner

### **CITY ATTORNEY'S OFFICE REPRESENTATIVE**

Jana Clark, Deputy City Attorney

(415) 554-4634

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On **May 16, 2012**, the AAB voted to continue the case for 60 days.

On **July 18, 2012**, the AAB voted to continue the case for 60 days.

**Testimony, deliberation and possible action to uphold, modify or reverse the Order of Abatement.**

**2. CASE NO. 6760: 1654 Haight Street**

**Owner of Record and Appellant:** Romine, Ronald B., P. O. Box 22933, San Francisco, CA 94129

**Agent for the Appellant:** Leo McFadden, 1459 – 32<sup>nd</sup> Avenue, San Francisco, CA 94122

**ACTION REQUESTED BY APPELLANT:** Appellant has requested additional time to complete the work.

On **July 18, 2012**, the AAB voted to continue the case for 60 days.

**Testimony, deliberation and possible action to uphold, modify or reverse the Order of Abatement.**

**E. NEW APPEALS: Order(s) of Abatement.**

**1. CASE NO. 6762: 3333 – 26<sup>th</sup> Street**

**Owner of Record and Appellant:** Lucero LLC, c/o Elba, Henry & Mary Elba, 21 Lakewood Circle, San Mateo, CA 94402

**ACTION REQUESTED BY APPELLANT:** The appellant has requested more time to complete work to abate the outstanding code violations.

**Testimony, deliberation and possible action to uphold, modify or reverse the Order of Abatement.**

**F. RE-HEARING REQUEST:**

**1. CASE NO. 6757: 130 Beulah Street aka 130-132 Beulah Street**

**Owner of Record and Appellant:** Katherine Rogers, 132 Beulah Street, San Francisco, CA 94117

**ACTION REQUESTED BY APPELLANT:** To rehear Appeal #6757 previously addressed by the Abatement Appeals Board on June 20, 2012.

**Note:** On June 20, 2012, the AAB modified the Order of Abatement ("OOA") (1) to allow appellant 30 days to apply for permits to correct all code violations identified in the May 27, 2008 Notice of Violation ("NOV") that constitute a serious and imminent life health and safety hazard and 90 days to complete all work regarding the same; (2) to allow appellant four and one half months to apply for permits to correct the remaining code violations identified in the NOV and one year to complete all work regarding the same; and (3) to reduce the assessment of costs by 50 % if the deadlines set forth in (1) and (2) above are met. The AAB further directed Appellant to consult with the Department of Building Inspection for purposes of determining what code violations identified in the NOV constitute a serious and imminent life safety hazard. Finally, the AAB ordered that the OOA be held in abeyance for one year and recorded only in the event that the violations were not corrected in accordance with the OOA within that year.

**Testimony, deliberation and possible action to grant or deny the Rehearing Request.**

#### **G. GENERAL PUBLIC COMMENT**

#### **H. ADJOURNMENT**

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**KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE**  
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE AT 554-6075.

**ACCESSIBLE MEETING INFORMATION POLICY**

The meeting will be held at the City Hall Building, located at 1 Dr. Carlton B. Goodlett Place, 4th Floor, Room 416. The closest accessible BART station is the Civic Center Station at 8th (at the United Nations Plaza) and Market Streets.

Accessible MUNI/Metro lines servicing this location are the J-Church, K-Ingleside, L-Taraval, —Ocean View, and N-Judah at Van Ness and Civic Center Stations; 9-San Bruno, 71-Haight, and 42-Downtown bus lines. For information about MUNI accessible services call (415) 923-6142.



The Commission meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

Accessible seating for persons with disabilities (including those using wheelchairs) will be available. Assistive Listening devices will be available at the meeting. A sign language interpreter will be available upon request. Agendas and Minutes of the meeting are available in large print/tape form and/or readers upon request. Please contact the **Deputy Director and Secretary to the Board, Edward Sweeney at (415) 558-6142** or the **Building Inspection Commission Secretary, Sonya Harris at (415) 558-6164** or the **Recording Secretary, Teresita Sulit at (415) 558-6267** at least 72 hours in advance of the meeting to request for these services.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call (415) 558-6164 or (415) 558-6267 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such persons, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

**POLICY STATEMENT OF PUBLIC HEARING OR MEETING**

Pursuant to Section 67.7-1(c) of the San Francisco Administrative Code, members of the public who are unable to attend the public meeting or hearing may submit written comments regarding a calendared item to the Secretary, at 1660 Mission Street, 3<sup>rd</sup> Floor, San Francisco, CA 94103 or at the place of the scheduled hearing before the proceedings begin. These written comments shall be made a part of the official public record and these comments will be brought to the attention of the members of the Abatement Appeals Board. [Twenty copies are necessary.]

**POLICY STATEMENT OF PUBLIC COMMENT**

**FOR THIS MEETING OF THE ABATEMENT APPEALS BOARD**--and until such time as a policy is formally adopted,--it is the interim cooperative intent of the Abatement Appeals Board of the City & County of San Francisco that, at the point so designated as **Public Comment** on the following Calendar, members of the public may address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board--excepting calendar items. With respect to calendar items, the public's opportunity to address the Board will be afforded when the item is reached in the meeting. Each member of the public may address the Board for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the chairperson may continue **Public Comment** to another time during the meeting.

**SAN FRANCISCO LOBBYIST ORDINANCE**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Administrative Code Sec. 16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market St. #701, SF, CA 94102 or (415) 554-9510 voice, or (415) 703-0121 fax, or <http://www.ci.sf.ca.us/ethics/> - web.

