



ABATEMENT APPEALS BOARD
Wednesday, May 16, 2012 at 9:00 a.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416

DRAFT MINUTES

A. CALL TO ORDER and ROLL CALL.

The meeting of the Abatement Appeals Board for Wednesday, May 16, 2012 was called to order at 9:00 a.m. by President Clinch. The roll call was taken by Commission Secretary Sonya Harris, and a quorum was certified.

BOARD MEMBERS PRESENT:

Kevin Clinch, President
Myrna Melgar, Vice President
Frank Lee, Commissioner
Debra Walker, Commissioner
Warren Mar, Commissioner
Angus McCarthy, Commissioner
Dr. James McCray, Jr., Commissioner

Sonya Harris, Building Inspection Commission Secretary

D.B.I. REPRESENTATIVES PRESENT:

Edward Sweeney, Deputy Director of Inspection Services and Secretary to the Board
John Hinchion, Acting Senior Building Inspector, Code Enforcement Department
Teresita Sulit, Secretary

Jana Clark, Deputy City Attorney

B. OATH: Commission Secretary Harris administered an oath to those who would be giving testimony.

C. CONTINUED APPEALS: Order(s) of Abatement

1. CASE NO. 6752: 1743 – 12th Avenue

Owner of Record and Appellant: Alla Dubrovsky, 1743 – 12th Avenue, San Francisco, CA 94122

Appellant's Agent: Alla Dubrovsky, c/o Heather Wolnick, Tour-Sarkissian Law Offices, 211 Gough Street, 3rd Floor, San Francisco, CA 94102

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

At the request of the Appellant, and with the consent of Department of Building Inspection, the AAB continued the matter for sixty days. Accordingly, the continued Hearing will be held on **July 18, 2012** at 9:00 am, at City Hall, Dr. Carlton B. Goodlett Place, Room 416.

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 the parties additional time to resolve Appellant's forthcoming scheduled binding arbitration proceeding.

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

John Hinchion, CED Inspector for the Department. The two parties are under an accord situation. If they get one final continuance this may resolve the matter. Inspector Hinchion said the Commissioners have a request for a continuance in their package, and the Department would be ok with that.

Commissioner Walker made a motion, seconded by Commissioner Mar, to continue the item.

The motion carried unanimously.

Secretary Harris called for public comment on this item.

Mr. Andreas Becker said that he was the attorney for James Lee, who is the downhill neighbor of the subject property. They agree with the request for a continuance that was submitted by Heather Wolnick and hope that two months would be sufficient time for the arbitrator to give his decision.

President Clinch asked if there was any other public comment? There was none.

Secretary Harris stated the motion again was all Commissioners were in favor and none opposed. The motion to continue the case was granted.

D. NEW APPEALS: Order(s) of Abatement

1. CASE NO. 6759: 575 Shotwell Street

Owner of Record and Appellant: K. Hendry and Liana Tahir, 131 Chester Avenue, San Francisco, CA 94132

ACTION REQUESTED BY APPELLANT: To reverse the Order of Abatement and Assessment of Costs.

Per Appellant's request by letter dated May 15, 2012, the Appeal was withdrawn, and Appellants did not appear at the May 16, 2012 Hearing. The Department of Building Inspection did appear and indicated that the Order of Abatement had been revoked, and the case abated. Accordingly, no action was taken by the AAB on this matter.

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

Inspector John Hinchion stated that he was happy to announce the Appeal has been withdrawn, because the Appellant provided staff with the necessary signed off plumbing permits, so the Order of Abatement was revoked. There are no costs outstanding. In the letter the Board received related to the withdrawal, the first paragraph refers to the first two in the case before you today, a Complaint #200838253. There is also a second paragraph in the letter referring to another complaint that is not before the AAB and he just wanted to make that clarification.

E. GENERAL PUBLIC COMMENT

Secretary Harris called for general public comment on items that were not on the Abatement Appeals Board Agenda. There was no public comment.

F. ADJOURNMENT

Commissioner Walker made a motion, seconded by Commissioner Lee, that the meeting be adjourned.

The motion carried unanimously.

The meeting was adjourned at 9:15 a.m.

Respectfully submitted,

Serena Fung, Secretary

Edited by: Sonya Harris, BIC Secretary