

## **ABATEMENT APPEALS BOARD**

**City & County of San Francisco**

**1660 Mission Street, San Francisco, California 94103-2414**

### **CODE ENFORCEMENT SECTION ABATEMENT APPEALS BOARD STAFF REPORT**

**Appeal No. 6752**

**Date of Continued Abatement Appeals Board Hearing: July 18, 2012**

**Date of Continued Abatement Appeals Board Hearing: May 16, 2012**

**Date of Continued Abatement Appeals Board Hearing: February 15, 2012**

**Date of Abatement Appeals Board Hearing: November 16, 2011**

**Property Address: 1743 – 12<sup>th</sup> Avenue**

**Block: 2037A Lot: 005 Cross Street: Moraga St. & Noriega St.**

**Complaint Number: 200559774**

### **PROPERTY OWNER INFORMATION**

**Property Owner(s) Name and Appellant: Alla Dubrovsky, 1743 – 12<sup>th</sup> Avenue,  
San Francisco, CA 94122**

**Property Owner(s) Name and Appellant: Alla Dubrovsky, c/o Heather Wolnick,  
Tour-Sarkissian Law Offices, 211 Gough St., 3<sup>rd</sup> Floor, San Francisco, CA 94102**

**Building/Property Description: One-Story with Basement, Type V Non-Rated  
Wood Framed Building.**

**Legal Use/Occupancy: Single Family Dwelling**

**Present Use/Occupancy: Same**

#### **Case Summary:**

**Nature of Violations: Retaining wall at north property line is in danger of failure.**

**Outstanding Violations: All**

**Life Safety Hazards: Unsafe**

**Director's Hearing: June 23, 2011 Result: Order of Abatement issued with conditions:**

1.) 30 days to file application with plan to repair or replace north property line retaining wall, 2.) Comply with plan review comments and time limits, 3.) 10 days to pick up permit, 4.) 60 days to complete all work including final inspection approval.

**Order of Abatement: #103988-A**

**Permit Activity: PTS system indicates two (2) recent permit applications have been filed to comply with the Notice of Violation: PA # 201012207039 - suspended, and PA#201107089772 - issued to comply with the Order of Abatement.**

**Abatement Appeal Board**  
**1743 – 12<sup>th</sup> Avenue**  
**AAB Case No. 6752**  
**Date of Continued AAB Hearing 7-18-12**

**Case History:**

- 4/22/2005     1<sup>st</sup> Notice of Violation issued.
- 6/21/2005     2<sup>nd</sup> Notice of Violation issued.
- 5/23/2011     Posted Notice of Director's Hearing.
- 6/23/2011     Director's Hearing resulting in Order of Abatement (Owner was present).
- 7/7/2011     Order of Abatement posted.
- 7/13/2011     Received Abatement Appeals Board application.

**Re-inspection Date:** July 7, 2011

**Appellant's Request:** The Order of Abatement be overturned for following reasons:

- 1) Dispute as to the ownership of the (retaining) wall;
- 2) Ms. Dubrovsky, owner, did not cause, contribute to, or maintain the nuisance;
- 3) Notice of Violation did not give reasonable time to abate;
- 4) The Order of Abatement does not give reasonable time to build a new retaining wall.

**Staff recommendation:** To uphold the Order of Abatement and grant 60 days to complete work including final inspection approval.

**Abatement Appeals Board Action:**

**Abatement Appeal Board**  
**1743 – 12<sup>th</sup> Avenue**  
**AAB Case No. 6752**  
**Date of Continued AAB Hearing 7-18-12**

**LIST OF DOCUMENTS:**

- |     |                                                        |           |
|-----|--------------------------------------------------------|-----------|
| 1.) | Appellant's Appeal                                     | Pages 1-5 |
| 2.) | Order of Abatement #103988-A                           | Pages 6-7 |
| 3.) | Notice of Violations                                   | Pages 8-9 |
| 4.) | Declaration of Service by Mail - Director's Hearing    | Page 10   |
| 5.) | Declaration of Service by Posting - Director's Hearing | Page 11   |
| 6.) | Declaration of Service by Mail - Order of Abatement    | Page 12   |
| 7.) | Declaration of Service by Posting – Order of Abatement | Page 13   |

Inspector Li

Please POST AND RETURN DECLARATION TO AAB CLERK.

DEPARTMENT OF BUILDING INSPECTION

San Francisco, California

DECLARATION OF POSTING OF ABATEMENT APPEALS BOARD

NOTICE OF CONTINUED HEARING

I, \_\_\_\_\_ declare that I am employed by the City and County of San Francisco and at all times herein mentioned was over the age of 18 years; that pursuant to the provisions of Section (105.3.8) of the San Francisco Building Code, I did on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, post a copy of Notice of Hearing of the Abatement Appeals Board, in a conspicuous place on the building, structure or part thereof described in said complaint, to wit:

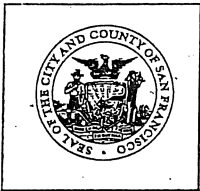
Appeal No. 6752  
Complaint No. 200559774  
1743 - 12th Avenue

San Francisco, California

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/24/12 at San Francisco, California.

   
\_\_\_\_\_



**ABATEMENT APPEALS BOARD**  
City & County of San Francisco  
1660 Mission Street, San Francisco, California 94103-2414

**COPY**

**NOTICE OF CONTINUANCE**

May 24, 2012

Case No. 6752  
Order of Abatement #103988-A  
1743 – 12<sup>th</sup> Avenue  
Block: 2037A Lot: 005

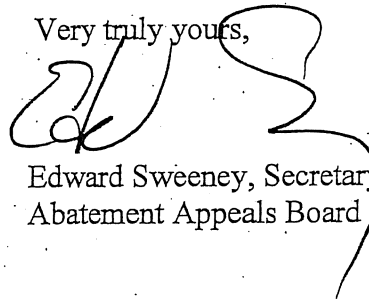
Alla Dubrovsky  
1743 – 12<sup>th</sup> Avenue  
San Francisco, CA 94122

**Re: Complaint #200559774**

Dear Appellant:

A duly noticed hearing before the Abatement Appeals Board (AAB) concerning the property located at **1743 – 12<sup>th</sup> Avenue** was held on May 16, 2012. At the request of the Appellant, and with the consent of the 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 a.m., City Hall, Dr. Carlton B. Goodlett Place, Room 416.

Very truly yours,



Edward Sweeney, Secretary  
Abatement Appeals Board

*su*  
ES:JH:ts

cc: Owner of Record  
Alla Dubrovsky  
Heather Wolnick, Tour-Sarkissian Law Offices, 211 Gough Street, 3<sup>rd</sup> Floor,  
San Francisco, CA 94102  
Commission Secretary  
AAB file



APPEAL TO THE ABATEMENT APPEALS BOARD  
OF THE CITY AND COUNTY OF SAN FRANCISCO  
FROM THE BUILDING INSPECTION DEPARTMENT DIRECTOR'S ORDER

Check Type of Appeal:  Appeal of Director's Order  Request for Jurisdiction

Appellant Name: Alla Dubrovsky

Appeal Number 6752

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

Director's Order No 103988-A

Complaint Tracking No(s) 200559774

Filing Fee: \$170.00

Instructions: Please (1) answer all the questions on pages 1 and 2 for appeals of Director's Orders, and complete pages 1 through 3 for Requests for Jurisdiction, (2) sign the bottom of page 2 (and 3 if applicable), and (3) include the requisite filing fee of \$170.00 (checks are payable to the San Francisco Department of Building Inspection). Please attach additional pages as necessary and print legibly.

Jurisdiction of the Abatement Appeals Board (AAB): Under Section 105A.2 of the San Francisco Building Code (SFBC), and Chapter 77 of the San Francisco Administrative Code, the AAB has the power to hear and decide appeals from Orders of Abatement and hear direct appeals pursuant to SFBC Section 102A. The Board may "uphold, modify, or reverse such orders, provided that the public health, safety and public welfare are secured most nearly in accordance with the intent and purpose of this code and the San Francisco Housing Code." (SFBC 105A.2.3).

Appellant Questionnaire & Declaration: The undersigned appellant hereby appeals to the AAB and makes the following allegations in connection therewith:

- (1) The Order appealed from was made at a public hearing by the Director of Building Inspection, of the City and County of San Francisco, on June 23, 2011.
- (2) The affected premises are located at 1743 12th Avenue, San Francisco. They contain 1 dwelling units and 0 guest rooms.
- (3) State in ordinary and concise language the specific nature of the action appealed from, together with any material facts relating thereto.  
Please see attached Exhibit "A"
- (4) State the relief you seek and reasons why you claim the appealed action should be modified or reversed by board. (Attach additional sheet(s) if necessary).  
Please see attached Exhibit "A"
- (5) Please state /check appellant's relationship to the property:  property owner  
 owner's agent  attorney  architect  engineer  contractor  other \_\_\_\_\_  
If the appellant is an agent of the owner(s) of record please attach documentation delineating representation.
- (6) Appellant's Information: Alla Dubrovsky  
Print Appellant's Name: C/O Heather Wolnick Daytime Phone Number: (415) 626-7744

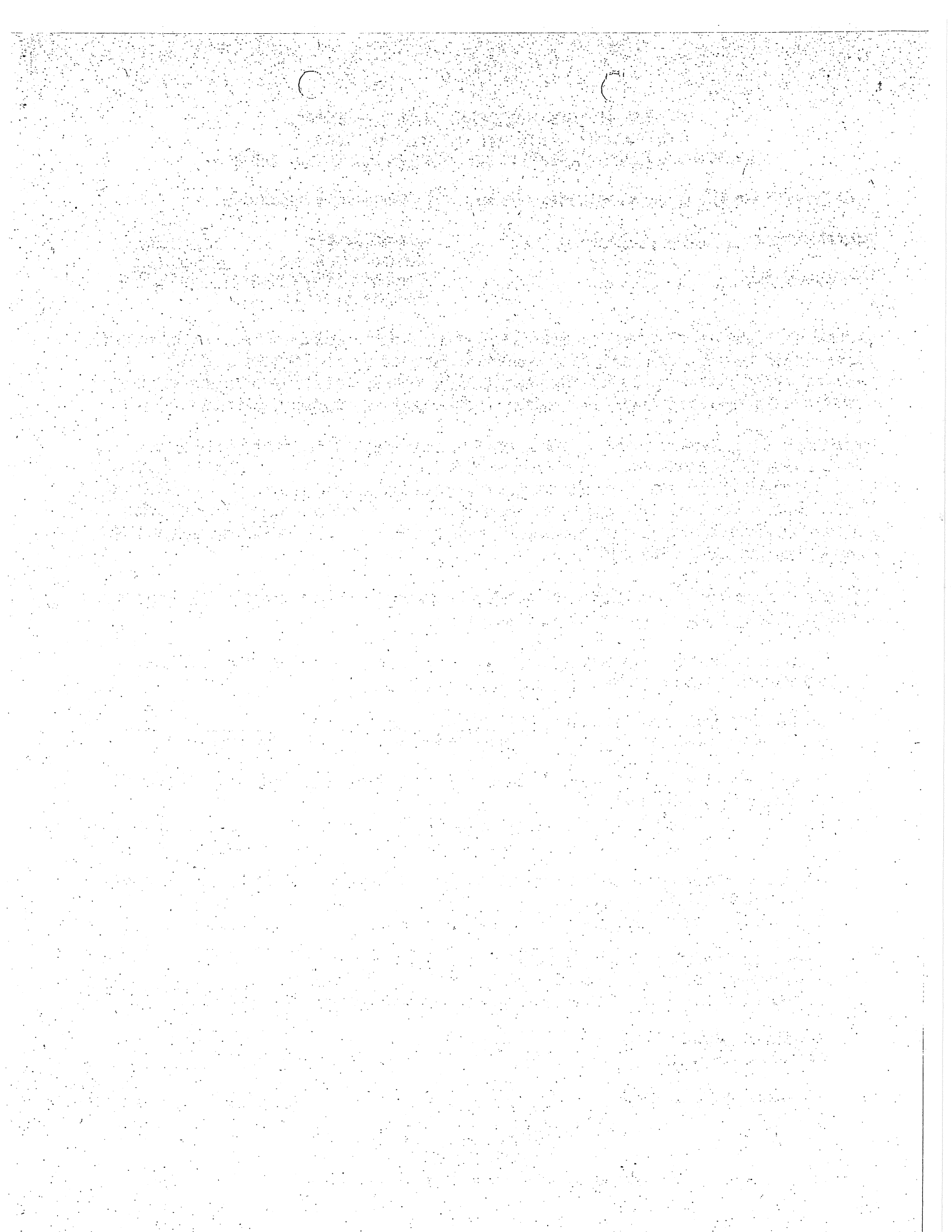
Appellant's Mailing Address: Tour-Sarkissian Law Offices, 211 Gough St., 3rd Floor

San Francisco, CA 94102  
Abatement Appeals Board (AAB)

Tel. (415) 558-6267

1660 Mission Street, 3<sup>rd</sup> Floor, San Francisco, CA 94103

①





(10) Please state any work that you are aware of that was performed at the subject property without required  building,  plumbing,  electrical permits:

N/A

(11) Did the current owner(s) of record own the property when this work was performed?

N/A

Yes  No

(12) If no, explain property purchases and approximate time when work was performed:

N/A

(13) Please state any work completed to correct the related code violations:

(14) What was the extent of the work performed? How much remains to be completed?

(15) When was the work done? N/A

(16) Who did the work? N/A

(17) What is your occupation? If you are a co-owner, list all other co-owners and other occupants.

Lawyer

(18) Do you own other properties in San Francisco?  No  Yes

(19) If yes, do any of these properties have active Department of Building Inspection code enforcement cases or Orders of abatement?  No  Yes

(20) If Yes, please list Complaint Tracking or Order numbers

(21) Have you owned property in San Francisco before?  No  Yes

(22) Are you aware that building, plumbing, and/or electrical permits may be required to abate the subject code violations? Yes

(23) Have you applied for the required permits to abate the subject code violations?

Please see attached Exhibit "A"

If yes, please list permit applications:

Building Permit Application Nos. \_\_\_\_\_

Plumbing Permit Application Nos. \_\_\_\_\_

Electrical Permit Application Nos. \_\_\_\_\_

(24) What other permits have you been granted by the City? \_\_\_\_\_

(25) What other facts do you want the Board to consider?

Please see attached Exhibit "A"

I declare under penalty of perjury and the laws of the State of California that the foregoing is true and correct.

Name: Heather Wolnick

Signature: Heather Wolnick

Signed: 7/13/11

Signatory is  property owner  agent  other \_\_\_\_\_

Attorney for property owner

(2)

EXHIBIT "A"

ATTACHMENT TO APPEAL TO THE ABATEMENT APPEALS BOARD OF THE CITY AND COUNTY OF SAN FRANCISCO FROM THE BUILDING INSPECTION DEPARTMENT DIRECTOR'S ORDER DATED JUNE 28, 2011- ORDER NUMBER 103988-A AND COMPLAINT 200559774

On June 23, 2011, the Department of Building Inspection held a Director's Hearing regarding two adjacent properties, 1737 and 1743 12<sup>th</sup> Avenue. Alla Dubrovsky ("Dubrovsky") owns the uphill property (1743). James Wong ("Wong") owns the downhill property (1737). On June 28, 2011 orders of abatement were issued against both Dubrovsky and Wong and penalties imposed. Dubrovsky appeals.

**1. The Order of Abatement should be overturned because there is a dispute as to the ownership of the walls**

The Order of Abatement on 1743 12<sup>th</sup> Avenue is not proper because, as explained by Dubrovsky at the Director's Hearing, the ownership of the failing retaining walls is still in dispute. In fact Dubrovsky has alleged that Wong actually owns the walls.

Dubrovsky became aware of the failing retaining walls in April 2005, and she promptly notified Wong that the walls were failing. At the same time, Dubrovsky also filed a complaint with the San Francisco Building Department. In response, Wong denied any responsibility for the walls' failures and filed his own complaint with the Building Department.

Both properties were issued Notices of Violation with regard to the failing retaining walls. However, the Building Department's action was put on hold pending determination of ownership of the walls and causation for the failure of the walls. Both, Dubrovsky and Wong, are insured by the same insurance carrier, State Farm. They both invoked the protection of their insurance policies. Eventually, having not been able to informally resolve the issue of ownership of the wall and causation of their failure, both Dubrovsky and Wong filed civil lawsuits against each other to determine who owned the wall, and also to determine who was responsible for their failures.

In August 2010, the parties participated in a mediation and at the end of that mediation session entered into a stipulation for settlement of their dispute. In this agreement, Dubrovsky agreed to construct a new retaining wall in exchange for control over the wall's design and construction. Wong agreed to cooperate with the construction. Both owners' insurance carriers agree to pay on both policies to fund the construction of the wall.

By agreeing to build the new retaining wall, Dubrovsky did not agree that she owned the wall. To the contrary, Dubrovsky has always maintained, and still believes, that she does not own the existing retaining walls that constitute the public nuisance at issue in the abatement order.

The parties' settlement agreement has not been finalized as the parties still disagree on the terms of the settlement and on the design of the wall. The insurance companies have not funded the settlements due to this dispute. At this time Dubrovsky has received no funds from her carrier to build the wall. The parties are now scheduled to return to binding arbitration to once and for all resolve the design of the wall and get the funding from the insurance carrier to build the wall. The parties have agreed to an arbitration hearing on September 27, 2011.

**2. The Order of Abatement should be overturned because Ms. Dubrovsky did not cause, contribute to, or maintain the nuisance.**

Dubrovsky's investigation into the failure of the walls revealed that sometime in the past, the previous owners of the downhill property (predecessors to Wong) removed a portion of one of the retaining walls separating Dubrovsky's property from Wong's property, which contributed to the eventual failure of both walls. Dubrovsky has alleged that Wong and his tenants further contributed to the failure of the retaining walls by landscaping their property, the downhill property's yard and removing earth; by failing to maintain wooden retaining walls on the downhill property; and by over-irrigating their property thereby compromising the lateral support and the stability of the walls.

Wong, on the other hand, has had only made vague claims that the wall was built by Dubrovsky's predecessor-in-interest and that it was poorly designed, which caused it to fail. Wong has been unable to provide any evidence in support of his claims. The parties were scheduled for a trial date of August 16, 2010, but they reached a stipulation for settlement through mediation on August 12, 2010. Although Dubrovsky agreed to settle the case at a mediated settlement, the settlement is still not final. In any event Dubrovsky has in no way agreed that she was responsible for the failure of the retaining walls. Therefore Dubrovsky cannot be responsible for any failure to maintain walls she does not own.

**3. The Order of Abatement should be overturned because the Notice of Violation did not give Dubrovsky reasonable time to abate.**

As set forth above, since the parties reached a stipulation for settlement on August 12, 2010, they have been unable to resolve several items regarding the final terms of the settlement. The basic terms reached at the mediation were the amounts each party's insurance policy would pay to the other for repairs; that Ms. Dubrovsky would build a new retaining wall; and that the respective parties would cooperate with respect to the construction of the wall.

After the mediation in August 2010, Dubrovsky sent a draft of the Settlement and Mutual Release for review and comment by Wong. After several requests for comments or a response, Wong finally responded a month and a half later by sending his own draft of the Settlement Agreement and Mutual Release, which differed greatly from Dubrovsky's understanding of the agreement reached at the mediation.

In early January 2011, all counsel for the parties and Dubrovsky had a telephone conference in hopes of informally resolving their differences. Meanwhile in an attempt to finalize and push this process forward and carry out the terms of the settlement, Dubrovsky,

with the help of her engineer, was able to secure the approval of the Planning and Building Department of her plans. The plans were reviewed through the over-the-counter process. All that remained for final approval of the plans was to pay the permit fees. However, with no final settlement in sight and therefore no funds from the insurance carrier to undertake construction, Dubrovsky had no choice but to wait to pay the permit fees, as the permit would likely expire before construction could be completed (or perhaps even commenced).

Wong's attorney insisted on reviewing these plans. The review was then followed by a letter (after some delay) outlining Wong's disagreements regarding the wall design, despite Wong's agreement to cooperate and in violation of the terms of the mediated settlement agreement. The parties attended a second mediation to try and resolve the remaining terms of the settlement. However, the parties were unable to finalize the settlement as the mediation was unsuccessful. The main remaining issue to be arbitrated involves the design of the wall. The parties have agreed to an arbitration date at the end of September for a final determination of the settlement agreement terms.

The Notice of Violation issued by the Building Inspection Department allowed Dubrovsky 30 days to repair the wall prior to the Director's Hearing. Prior to the hearing, Dubrovsky requested a continuance of the hearing to allow time for the parties to reach their final settlement, which would make the funds available for replacing the retaining wall. The Building Department denied Dubrovsky's request for a continuance.

Even if Dubrovsky were to be responsible for abating the nuisance (which she maintains she is not), and even if she had already received the construction funds (which she has not), the construction project is anticipated to take at least 3 months, if it occurs in the 'dry' season. Thus the Notice of Violation did not give Dubrovsky a reasonable amount of time to abate the nuisance. Therefore Dubrovsky will need enough time, namely 3 months, unless construction occurs in the rainy season, from the date of her receipt of the insurance proceeds to complete the construction.

**4. If the Order of Abatement is not overturned, the Order does not give Dubrovsky reasonable time to build a new retaining wall.**

Similar to the Notice of Violation, the Order to Abatement is unrealistic in its order of time to build a retaining wall. Dubrovsky was ordered to obtain a building permit within 30 days, and then complete construction within 60 days of obtaining the permit. Although Dubrovsky is able to get a permit, she will not be able to complete construction within 60 days for all of the reasons set forth above. If this Board does not determine that the Building Department erred in denying Dubrovsky's request for a continuance of the hearing, or that it erred by issuing the Order of Abatement on 1743 12<sup>th</sup> Avenue, the time allotted for construction is unreasonably short.

Dubrovsky obtained estimates for construction through the civil litigation against Wong, and she anticipates the construction taking at least 3 months to complete, if not delayed by the rainy season. Therefore Dubrovsky requests that the Building Inspection Department Director's Order be overruled, that another hearing be set after the parties' arbitration in September of 2011, at which time the parties' settlement agreement will be finalized and the funds will become available for the construction. It is also respectfully requested that the time to complete the project be extended from 60 days to 120 days.



June 28, 2011

ORDER OF ABATEMENT

Owner:

DUBROVSKY ALLA  
1743 12TH AVE  
SAN FRANCISCO CA  
94122

Property Address: 1743 12TH AV,

Block: 2037A Lot: 005 Seq: 01  
Tract: Case: BWO  
Complaint: 200559774

Inspector: Li

ORDER OF ABATEMENT UNDER SAN FRANCISCO BUILDING CODE SECTION 102.5 & 102.6 ORDER NO. 103988-A  
HEARING OF THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION  
AGAINST THE PROPERTY AT THE LOCATION SHOWN ABOVE WAS HELD ON June 23, 2011  
IN ACCORDANCE WITH THE SAN FRANCISCO BUILDING CODE SECTION 102.4. THE HEARING WAS  
CONDUCTED BY A REPRESENTATIVE OF THE DIRECTOR. THE OWNER WAS REPRESENTED.

BASED UPON THE FACTS AS SUBMITTED AT THE HEARING, THE DIRECTOR FINDS AND DETERMINES  
AS FOLLOWS:

1. THAT NOTICE HAS BEEN DULY GIVEN AS REQUIRED BY LAW AND THE ORDER OF THE  
DIRECTOR, AND MORE THAN 10 DAYS PRIOR TO THE HEARING.
2. THAT THE CONDITIONS ARE AS STATED IN THE COMPLAINT OF THE DIRECTOR OF THE  
DEPARTMENT OF BUILDING INSPECTION.
3. THAT THE CONDITIONS OF SAID STRUCTURE CONSTITUTES A PUBLIC NUISANCE  
UNDER THE TERMS OF THE BUILDING CODE OF THE CITY AND COUNTY OF SAN FRANCISCO.

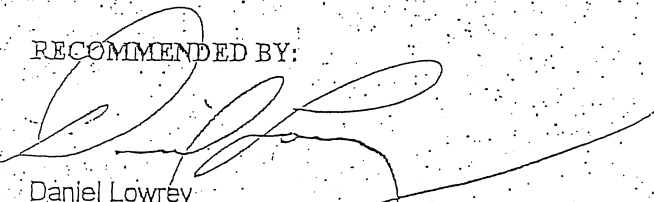
THE DIRECTOR HEREBY ORDERS THE OWNER OF SAID BUILDING TO COMPLY WITH THE FOLLOWING:

- (1) 30 DAYS TO FILE APPLICATION WITH PLAN TO REPAIR OR REPLACE NORTH PROPERTY LINE RETAINING WALL.
- (2) COMPLY WITH PLAN REVIEW COMMENTS AND TIME LIMITS.
- (3) 10 DAYS TO PICK UP PERMIT.
- (3) 60 DAYS TO COMPLETE WORK INCLUDING FINAL INSPECTION APPROVAL.

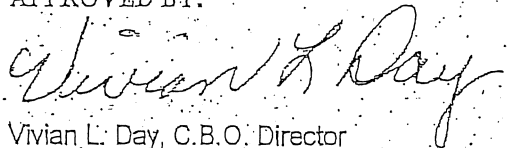
THE TIME PERIOD SHALL COMMENCE FROM THE DATE OF THIS ORDER. THE DEPARTMENT OF BUILDING  
INSPECTION SHALL BE REIMBURSED BY THE OWNER OF SAID BUILDING FOR ABATEMENT COSTS  
PURSUANT TO THE ATTACHED AND FUTURE NOTICES.

APPEAL: PURSUANT TO SECTION 105.3 OF THE SAN FRANCISCO BUILDING CODE, ORDERS  
PERTAINING TO DISABLED ACCESS MAY BE APPEALED TO THE ACCESS APPEALS COMMISSION.  
PURSUANT TO SECTION 105.2 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO  
WORK WITHOUT PERMIT MAY BE APPEALED TO THE ABATEMENT APPEALS BOARD. APPEALS MUST  
BE IN WRITING ON FORMS OBTAINED FROM THE APPROPRIATE APPEALS BODY AT 1660 MISSION  
ST., SAN FRANCISCO, CA 94103, Tel: (558-6454), AND MUST BE FILED WITH THE SECRETARY OF THE  
APPEALS BODY WITHIN FIFTEEN (15) DAYS OF THE POSTING AND SERVICE OF THIS ORDER.

RECOMMENDED BY:

  
Daniel Lowrey  
Chief of Building Inspection Services  
Phone No. (415) 558-6570  
Fax No. (415) 558-6261

APPROVED BY:

  
Vivian L. Day, C.B.O. Director  
Department of Building Inspection.  
Fax No. (415) 558-6474

6



June 28, 2011

Property Address: 1743 12<sup>TH</sup> Avenue

Block: 2037A Lot: 005 Seq. 01

Complaint No.: 200559774

Director's Order No.: 103988-A

INITIAL BILL- Assessment of Costs  
Code Enforcement Section

Alla Dubrovsky  
1743 12<sup>th</sup> Avenue  
San Francisco, CA 94122

Dear Property Owner(s):

Our records show that all required work was not completed PRIOR TO THE DIRECTOR'S HEARING AND RECORDATION OF THE ORDER OF ABATEMENT ON THE TITLE OF THIS PROPERTY. THIS RESULTED IN THE ACCRUAL OF AN ASSESSMENT OF COSTS pursuant to Sections 102.2 & 102.16 of the San Francisco Building Code. These code sections require that this Department's cost of preparation for and appearance at the hearing, and all prior and subsequent attendant costs "shall be assessed upon the property owner."

The Assessment of Cost AMOUNT accrued to date NOW DUE AND PAYABLE is: \$1,380.50

Payment must be by Cashier's Check or money order & must be accompanied by this original letter.

Make all checks payable to: The Department of Building Inspection.  
Mailed payments can be sent to:

Assessment of Costs Payment  
Department of Building Inspection  
Code Enforcement Section  
1660 Mission Street, 6<sup>th</sup> Floor  
San Francisco, CA 94103

TO AVOID HAVING A LIEN RECORDED UPON YOUR PROPERTY AND LEVIED ON YOUR NEXT PROPERTY TAX BILL, it is necessary for you to render payment immediately.

Note: The Order of Abatement cannot be removed from the title nor can the complaint against this property be abated, until appropriate permits are issued, inspections are performed to verify correction of violations, final inspection approvals are granted and further accrued Assessments of Costs are paid.

All violations must be abated AS SOON AS POSSIBLE TO AVOID OR MINIMIZE ADDITIONAL COSTS & PENALTIES. All additional time accrued from this billing to the final abatement of your case will be sent to you in a separate and final assessment of costs bill.

Contact the Code Enforcement Division at (415) 558-6454 should you have any questions concerning this matter. Your prompt cooperation on this matter is appreciated.

Very truly yours,

Daniel Lowrey, Chief Building Inspector

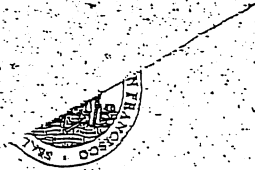
DL:JH:gs *DL*

cc: CES File

Code Enforcement Section

1660 Mission Street- San Francisco CA 94103

Office (415) 558-6454 - FAX (415) 558-6226 - www.sfdbi.org



# 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: 200559774  
DATE: 22-APR-05

ADDRESS: 1743 12TH AV

OCCUPANCY/USE: R-3 ((1) RESIDENTIAL)

BLOCK: 2037A LOT: 005

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: DUBROVSKY ALLA  
MAILING DUBROVSKY ALLA  
ADDRESS 1743 12TH AVE  
SAN FRANCISCO CA

PHONE #: -

94122

PERSON CONTACTED @ SITE:

PHONE #: -

## VIOLATION DESCRIPTION:

VIOLATION DESCRIPTION:	CODE/SECTION#
<input 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

RETAINING WALL AT NORTH PROPERTY LINE APPROX 80 FEET LONG AND 10 FEET TO 4 FEET TALL IS IN DANGER OF FAILURE. (THE RETAINING WALL IS RETAINING SOIL AT / FOR THIS ADDRESS.)

## CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4 415-575-6831
- 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 120 DAYS, INCLUDING FINAL INSPECTION SIGN OFF.
- 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 PLANS WITH PERMIT APPLICATION WITHIN 30 DAYS, OR HAVE A LICENSED CIVIL ENGINEER SUBMIT A LETTER WET STAMPED THAT WALL IS NOT IN DANGER OF FAILURE.

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: Thomas Theriault

PHONE # 415-575-6831

DIVISION: BID

DISTRICT:

By: (Inspectors's Signature) \_\_\_\_\_

8





# NOTICE OF VIOLATION

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

DEPARTMENT OF BUILDING INSPECTION NOTICE: 2  
 City and County of San Francisco  
 660 Mission St. San Francisco, CA 94103

NUMBER: 200559774  
 DATE: 21-JUN-05

ADDRESS: 1743 12TH AV  
 OCCUPANCY/USE: R-3 (I) RESIDENTIAL

BLOCK: 2037A LOT: 005

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.

INTERAGENT: DUBROVSKY ALLA  
 MAILING: DUBROVSKY ALLA  
 ADDRESS: 1743 12TH AVE  
 SAN FRANCISCO CA

PHONE #: -

94122

PERSON CONTACTED @ SITE: DUBROVSKY ALLA PHONE #: -

## VIOLATION DESCRIPTION:

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

in failure to comply with N.O.V. dated 4/22/05 has initiated abatement proceedings per SFBC section 102.4.

## CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

415-575-6831

- (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 22-APR-05, THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.  
 SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Contact Code Enforcement at 558-6454

INVESTIGATION FEE OR OTHER FEE WILL APPLY.

- 1x 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)

PROX. DATE OF WORK W/O PERMIT VALUE OF WORK PERFORMED W/O PERMIT'S \$

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Thomas Theriault DIVISION: BID DISTRICT:

PHONE # 415-575-6831 (Inspectors's Signature) \_\_\_\_\_

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