



**BUILDING INSPECTION COMMISSION (BIC)
Department of Building Inspection (DBI)**

SPECIAL MEETING

Wednesday, September 25, 2013 at 2:00 p.m.

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400

Aired Live on SFGTV Channel 78

ADOPTED December 18, 2013

MINUTES

The special meeting of the Building Inspection Commission was called to order at 2:14 p.m. by President McCarthy.

1. Call to Order and Roll Call – Roll call was taken and a quorum was certified.

COMMISSION MEMBERS PRESENT:

Angus McCarthy, **President**

Warren Mar, **Vice-President**

Frank Lee, **Commissioner**

Kevin Clinch, **Commissioner, expected**

James McCray, Jr. **Commissioner**

Myrna Melgar, **Commissioner**

Debra Walker, **Commissioner**

Sonya Harris, **Secretary, excused**

Ann Aherne, **Secretary**

D.B.I. REPRESENTATIVES:

Edward Sweeney, **Deputy Director, Permit Services**

CITY ATTORNEY REPRESENTATIVE

John Malamut, **Deputy City Attorney**

Note: Commissioner Clinch did not meet at City Hall; however he attended the Closed Session portion of the meeting.

2. Public Employee Appointment – Director of the Department of Building Inspection.

Discussion and possible action to interview candidates for the position of Director of the Department of Building Inspection.

Secretary Aherne made a brief announcement regarding Item 3: "The BIC will start its Closed Session here at City Hall in Room 416 and the Closed Session portion of the meeting will then be moved to an undisclosed off site location and when the Closed Session portion of the meeting is complete the BIC will reconvene in public at DBI offices at 1660 Mission Street, and vote on whether to disclose any or all of the discussions held in Closed Session."

a. Public Comment on all matters pertaining to the Closed Session.

Mr. Dickson Lee stated that he was a counselor and organizer from the Chinatown Community Development Center (CCDC). He said that he brought along members of the Chinatown

community to show their support of Mr. Tom Hui for the Director of DBI. As a member of the Code Enforcement Outreach Program (CEOP) he assists tenants in the Chinatown community with code violations in their own homes, and that would not be possible without the help of DBI Inspectors and their staff. Mr. Lee said that he wanted to use this opportunity to say thank you, and Mr. Hui with his background as an immigrant, and experience living in an SRO will be an experienced and stable leader who really understands the issues underlying their neighborhood. Mr. Lee stated that Chinatown is one of the poorest and densest neighborhoods in the City, so they really need a leader who can make good judgment, have a good understanding of the tenant/landlord dynamics and continue to support the code enforcement work that they do. Their goal is to improve the lives of people living in an SRO and they know that Mr. Hui will be able to deliver and continue the good work of DBI and assure a safer living environment, not only for the Chinese community but for every community in the City as well.

Ms. Prathiba Tekkey said that she is an organizer with the Central City SRO Collaborative and the Tenderloin Housing Clinic. They work with SRO tenants in the Tenderloin and South of Market on tenant's rights issues, code enforcement, and any issues that arise between tenants and landlords in SRO hotels. Ms. Tekkey said they would like to express support for Acting Director Tom Hui for Director of DBI. They think he is an excellent candidate because he has been extremely supportive when working with their organization, and they are looking forward to working with him under his leadership of DBI Director and hope that the BIC would too. Ms. Tekkey said her co-worker had a letter of support to read from Causa Justa.

Ben said he runs the CEOP program and the Tenderloin Housing Clinic and he was at the meeting to give support to the current Acting Director, Tom Hui, who will hopefully get a permanent Director position at DBI. Ben had a letter from the Chinese Progressive Association and he read the letter which supported Tom Hui and stated that Mr. Hui was also an immigrant who lived in an SRO and understands community issues from evictions to wage theft and as a local candidate he understands the needs of the people in San Francisco. Tom Hui has been a strong supporter of partnering with community organizations and he is a good candidate, so through the family collaborative and the Chinatown collaborative they feel Mr. Hui will continue having a positive collaborative relationship with community partners.

Ms. Nella Mandalo of the Tenderloin Housing Clinic said that she supports Mr. Hui and hopes that he will become the Director of DBI. He is a great supporter of tenants in the Tenderloin area and she would like the Commission's support also.

Ms. Priya Suhani said that she was speaking on behalf of Lucia Kimball from Causa Justa who unfortunately could not attend the meeting today and she read her letter: "Dear Commissioners, I write on behalf of Causa Justa, (Just Cause), to express our support for DBI Acting Director Tom Hui to Director of DBI. I coordinate the tenant's rights clinic for Causa Justa, formerly St. Peter's Housing Committee, and we are a regional grass roots organization building community leadership to achieve social change for Oakland and San Francisco residents. We have been partners of the Code Enforcement Outreach Program (CEOP) for quite some time now. We feel that the DBI Director position needs to be filled by someone who understands tenant conditions and is dedicated to make sure that DBI meets its goals and ensuring habitability for all tenants in San Francisco. Tom Hui is an excellent candidate because of his commitment to tenants in San Francisco. San Francisco is in a critical time and facing strong challenges to ensure that the City

continues to be tenant friendly. Given an increased focus on new development many landlords of older rent controlled units are not being accountable to the most vulnerable tenants or ensuring habitable conditions. Everyday our clinic tenants share with us that it is a struggle to get their landlords to make necessary repairs to their units. Many face long-standing repair problems such as: Mold, mildew, rat and cockroach infestations, and leaks in their units. By the time they reach our office they have suffered with these conditions for a long time. DBI needs to ensure an aggressive inspection process that seeks to abate Notices of Violation as quickly as possible. Tom Hui has supported the CEOP program which brings service providers and Inspectors together to ensure habitable conditions for all tenants. He has also supported the hiring of community-oriented Inspectors thus creating the conditions for further collaboration and strengthening the NOV/Abatement process. We look forward to Tom Hui's leadership as DBI Inspector and ensuring more community collaboration and positive changes within the Department to uphold DBI's commitment to safe, habitable conditions for all tenants in San Francisco. Thank you. Lucia Kimball."

There was a translator for Mr. June Chong Tan who is an SRO resident in Chinatown and he wants to express his voice to the Commissioners as an SRO tenant. Because a lot of the SRO's in Chinatown are very crowded and old and a lot of landlords have a very cold attitude towards residents and often ignore their requests. Also there is maintenance that needs to be taken care of. For example in April of this year he told his landlord about peeling paint, a door lock problem, and loose parts on the roof but his response was those issues are too small so he was not going to take care of them, so it is still an ongoing issue inside his home. I hope that DBI will be able to select a leader who really understands the issues of what is going on in the community and someone who is effective, and also bilingual to be the Director of DBI. I support Tom Hui to be the Director of DBI because I know that he has the ability to fight for the rights of our tenants, to keep the quality of life in SRO residences. I know that he can be a fair leader who can also be supported by different members of the community.

Mr. Joshua Vining, a program coordinator for the Mission SRO Collaborative, also supported Acting Director Tom Hui for the permanent position of Director. A lot of what's been said already is true and he wanted to echo that. He also said that in the Mission they are glad that there is a leader who has first-hand experience of what it is like to live in an SRO. Mr. Vining stated that it is important for the Director of DBI to not only have knowledge of code enforcement and the workings of DBI, but also more holistically know how some of the buildings and tenant conditions are in SRO's. They are really excited about working more closely with the Department and hearing some of the ideas of how code enforcement is connected to some of the other issues that they see in the hotels such as un-affordability and some of the violence that occurs as well as other issues. They lend their support to Acting Director Hui.

Mr. Sean Keighran of the Residential Builders Association said as builders their industry relies heavily on this Department, most specifically permit processing and inspection servicing are very important to the industry. Initially he came to the meeting with the idea of speaking to those divisions, hoping the Commission would find a leader – A new Director to carry out and raise the professionalism and efficiencies in both the permit processing division and the inspection servicing division. Upon reflecting, he realized that some of their frustrations stem from the fact that there has not been a long-term leader for quite some time, and leadership in this Department has lacked stability. While it does not directly affect their members, there is a third division in this

department that is very important to the City and that is the Housing Division. Without a Director that has experience and expertise and relates to tenant's issues and has the trust, how can anyone expect that leader to last in this job. Their industry is not looking for a short term victory but is committed to this Department for long term goals and objectives. The RBA wants a long term leader and stability: They are looking for someone who would provide the professionalism, the efficiencies in permit processing and inspection services. They understand that things need to be balanced and the Director needs to be someone who knows how significant this Department is. To those who have a broken window in January, those who have no hot water, or those who have no heat, thank you.

- b. Possible action to convene a Closed Session.

Vice-President Mar made a motion, seconded by Commissioner Melgar, to convene a Closed Session. The motion carried unanimously.

RESOLUTION NO. BIC 046-13

- c. **CLOSED SESSION:** Pursuant to Government Code Section 54957(b)(1) and the San Francisco Administrative Code Section 67.10(b).

The Commissioners went into Closed Session at 2:30 p.m.

- d. Reconvene in Open Session to vote on whether to disclose any or all discussions held in Closed Session (Administrative Code Section 67.10(b)). (The BIC shall reconvene in open session at DBI offices at 1660 Mission Street, 6th floor Conference Room, #6034.)

Commissioner Clinch made a motion, seconded by Commissioner Lee, to reconvene in Open Session. The motion carried unanimously.

RESOLUTION NO. 047-13

The Commissioners reconvened in Open Session at 10:05 p.m.

Secretary Aherne took roll call and Commissioners Clinch, Lee, McCarthy, and McCray were in attendance.

Commissioner Lee made a motion, seconded by Commissioner Clinch to disclose what the Building Inspection Commission's decision was in Closed Session. President McCarthy said the Commission would like to congratulate the person who has accepted the position of Director of DBI, Mr. Tom Hui. The motion carried unanimously.

Deputy City Attorney John Malamut stated that the Building Inspection Commission voted to appoint Mr. Hui immediately and upon finishing whatever paperwork is necessary. The vote was 5 to 2 in favor, with Commissioners McCarthy, Lee, Clinch, McCray, and Melgar voting yes, and Commissioners Mar and Walker voting no. The motion carried 5 to 2.

RESOLUTION NO. BIC 048-13


3. Adjournment.

Commissioner Clinch made a motion, seconded by Commissioner Lee that the meeting be adjourned. The motion carried unanimously.

RESOLUTION NO. BIC 049-13

The meeting was adjourned at 10:06 p.m.

Respectfully submitted,



Sonya Harris
Commission Secretary