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7 Attorneys for Plaintiffs  
8 CITY AND COUNTY OF SAN FRANCISCO and  
PEOPLE OF THE STATE OF CALIFORNIA  
9

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF SAN FRANCISCO

12 UNLIMITED JURISDICTION

**CGC-22-599795**

13 CITY AND COUNTY OF SAN  
FRANCISCO, a Municipal Corporation; and  
14 the PEOPLE OF THE STATE OF  
CALIFORNIA, by and through David Chiu,  
15 City Attorney for the City and County of San  
Francisco,

16 Plaintiffs,

17 vs.

18 NAIM JAMALI, in his individual capacity and  
19 as trustee of the NAIM & SANA M JAMALI  
20 2013 REVOCABLE TRUST; SANA  
JAMALI, in her individual capacity and as  
21 trustee of the NAIM & SANA M JAMALI  
2013 REVOCABLE TRUST; and DOE ONE  
through DOE FIVE,

22 Defendants.  
23  
24  
25

Case No.

**COMPLAINT FOR INJUNCTIVE AND  
OTHER RELIEF**

**(1) VIOLATION OF THE STATE HOUSING  
LAW (CAL. HEALTH AND SAFETY CODE §§  
17910-17980.9)**

**(2) PUBLIC NUISANCE**

**(3) VIOLATION OF THE SAN FRANCISCO  
BUILDING, ELECTRICAL, PLUMBING,  
PLANNING, HOUSING, AND FIRE CODES**

**(4) VIOLATION OF THE STATE UNFAIR  
COMPETITION LAW (CAL. BUSINESS AND  
PROFESSIONS CODE §§ 17200-17210)**

Type of Case:  
Other Complaint (42)

26  
27 The City and County of San Francisco, a municipal corporation (CITY), and the People of the  
State of California, acting by and through San Francisco City Attorney David Chiu (PEOPLE)  
28

ELECTRONICALLY  
**FILED**  
Superior Court of California,  
County of San Francisco

**05/25/2022**  
Clerk of the Court  
BY: LAURA SIMMONS  
Deputy Clerk

1 (collectively, PLAINTIFFS) file their Complaint against Naim Jamali in his individual capacity and as  
2 trustee of the NAIM & SANA M JAMALI 2013 REVOCABLE TRUST (NAIM JAMALI), Sana  
3 Jamali in her individual capacity and as trustee of the NAIM & SANA M JAMALI 2013  
4 REVOCABLE TRUST (SANA JAMALI), and Doe One through Doe Five (collectively,  
5 DEFENDANTS). PLAINTIFFS hereby allege as follows:

6 **INTRODUCTION**

7 1. This action arises out of DEFENDANTS' ownership, maintenance, operation,  
8 management and use of the property located at 333 Randolph Street, San Francisco, California, Block  
9 7118, Lot 049 (the PROPERTY) in violation of state and local health and safety codes, and as a public  
10 nuisance that substantially endangers the health, welfare, and safety of the PROPERTY's occupants,  
11 tenants, neighbors, the neighborhood, and the City and County of San Francisco.

12 2. There are currently seven outstanding citations issued against DEFENDANTS by three  
13 CITY agencies. These include: (1) one citation from the Planning Department for unauthorized group  
14 housing (an inspection revealed 22 dwelling units when the building was only permitted to have four  
15 dwelling units); (2) one citation from the San Francisco Fire Department (SFFD) for illegally  
16 converting the basement and other areas into residential space without adequate egress, fire  
17 extinguishers, and other safeguards in case of emergencies; and (3) five outstanding citations from the  
18 Department of Building Inspection (DBI) for the PROPERTY's illegal group housing, failure to  
19 provide smoke detectors, and faulty electrical wiring, among other serious code violations.

20 3. DEFENDANTS have persistently foot-dragged on their cited violations, even in the  
21 face of additional CITY enforcement. DBI, SFFD, and Planning Department staff conducted joint  
22 Task Force Inspections at the property in January of 2020 and another in October 2020, but at least  
23 seven of the resulting Notices of Violation (NOV) remain outstanding. DBI declared the PROPERTY  
24 a public nuisance after holding five duly noticed public hearing in connection to Notices of Violation.  
25 While DEFENDANTS' architect corresponded with various CITY agencies to submit plans to legalize  
26 the illegal dwelling units, and those plans are currently under review before the Planning Department,  
27 DEFENDANTS failed to correct violations that could have been corrected while the plans to legalize  
28

1 dwelling units was developing. For example, DEFENDANTS failed to inspect electrical wall heaters  
2 and correct faulty wiring.

3 4. Further, DEFENDANTS continue to collect rent from at least 17 tenants living in  
4 substandard housing rife with health and safety violations. At least three of these units are basement  
5 units that DEFENDANTS assert are used as commercial or storage units, but where a January 2020  
6 inspection revealed people using at least one basement room as a sleeping room. On information and  
7 belief, DEFENDANTS entered into commercial leases with many tenants knowing full well that these  
8 tenants were residing at the PROPERTY.

### 9 **PARTIES AND SUBJECT PROPERTY**

10 5. Plaintiff City and County of San Francisco (CITY) is a consolidated charter city and  
11 county under the laws of the State of California.

12 6. The CITY brings this action under the State Housing Law (California Health and  
13 Safety Code sections 17910-17998.3), the San Francisco Municipal Codes, including the San  
14 Francisco Housing, Building, Plumbing, Electrical, and Fire Codes, and California Civil Code section  
15 3494.

16 7. Plaintiff the People of the State of California, by and through San Francisco City  
17 Attorney David Chiu (PEOPLE), brings this action pursuant to California Civil Code section 3494,  
18 California Code of Civil Procedure section 731, and California Business and Professions Code section  
19 17204.

20 8. The subject property in this action is located at 333 Randolph Street, San Francisco,  
21 California (PROPERTY). The PROPERTY is a two-story-over-basement building. The 7,840 square-  
22 foot PROPERTY stands immediately next to San Francisco Public Library's Ocean View branch. It is  
23 authorized to contain four dwelling units and additional space for social services and educational use.  
24 The PROPERTY is more particularly described in **Exhibit 1**, which is attached hereto and  
25 incorporated as part of this Complaint.

26 9. Defendant Naim Jamali, an individual, is a resident of San Mateo County, and is sued  
27 in his individual capacity and as trustee of the NAIM & SANA M JAMALI 2013 REVOCABLE  
28 TRUST (NAIM JAMALI). Defendant Sana Jamali, an individual, is a resident of San Mateo County,

1 and is sued in her individual capacity and as trustee of the NAIM & SANA M JAMALI 2013  
2 REVOCABLE TRUST (SANA JAMALI).

3 10. Defendants Doe One through Doe Five are sued herein under fictitious names.  
4 Plaintiffs do not at this time know the true names or capacities of said defendants but pray that the  
5 same may be alleged herein when ascertained. Defendants NAIM JAMALI and SANA JAMALI and  
6 Does One through Doe Five are referred to collectively as DEFENDANTS.

7 11. Since 2014, DEFENDANTS have owned, operated, managed, leased, and/or  
8 maintained the PROPERTY and all buildings and other improvements located on the PROPERTY.

9 12. At all times herein mentioned, each DEFENDANT was an agent, servant, employee,  
10 and /or partner of the other DEFENDANTS, and at all times was acting within the course and scope of  
11 this agency, service, employment, and/or partnership. Whenever reference is made in this Complaint  
12 to any act or omission of DEFENDANT(S), such allegation shall mean that DEFENDANT(S) did or  
13 authorized the act or omission, or failed and omitted to supervise or control other persons who  
14 engaged in the act or omission.

### 15 JURISDICTION AND VENUE

16 13. The Superior Court has jurisdiction over this action.

17 14. Venue is proper because the subject property is located in San Francisco and all the acts  
18 complained of, including those giving rise to penalties, occurred in this venue. Code of Civ. Proc. §§  
19 392, 393 and 395.

### 20 FACTUAL BACKGROUND

21 15. During all relevant time periods in the Complaint, DEFENDANTS allowed others to  
22 reside at the PROPERTY while maintaining the PROPERTY in a substandard and unsafe condition,  
23 and as a public nuisance. DEFENDANTS collected rent from residents residing at the PROPERTY.

#### 24 **San Francisco Planning Department Notice of Violation (No. 2019-015851ENF)**

25 16. The San Francisco Planning Department issued Notice of Enforcement No. 2019-  
26 015851ENF to DEFENDANTS on August 29, 2019, after the Planning Department received a  
27 complaint that the PROPERTY was used for group housing in violation of the Planning Code. The  
28 Notice of Enforcement required DEFENDANTS to set up a Planning Department inspection within 15

1 days, to show compliance with the Planning Code. DEFENDANTS did not respond to the Notice of  
2 Enforcement.

3 17. When DEFENDANTS failed to meet the deadline set by the Notice of Enforcement,  
4 the Planning Department issued Notice of Violation No. 2019-015851ENF to DEFENDANTS, dated  
5 December 9, 2019. The NOV cited DEFENDANTS based on unauthorized group housing use at the  
6 PROPERTY and unauthorized conversion of a dwelling unit to a group housing use, thus violating the  
7 Planning Code, as only four dwelling units were permitted at the PROPERTY. A true and correct  
8 copy of the Planning Department Notice of Violation is attached hereto as **Exhibit 2**, and is  
9 incorporated as part of this Complaint.

10 18. On January 24, 2020, Planning Department Staff conducted a Task Force Inspection of  
11 the PROPERTY in conjunction with the Office of the City Attorney, DBI, SFFD, and the Department  
12 of Public Health. While the PROPERTY was authorized for a mix of uses—educational and senior  
13 center use on the first story, and offices on the second story, with four dwelling units in total—the  
14 inspection showed that the PROPERTY had been converted into 22 unauthorized, occupied residential  
15 units. DEFENDANTS did not provide access to all areas within the PROPERTY during the Task  
16 Force Inspection, but the inspection reveals that far more than four units were being utilized as  
17 dwelling units. DEFENDANTS were ordered to submit necessary plans and proposals to the Planning  
18 Department and DBI to initiate corrective steps.

19 19. On about February 25, 2020, DEFENDANTS submitted a building permit application  
20 with floor plans (Building Permit No. 2020.01.10.1699) to the Planning Department in order to correct  
21 three DBI Notices of Violation. The floor plans, however, did not accurately depict the PROPERTY's  
22 existing conditions, since most of the rooms unlawfully converted for group housing and/or dwelling  
23 units were incorrectly labeled as commercial office or storage space.

24 20. In response to DEFENDANTS' inaccurate building plans, the Planning Department  
25 issued a Notice of Planning Department Requirements (No. 2019-015851ENF) to DEFENDANTS, on  
26 May 13, 2020. The Notice of Planning Department Requirements described the outstanding violations  
27 resulting from the PROPERTY's group housing usage. The Notice listed the necessary corrective  
28 actions DEFENDANTS were required to take—submitting accurate, revised plans, and scheduling

1 reinspections with the Planning Department. The Notice of Planning Department Requirements also  
2 listed options for reconfiguring the PROPERTY in order to comply with the Planning Code. A true  
3 and correct copy of the Notice of Planning Department Requirements is attached hereto as **Exhibit 3**  
4 and is incorporated as part of this Complaint.

5 21. On October 16, 2020, the Planning Department again inspected the PROPERTY and  
6 was able to inspect additional units in the building.

7 22. Following the May 13, 2020 Notice of Planning Department Requirements, it took  
8 DEFENDANTS another 5 months to send revised floor plans to the Planning Department, which they  
9 finally provided during a November 19, 2020 Pre-Application meeting between DEFENDANTS'  
10 architect, DBI, SFFD, and the Planning Department. Months of back and forth between  
11 DEFENDANTS, DBI, SFFD, and the Planning Department ensued, including revisions to plans in an  
12 attempt to come up with a legalization plan that might be approved. On December 9, 2021,  
13 DEFENDANTS submitted their initial project application to Planning, and in January 2022  
14 DEFENDANTS submitted additional elements of their application. The application is currently under  
15 review by the Planning Department. The PROPERTY remains in violation of the Planning Code.

16 **San Francisco Fire Department Notice of Violation (No. 1912-0278)**

17 23. Following the January 24, 2020 Task Force Inspection, on January 27, 2020 SFFD  
18 issued NOV No. 1912-0278 to DEFENDANTS, citing violations of the San Francisco Fire Code and  
19 California Code of Regulations. The SFFD NOV cited the following violations: unauthorized change  
20 of use of a basement room into a residential unit, without adequate means of egress in the event of  
21 emergency; failure to provide the minimum required number of fire extinguishers at the PROPERTY;  
22 use of electrical extension cords in place of permanent wiring across all units and common areas;  
23 improper use of space heaters across all units; failure to maintain the minimum required number of  
24 spare sprinkler heads and failure to maintain a spare sprinkler wrench; painting over the emergency  
25 sprinkler heads in the basement stairway. A true and correct copy of the NOV is attached hereto as  
26 **Exhibit 4** and is incorporated as part of this Complaint. DEFENDANTS have yet to abate the  
27 violations documented in the SFFD NOV, and the NOV remains outstanding.

28

1            **Department of Building Inspection Notices of Violations and Orders of Abatement**  
2            **DBI Plumbing Code Notice of Violation and Order of Abatement (Complaint No.**  
3            **201980381)**

4            24.     In August 2019, DBI opened an investigation (Complaint No. 201980381) into the  
5            PROPERTY's plumbing issues. DBI twice attempted to inspect the PROPERTY, in August and  
6            September 2019, without success. DBI sent two Inspection Request Letters (No. 201980381) to  
7            DEFENDANTS in order to gain access to the PROPERTY, but DEFENDANTS failed to respond.

8            25.     On January 28, 2020, DBI issued Notice of Violation No. 201980381 to  
9            DEFENDANTS for Plumbing Code violations found during the January 24, 2020 Task Force  
10           Inspection. Specifically, the NOV cited: unpermitted installation of four kitchens and bathrooms on  
11           the PROPERTY's second floor; unpermitted installation of a water heater in the basement; and  
12           installing shower without the proper waste and vent piping. The NOV ordered DEFENDANTS to  
13           obtain the required permits and complete all abatement work within 30 days. A true and correct copy  
14           of the NOV is attached hereto as **Exhibit 5** and incorporated as part of this Complaint.  
15           DEFENDANTS did not comply with the NOV.

16           26.     On May 14, 2020, DBI issued a Notice of Final Warning (No. 201980381) to  
17           DEFENDANTS. The Notice of Final Warning explained that the NOV remained outstanding and that  
18           DBI costs would be imposed for subsequent DBI enforcement of the NOV. The Notice of Final  
19           Warning set another 30-day deadline for DEFENDANTS to obtain required permits and complete all  
20           work. The Notice of Final Warning also explained that the case would not close until all required  
21           repairs were verified complete by a DBI inspector, all permits were obtained, and all required DBI  
22           costs were paid. DEFENDANTS did not comply.

23           27.     On August 31, 2020, DBI mailed a Notice of Director's Hearing for NOV No.  
24           201980381 to DEFENDANTS. On September 2, 2020, DBI posted a copy of the Notice of Director's  
25           Hearing in a conspicuous place on the PROPERTY. The Notice instructed DEFENDANTS to appear  
26           at a DBI Director's Hearing scheduled for September 22, 2020, to address the outstanding violations at  
27           the PROPERTY.

1           28.     On September 22, 2020, DBI held the Director’s Hearing to address outstanding  
2 violations at the PROPERTY cited in NOV No. 201980381. DEFENDANTS did not attend.

3           29.     Following the Director’s Hearing, on September 25, 2020 DBI issued to  
4 DEFENDANTS Order of Abatement No. 201980381A. The Order of Abatement ordered  
5 DEFENDANTS to secure any necessary permits to abate the cited violations and to complete all  
6 required work within 30 days. DBI mailed the Order of Abatement to DEFENDANTS on September  
7 29, 2020, and on October 5, 2020 DBI posted a copy of the Order at a conspicuous place on the  
8 PROPERTY. A true and correct copy of Order of Abatement No. 201980381A is attached hereto as  
9 **Exhibit 6** and incorporated as part of this Complaint.

10          30.     DEFENDANTS have not abated the violations documented in the NOV and subsequent  
11 Order of Abatement, and they remain outstanding.

12                   **DBI Building Code Notice of Violation and Order of Abatement (Complaint No.**  
13                   **202012681)**

14          31.     Following the January 24, 2020 Task Force Inspection, on January 29, 2020, DBI  
15 issued a Building Code Notice of Violation (“NOV”) No. 202012681 to DEFENDANTS. The NOV  
16 cited DEFENDANTS for converting the PROPERTY to contain more residential dwelling units than  
17 were permitted. The NOV ordered DEFENDANTS to, within 30 days, file an application for a  
18 building permit and to provide plans that would address the code violations, obtain approval of the  
19 required permits within 60 days, and complete all work (including final sign-off) to bring the  
20 PROPERTY up to code within 90 days. A true and correct copy of the NOV is attached hereto as  
21 **Exhibit 7** and incorporated as part of this Complaint. DEFENDANTS submitted an inadequate permit  
22 application in January of 2020 and the deadlines specified in the NOV were not met.

23          32.     On March 19, 2021, DBI issued a Notice of Final Warning for NOV No. 202012681 to  
24 DEFENDANTS. The Notice of Final Warning explained that the NOV remained outstanding and that  
25 DBI costs would be imposed for subsequent DBI enforcement of the NOV. The Notice of Final  
26 Warning set another 30-day deadline for DEFENDANTS to obtain required permits and complete all  
27 work. The Notice of Final Warning also explained that the case would not close until all required  
28



1 repairs were verified complete by a DBI inspector, all permits were obtained, and all required DBI  
2 costs were paid.

3 33. On March 22, 2021, DBI mailed a Notice of Director's Hearing for NOV No.  
4 202012681 to DEFENDANTS. On March 23, 2021, DBI posted a copy of the Notice of Director's  
5 Hearing in a conspicuous place on the PROPERTY. The Notice instructed DEFENDANTS to appear  
6 at a DBI Director's Hearing scheduled for April 13, 2021, to address the outstanding violations at the  
7 PROPERTY.

8 34. On April 13, 2021, DBI held the Director's Hearing to address outstanding violations at  
9 the PROPERTY cited in NOV No. 202012681. DEFENDANTS did not attend.

10 35. On April 21, 2021, DBI Issued Order of Abatement No. 202012681A. The Order of  
11 Abatement ordered DEFENDANTS to secure any necessary permits to abate the cited violations and  
12 to complete all required work within 30 days. DBI mailed the Order of Abatement to DEFENDANTS  
13 and posted a copy of the Order at a conspicuous place on the PROPERTY. A true and correct copy of  
14 Order of Abatement No. 202012681A is attached hereto as **Exhibit 8** and incorporated as part of this  
15 Complaint.

16 36. DEFENDANTS have not abated the violations documented in the NOV and subsequent  
17 Order of Abatement, and they remain outstanding.

18 **DBI Housing Code Notice of Violation (Complaint No. 202013381)**

19 37. Following the January 24, 2020 Task Force Inspection, on January 29, 2020 DBI  
20 Housing Division issued NOV No. 202013381. This NOV cited approximately 13 Housing Code  
21 violations in the PROPERTY's common areas and dwelling units. The Housing Code violations  
22 included: failure to provide smoke detectors in all sleeping rooms and connecting hallways; failure to  
23 install carbon monoxide detectors; failure to inspect electric wall heaters; structural hazards as a result  
24 of using shed roofs on exterior decks; and disrepair in many unit restrooms and kitchens. The NOV  
25 ordered DEFENDANTS to complete all cited work within 30 days. The NOV set a follow-up DBI  
26 reinspection. Finally, the NOV explained that DBI would charge fees for any reinspection after the  
27 initial reinspection. A true and correct copy of NOV No. 202013381 is attached hereto as **Exhibit 9**  
28 and incorporated as part of this Complaint.

1 38. On about March 5, 2020, DBI conducted a PROPERTY reinspection. During the  
2 reinspection, DBI confirmed that 9 Housing Code violations remained unabated.

3 39. On March 6, 2020, DBI issued a Notice of Final Warning to DEFENDANTS. The  
4 Notice explained that the NOV remained outstanding and that DBI costs would be imposed for  
5 subsequent DBI enforcement of the NOV. The Notice of Final Warning also explained that the case  
6 would not close until all required repairs were verified as complete by a DBI inspector, final sign-offs  
7 were obtained for any needed permits, and all required DBI costs were paid.

8 40. On October 16, 2020, DBI performed a second reinspection of the PROPERTY, and  
9 confirmed that at least 4 of the underlying code violations cited in NOV No. 202013381 remained  
10 unabated. The remaining violations included: failure to provide smoke detectors in all sleeping rooms  
11 and connecting hallways; failure to install carbon monoxide detectors; failure to ensure the provision  
12 of safe heating; structural hazards from using shed roofs on exterior decks.

13 41. On December 22, 2021, a duly noticed Director's Hearing was held and  
14 DEFENDANTS attended. An Order of Abatement was issued. A true and correct copy of Order of  
15 Abatement No. 202013381A is attached hereto as **Exhibit 10** and incorporated as part of this  
16 Complaint. On February 18, 2022, DEFENDANTS applied for a permit to remove shed roofs  
17 covering an exterior deck (outstanding item 12 of the NOV). This permit is still under review, but this  
18 violation and the others cited in Order of Abatement No. 202013381A remain outstanding.

19 **DBI Electrical Code Notice of Violation and Order of Abatement (Complaint No.**  
20 **202012981)**

21 42. Following the January 24, 2020 Task Force Inspection, on February 5, 2020, DBI  
22 issued NOV No. 202012981 to DEFENDANTS citing at least 13 Electrical Code violations. These  
23 violations stemmed from DEFENDANTS' unpermitted electrical installations and extensive use of  
24 extension cords in place of code-compliant electrical wiring. DEFENDANTS' inadequate electrical  
25 installations risked circuit overloading at the PROPERTY. The NOV ordered DEFENDANTS to  
26 obtain the required permits for the electrical work required at the PROPERTY within 10 days and then  
27 to complete all cited work within 30 days—including final sign-off. The NOV explained that DBI  
28 abatement proceedings would begin if DEFENDANTS did not comply with the NOV. True and

1 correct copies of NOV No. 202012981 issued February 5, 2020, and the associated Electrical  
2 Correction Notice and Report issued to DEFENDANTS on January 24, 2020, are attached hereto as  
3 **Exhibit 11** and incorporated as part of this Complaint.

4 43. On about February 14, 2020, DBI granted DEFENDANTS a 30-day extension to  
5 acquire an electrical permit. On about March 5, 2020, DEFENDANTS filed for and obtained a permit  
6 to perform the electrical compliance work required by the NOV (PA No. E202003058041).

7 44. On April 14, 2020, DBI noted that abatement work was delayed due to the COVID-19  
8 outbreak. The COVID-19 limits on construction were lifted on May 4, 2020. On June 16, 2020, DBI  
9 issued another 30-day extension to complete abatement as the electrical abatement work was still  
10 delayed due to the COVID-19 outbreak. However, DEFENDANTS never sought an inspection to  
11 prove that they performed the permitted work to abate the violations in the NOV.

12 45. On February 19, 2021, DBI issued a Notice of Final Warning to DEFENDANTS (No.  
13 202012981). The DBI Notice of Final Warning explained that the time period to correct the cited  
14 violations in the NOV had passed and that DBI costs would be assessed for DBI enforcement of the  
15 NOV. The Notice of Final Warning also explained that the NOV would remain outstanding until all  
16 required repairs were verified as complete by a DBI inspector, final sign-offs were obtained for any  
17 needed permits, and all required DBI costs were paid.

18 46. On about March 13, 2021, DBI posted a copy of a Notice of Director's Hearing for  
19 NOV No. 202012981 in a conspicuous place on the PROPERTY. On March 15, 2021, DBI mailed  
20 the Notice of Director's Hearing to DEFENDANTS. The Notice instructed DEFENDANTS to appear  
21 at a DBI Director's Hearing scheduled for April 13, 2021, to address the outstanding violations at the  
22 PROPERTY.

23 47. On April 13, 2021, DBI held a Director's Hearing to address outstanding violations at  
24 the PROPERTY cited in NOV No. 202012981. DEFENDANTS did not attend.

25 48. On April 21, 2021, DBI issued Order of Abatement No. 202012981A. The Order of  
26 Abatement ordered DEFENDANTS to secure any necessary permits to abate the cited violations and  
27 complete all required work within 30 days. DBI mailed the Order of Abatement to DEFENDANTS  
28

1 on April 21, 2021. A true and correct copy of Order of Abatement No. 202012681A is attached hereto  
2 as **Exhibit 12** and incorporated as part of this Complaint.

3 49. The NOV and subsequent Order of Abatement remain outstanding.

4 **DBI Plumbing Code Notice of Violation and Order of Abatement (Complaint No.**  
5 **202061721)**

6 50. On October 23, 2020, DBI issued DEFENDANTS another Plumbing Code NOV, No.  
7 202061721 citing several violations, including: DEFENDANTS installed multiple unauthorized and  
8 unpermitted plumbing fixtures in the PROPERTY, including sinks, showers, and commercial water  
9 heaters; and DEFENDANTS remodeled at least two kitchens and bathrooms without permits. The  
10 NOV ordered DEFENDANTS to secure all required permits and complete all work within 15 days  
11 (including final sign-off). DEFENDANTS were ordered to abate all violations and schedule a DBI  
12 inspection within 30 days. A true and correct copy of NOV No. 202061721 is attached hereto as  
13 **Exhibit 13** and incorporated as part of this Complaint. DEFENDANTS failed to comply with the  
14 NOV.

15 51. On January 25, 2021, DBI issued a Notice of Final Warning to DEFENDANTS in  
16 connection to NOV No. 202061721. A DBI permit search conducted on January 19, 2021 showed that  
17 DEFENDANTS never filed for the required plumbing permits. Accordingly, the Notice of Final  
18 Warning explained that the NOV remained outstanding and that DBI costs would be imposed for  
19 subsequent DBI enforcement of the NOV. The Notice of Final Warning set another 30-day deadline  
20 for DEFENDANTS to obtain required permits and complete all work. The Notice of Final Warning  
21 also explained that the case would not close until all required repairs were verified complete by a DBI  
22 inspector, all permits were obtained, and all required DBI costs were paid.

23 52. On March 15, 2021, DBI mailed a Notice of Director's Hearing to DEFENDANTS for  
24 NOV No. 202061721. On March 23, 2021, DBI posted a copy of a Notice of Director's Hearing for  
25 NOV No. 202061721 in a conspicuous place on the PROPERTY. The Notice instructed  
26 DEFENDANTS to appear at a DBI Director's Hearing scheduled for April 13, 2021, to address the  
27 outstanding violations at the PROPERTY.  
28

1           53.     On April 13, 2021, DBI held the Director’s Hearing to address outstanding violations at  
2 the PROPERTY cited in NOV No. 202061721. DEFENDANTS did not attend.

3           54.     Following the Director’s Hearing, DBI issued Order of Abatement No. 202061721A on  
4 April 21, 2021. The Order of Abatement ordered DEFENDANTS to secure any necessary permits to  
5 abate the cited violations and complete all required work within 30 days. A true and correct copy of  
6 Order of Abatement No. 202061721A is attached hereto as **Exhibit 14** and incorporated as part of this  
7 Complaint.

8           55.     The NOV and subsequent Order of Abatement remain outstanding.

9           **DEFENDANTS’ Rental Business**

10          56.     DEFENDANTS continue to collect rent from at least 17 tenants. At least three of  
11 these units are basement units that DEFENDANTS assert are used as commercial or storage units, but  
12 where a January 2020 inspection revealed people using at least one basement room as a sleeping room.  
13 On information and belief, DEFENDANTS entered into commercial leases with many tenants  
14 knowing full well that tenants were residing at the PROPERTY. On information and belief,  
15 DEFENDANTS knew that well over four units were being used as residential units at the  
16 PROPERTY.

17                   **FIRST CAUSE OF ACTION FOR VIOLATION OF THE STATE HOUSING LAW**  
18                   **BROUGHT BY PLAINTIFF CITY AGAINST DEFENDANTS**  
19                   **(CA Health and Safety Code Sections 17910-17980.9)**

20          57.     Plaintiff CITY hereby incorporate by reference all of the foregoing paragraphs, as  
21 though fully set forth herein.

22          58.     DEFENDANTS are now, and for a considerable period of time and at all times herein  
23 mentioned have been, maintaining the PROPERTY as a substandard building, as defined by Health  
24 and Safety Code Section 17920.3, which substantially endangers the health and safety of residents.

25          59.     At all times herein mentioned, DEFENDANTS had notice and knowledge that said  
26 premises constituted a substandard building because DEFENDANTS were served with administrative  
27 Notices and Orders issued by DBI, the San Francisco Planning Department, and SFFD.

28



1 emergencies, and, prohibit reliance on temporary electrical extension cords and the use of space  
2 heaters in a way that creates a nuisance of a hazard to the public health, safety, or welfare. Fire Code  
3 §§ 102.3, 906, 605.5, 605.10.1-605.10.4, 901.6, 901.6.1; Cal. Code Regs. tit. 19, §§ 568(b), 571, 3.24.  
4 DEFENDANTS are now, and for a considerable period of time, and at all times herein mentioned,  
5 have been maintaining the PROPERTY as a public nuisance, in violation of the San Francisco Fire  
6 Code and California Code of Regulations. The conditions constituting public nuisance and violations  
7 of the San Francisco Fire Code are more fully described above, and in the Exhibits attached hereto.

8 67. Pursuant to San Francisco Housing Code sections 401 and 1001, any condition that is  
9 dangerous to human life or is detrimental to health, including fire hazards, improper occupancy, and  
10 inadequate exits, is a per se public nuisance. DEFENDANTS are now, and for a considerable period  
11 of time, and all times pertinent to the allegations in this Complaint, have been maintaining the  
12 PROPERTY as a public nuisance and in violation of San Francisco Housing Code section 401 and  
13 1001. The conditions constituting the continuing public nuisance and violations of the San Francisco  
14 Housing Code are more fully described above, and in the Exhibits attached hereto.

15 68. Pursuant to San Francisco Plumbing Code section 216.0, any building or structure  
16 containing non-code compliant or unpermitted plumbing fixtures, gas appliances, or piping, or  
17 defective sewer, gas, or water lines, or inadequately maintained, dilapidated, or damaged plumbing  
18 systems is a public nuisance. DEFENDANTS are now, and for a considerable period of time, and at  
19 all times herein mentioned, have been maintaining the PROPERTY in violation of San Francisco  
20 Plumbing Code section 216.0. The conditions constituting public nuisance and the violations of the  
21 San Francisco Plumbing Code are more fully described above, and in the Exhibits attached hereto.

22 69. Pursuant to Building Code section 102A, any building, structure, property, or part  
23 thereof, that is structurally unsafe or not provided with adequate egress, or is otherwise dangerous to  
24 human life, safety, or health of the occupants or the occupants of adjacent properties or the public by  
25 reason of inadequate maintenance, dilapidation, or by reason of occupancy or use in violation of law  
26 or ordinance, or was erected, moved, altered, constructed, or maintained in violation of law or  
27 ordinance, is unsafe and a public nuisance. DEFENDANTS are now, and for a considerable period of  
28 time, and at all times herein mentioned, have been maintaining the PROPERTY as a public nuisance

1 and in violation of the San Francisco Building Code section 102A. The conditions continuing public  
2 nuisance and violations of the San Francisco Building Code are more fully described above, and in the  
3 Exhibits attached hereto.

4 70. Pursuant to Electrical Code section 89.126, any building, structure, or part thereof with  
5 hazardous, unpermitted, or non-code compliant electrical equipment, wiring, or systems, including  
6 non-code compliant change in occupancy is unsafe. In addition, pursuant to Building Code section  
7 102A, any building, structure, property, or part thereof, that is altered, constructed, or maintained in  
8 violation of law or ordinance is unsafe and a public nuisance. DEFENDANTS are now, and for a  
9 considerable period of time, and at all times herein mentioned, have been maintaining the PROPERTY  
10 in violation of the San Francisco Electrical Code. The conditions constituting public nuisance and  
11 violations of the San Francisco Electrical Code are more fully described above, and in the Exhibits  
12 attached hereto.

13 71. As described above, DEFENDANTS are now, and for a considerable period of time,  
14 and at all times pertinent to the allegations in this COMPLAINT, have been maintaining the  
15 PROPERTY in such a manner as to constitute a continuing public nuisance within the meaning of  
16 Civil Code sections 3479 and 3480. The practices described above are injurious to the health and  
17 safety of the residents and the community, are offensive to the senses, and interfere with the  
18 comfortable enjoyment of life and property. The practices described above also affect a considerable  
19 number of people and an entire community and neighborhood.

20 72. At all times herein mentioned, DEFENDANTS have had notice and knowledge that the  
21 PROPERTY constituted a public nuisance and an unsafe building because they were served with  
22 administrative Notices and Orders, but DEFENDANTS failed and refused to take reasonable steps to  
23 abate the public nuisance.

24 73. Plaintiffs CITY and PEOPLE have no adequate remedy at law in that damages are  
25 insufficient to protect the public from the present danger and harm caused by the conditions described  
26 herein.

27 74. Unless these nuisance conditions are abated, the occupants and neighbors of the subject  
28 PROPERTY, and the residents of the City and County of San Francisco, will suffer irreparable injury



1 and damage because the nuisance conditions will continue to be injurious to the continuous enjoyment  
2 of life and the free use of PROPERTY of the occupants, neighbors, and residents.

3  
4 **THIRD CAUSE OF ACTION FOR NON-COMPLIANCE WITH THE SAN FRANCISCO**  
5 **PLANNING, FIRE, HOUSING, PLUMBING, BUILDING, AND ELECTRICAL CODES**  
6 **BROUGHT BY**  
7 **PLAINTIFF CITY AGAINST DEFENDANTS**  
8 **(San Francisco Planning Code Section 176, Fire Code Section 110.4.4,**  
9 **Housing Code Section 204, Building Code Sections 102A and 103A, Plumbing Code Section**  
10 **106.3 and Electrical Code Section 89.125)**

11 75. Plaintiff CITY hereby incorporate by reference all of the foregoing paragraphs, as  
12 though fully set forth herein.

13 76. As described above, and as set forth in the incorporated Exhibits to this COMPLAINT,  
14 DBI, SFFD, and the Planning Department issued Notices of Violation to DEFENDANTS, pursuant to  
15 the San Francisco Building, Housing, Plumbing, Planning, Electrical and Fire Codes for code  
16 violations at the PROPERTY.

17 77. DEFENDANTS failed to comply with and disobeyed the Notices of Violation, by  
18 continuing to allow the PROPERTY to remain in a substandard, unsafe, and illegal condition for a  
19 substantial period of time.

20 78. As described above, and as set forth in the incorporated Exhibits to this COMPLAINT,  
21 the Director of DBI issued five Orders of Abatement to DEFENDANTS for violations at the  
22 PROPERTY. Each of the Notices of Violation and Orders of Abatement described above remain  
23 outstanding.

24 79. DEFENDANTS failed to comply with and disobeyed the Orders of Abatement by  
25 continuing to allow the PROPERTY to remain in a substandard, unsafe, and illegal condition for a  
26 substantial period of time.

27 80. By maintaining the PROPERTY in a manner that violates the San Francisco Planning  
28 Code, DEFENDANTS violated, disobeyed, omitted, neglected, and refused to comply with the San  
Francisco Planning Code, and DEFENDANTS are subject to mandatory civil penalties of not less than  
\$200 per day for each day that the violations existed and were permitted to continue, as set forth in  
San Francisco Planning Code Section 176.

1           81. By maintaining the PROPERTY in a manner that violates the San Francisco Fire Code,  
2 DEFENDANTS violated, disobeyed, omitted, neglected, and refused to comply with the San  
3 Francisco Fire Code, and the Fire Code Notice of Violation issued by SFFD to DEFENDANTS is  
4 subject to mandatory civil penalties of up to \$1,000 per day for each day that the violations existed and  
5 were permitted to continue, as set forth in San Francisco Fire Code section 110.4.4.

6           82. By maintaining the PROPERTY in a manner that violates the San Francisco Housing  
7 Code, DEFENDANTS violated, disobeyed, omitted, neglected, resisted, opposed and refused to  
8 comply with the San Francisco Housing Code, and the Housing Code Notices of Violation issued by  
9 DBI to DEFENDANTS are subject to mandatory civil penalties of up to \$1,000 per day for each day  
10 that the violations existed and were permitted to continue, as set forth in San Francisco Housing Code  
11 section 204(c)(2).

12           83. By maintaining the PROPERTY in a manner that violates the San Francisco Plumbing  
13 Code, Defendants violated, disobeyed, omitted, neglected, and refused to comply with the San  
14 Francisco Plumbing Code. Accordingly, the Plumbing Code Notices of Violation and Order of  
15 Abatement issued by DBI to DEFENDANTS are subject to mandatory civil penalties of up to \$500  
16 per day for each day that the violations existed and were permitted to continue, as set forth in San  
17 Francisco Plumbing Code section 106.3.

18           84. By maintaining the PROPERTY in a manner that violates the San Francisco Building  
19 Code, DEFENDANTS violated, disobeyed, omitted, neglected, and refused to comply with the San  
20 Francisco Building Code, and the Building Code Notice of Violation issued by DBI to  
21 DEFENDANTS is subject to mandatory civil penalties of up to \$500 per day for each day that the  
22 violations existed and were permitted to continue, as set forth in San Francisco Building Code section  
23 103A.

24           85. By maintaining the PROPERTY in a manner that violates the San Francisco Electrical  
25 Code, DEFENDANTS violated, disobeyed, omitted, neglected, and refused to comply with the San  
26 Francisco Electrical Code. As such, the Electrical Code Notice of Violation issued by DBI is subject  
27 to mandatory civil penalties of up to \$500 per day for each day that the violations existed and were  
28 permitted to continue, as set forth in San Francisco Electrical Code section 89.125.

**FOURTH CAUSE OF ACTION  
FOR UNFAIR AND UNLAWFUL BUSINESS PRACTICES BROUGHT BY PLAINTIFF  
PEOPLE AGAINST DEFENDANTS  
(California Business and Professions Code Sections 17200-17210)**

86. Plaintiff PEOPLE hereby incorporate by reference all of the foregoing paragraphs, as though fully set forth herein.

87. Plaintiff PEOPLE bring this cause of action pursuant to Business and Professions Code sections 17000-17210 in order to protect the public as consumers and competitors from unlawful practices committed by DEFENDANTS in the maintenance, management and ownership of the PROPERTY as a public nuisance and in violation of the laws within the City and County of San Francisco and State of California.

88. DEFENDANTS transact business, or have transacted business, by owning, operating, managing and collecting rental income from the PROPERTY within the City and County of San Francisco, State of California. DEFENDANTS' actions are in violation of the laws and public policies of the City and County of San Francisco and the State of California and are injurious to the rights and interest of the general public.

89. DEFENDANTS are now engaging in, and, for a considerable period of time and at all times pertinent to the allegations of this COMPLAINT have engaged in, unlawful and unfair business practices prohibited by California's Unfair Competition Law, Business and Professions Code sections 17000-17210, by maintaining and managing the PROPERTY in the following ways, in violation of the following laws:

- a. maintaining substandard housing in violation of the State Housing Law;
- b. violating the San Francisco Planning, Fire, Housing, Building, Plumbing, and Electrical Codes;
- c. creating and maintaining a public nuisance;
- d. failing to comply with the Notices of Violation and Orders of Abatement issued by the Planning Department, SFFD, and DBI;
- e. renting substandard units to tenants;
- f. renting unlawful, unpermitted units to tenants.

1           90.     As described above, DEFENDANTS in the course of their business as the owner,  
2 operator, lessor, and manager of the PROPERTY, have engaged, and are engaging, in unlawful acts  
3 and courses of conduct constituting unlawful business practices and unfair competition as prohibited  
4 by Business and Professions Code sections 17000-17210.

5           91.     On information and belief, DEFENDANTS have also engaged in, and, for a  
6 considerable period of time pertinent to the allegations of this COMPLAINT have engaged in, unfair  
7 business practices prohibited by California’s Unfair Competition Law, Business and Professions Code  
8 sections 17000-17210 by entering into commercial leases with many tenants knowing full well that  
9 tenants would reside at the PROPERTY in unpermitted dwelling units.

10          92.     Plaintiff PEOPLE are informed and believe that as a direct and proximate result of the  
11 foregoing acts and practices, DEFENDANTS have received and will receive income and other  
12 benefits, which they would not have received if they had not engaged in the violations described in  
13 this COMPLAINT.

14          93.     As a direct and proximate result of the foregoing acts and practices, DEFENDANTS  
15 have obtained an unfair competitive advantage over similar property owners who have not engaged in  
16 such practices.

17          94.     Plaintiff PEOPLE have no adequate remedy at law in that damages are insufficient to  
18 protect the public from the present harm caused by the conditions described in this COMPLAINT.  
19 Unless injunctive relief is granted to enjoin DEFENDANTS’ unlawful business practices,  
20 DEFENDANTS will continue to engage in violations of the law.

21          95.     By engaging in unfair and unlawful business practices described herein,  
22 DEFENDANTS are subject to civil penalties in the amount of up to \$2,500 per violation, pursuant to  
23 California Business and Professions Code Section 17206 and 17206.1.

24          96.     By engaging in unfair and unlawful business practices against one or more senior or  
25 disabled person(s), DEFENDANTS are subject to additional civil penalties in the amount of up to  
26 \$2,500 per violation, pursuant to Business and Professions Code Section 17206.1.

27           ///

28           ///

1 **PRAYER**

2 WHEREFORE, Plaintiffs CITY and PEOPLE pray that:

3 1. DEFENDANTS be declared to have violated the San Francisco Municipal Codes,  
4 including the San Francisco Fire, Building, Housing, Plumbing, and Electrical Codes, California Civil  
5 Code sections 3479 and 3480, and California Health and Safety Code sections 17910-17995.5;

6 2. The PROPERTY and structures located at 333 Randolph Street, San Francisco,  
7 California, be declared a public nuisance;

8 3. The PROPERTY be declared to be in a condition that substantially endangers the  
9 health and safety of the occupants of the PROPERTY and the general public;

10 4. The Court issue a permanent injunction, ordering DEFENDANTS to permanently abate  
11 all code violations and other public nuisances on the PROPERTY, in accordance with the San  
12 Francisco Municipal Codes, including the San Francisco Housing, Building, Plumbing, Fire, and  
13 Electrical, the California Civil Code, the California Health and Safety Code, California Mechanical  
14 Code, and the California Business and Professions Code;

15 5. The Court issue whatever orders may be useful or necessary to cause the abatement of  
16 the nuisance;

17 6. The Court require DEFENDANTS to bear the expenses of abating the nuisance,  
18 including but not limited to reimbursing PLAINTIFFS for expenses PLAINTIFFS may incur to abate  
19 the nuisance;

20 7. DEFENDANTS and their agents, officers, managers, representatives, employees, and  
21 anyone acting on their behalf, be preliminarily and permanently enjoined from maintaining, operating,  
22 and using the PROPERTY and structures at 333 Randolph Street, San Francisco, California, in  
23 violation of the law;

24 8. DEFENDANTS and their agents, officers, managers, representatives, employees, and  
25 anyone acting on their behalf, be preliminarily and permanently ordered to cause the PROPERTY and  
26 all parts thereof, to conform to law, and to maintain it in such conformity at all times;

1           9. Pursuant to San Francisco Planning Code Section 176, DEFENDANTS be ordered to  
2 pay a civil penalty of \$1,000 for each day that the Planning Code violations alleged in the Complaint  
3 existed or were permitted to occur;

4           10. Pursuant to San Francisco Fire Code section 110.4.4, DEFENDANTS be ordered to  
5 pay a civil penalty of \$1,000 for each day that the Fire Code violations alleged in the Complaint  
6 existed or were permitted to occur;

7           11. Pursuant to San Francisco Housing Code section 204(c)(2), DEFENDANTS be ordered  
8 to pay a civil penalty of \$1,000 for each day that the Housing Code violations alleged in the Complaint  
9 existed or were permitted to occur;

10          12. Pursuant to San Francisco Plumbing Code section 106.3, DEFENDANTS be ordered to  
11 pay a civil penalty of \$500 for each day that the Plumbing Code violations alleged in the Complaint  
12 existed or were permitted to occur;

13          13. Pursuant to San Francisco Building Code section 103A, DEFENDANTS be ordered to  
14 pay a civil penalty of \$500 for each day that the Building Code violations alleged in the Complaint  
15 existed or were permitted to occur;

16          14. Pursuant to San Francisco Electrical Code section 89.125, DEFENDANTS be ordered  
17 to pay a civil penalty of \$500 for each day that the Electrical Code violations alleged in the Complaint  
18 existed or were permitted to occur;

19          15. Pursuant to Business and Professions Code Section 17206, DEFENDANTS be ordered  
20 to pay a civil penalty of up to \$2,500.00 for each violation;

21          16. Pursuant to Business and Professions Code Section 17206.1, DEFENDANTS be  
22 ordered to pay an additional civil penalty of up to \$2,500 for each violation perpetrated against senior  
23 or disabled persons;

24          17. Pursuant to Health and Safety Code Section 17980.7, DEFENDANTS be ordered to not  
25 claim any deduction with respect to state taxes for interest, expenses, depreciation, or amortization  
26 paid or incurred with respect to the cited structure, and to file an amended tax return for any years in  
27 which they have already claimed such deduction; that the Court appoint a receiver for the substandard  
28 building; that DEFENDANTS pay all reasonable and actual costs of Plaintiff CITY including, but not

1 limited to, inspection costs, investigation costs, including expert witness fees, attorney's fees and  
2 costs, and all costs of investigation and prosecution; that DEFENDANTS pay relocation benefits to  
3 each lawful tenant for repairs or rehabilitation that significantly affect the safe and sanitary use of the  
4 premises by any lawful tenant so that the tenant cannot safely reside in the premises if the Court does  
5 not find that the tenant was substantially responsible for causing or substantially contributing to the  
6 substandard conditions; that any tenants notify Plaintiff CITY and DEFENDANTS of the address of  
7 the premises to which the tenant has relocated within five days after the relocation; and that  
8 DEFENDANTS shall offer the first right of occupancy of the premises to each tenant who received  
9 relocation benefits;

10 18. PLAINTIFFS be authorized to record an Abstract of Judgment that constitutes a prior  
11 lien over any lien that any DEFENDANTS in this case may hold on the PROPERTY;

12 19. DEFENDANTS be ordered to pay all assessment and abatement costs pursuant to  
13 Building Code section 102;

14 20. That the Court appoint a receiver pursuant to California Code of Civil Procedure  
15 Section 564 to carry the judgment into effect and to preserve the PROPERTY, including taking over  
16 the PROPERTY and causing the PROPERTY to comply with the law; and

17 21. DEFENDANTS be ordered to pay all of the City's attorney's fees and costs incurred in  
18 bringing this lawsuit pursuant to the San Francisco Planning Code section 176(c)(2), San Francisco  
19 Fire Code section 110.4.4, San Francisco Housing Code section 204, San Francisco Plumbing Code  
20 section 108.0, San Francisco Building Code section 102A.8 and California Health and Safety Code  
21 section 17980.7.

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22. Other and further relief be ordered as this Court should find just and proper.

Dated: May 25, 2022

DAVID CHIU  
City Attorney  
PETER J. KEITH  
Chief Attorney  
Neighborhood and Residential Safety Division  
MEGAN E. RYAN  
Deputy City Attorney

By: /s/ Megan E. Ryan  
MEGAN E. RYAN

Attorneys for Plaintiffs  
CITY AND COUNTY OF SAN FRANCISCO and  
THE PEOPLE OF THE STATE OF CALIFORNIA



**INDEX TO EXHIBITS**

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
1	Grant Deed for 333 Randolph Street dated March 4, 2014, and recorded as Document 2014-J871970-00, on April 30, 2014
2	San Francisco Planning Department Notice of Violation dated December 9, 2019, re Complaint 2019-015851ENF
3	San Francisco Planning Department Notice of Planning Department Requirements dated May 13, 2020, re Complaint 2019-015851ENF
4	San Francisco Fire Department Notice of Violation dated 01/27/2020
5	San Francisco Department of Building Inspection Notice of Violation 202180381 dated 28-Jan-2020
6	San Francisco Department of Building Inspection Order of Abatement 202180381A dated September 25, 2020
7	San Francisco Department of Building Inspection Notice of Violation 202012681 dated 29-Jan-2020, Notice 1
8	San Francisco Department of Building Inspection Order of Abatement 202012681A dated April 21, 2021
9	San Francisco Department of Building Inspection Notice of Violation 202013381 dated 29-Jan-2020
10	San Francisco Department of Building Inspection Order of Abatement 202013381A dated December 16, 2021 and recorded as Document 2022017039 on 02/17/2022
11	San Francisco Department of Building Inspection Electrical Correction Notice and Report dated January 24, 2020
12	San Francisco Department of Building Inspection Order of Abatement 202012981A dated April 21, 2021
13	San Francisco Department of Building Inspection Notice of Violation 202061721 dated 23-Oct-2020
14	San Francisco Department of Building Inspection Order of Abatement 202061721A dated April 21, 2021

# EXHIBIT 1

RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 0360016651-JS

APN: Lot 049 Block 7118

333 Randolph St ✓

When Recorded Mail Document and Tax Statements to:

Naim Jamali & Sana Jamali  
441 Kings Rd  
Brisbane, CA 94005

~

20149J87197000002

San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC 2014-J871970-00

Acct 5002-Old Republic Title Company

Wednesday, APR 30, 2014 14:33:35

Ttl Pd \$21.00

Nbr-0004928557

oma/RE/1-2

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

## Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is 0

(X) computed on full value of property conveyed, or

( ) computed on full value less of liens and encumbrances remaining at time of sale.

( ) Unincorporated area: (X) City of San Francisco

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Naim Jamali, Trustee of Naim Jamali and Sana M. Jamali 2013 Revocable Trust and Naim Jamali and Sana Jamali, Husband and wife

hereby GRANT(S) to

Naim Jamali, Trustee of Naim Jamali and Sana M. Jamali 2013 Revocable Trust

that property in City of San Francisco, San Francisco County, State of California, described as:

See "Exhibit A" attached hereto and made a part hereof.

Date: March 04, 2014

Naim Jamali and Sana M. Jamali 2013 Revocable Trust

By: [Signature]  
Naim Jamali, Trustee

[Signature]  
Sana Jamali

[Signature]  
Naim Jamali

State of CA

County of San Mateo

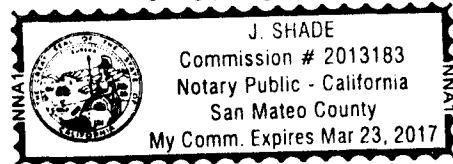
On 4th day of March, 2014 before me, J.Shade, a Notary Public, personally appeared Naim Jamali and Sana Jamali, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Name J.Shade  
(typed or printed)



(Area reserved for official notarial seal)

**EXHIBIT A**

The land referred to is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:

BEGINNING at a point on the Southerly line of Randolph Street as widened, distant thereon 75 feet Westerly from the Westerly line of Victoria Street; running thence Westerly along said line of Randolph Street 50 feet; thence at a right angle Southerly 79 feet; thence at a right angle Easterly 50 feet; and thence at a right angle Northerly 79 feet to the said Southerly line of Randolph Street and the point of beginning.

BEING a portion of Lots Numbered 28 and 29 in Block Numbered 38, City Land Association.

Block 7118, Lot 049

# EXHIBIT 2



# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF VIOLATION

December 9, 2019

### Property Owner

Naim & Sana M Jamali 2013 Rev Trust  
441 Kings Road  
Brisbane, CA 94005

**Site Address:** 333 Randolph Street  
**Assessor's Block/Lot:** 7118/ 049  
**Zoning District:** NC-1, Neighborhood Commercial, Cluster  
**Complaint Number:** 2019-015851ENF  
**Code Violation:** **Section 171**, Unauthorized Group Housing Use;  
**Section 317**, Unauthorized Conversion of a Dwelling Unit to a Group Housing Use  
**Administrative Penalty:** Up to \$250 Each Day of Violation  
**Response Due:** Within 15 days from the date of this Notice  
**Staff Contact:** Dario Jones, (415) 558-6477, dario.jones@sfgov.org

The Planning Department has determined that the above-referenced property is in violation of the Planning Code. As the owner of the subject property, you are a responsible party to bring the above property into compliance with the Planning Code. Details of the violation are discussed below:

### DESCRIPTION OF VIOLATION

The subject property ("Property"), a three-story, 7,840 square-foot building, is authorized for three dwelling units on the third-story and one dwelling unit on the first-story. In addition, a senior center and educational institutional use are also approved for a portion of the first-story with administrative offices on the second-story. The Property is in violation of the following Planning Code Sections:

- Section 171: unauthorized establishment of a group housing use on the first and second stories of the subject property without the benefit of a Building Permit; and,
- Planning Code Section 317: unauthorized conversion of a dwelling unit on the first-story to a group housing use without a required Conditional Use Authorization ("CUA").

### BACKGROUND

On June 27, 1985, the Property received a Conditional Use Authorization (Case No. 85.266C) to convert a portion of the first-story into an educational institutional service use known as, "Erikson School." The remaining floor area on the first-story would remain as an existing senior center use, known as, "OMI

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Senior Center", and the second story was authorized as administrative office space for the Erikson School and Children's Counseling and Rehabilitation Service.

On December 4, 1994, the Property was the subject of a Variance Hearing (Case No. 94.369V) for a rear yard, off-street parking, and exposure variance to convert the third story office use into three (3) residential units.

On November 21, 1995, the Property was the subject of a Variance Hearing (Case No. 95.596V) for a rear yard, off-street parking, and exposure variance to convert the southeast corner of the first-story into a dwelling unit.

## TIMELINE OF INVESTIGATION

On August 26, 2019, the Planning Department received a complaint alleging the subject property has converted the entire first and second stories into a group housing use with approximately 25 to 30 occupants.

On August 29, 2019, the Planning Department sent you a Notice of Enforcement informing you about the violation and the abatement process. In that notice, you were advised to take corrective actions and provide evidence of compliance to the Planning Department within fifteen (15) days from August 29, 2019. You did not respond to this notice.

To date, you have not contacted the Planning Department to demonstrate how you intend to bring the subject property into compliance with the Planning Code.

## HOW TO CORRECT THE VIOLATION

1. You must contact the Staff Planner listed in this notice to arrange for a site inspection within 15-days from the date of this notice.
2. Should the site inspection confirm the unauthorized conversion of the first-story dwelling unit into a group housing use, then the Department requires that you immediately proceed to abate the violation by seeking a Conditional Use Authorization to authorize the conversion. You may download a copy of the CUA application from the Departments website at [www.sfplanning.org](http://www.sfplanning.org).
3. If the Conditional Use Authorization is granted, then you must also seek a Building Permit to authorize the group housing use. Please note: while a group housing use is permitted in the NC-1 Zoning District with a Conditional Use Authorization, group housing may not contain more than one bedroom for every 275 square feet of lot area, or the density permitted in the nearest Residential District per Planning Code Section 710.
4. **You may also need to obtain a building permit for any other alterations done at the property.** Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: [www.sfgov.org/dbi](http://www.sfgov.org/dbi), regarding the Building

Permit Application process. Please visit the Planning Information Counter located on the first floor of 1660 Mission Street, telephone: (415) 558-6377, or website: [www.sfplanning.org](http://www.sfplanning.org) for any questions regarding the planning process.

5. The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence including (such as dimensioned plans, photos, licenses, lease copies, etc.). A site visit may also be required to verify compliance.

## TIMELINE TO RESPOND

The responsible party has **fifteen (15) days from the date of this notice** to either;

- 1) Correct the violation as noted above; or
- 2) Appeal this Notice of Violation as noted below.

The corrective actions shall be taken as early as possible. Please contact the enforcement staff as noted above to submit evidence of correction. Any unreasonable delays in the abatement of the violation in the timeline set forth above will result in both the accrual of administrative penalties and further enforcement action by the Planning Department.

## APPEAL PROCESSES

If the responsible party believes that this order to remove a violation of the Planning Code is an abuse of discretion by the Zoning Administrator, the following appeal processes are available **within fifteen (15) days from the date of this notice**:

- 1) The responsible party may request a Zoning Administrator Hearing under Planning Code Section 176 to show cause why this Notice of Violation is issued in error and should be rescinded by submitting the Request for Zoning Administrator Hearing Form and supporting evidence to the Planning Department. The Zoning Administrator shall render a decision on the Notice of Violation within 30 days of such hearing. The responsible party may appeal the Zoning Administrator's decision to the Board of Appeals within 15 days from the date of the decision.
- 2) The responsible or any interested party may waive the right to a Zoning Administrator Hearing and proceed directly to appeal the Notice of Violation to the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, CA 94103, telephone: (415) 575-6880, website: [www.sfgov.org/bdappeal](http://www.sfgov.org/bdappeal). The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation continues unabated, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

## ADMINISTRATIVE PENALTIES

If any responsible party does not request any appeal process and does not take corrective action to abate the violation **within the 15-day time limit** as noted above, this Notice of Violation will become final. Beginning on the following day, administrative penalties of up to **\$250 per day** to the responsible party will start to accrue for each day the violation continues unabated. The penalty amount shall be paid



**within 30 days** from the issuance date of a Notice of Penalty. After 30 days, the Planning Department may forward the matter to the Bureau of Delinquent Revenue for collection as authorized by Article V, Section 10.39 of the San Francisco Administrative Code. Please note that you will also be required to pay 25% commission on the penalty amount for the BDR services. Please be advised that payment of penalty does not excuse the failure to correct the violation or bar further enforcement action. Additional penalties will continue to accrue until corrective action is taken to abate the violation.

### **ENFORCEMENT TIME AND MATERIALS FEE**

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting the Planning Code violations. Accordingly, the responsible party is currently subject to a fee of \$1,447.00 for 'Time and Materials' costs associated with the Code Enforcement investigation. **Please submit a check payable to 'San Francisco Planning Department' for Code Enforcement within 15 days from the date of this notice.** Additional fees will continue to accrue until the violation is abated. This fee is separate from the administrative penalties described above and is not appealable.

### **OTHER APPLICATIONS UNDER CONSIDERATION**

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code.

Please contact the enforcement planner noted above if you have any questions or wish to review the enforcement file related to the above matter. The enforcement file is available for public inspection at the Planning Department during normal office hours (Monday to Friday, 8:00 a.m. to 5:00 p.m., 1650 Mission Street, Room 400) and in the hearing room on the date, the matter is scheduled to be heard upon receipt of a request for a hearing.

Sincerely,



Tina Tam  
Acting Zoning Administrator

Enc.: Notice of Enforcement dated August 29, 2019



# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF ENFORCEMENT

August 29, 2019

**Property Owner**

NAIM & SANA M JAMALI 2013 REV TR  
441 KINGS RD  
BRISBANE, CA 94005

**Site Address:** 333 Randolph Street  
**Assessor's Block/Lot:** 7118/ 049  
**Zoning District:** NC-1, Neighborhood Commercial, Cluster  
**Complaint Number:** 2019-015851ENF  
**Code Violation:** 171, Compliance of Uses Required  
**Administrative Penalty:** Up to \$250 Each Day of Violation  
**Response Due:** Within 15 days from the date of this Notice  
**Staff Contact:** Dario Jones, (415) 558-6477, dario.jones@sfgov.org

The Planning Department has received a complaint that a Planning Code violation exists on the above referenced property that needs to be resolved. As the owner of the subject property, you are a responsible party. The purpose of this notice is to inform you about the Planning Code Enforcement process so you can take appropriate action to bring your property into compliance with the Planning Code. Details of the violation are discussed below:

### DESCRIPTION OF VIOLATION

Planning Department records indicate that the subject property ("Property"), a three-story, 7,840 square foot building was authorized by the Planning Department for a mix of uses; including, four dwelling units (three dwelling units on the third-story and one dwelling unit on the first story), a senior center and educational institutional use on the first story with offices on the second-story. The Properties entitlement history includes the following authorizations by the Planning Department:

On June 27, 1985, the Property received a Conditional Use Authorization (Case No. 85.266C) to convert a portion of the first-story into an educational institutional service use known as, "Erikson School". The remaining floor area on the first-story would remain as an existing senior center use, known as, "OMI Senior Center", and the second story was authorized as administrative office space for the Erikson School and Children's Counseling and Rehabilitation Service.

On December 4, 1994, the Property was the subject of a Variance Hearing (Case No. 94.369V) for a rear yard, off-street parking, and exposure variance in order to convert the third story office use into three (3) residential units.

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

On November 21, 1995, the Property was the subject of a Variance Hearing (Case No. 95.596V) for a rear yard, off-street parking, and exposure variance in order to convert the southeast corner of the first-story into a dwelling unit.

The complaint alleges the subject property has converted the entire first and second stories into a group housing use with approximately 25 to 30 people. Please note: a group housing use is permitted to establish in the NC-1 Zoning District with a Building Permit and thirty (30) day neighborhood notice.

In addition, a group housing use is permitted in the NC-1 Zoning District provided the use does not contain more than 1 bedroom for every 275 square feet of lot area or the density permitted in the nearest Residential District per Planning Code Section 710.

Pursuant to Planning Code Section 171 structures and land in any zoning district shall be used only for the purposes listed in the Planning Code as permitted in that district, and in accordance with the regulations established for that district. Further, pursuant to Planning Code Section 174, every condition, stipulation, special restriction, and other limitation under the Planning Code shall be complied with in the development and use of land and structures. Failure to comply with any Planning Code provision constitutes a violation of Planning Code and is subject to an enforcement process under Code Section 176.

## **HOW TO CORRECT THE VIOLATION**

1. You must contact the Staff Planner listed in this notice to arrange for a site inspection within 15-days from the date of this notice.
2. Should the site inspection confirm the allegation of an illegal group housing use, then the Planning Department requires that you immediately proceed to abate the violation by seeking a Building Permit Application to authorize such use.
3. You may also need to obtain a building permit for change of use and any alterations done at the property. Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: [www.sfgov.org/dbi](http://www.sfgov.org/dbi), regarding the Building Permit Application process. Please visit the Planning Information Counter located at the first floor of 1660 Mission Street, telephone: (415) 558-6377, or website: [www.sfplanning.org](http://www.sfplanning.org) for any questions regarding the planning process.
4. The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence including (such as dimensioned plans, photos, licenses, lease copies, etc.). A site visit may also be required to verify compliance.

## TIMELINE TO RESPOND

The responsible party has **fifteen (15) days from the date of this notice** to contact the staff planner noted at the top of this notice and submit evidence to demonstrate that the corrective actions have been taken to bring the subject property into compliance with the Planning Code. The corrective actions shall be taken as early as possible. Any unreasonable delays in abatement of the violation may result in further enforcement action by the Planning Department.

## PENALTIES AND APPEAL RIGHTS

Failure to respond to this notice by abating the violation or demonstrating compliance with the Planning Code **within fifteen (15) days from the date of this notice** will result in issuance of a **Notice of Violation** by the Zoning Administrator. Administrative penalties of up to **\$250 per day** will also be assessed to the responsible party for each day the violation continues thereafter. The Notice of Violation provides appeal processes noted below.

- 1) Request for Zoning Administrator Hearing. The Zoning Administrator's decision is appealable to the Board of Appeals.
- 2) Appeal of the Notice of Violation to the Board of Appeals. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation exists, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

## ENFORCEMENT TIME AND MATERIALS FEE

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations and violations of Planning Commission and Planning Department's Conditions of Approval. Accordingly, the responsible party may be subject to an amount of \$1395.00 plus any additional accrued time and materials cost for Code Enforcement investigation and abatement of violation. This fee is separate from the administrative penalties described above and is not appealable.

## OTHER APPLICATIONS UNDER CONSIDERATION

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code. You may contact the enforcement planner as noted above for any questions.

# EXHIBIT 3



# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF PLANNING DEPARTMENT REQUIREMENTS

May 13, 2020

### Property Owner

Naim & Sana M Jamali 2013 Rev Trust  
441 Kings Road  
Brisbane, CA 94005

**Site Address:** 333 Randolph Street  
**Assessor's Block/Lot:** 7118/ 049  
**Zoning District:** NC-1, Neighborhood Commercial, Cluster  
**Complaint Number:** 2019-015851ENF  
**Code Violation:** Section 171, Unauthorized Conversion of a Social and Educational Institutional Use to a Group Housing Use; Section 171, Creation of Unauthorized Dwelling Units  
**Administrative Penalty:** Up to \$250 Each Day of Violation  
**Response Due:** Within 15 days from the date of this Notice  
**Staff Contact:** Dario Jones, (415) 558-6477, dario.jones@sfgov.org

The Planning Department has determined that the above-referenced property is in violation of the Planning Code. As the owner of the subject property, you are the responsible party to bring the above property into compliance with the Planning Code. Details of the violation are discussed below:

### DESCRIPTION OF VIOLATION

The subject property ("Property"), a two-story over basement, 7,840 square-foot building, is currently authorized by the Planning Department for three dwelling units on the second floor and one dwelling unit on the first floor ("ground floor"). In addition, a social service and educational institutional use are also authorized to operate on ground floor and basement.

The Property is in violation of the following Planning Code Sections:

- Section 171: unauthorized establishment of a group housing use in the basement, ground, and second floors, and the creation of unauthorized dwelling units on the ground and second floors of the Property without the benefit of a Building Permit.

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

## **BACKGROUND**

In 1964, the subject property was originally constructed as an office building around a semi-enclosed open courtyard with approximately 11 to 12 separate commercial / office units per Building Permit Application No. 280584.

On June 27, 1985, the Property was the subject of a Conditional Use Authorization (“CUA”; Case No. 85.266C) to convert four commercial / office units on the ground floor into four classrooms for an Educational Institutional use, known as the “Erikson School.” The remaining ground floor area would serve an existing senior center use, known as the “OMI Senior Center.” The second floor was authorized as administrative office use for the Erikson School and the school’s related social service use, “The Children’s Counseling and Rehabilitation Service Center.” Per plans, labeled “Exhibit B” submitted with the CUA, the layout of the basement demonstrated four rooms dedicated to storage. The above land use entitlements were memorialized by the Planning Department under Building Permit Application No. 8504893.

On November 4, 1993, a Building Permit Application (No. 09320653) was submitted to the Department to authorize the conversion of Erikson School’s administrative office spaces on the second floor to three (3) dwelling units. In addition, the 1993 Building permit also sought to authorize the conversion of three of Erikson School classrooms on the ground floor into one (1) dwelling unit. The remaining areas in the basement and ground floor would remain entitled for educational and social service uses as previously authorized under the 1985 CUA. This 1993 building permit application triggered Variances as the footprint of the existing building occupied the entire property and there is no off-street parking (see below for the Variance descriptions).

On December 4, 1994, the Property was the subject of a Variance Hearing (Case No. 94.369V) for a rear yard, off-street parking, and exposure variances to convert the second floor administrative offices of the Erikson School into three (3) dwelling units. The Variance decision stated that the basement and most of the ground floor would still be dedicated as classrooms for the educational service use.

On November 21, 1995, the Property was the subject of a Variance Hearing (Case No. 95.596V) for a rear yard, off-street parking, and exposure variances to authorize conversion of three classrooms of the Erikson School into one (1) dwelling unit on the ground floor.

On April 9, 1996, seeing the two Variance applications were granted by the Zoning Administrator in 1994 and 1995, the Planning Department authorized the above 1993 Building Permit Application to establish a total of four (4) dwelling units on the Property.

As such, based upon Planning Department records and permit history, the Property is authorized for three (3) dwelling units on the second floor, and one (1) dwelling unit on the ground floor. The remaining spaces not occupied by the dwelling units are to continued to be for social and educational institutional uses previously approved in the 1985 CUA.

## TIMELINE OF INVESTIGATION

On August 26, 2019, the Planning Department received a complaint alleging the subject property had converted the entire building (basement, ground and second floor) into a group housing use with approximately 25 to 30 occupants.

On August 29, 2019, the Planning Department sent you a Notice of Enforcement informing you about the violation and the abatement process. In that notice, you were advised to take corrective actions and provide evidence of compliance to the Planning Department within fifteen (15) days from August 29, 2019. You did not respond to this notice.

On December 9, 2019, the Planning Department issued a Notice of Violation informing you about the violation and the abatement process. In that notice, you were advised to take corrective actions and provide evidence of compliance to the Planning Department within fifteen (15) days from December 6, 2019.

On January 24, 2020, a Joint Task Force inspection of the Property was conducted. Representatives from the Planning Department, the Office of the City Attorney, the Department of Building Inspection, and the Department of Public Health were present. During the inspection, **the above City Agencies were not granted access to the interiors of all units**. Many of these units were occupied, but some were vacant. Below are the findings from that site inspection:

- SECOND FLOOR

Although not all areas were accessed, the three legal dwelling units on the second floor appear to have been divided into three unauthorized dwelling units creating a total of six dwellings on the second floor.

- GROUND FLOOR

An unauthorized dwelling unit appears to have been added to the ground floor for a total of two dwelling units. The remaining units on the ground floor appear to be seven (7) group housing bedrooms without individual cooking facilities. In addition, a common kitchen on the north west corner of the building and a common bathroom located at the south west area of the building were seen. The Department suspects that the common bathroom and kitchen are for use by all the group housing occupants. For the purposes of Planning Code review, these units are defined or considered as group housing bedrooms.

Please note: Planning Code Section 102 defines group housing as *“A Residential Use that provides lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time, in a space not defined by this Code as a dwelling unit. Such group housing shall include, but not necessarily be limited to, a Residential Hotel, boardinghouse, guesthouse, rooming house, lodging house, residence club, commune, fraternity or sorority house, monastery, nunnery, convent, or ashram. It shall also include group housing affiliated with and operated by a medical or educational institution, when not located on the same lot as such institution, which shall meet the applicable provisions of Section [304.5](#) of this Code concerning institutional master plans.”*



- BASEMENT

The majority of the basement area was not accessible at the time of the site inspection. However, out of the approximately six units, two units were accessible. Both units appear have recently added new interior windows facing a common hallway. One unit was a confirmed occupied group housing bedroom while the other adjacent unit was seen vacant.

- ADDITIONAL FINDINGS

Given that the Department staff did not have full access to all units or areas of the Property, Planning Staff reiterated to the property owner and architect that a second inspection is required to confirm all uses, including the locked areas under camera surveillance in the basement. In addition, Department Staff requested that the Property owner and architect submit a Building Permit Application with floor plans that demonstrate 1) the prior approved or authorized conditions; 2) the existing or as-built conditions of the Property; and 3) the proposed conditions as permissible by the Planning Code.

On February 25, 2020, in response to the Department's NOV, Building Permit Application No. 2020.01.10.1699 with floor plans were submitted to the Planning Department. The floor plans for this permit did not accurately depict the existing conditions or uses as seen by the above referenced City Agencies during the Task Force Inspection. Most of the observed occupied group housing bedrooms and/or unauthorized dwelling units were incorrectly labeled as "commercial office" or "storage" units on the plans.

## HOW TO CORRECT THE VIOLATION

1. ADDITIONAL SITE INSPECTION

Given access to many of the uses and spaces on the Property was limited during the January 24, 2020, Task Force Inspection, another site inspection is needed. Please contact the Staff Planner listed in this notice to arrange for another site inspection with access to all previously locked and inaccessible spaces. Other City Agencies, including the Office of the City Attorney and the Department of Building Inspection may also attend.

2. BUILDING PERMIT NO. 2020.01.10.1699

The floor plans accompanying the above Building Permit Application do not accurately depict the existing uses as seen during the January 24, 2020, inspection. Be sure to provide three sets of floor plans illustrating 1) previously approved and authorized conditions; 2) existing or as-built conditions (with the illegal construction work clouded); and 3) proposed conditions as permissible by the Planning Code. In other words, occupied group housing bedrooms should not be labeled as "commercial office" or "storage" use as demonstrated in your recent submittal. It is imperative that you have the existing or as-built conditions accurately drawn and submitted to the Enforcement Planner as soon as possible, preferably five working days before the date of the second site inspection.

**Once the second site inspection has been conducted, you may have to further revise your Building Permit Application and plans to clarify the proposal on the Property based upon further discussion and analysis about what is permissible by the Planning Code.**

### 3. COMPLIANCE FOR UNAUTHORIZED DWELLING UNITS

The Planning Code may provide a combination of options to seek legalizing of both unauthorized dwelling units and group housing bedrooms within the Property. However, you will need to calculate the maximum units and bedrooms based upon the allowable density set forth in the Code. Per the Planning Code, the NC-1 Zoning District allows one (1) dwelling unit per 800 square feet of lot area, or the density permitted in the nearest Residential District, whichever is greater. In this case, the subject lot is 3,950 square feet. Therefore, in addition to the existing legal four (4) dwelling units, you may explore legalizing one (1) additional dwelling unit under Planning Code Section 710.

You may also explore legalizing an unauthorized dwelling unit through the Accessory Dwelling Unit (“ADU”) Program. Under Planning Code Section 207(c)(4), on a lot with four or less existing units, one new ADU may be permitted; or, an unlimited number of ADU’s are permitted in multi-unit buildings with 5 or more legal dwelling units. If you intend to propose adding additional dwelling units under the ADU program, please demonstrate as such in your Building Permit Application and label the ADU units on the floor plans accordingly.

You may also wish to consider the Department of Building Inspection’s Unit Legalization Program where you may be able to legalize one (1) additional dwelling unit. As part of the Unit Legalization Program, please be prepared to provide documentation that the dwelling unit existed before January 1, 2013. For more information regarding legalizing unauthorized dwelling units, you may visit the Department of Building Inspection’s “Unit Legalization Counter,” at Counter #8, 1660 Mission Street, 1st Floor or call (415) 558-6117.

### 4. COMPLIANCE FOR GROUP HOUSING BEDROOM UNITS

In regards to the group housing bedrooms, you may seek to legalize occupied units without kitchens as group housing bedrooms. The NC-1 Zoning District allows one (1) group housing bedroom per 275 square feet of lot area, or the density permitted in the nearest Residential District, whichever is greater. You may also seek compliance for your property using a combination of the above, dwelling units and group housing bedrooms without kitchens. Please note, in looking at any combination (dwelling units plus group housing bedrooms), your lot size will determine your maximum density.

### 5. REMOVAL UNAUTHORIZED DWELLING UNITS

Alternatively, if you seek to remove any dwelling unit (legal or unauthorized), a supplemental application for a Conditional Use Authorization must be submitted to the Planning Department within 30 days from the date of this notice. Please note that removal of a dwelling unit (either legal or unauthorized) requires a Conditional Use Authorization pursuant to Planning Code

Section 317. The Conditional Use Authorization Application is available from the Planning Department's website at <http://www.sf-planning.org>. If the Conditional Use Authorization is granted, you will also need to obtain a Building Permit. The property owner or their authorized representative will be required to pursue all required approvals and any associated building permits such that they are approved, issued, and completed.

6. If you have made any other alterations at the property, you will also need to seek a Building Permit to authorize all work completed for the Property. Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: [www.sfgov.org/dbi](http://www.sfgov.org/dbi), regarding the Building Permit Application process. Please visit the Planning Information Counter located on the first floor of 1660 Mission Street, telephone: (415) 558-6377, or website: [www.sfplanning.org](http://www.sfplanning.org) for any questions regarding the planning process.
7. The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence including (such as dimensioned plans, photos, licenses, lease copies, etc.). A site visit may also be required to verify compliance.

## TIMELINE TO RESPOND

A Shelter in Place order was issued for San Francisco due to the COVID-19 virus on March 16, 2020, which was set to expire on April 7, 2020. Order of the Health Officer No. C19-07b was issued for San Francisco on March 31, 2020, and it extended the previously issued Shelter in Place from April 7, 2020 to May 3, 2020. On April 29, 2020, Order of the Health Officer No. C19-07c further extended the previously issued Shelter in Place to May 31, 2020. Additionally, City agencies may not be able to process necessary applications to abate violations during the Shelter in Place (for example, the Department of Building Inspection). You can find more information from the City regarding the Shelter in Place here: [www.sf.gov/topics/coronavirus-covid-19](http://www.sf.gov/topics/coronavirus-covid-19).

Given this information, the timeline to respond to this Notice of Violation **will not begin until** both 1) the Shelter in Place ends, and 2) all relevant City agencies are operating at a level necessary to abate the violation. Once the timeline to respond to this Notice of Violation begins, the responsible party **has fifteen (15) days from that date** to correct the violation as noted above. If you plan to appeal this Notice of Violation, you must do so **within 15 days of this notice** (see below).

The Department recognizes the challenges of the City's Shelter in Place order and its underlying cause. However, corrective actions should be taken as early as reasonably possible. Please contact the enforcement staff noted above with questions and/or to submit evidence of correction. Delays in abatement of the violation beyond the timeline outlined above will result in further enforcement action by the Planning Department.

## ADMINISTRATIVE PENALTIES

You did not appeal the Notice of Violation issued on December 6, 2019. No Administrative Penalties are due at this time. However, if the responsible party does not take corrective action and seek

compliance as listed in this notice **within 30 days of when the SIP order is lifted**, administrative penalties of up to **\$250 per day** to the responsible party will start to accrue for each day the violation continues unabated.

The penalty amount shall be paid **within 30 days** from the issuance date of a Notice of Penalty. After 30 days, the Planning Department may forward the matter to the Bureau of Delinquent Revenue ("BDR") for collection as authorized by Article V, Section 10.39 of the San Francisco Administrative Code. Please note that you will also be required to pay a 25% commission on the penalty amount and a 25% on the Department's Time and Material fee for BDR services. Please be advised that payment of penalty does not excuse the failure to correct the violation or bar further enforcement action. Additional penalties will continue to accrue until corrective action is taken to abate the violation.

## **ENFORCEMENT TIME AND MATERIALS FEE**

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting the Planning Code violations. Accordingly, the responsible party is currently subject to a fee of \$10,791.11 for 'Time and Materials' costs associated with the Code Enforcement investigation. **Please submit a check payable to 'San Francisco Planning Department' for Code Enforcement within 15 days from the date of this notice.** Additional fees will continue to accrue until the violation is abated. This fee is separate from the administrative penalties described above and is not appealable.

## **OTHER APPLICATIONS UNDER CONSIDERATION**

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code.

Please contact the enforcement planner noted above if you have any questions or wish to review the enforcement file related to the above matter. The enforcement file is available for public inspection at the Planning Department during normal office hours (Monday to Friday, 8:00 a.m. to 5:00 p.m., 1650 Mission Street, Room 400) and in the hearing room on the date, the matter is scheduled to be heard upon receipt of a request for a hearing.

Cc: Megan Ryan, Deputy City Attorney, Office of the City Attorney  
Philip A. Segal, Attorney, 1388 Sutter Street, Suite 600, San Francisco, CA 94109  
Delvin Washington, SW Team Leader, San Francisco Planning Department  
Donald Duffy, Department of Building Inspection

Enc.: Notice of Enforcement dated August 29, 2019  
Notice of Violation dated December 9, 2019



# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF VIOLATION

December 9, 2019

### Property Owner

Naim & Sana M Jamali 2013 Rev Trust  
441 Kings Road  
Brisbane, CA 94005

**Site Address:** 333 Randolph Street  
**Assessor's Block/Lot:** 7118/ 049  
**Zoning District:** NC-1, Neighborhood Commercial, Cluster  
**Complaint Number:** 2019-015851ENF  
**Code Violation:** **Section 171**, Unauthorized Group Housing Use;  
**Section 317**, Unauthorized Conversion of a Dwelling Unit to a Group Housing Use  
**Administrative Penalty:** Up to \$250 Each Day of Violation  
**Response Due:** Within 15 days from the date of this Notice  
**Staff Contact:** Dario Jones, (415) 558-6477, dario.jones@sfgov.org

The Planning Department has determined that the above-referenced property is in violation of the Planning Code. As the owner of the subject property, you are a responsible party to bring the above property into compliance with the Planning Code. Details of the violation are discussed below:

### DESCRIPTION OF VIOLATION

The subject property ("Property"), a three-story, 7,840 square-foot building, is authorized for three dwelling units on the third-story and one dwelling unit on the first-story. In addition, a senior center and educational institutional use are also approved for a portion of the first-story with administrative offices on the second-story. The Property is in violation of the following Planning Code Sections:

- Section 171: unauthorized establishment of a group housing use on the first and second stories of the subject property without the benefit of a Building Permit; and,
- Planning Code Section 317: unauthorized conversion of a dwelling unit on the first-story to a group housing use without a required Conditional Use Authorization ("CUA").

### BACKGROUND

On June 27, 1985, the Property received a Conditional Use Authorization (Case No. 85.266C) to convert a portion of the first-story into an educational institutional service use known as, "Erikson School." The remaining floor area on the first-story would remain as an existing senior center use, known as, "OMI

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Senior Center", and the second story was authorized as administrative office space for the Erikson School and Children's Counseling and Rehabilitation Service.

On December 4, 1994, the Property was the subject of a Variance Hearing (Case No. 94.369V) for a rear yard, off-street parking, and exposure variance to convert the third story office use into three (3) residential units.

On November 21, 1995, the Property was the subject of a Variance Hearing (Case No. 95.596V) for a rear yard, off-street parking, and exposure variance to convert the southeast corner of the first-story into a dwelling unit.

## TIMELINE OF INVESTIGATION

On August 26, 2019, the Planning Department received a complaint alleging the subject property has converted the entire first and second stories into a group housing use with approximately 25 to 30 occupants.

On August 29, 2019, the Planning Department sent you a Notice of Enforcement informing you about the violation and the abatement process. In that notice, you were advised to take corrective actions and provide evidence of compliance to the Planning Department within fifteen (15) days from August 29, 2019. You did not respond to this notice.

To date, you have not contacted the Planning Department to demonstrate how you intend to bring the subject property into compliance with the Planning Code.

## HOW TO CORRECT THE VIOLATION

1. You must contact the Staff Planner listed in this notice to arrange for a site inspection within 15-days from the date of this notice.
2. Should the site inspection confirm the unauthorized conversion of the first-story dwelling unit into a group housing use, then the Department requires that you immediately proceed to abate the violation by seeking a Conditional Use Authorization to authorize the conversion. You may download a copy of the CUA application from the Departments website at [www.sfplanning.org](http://www.sfplanning.org).
3. If the Conditional Use Authorization is granted, then you must also seek a Building Permit to authorize the group housing use. Please note: while a group housing use is permitted in the NC-1 Zoning District with a Conditional Use Authorization, group housing may not contain more than one bedroom for every 275 square feet of lot area, or the density permitted in the nearest Residential District per Planning Code Section 710.
4. **You may also need to obtain a building permit for any other alterations done at the property.** Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: [www.sfgov.org/dbi](http://www.sfgov.org/dbi), regarding the Building

Permit Application process. Please visit the Planning Information Counter located on the first floor of 1660 Mission Street, telephone: (415) 558-6377, or website: [www.sfplanning.org](http://www.sfplanning.org) for any questions regarding the planning process.

5. The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence including (such as dimensioned plans, photos, licenses, lease copies, etc.). A site visit may also be required to verify compliance.

## TIMELINE TO RESPOND

The responsible party has **fifteen (15) days from the date of this notice** to either;

- 1) Correct the violation as noted above; or
- 2) Appeal this Notice of Violation as noted below.

The corrective actions shall be taken as early as possible. Please contact the enforcement staff as noted above to submit evidence of correction. Any unreasonable delays in the abatement of the violation in the timeline set forth above will result in both the accrual of administrative penalties and further enforcement action by the Planning Department.

## APPEAL PROCESSES

If the responsible party believes that this order to remove a violation of the Planning Code is an abuse of discretion by the Zoning Administrator, the following appeal processes are available **within fifteen (15) days from the date of this notice**:

- 1) The responsible party may request a Zoning Administrator Hearing under Planning Code Section 176 to show cause why this Notice of Violation is issued in error and should be rescinded by submitting the Request for Zoning Administrator Hearing Form and supporting evidence to the Planning Department. The Zoning Administrator shall render a decision on the Notice of Violation within 30 days of such hearing. The responsible party may appeal the Zoning Administrator's decision to the Board of Appeals within 15 days from the date of the decision.
- 2) The responsible or any interested party may waive the right to a Zoning Administrator Hearing and proceed directly to appeal the Notice of Violation to the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, CA 94103, telephone: (415) 575-6880, website: [www.sfgov.org/bdappeal](http://www.sfgov.org/bdappeal). The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation continues unabated, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

## ADMINISTRATIVE PENALTIES

If any responsible party does not request any appeal process and does not take corrective action to abate the violation **within the 15-day time limit** as noted above, this Notice of Violation will become final. Beginning on the following day, administrative penalties of up to **\$250 per day** to the responsible party will start to accrue for each day the violation continues unabated. The penalty amount shall be paid

**within 30 days** from the issuance date of a Notice of Penalty. After 30 days, the Planning Department may forward the matter to the Bureau of Delinquent Revenue for collection as authorized by Article V, Section 10.39 of the San Francisco Administrative Code. Please note that you will also be required to pay 25% commission on the penalty amount for the BDR services. Please be advised that payment of penalty does not excuse the failure to correct the violation or bar further enforcement action. Additional penalties will continue to accrue until corrective action is taken to abate the violation.

### **ENFORCEMENT TIME AND MATERIALS FEE**

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting the Planning Code violations. Accordingly, the responsible party is currently subject to a fee of \$1,447.00 for 'Time and Materials' costs associated with the Code Enforcement investigation. **Please submit a check payable to 'San Francisco Planning Department' for Code Enforcement within 15 days from the date of this notice.** Additional fees will continue to accrue until the violation is abated. This fee is separate from the administrative penalties described above and is not appealable.

### **OTHER APPLICATIONS UNDER CONSIDERATION**

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code.

Please contact the enforcement planner noted above if you have any questions or wish to review the enforcement file related to the above matter. The enforcement file is available for public inspection at the Planning Department during normal office hours (Monday to Friday, 8:00 a.m. to 5:00 p.m., 1650 Mission Street, Room 400) and in the hearing room on the date, the matter is scheduled to be heard upon receipt of a request for a hearing.

Sincerely,



Tina Tam  
Acting Zoning Administrator

Enc.: Notice of Enforcement dated August 29, 2019





# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF ENFORCEMENT

August 29, 2019

**Property Owner**

NAIM & SANA M JAMALI 2013 REV TR  
441 KINGS RD  
BRISBANE, CA 94005

**Site Address:** 333 Randolph Street  
**Assessor's Block/Lot:** 7118/ 049  
**Zoning District:** NC-1, Neighborhood Commercial, Cluster  
**Complaint Number:** 2019-015851ENF  
**Code Violation:** 171, Compliance of Uses Required  
**Administrative Penalty:** Up to \$250 Each Day of Violation  
**Response Due:** Within 15 days from the date of this Notice  
**Staff Contact:** Dario Jones, (415) 558-6477, dario.jones@sfgov.org

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

The Planning Department has received a complaint that a Planning Code violation exists on the above referenced property that needs to be resolved. As the owner of the subject property, you are a responsible party. The purpose of this notice is to inform you about the Planning Code Enforcement process so you can take appropriate action to bring your property into compliance with the Planning Code. Details of the violation are discussed below:

### DESCRIPTION OF VIOLATION

Planning Department records indicate that the subject property ("Property"), a three-story, 7,840 square foot building was authorized by the Planning Department for a mix of uses; including, four dwelling units (three dwelling units on the third-story and one dwelling unit on the first story), a senior center and educational institutional use on the first story with offices on the second-story. The Properties entitlement history includes the following authorizations by the Planning Department:

On June 27, 1985, the Property received a Conditional Use Authorization (Case No. 85.266C) to convert a portion of the first-story into an educational institutional service use known as, "Erikson School". The remaining floor area on the first-story would remain as an existing senior center use, known as, "OMI Senior Center", and the second story was authorized as administrative office space for the Erikson School and Children's Counseling and Rehabilitation Service.

On December 4, 1994, the Property was the subject of a Variance Hearing (Case No. 94.369V) for a rear yard, off-street parking, and exposure variance in order to convert the third story office use into three (3) residential units.

[www.sfplanning.org](http://www.sfplanning.org)

On November 21, 1995, the Property was the subject of a Variance Hearing (Case No. 95.596V) for a rear yard, off-street parking, and exposure variance in order to convert the southeast corner of the first-story into a dwelling unit.

The complaint alleges the subject property has converted the entire first and second stories into a group housing use with approximately 25 to 30 people. Please note: a group housing use is permitted to establish in the NC-1 Zoning District with a Building Permit and thirty (30) day neighborhood notice.

In addition, a group housing use is permitted in the NC-1 Zoning District provided the use does not contain more than 1 bedroom for every 275 square feet of lot area or the density permitted in the nearest Residential District per Planning Code Section 710.

Pursuant to Planning Code Section 171 structures and land in any zoning district shall be used only for the purposes listed in the Planning Code as permitted in that district, and in accordance with the regulations established for that district. Further, pursuant to Planning Code Section 174, every condition, stipulation, special restriction, and other limitation under the Planning Code shall be complied with in the development and use of land and structures. Failure to comply with any Planning Code provision constitutes a violation of Planning Code and is subject to an enforcement process under Code Section 176.

## **HOW TO CORRECT THE VIOLATION**

1. You must contact the Staff Planner listed in this notice to arrange for a site inspection within 15-days from the date of this notice.
2. Should the site inspection confirm the allegation of an illegal group housing use, then the Planning Department requires that you immediately proceed to abate the violation by seeking a Building Permit Application to authorize such use.
3. You may also need to obtain a building permit for change of use and any alterations done at the property. Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: [www.sfgov.org/dbi](http://www.sfgov.org/dbi), regarding the Building Permit Application process. Please visit the Planning Information Counter located at the first floor of 1660 Mission Street, telephone: (415) 558-6377, or website: [www.sfplanning.org](http://www.sfplanning.org) for any questions regarding the planning process.
4. The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence including (such as dimensioned plans, photos, licenses, lease copies, etc.). A site visit may also be required to verify compliance.

## TIMELINE TO RESPOND

The responsible party has **fifteen (15) days from the date of this notice** to contact the staff planner noted at the top of this notice and submit evidence to demonstrate that the corrective actions have been taken to bring the subject property into compliance with the Planning Code. The corrective actions shall be taken as early as possible. Any unreasonable delays in abatement of the violation may result in further enforcement action by the Planning Department.

## PENALTIES AND APPEAL RIGHTS

Failure to respond to this notice by abating the violation or demonstrating compliance with the Planning Code **within fifteen (15) days from the date of this notice** will result in issuance of a **Notice of Violation** by the Zoning Administrator. Administrative penalties of up to **\$250 per day** will also be assessed to the responsible party for each day the violation continues thereafter. The Notice of Violation provides appeal processes noted below.

- 1) Request for Zoning Administrator Hearing. The Zoning Administrator's decision is appealable to the Board of Appeals.
- 2) Appeal of the Notice of Violation to the Board of Appeals. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation exists, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

## ENFORCEMENT TIME AND MATERIALS FEE

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations and violations of Planning Commission and Planning Department's Conditions of Approval. Accordingly, the responsible party may be subject to an amount of \$1395.00 plus any additional accrued time and materials cost for Code Enforcement investigation and abatement of violation. This fee is separate from the administrative penalties described above and is not appealable.

## OTHER APPLICATIONS UNDER CONSIDERATION

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code. You may contact the enforcement planner as noted above for any questions.

# EXHIBIT 4



# SAN FRANCISCO FIRE DEPARTMENT

Bureau of Fire Prevention  
698 Second Street, Room 109  
San Francisco, CA 94107  
(415) 558-3300

Date: 01/27/2020

Violation ID: 1912-0278

## NOTICE OF VIOLATION

Address: 333 RANDOLPH ST, SAN FRANCISCO, CA 94132	Block/Lot:7118/049
Owner/Agent: NAIM & SANA M JAMALI 2013 R,	Phone:
Mailing Address: 441 KINGS RD, BRISBANE, CA 94005	
Person Contacted At Site:	Phone:

### To: NAIM & SANA M JAMALI 2013 R (Property Owner/Occupant/Responsible Party)

The property at 333 RANDOLPH ST has been inspected by the San Francisco Fire Department and one or more fire code violations were found. This is an official notification to correct the violation(s) by 2/14/2020 12:00:00AM. Failure to comply will result in legal action.

Section 109.4 of the *San Francisco Fire Code* empowers members of the San Francisco Fire Department, through the Chief of Department, to enforce all provisions of the fire code against violations. A lessor may not retaliate against a lessee for the lessee's exercise of his/her rights (See *Section 1942.5, Civil Code*).

#### **RE-INSPECTION FEE (Section 109.4.2, San Francisco Fire Code)**

When the fire code official issues a notice of violation and sets a date for compliance and re-inspection to certify compliance with code requirements, the fire code official shall charge a fee for the re-inspection and the person responsible shall pay that fee.

#### **RE-INSPECTION OF VIOLATION FEES (Sections 113.7, San Francisco Fire Code)**

If the fire code official issues a notice of violation under this code, the notice of violation may set a period of time that is reasonable to remedy the violation and the fire code official may re-inspect the property to verify that the person responsible has made the required correction. The Fire Department shall collect a fee in the amount of **\$260.00** for re-inspections. If the time required for the re-inspection exceeds one hour, the Fire Department shall assess an additional fee at the rate of **\$130.00** per hour.

## VIOLATION DESCRIPTION

### Change of Use

*2019 San Francisco Fire Code Section 102.3 Change of use or occupancy. Changes shall not be made in the use or occupancy of any structure that would place the structure in a different group of occupancies, unless such structure is made to comply with the requirements of the California Fire Code and Building Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of the California Fire and Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.*

Room (Unit 21) in basement is being used as residential units.  
Shall provide two unobstructed means of egress from building at all times.  
Shall complete a change of use to R2 occupancy.

### Extinguisher / Required

*2019 San Francisco Fire Code Section 906; California Code of Regulations, Title 19, Chapter 3, Article 5, Section 568(b) and 571; NFPA 10, Chapter 4, Section 4-1. Provide and install the following number ( ) of fire extinguisher(s) with a minimum fire rating of 2A 10B:C.*

Location(s):

Shall provide access to fire extinguishers for every 50 feet of travel distance.

### Electrical / Extension cords

*2019 San Francisco Fire Code Section 605.5. Extension cords. Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall only be used with portable appliances.*

Remove extension cords from the following location(s):

Shall not use temporary extension cords in place of permanent wiring.  
Applies to all units and common areas.

### Electrical / Space Heaters

*2019 San Francisco Fire Code Section 605.10. Portable, electric space heaters. Portable, electric space heaters shall comply with the following:*

*605.10.1 Only listed and labeled space heaters shall be used.*

*605.10.2 Space heaters shall be plugged directly into an approved receptacle.*

*605.10.3 Space heaters shall not be plugged into extension cords.*

*605.10.4 Space heaters shall not be operated within 3 feet of any combustible materials and shall be operated only in locations for which they are listed.*

Applies to all units.

### Sprinkler / Add Spare Sprinkler Heads

2019 San Francisco Fire Code Section 901.6 and 2016 NFPA 13 Section(s) 6.2.9.1 & 6.2.9.5 A supply of at least six spare sprinklers heads (never fewer than 6 and representing those on the system) and the special sprinkler wrench(es) shall be kept in the spare sprinkler head cabinet. The sprinkler head cabinet shall be located either by the sprinkler shut-off valve or by the fire alarm panel. The stock of spare sprinklers shall include all types and ratings installed and shall be as follows: 1) Facilities with <300 sprinklers shall have 6 or more spare heads, 2) facilities with 300 to 1000 sprinklers shall have 12 or more spare heads, and 3) Facilities with >1000 sprinklers shall have 24 or more spare heads.

Add sprinkler head(s) and/or wrench to the cabinet located:  
Shall provide at least 6 spare sprinkler heads and one wrench.

**Sprinkler System Maintained**

2019 San Francisco Fire Code Sections 901.6, 901.6.1 and California Code of Regulations, Title 19, Division 1, Section 3.24. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Fire protection systems shall be inspected, tested, and maintained in accordance with the referenced standards listed in Table 901.6.1 and California Code of Regulations, Title 19, Chapters 3 and 5.

Repair the following item(s):  
Shall replace all painted sprinkler heads.

Location: Stairway to basement

**CORRECTIVE ACTION**

STOP ALL WORK (Section 111.4, San Francisco Fire Code).	
Correct violation within ___ days. No permit required.	Obtain Permit within <u>30</u> days.

**BY ORDER OF THE CHIEF, SAN FRANCISCO FIRE DEPARTMENT**

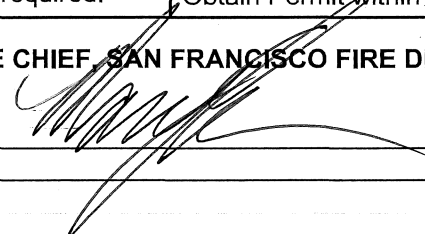
Contact: **Captain Mary M. Tse**

Phone: **415/558-3300**

Issued By (Signature): \_\_\_\_\_

District: \_\_\_\_\_

Signature of Person Contacted At Site: \_\_\_\_\_



Anyone who derives rental income from housing determined by the San Francisco Fire Department to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation, or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously, and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

#### Notice of Violation (Section 109.4, San Francisco Fire Code)

(a) When the fire code official finds a building, occupancy, premises, system, or vehicle, or any portion thereof that is in violation of this code, the fire code official may prepare a written notice of violation, which shall identify the code sections violated, describe the violation, and where applicable require correction of the violation. When correction is not immediate, the notice of violation shall specify a time for compliance and re-inspection.

(b) When the fire code official finds a person performing any activity requiring a permit under this code without the required permit, or conducting an activity in violation of conditions set in a permit issued under this code, the fire code official may prepare a written notice of violation which shall identify the code sections violated and describe the violation. In addition, the fire code official may issue a stop work order under Section 111 of this code, requiring the person to immediately cease performing the activity.

#### Hearing on Notice of Violation (Section 109.4.3, San Francisco Fire Code)

(a) If the person responsible to correct a violation fails to do so within the time period specified in the notice of violation, the fire code may set the matter for hearing.

(b) Notice of Hearing. If the fire code official determines to set the matter for hearing, the fire code official shall serve a notice of hearing that provides at least 30 days notice of the hearing.

FOR FURTHER DETAIL, SEE SECTION 109.4.3 OF THE SAN FRANCISCO FIRE CODE.

根據三藩市消防局檢查結果，任何人如果從不合標準的住宅獲得租金收入均不得從州政府個人所得稅以及銀行和企業個人所得稅利息、折舊或可歸入此等不合標準住宅的稅款中扣除此等收入。如果在本通知發出後六(6)個月內未完成糾正工作或正在努力地、快速地 and 持續地完成糾正工作，則會依照「收入與納稅法典」第17274(c)節的規定向特許稅務局發出通知。

#### 違規通知(「三藩市消防法典」第109.4節)

(a) 當消防規範官員發現建築物、住宅、物業、系統、車輛或此類建築物、住宅、物業、系統、車輛的一部分違反本法典的規定，消防規範官員可能發出違規通知，該通知將列出違反的法典條款、說明違規行為、並在必要時要求採取糾正措施。如果不是要求立即採取糾正措施，該違規通知將說明遵守規定和重新檢查的具體時間。

(b) 當消防規範官員發現根據本法典要求必須獲得許可才能從事某項活動的人士沒有要求的許可或違反根據本法典頒發的許可條款從事某項活動，消防規範官員可能發出違規通知，該通知將列出違反的法典條款，並說明違規行為。此外，消防規範官員還會根據本法典第111節的規定發出停止工作的命令，要求該人士立即停止從事該項活動。

#### 違規通知聽證會(「三藩市消防法典」第109.4.3節)

(a) 如果有責任糾正違規行為的人士未在違規通知中規定的時段內糾正違規行為，消防規範官員可安排召開聽證會。

(b) 聽證會通知。如果消防規範官員決定安排召開聽證會，消防規範官員應至少提前30天發出聽證會通知。

詳情請查閱「三藩市消防法典」第109.4.3節。

Las personas que obtengan ingresos por rentas de vivienda determinada por el Departamento de Bomberos de San Francisco como de calidad inferior no puede deducir de los impuestos estatales sobre los ingresos personales y los impuestos sobre los ingresos bancarios y corporativos los intereses, la depreciación, o los impuestos atribuibles a dicha estructura de calidad inferior. Si el trabajo de corrección no se ha completado o no se está llevando a cabo continuamente con diligencia y rapidez, después de seis (6) meses a partir de la fecha de esta notificación, se avisará al Consejo de Impuestos conforme a lo dispuesto en la Sección 17274(c), del Código de Ingresos e Impuestos

#### Notificación de Infracción (Sección 109.4, Código de Incendios de San Francisco)

(a) Cuando el oficial del código de incendios encuentra un edificio, ocupación, instalaciones, sistema o vehículo, o cualquier porción del mismo que está en infracción de este código, dicho oficial puede preparar una notificación por escrito de la infracción, la cual identificará las secciones pertinentes del código, describirá la infracción, y en su caso exigirá la corrección de la infracción. Cuando la corrección no es inmediata, la notificación de la infracción fijará un plazo para el cumplimiento y la re-inspección.

(b) Cuando el oficial de incendios sorprende a una persona que realiza cualquier actividad que requiera un permiso conforme a este código sin contar con el permiso requerido, o que realiza una actividad en infracción de las condiciones establecidas en el permiso expedido en virtud de este código, dicho oficial puede preparar una notificación por escrito de la infracción, la cual identificará las secciones pertinentes del código y describirá la infracción. Además, el oficial de incendios puede emitir una orden de suspensión de trabajo conforme a la Sección 111 de este código, cuya orden exigirá que la persona cese inmediatamente de realizar la actividad.

#### Audiencia sobre la Notificación de Infracción (Sección 109.4.3, Código de Incendios de San Francisco)

(a) Si la persona responsable de corregir una infracción omite hacerlo dentro del plazo especificado en la notificación de la infracción, el oficial de incendios puede ordenar una audiencia sobre el asunto.

(b) Notificación de Audiencia. Si el oficial decide ordenar una audiencia sobre el asunto, el oficial mandará entregar una notificación de audiencia con por lo menos 30 días de anticipación a la audiencia.

PARA MÁS DETALLES, VER LA SECCIÓN 109.4.3 DEL CÓDIGO DE INCENDIOS DE SAN FRANCISCO.

NAIM & SANA M JAMALI 2013 R  
441 KINGS RD  
BRISBANE, CA 94005



# EXHIBIT 5



**NOTICE OF VIOLATION**  
of the San Francisco Municipal Codes Regarding Unsafe,  
Substandard or Noncomplying Structure or Land or Occupancy

**DEPARTMENT OF BUILDING INSPECTION**  
City and County of San Francisco  
1660 Mission St. San Francisco, CA 94103

NOTICE: 1

NUMBER: 201980381  
DATE: 28-JAN-20

ADDRESS: 333 RANDOLPH ST

OCCUPANCY/USE: 0

BLOCK: 7118 LOT: 049

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: NAIM & SANA M JAMALI 2013 REV  
MAILING ADDRESS: NAIM & SANA M JAMALI 2013 R  
NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA 94005

PHONE #: --

PERSON CONTACTED @ SITE: NAIM & SANA M JAMALI 2013 REV

PHONE #: --

**VIOLATION DESCRIPTION:**

VIOLATION DESCRIPTION:	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	CPC 103.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	

A complaint has been filed regarding the following plumbing violations observed during physical inspection. 4 kitchens and bathrooms installed without permits on the 2nd floor. Shower installed with improper waste and vent piping. Water heater installed without permit in basement.  
S.F.P.C. Chapter 1, 3, 4, 5, 6, 7

**CORRECTIVE ACTION:**

- STOP ALL WORK SFBC 104.2.4 (415)558-6570
- FILE BUILDING PERMIT WITHIN DAYS       (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN 30 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- CORRECT VIOLATIONS WITHIN 30 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.

Hire State licensed contractor, secure permits, uncover all concealed piping. Provide access to all units for inspection. Pay all penalties. Monthly monitoring fee.

**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: David J Ledda

PHONE # (415)558-6570

DIVISION: PID

DISTRICT :

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



# NOTICE OF VIOLATION

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

Pursuant to SFBC 304(e) and 332.3 investigation fees are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 875 Stevenson St., 4th floor. 554-6720

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 203(b) & 332.3

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(c) of the Revenue and Taxation Code.

**WARNING:** Section 205(a) of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 304(a) y 332.3 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince días de haberse obtenido el permiso. Las apelaciones se hacen en el 875 de la calle Stevenson, cuarto piso, teléfono 554-6720.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cooraran al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 203(b) y 332.3 de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multa inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de inconformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios ó 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o está diligentemente, rápidamente y continuamente acusado después de seis (6) meses de la fecha de este aviso, se le enviará una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 205(a) de el Código de Edicios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omite, descuide, rehuya cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas por delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurra.

根據《三藩市建築法規》(簡稱 SFBC) 第 304(a) 項和第 332.3 項條款的規定，對沒有許可證便已開始的工程和或正在進行的工程、或者超越許可範圍的工程，將收取調查費。當事人可以在許可證發出日起 15 天之內，向委員會提出上訴。該委員會地址在 Stevenson 街 875 號 4 樓，電話：554-6720。

警告：如不按照要求立即採取行動，以糾正上述違章行為，將導致建築檢查局付諸強制糾正程序的執行。倘若此項違章行為的強制糾正程序令一經在市府檔案，則自違章通知張貼日期起各項與此糾正程序令有關的費用，將向房地產主索取，或向房地產拍賣，直至付清各項費用。請參閱《三藩市建築法規》第 203 (b) 項和第 332.3 項條款。

警告：《三藩市房屋法規》(即 SFHC) 第 204(b) 項條款規定：對每一違章初犯者立即將被罰款 100 元，二次違章者罰款 200 元，每種違章的最高罰款可達 7,500 元。此項法規並規定對每一違章罪者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。

警告：任何人通過出租房屋獲得收入，而該房屋已被建築專家判定為低於規定標準者，不能從加州個人所得稅、銀行和公司所得稅利息、以及與該低於規定標準的建築有關的折舊或稅款中扣除稅費。如果在此通告公布六個月後，改正工程沒有完成，或者沒有積極、迅速有效地進行，我們將根據《國家稅收法規》(即 Revenue & Taxation Code) 第 1264 (c) 項條款，通知加州稅務委員會 (The Franchise Tax Board)。

警告：《三藩市建築法規》第 205(a) 項條款規定：對於任何違反、不服從、忽視、忽視或延遲此法規者，或有阻礙、反對實施此法規中的任何條款的個人，將付最高 500 元的民事罰款。此法規還規定對違法者，如果違章，對每天所發生的、每一單獨的犯法行為，將付予最高 500 元的罰款，和/或者監禁六個月。

# EXHIBIT 6



**ORDER OF ABATEMENT**

September 25, 2020

**Owner:**

**NAIM & SANA M JAMALI 2013 R  
NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA 94005**

**Property Address: 333 RANDOLPH ST,**

**Block: 7118      Lot: 049      Seq: 00  
Tract:              Case: WBO  
Complaint: 201980381**

**Inspector: Hinchion**

ORDER OF ABATEMENT UNDER SAN FRANCISCO BUILDING CODE SECTION 102A.6 & 102A.7 ORDER NO. 201980381A  
HEARING OF THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION AGAINST THE  
PROPERTY AT THE LOCATION SHOWN ABOVE WAS HELD ON September 22, 2020 IN ACCORDANCE WITH THE SAN  
FRANCISCO BUILDING CODE SECTION 102A.5. THE HEARING WAS CONDUCTED BY A REPRESENTATIVE OF THE  
DIRECTOR. THE OWNER WAS NOT 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. All Permits required for compliance of this violation must be completed and final within 30 days.

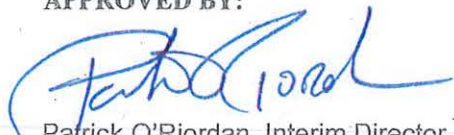
THE TIME PERIOD SHALL COMMENCE FROM THE DATE OF THIS ORDER. THE DEPARTMENT OF BUILDING INSPECTION SHALL BE REIMBURSED BY THE OWNER OF SAID BUILDING FOR ABATEMENT COSTS PURSUANT TO THE ATTACHED AND FUTURE NOTICES.

**APPEAL:** PURSUANT TO SECTION 105A.3 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO DISABLED ACCESS MAY BE APPEALED TO THE ACCESS APPEALS COMMISSION. PURSUANT TO SECTION 105A.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 49 South Van Ness Ave, Suite 400, San Francisco, CA 94103, Tel: (628) 652-3517, (628) 652-3430, 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:**

  
Mauricio E. Hernandez  
Chief Building Inspector  
Phone No. (628) 652-3400  
Fax No. (628) 652-3409

**APPROVED BY:**

  
Patrick O'Riordan, Interim Director  
Department of Building Inspection  
Fax No. (628) 652-3463

# EXHIBIT 7



# NOTICE OF VIOLATION

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

**DEPARTMENT OF BUILDING INSPECTION**  
City and County of San Francisco  
1660 Mission St. San Francisco, CA 94103

NOTICE: 1

NUMBER: 202012681  
DATE: 29-JAN-20

ADDRESS: 333 RANDOLPH ST

OCCUPANCY/USE: R-2 (RESIDENTIAL- APARTMENTS & CONDOMINIUMS W/3 BLOCK: 7118 LOT: 049

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: NAIM & SANA M JAMALI 2013 REV

PHONE #: --

MAILING NAIM & SANA M JAMALI 2013 R

ADDRESS NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA

94005

PERSON CONTACTED @ SITE: NAIM & SANA M JAMALI 2013 REV

PHONE #: --

## VIOLATION DESCRIPTION:

	CODE/SECTION#
<input checked="" 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 type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

333 Randolph St is a 2 story building over basement. Mixed use with 4 dwelling units and commercial spaces. 3 dwelling units on second floor + 1 dwelling unit on ground floor. Inspection performed on 1/24/20 revealed an additional 3 dwelling unit on 2nd floor + 1 additional dwelling unit on ground floor. This conversion was performed without the required building permit.  
Code/Section: SFBC 103A, 102A.3

Monthly monitoring fee applies.  
Code/Section: SFBC 110A, Table 1A-K

## CORRECTIVE ACTION:

STOP ALL WORK SFBC 104.2.4

415-558-6120

- 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 90 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- 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.

Obtain building permit with planning department approval to legalize, modify or remove unpermitted dwelling units and obtain required inspection to close this complaint.

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 \$40000

**BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION**

CONTACT INSPECTOR: Donal J Duffy

PHONE # 415-558-6120

DIVISION: BID

DISTRICT :

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



# NOTICE OF VIOLATION

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

Pursuant to SFBC 304(e) and 332.3 investigation fees are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 875 Stevenson St., 4th floor. 554-6720

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 203(b) & 332.3

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(c) of the Revenue and Taxation Code.

**WARNING:** Section 205(a) of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 304(e) y 332.3 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el límite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince días de haberse obtenido el permiso. Las apelaciones se hacen en el 875 de la calle Stevenson, cuarto piso, teléfono 554-6720.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobrarán al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 203(b) y 332.3 de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multa inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de inconformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios ó 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o está diligentemente, rápidamente y continuamente acusado después de seis (6) meses de la fecha de este aviso, se le enviará una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 205(a) de el Código de Edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omita, descuide, rehúsa cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas por delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurra.

根據《三藩市建築法規》(簡稱 SFBC) 第 304(e) 項和第 332.3 項條款的規定，對沒有許可證便已開始的工程和或正在進行的工程，或者超越許可範圍的工程，將收取調查費。當事人可以在許可證發出日起 15 天之內，對調查費可以向許可上訴委員會提出上訴。該委員會地址在 Stevenson 街 875 號 4 樓，電話：554-6720。

警告：任何人通過出租房屋獲得收入，而該房屋已被建築審查局定為低於規定標準者，不能從加州個人所得稅、銀行和公司所得稅利息、以及與該低於規定標準的建築有關的折舊或稅款中扣除稅費。如果在此通告公布六個月後，改正工程沒有完成，或者沒有積極、迅速有效地繼續進行，我們將根據《國家稅收法規》(即 Revenue & Taxation Code) 第 1264(c) 項條款，通知加州稅務委員會 (The Franchise Tax Board)。

警告：如不按照要求立即採取行動，以糾正上述違章行為，將導致建築檢查局付諸強制糾正程序的執行。倘對此房地產開發的強制糾正程序令一經在市府檔案，則會連帶通知張貼日期的各項與此糾正程序有關的費用，轉向房地產主索取，或將房地產扣押，直至付清各項費用。請參閱《三藩市建築法規》第 203 (b) 項和第 332.3 項條款。

警告：《三藩市建築法規》第 205(a) 項條款規定：對於任何違反、不願從、疏忽、忽視、或拒絕遵照此法規者，或者抵制、反對實施此法規中的任何條款的個人，將付最高 500 元的民事罰款。此法規還規定對違法者，如果被定罪，對每天所發生的、每一單獨的犯法行為，將付予高達 500 元的罰款，和/或者監禁六個月。

警告：《三藩市房屋法規》(即 SFHC) 第 204(b) 項條款規定：對每一違章初犯者立即將被罰款 100 元，二次違犯者罰款 200 元，每種違章的最高罰款可達 7,500 元。此項法規還規定對每一違章罪者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。



# EXHIBIT 8



**ORDER OF ABATEMENT**

April 21, 2021

**Owner:**

**NAIM & SANA M JAMALI 2013 R  
NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA 94005**

**Property Address: 333 RANDOLPH ST,**

**Block: 7118                      Lot: 049                      Seq: 03  
Tract:                              Case: BW3  
Complaint: 202012681**

**Inspector: Hernandez**

ORDER OF ABATEMENT UNDER SAN FRANCISCO BUILDING CODE SECTION 102A.6 & 102A.7 ORDER NO. **202012681A**  
HEARING OF THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION AGAINST THE  
PROPERTY AT THE LOCATION SHOWN ABOVE WAS HELD ON **April 13, 2021** IN ACCORDANCE WITH THE SAN  
FRANCISCO BUILDING CODE SECTION 102A.5. THE HEARING WAS CONDUCTED BY A REPRESENTATIVE OF THE  
DIRECTOR. **THE OWNER WAS NOT 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:**

All permits to comply with this notice of violation to be completed within 30 days and pay all code enforcement fees

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 105A.3 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO DISABLED ACCESS MAY BE APPEALED TO THE ACCESS APPEALS COMMISSION. PURSUANT TO SECTION 105A.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 49 South Van Ness Ave, Suite 400, San Francisco, CA 94103, Tel: (628) 652-3517, (628) 652-3430, 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:**

Mauricio E. Hernandez  
Chief Building Inspector  
Phone No. (628) 652-3400  
Fax No. (628) 652-3409

**APPROVED BY:**

Patrick O'Riordan, Interim Director  
Department of Building Inspection  
Fax No. (628) 652-3463

# EXHIBIT 9



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

1660 Mission Street 6th Floor, San Francisco, California 94103-2414

(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202013381**

**OWNER/AGENT:** NAIM & SANA M JAMALI 2013 REV

**MAILING**

**ADDRESS:** NAIM & SANA M JAMALI 2013 R  
NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA  
94005

**DATE:** 29-JAN-20

**LOCATION: 333 RANDOLPH ST**

**BLOCK:** 7118 **LOT :** 049

**NOTICE TYPE:** CA TASK FORCE

**BUILDING TYPE:** APT

**USE TYPE:** R2

### YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

**ITEM**

**DESCRIPTION**

- |   |   |  |
|---|---|--|
| 1 | THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.  | Common Area and Unit's 1, 4, 6, 7, and 22.   |
| 2 | SMOKE DETECTOR (911)HC, (310.9.1.2)CBC  | Provide smoke detectors in every sleeping room and connecting hallway. Smoke detectors must be installed on the ceiling or wall within 12 inches of the ceiling.   |
| 3 | CARBON MONOXIDE ALARMS IN EXISTING DWELLINGS OR SLEEPING UNITS (SEC 420.4.2)CBC) (1001(d)HC) NUISANCE (401(2) (1001(d) HC | Install Carbon Monoxide Alarms (CO ALARMS) as required. Install CO Alarms per manufacturer instructions. Only listed CO Alarms are approved. Provide a CO Alarm in each unit. Provide a CO Alarm in public areas where there is a fossil fuel burning appliance but not in the same enclosed room. |
| 4 | REPAIR ELECTRICAL OUTLET (1001(e)HC   | Ground floor common restroom:<br>a) Properly reinstall or replace the ceiling light and provide a cover at the junction box.<br>b) Reattach the ceiling exhaust fan cover.   |
| 5 | GENERAL DILAPIDATION OR IMPROPER MAINTENANCE 1001(b)(d)(13) HC  | Ground floor common shower:<br>a) Reattach the ceiling exhaust fan cover.<br>b) Repair the damaged wall at the shower opening.<br>c) Repair and repaint the damaged ceiling and wall where damaged.  |
| 6 | GENERAL DILAPIDATION OR IMPROPER MAINTENANCE 1001(b)(d)(13) HC  | Repair the damaged floor covering at the hallway to the exit stairway to the street on the east side.  |
| 7 | PROVIDE HEAT (701(c)(1) 1001(b)(6)(d) HC  | Inspect electric wall heaters at all unit locations. Repair or replace as required and provide proper operation.   |



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

1660 Mission Street 6th Floor, San Francisco, California 94103-2414

(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202013381**

8 DAMAGED PAINT (1301)SFHC  
WORK PRACTICE FOR LEAD-BASED PAINT (327)CEBC

REMOVE OR COVER DAMAGED PAINT IN AN APPROVED MANNER TO PREVENT A LEAD HAZARD. SEE ATTACHED LEAD HAZARD WARNING.

Disturbing lead based paint can be EXTREMELY DANGEROUS to dwelling occupants and visitors, particularly to young children, pregnant women, pets, and to people performing work on the premises. If you are unsure whether the paint is leaded, you should test it prior to performing any work. If the paint is found to contain lead, you should consult with an expert about appropriate procedures. Proper containment and 3-day notification is required for exterior jobs of more than 10 sq.ft. (Sec 327 CEBC). Informational packets are available at (415) 558-6088.

You can contact the San Francisco Childhood Lead Poisoning Prevention Program at: (415) 554-8930 for free advice. IF YOU CAUSE LEAD DUST TO BE CREATED, YOU COULD BE LIABLE FOR ANY ILLNESS CAUSED BY THE DUST. Ordinance #446-97.

9 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE  
1001(b)(d)(13) HC

Unit #4:  
Repair damaged ceilings and walls;  
a) at the bathroom.  
b) at the kitchen behind the sink.

10 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE  
1001(b)(d)(13) HC

Unit #4:  
Repair damaged floor at the bathroom door threshold. Provide a sanitary finish at all edges.

11 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE  
1001(b)(d)(13) HC

Unit #4:  
a) Repair or replace the damaged kitchen countertop and provide a clean surface at the miter joint.  
b) Provide a filler stile at the inside corner of the 2 kitchen base cabinets and at the toe kick to provide a sealed closed assembly.

12 STRUCTURAL HAZARD 1001.(b)(13)(c)(d)HC  
WORK WITHOUT PERMIT (106A, 108A SFBC)  
BUILDING PERMIT REQUIRED (301 HC)

Units #1 and 6: At the rear of the building at the top floor there are shed roofs covering an exterior deck. The frame appears undersized and there is insufficient mechanical connections. Acquire a building permit and remove or provide the required work to have an approved covering over the decks.

13 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE  
1001(b)(d)(13) HC

Unit #7: repair or replace the damaged acoustic ceiling panels.

14 HAZARDOUS WIRING (1001 (d)(e.1.) HC  
REMOVE CORD WIRING (1001(e)HC

Unit #22: Remove cord wiring and provide approved junction boxes where required. An electric permit is required.



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## NOTICE OF VIOLATION

**COMPLAINT: 202013381**

15 PERMIT REQUIRED (301 HC)

Repairs cited in this Notice may require Building, Plumbing and/or Electrical permits. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit(s). This case can not be abated until the housing inspector makes a final inspection to verify that all violations have been corrected and all required permits have been obtained and finalized. On the reinspection day, present to the housing inspector the Job Card, Permit Application and Permits indicating that all the required work under permit is complete. Prior to the reinspection by the housing inspector, call building, electrical and/or plumbing inspector(s) for the required inspection(s).

16 INSPECTOR COMMENTS

It is the property owner's responsibility to be present or to direct his/her representative to attend the reinspections scheduled on this Notice of Violation, for the purpose of providing entry to the inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this notice.

If the property owner cannot attend the scheduled reinspection (as specified on this notice) it is his/her responsibility to secure a different inspection date and time with the inspector, and provide all tenants with notification as required by CALIFORNIA CIVIL CODE SECTION 1954. SAN FRANCISCO HOUSING CODE SECTION 303.(b). If any dwelling, apartment units or guest rooms are to be accessed during the reinspection.

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 28 February 2020 02:30 PM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.**

**CONTACT HOUSING INSPECTOR :** Anthony Lepe AT 415-575-6912

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco

1660 Mission Street 6th Floor, San Francisco, California 94103-2414

(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION WARNINGS!

**TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:**

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

**REFERRAL TO STATE FRANCHISE TAX BOARD:** Section 17274 and 24436.5 of the Revenue and Taxation Code provide, inter alia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

**PUBLIC NUISANCES & MISDEMEANORS:** Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding \$1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

**VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:** Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.

NCTS\_NOV.rdf revised 6/22/2011



# EXHIBIT 10



City and County of San Francisco  
Joaquín Torres, Assessor-Recorder

RECORDING REQUESTED BY:  
DEPT. OF BUILDING INSPECTION

WHEN RECORDED RETURN TO:  
DEPT. OF BUILDING INSPECTION  
HOUSING INSPECTION SERVICES  
49 South Van Ness Avenue, 4th Floor  
SAN FRANCISCO, CA 94103

Doc #	<b>2022017039</b>	Fees	\$0.00
2/17/2022	9:55:23 AM	Taxes	\$0.00
ES	MailRoom	Other	\$0.00
Pages	6 Title 339	SB2 Fees	\$0.00
Customer	040	Paid	\$0.00

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**ORDER OF ABATEMENT**  
**333 RANDOLPH ST**

Block/Lot/Seq. - 7118 / 049 / 1

NO. 202013381A

XF1 - DH 02-DEC-21



## ORDER OF ABATEMENT - ORDER NO. 202013381

Owner: **NAIM & SANA M JAMALI 2013 R**  
**NAIM JAMALI, TTEE**  
**441 KINGS RD**  
**BRISBANE CA 94005**

Address: **333 RANDOLPH ST,**  
Block: **7118** Lot: **049** Seq: **1**  
Census Tract: **313** Source: **XF1**  
Complaint: **202013381**  
Date Order of Abatement Issued: **December 16, 2021**  
Inspector/Division: **Lepe\HIS**  
Housing Division Representative: **JAMES LAWRIE**  
Hearing Officer: **KENNETH BURKE**

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **December 2, 2021** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **DID** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

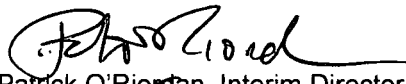
1. That Notice has been duly given as required by law 10 days prior to the hearing.
2. That the conditions are as stated in the complaint of the Director of the Department of Building Inspection attached as the Notice(s) of Violation (NOV) dated: **January 29, 2020**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

**7 Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (628) 652-3700. Fax (628) 652-3709. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 49 South Van Ness Avenue, 4th Floor, (628) 652-3700.

Very truly yours,

  
Patrick O'Riordan, Interim Director  
Department of Building Inspection

Approved for Distribution on December 20, 2021  
by James Sanbonmatsu, Chief Housing Inspector

**Housing Inspection Services**  
**49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226**  
**Office (628) 652-3700 - FAX (628) 652-3709 - www.sfdbi.org**



# DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division  
City and County of San Francisco  
49 South Van Ness Avenue, San Francisco, California 94103-1226  
(628) 652-3700 Fax: (628) 652-3709 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

## NOTICE OF VIOLATION

**COMPLAINT: 202013381**

**OWNER/AGENT:** NAIM & SANA M JAMALI 2013 REV

**DATE:** 29-JAN-20

**MAILING**

**LOCATION: 333 RANDOLPH ST**

**ADDRESS:** NAIM & SANA M JAMALI 2013 R  
NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA  
94005

**BLOCK: 7118 LOT: 049**

**NOTICE TYPE: CA TASK FORCE**

**BUILDING TYPE:** APT **USE TYPE:** R2

**YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:**

ITEM	DESCRIPTION
1 THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	Common Area and Unit's 1, 4, 6, 7, and 22.
2 SMOKE DETECTOR (911)HC, (310.9.1.2)CBC	Provide smoke detectors in every sleeping room and connecting hallway. Smoke detectors must be installed on the ceiling or wall within 12 inches of the ceiling.
3 CARBON MONOXIDE ALARMS IN EXISTING DWELLINGS OR SLEEPING UNITS (SEC 420.4.2)CBC) (1001(d)HC) NUISANCE (401(2) (1001(d) HC	Install Carbon Monoxide Alarms (CO ALARMS) as required. Install CO Alarms per manufacturer instructions. Only listed CO Alarms are approved. Provide a CO Alarm in each unit. Provide a CO Alarm in public areas where there is a fossil fuel burning appliance but not in the same enclosed room.
4 REPAIR ELECTRICAL OUTLET (1001(e)HC	Ground floor common restroom: a) Properly reinstall or replace the ceiling light and provide a cover at the junction box. b) Reattach the ceiling exhaust fan cover.
5 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE 1001(b)(d)(13) HC	Ground floor common shower: a) Reattach the ceiling exhaust fan cover. b) Repair the damaged wall at the shower opening. c) Repair and repaint the damaged ceiling and wall where damaged.
6 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE 1001(b)(d)(13) HC	Repair the damaged floor covering at the hallway to the exit stairway to the street on the east side.
7 PROVIDE HEAT (701(c)(1) 1001(b)(6)(d) HC	Inspect electric wall heaters at all unit locations. Repair or replace as required and provide proper operation.



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## NOTICE OF VIOLATION

- 8 DAMAGED PAINT (1301)SFHC  
WORK PRACTICE FOR LEAD-BASED PAINT (327)CEBC
- 9 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE  
1001(b)(d)(13) HC
- 10 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE  
1001(b)(d)(13) HC
- 11 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE  
1001(b)(d)(13) HC
- 12 STRUCTURAL HAZARD 1001.(b)(13)(c)(d)HC  
WORK WITHOUT PERMIT (106A, 108A SFBC)  
BUILDING PERMIT REQUIRED (301 HC)
- 13 GENERAL DILAPIDATION OR IMPROPER MAINTENANCE  
1001(b)(d)(13) HC
- 14 HAZARDOUS WIRING (1001 (d)(e.1.) HC  
REMOVE CORD WIRING (1001(e)HC

## COMPLAINT: 202013381

REMOVE OR COVER DAMAGED PAINT IN AN APPROVED MANNER TO PREVENT A LEAD HAZARD. SEE ATTACHED LEAD HAZARD WARNING.

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Unit #4:

Repair damaged ceilings and walls;

a) at the bathroom.

b) at the kitchen behind the sink.

Unit #4:

Repair damaged floor at the bathroom door threshold. Provide a sanitary finish at all edges.

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Units #1 and 6: At the rear of the building at the top floor there are shed roofs covering an exterior deck. The frame appears undersized and there is insufficient mechanical connections. Acquire a building permit and remove or provide the required work to have an approved covering over the decks.

Unit #7: repair or replace the damaged acoustic ceiling panels.

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It is the property owner's responsibility to be present or to direct his/her representative to attend the reinspections scheduled on this Notice of Violation, for the purpose of providing entry to the inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this notice.

If the property owner cannot attend the scheduled reinspection (as specified on this notice) it is his/her responsibility to secure a different inspection date and time with the inspector, and provide all tenants with notification as required by CALIFORNIA CIVIL CODE SECTION 1954. SAN FRANCISCO HOUSING CODE SECTION 303.(b), If any dwelling, apartment units or guest rooms are to be accessed during the reinspection.

**ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. REINSPECTION DATE : 28 February 2020 02:30 PM**

**IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.**

**CONTACT HOUSING INSPECTOR : Anthony Lepe AT 628-652-3377**

**FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A \$170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8**



## DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division

City and County of San Francisco

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### NOTICE OF VIOLATION WARNINGS!

TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:

**COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED:** The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are **required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.**

**COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER:** Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

**Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of \$52.00, and (2) an hourly rate of \$104.00 for case management/administration, and \$170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code.** The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

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**PERMIT REQUIREMENTS:** Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 49 South Van Ness Av. 2<sup>nd</sup> Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the **Board of Permit Appeals within 15 days of permit issuance at 49 South Van Ness Av. 14<sup>th</sup> Fl. Suite 1475 at (628) 652-1150.**

**NOTIFICATION TO BUILDING TENANTS:** Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation, the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

**PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT:** Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

**REINSPECTION FEES:** For every inspection, after the initial re-inspection, a \$170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

### **VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:**

Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed \$500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process, you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

# EXHIBIT 11





Date: January 24, 2020

**Naim & Sana M. Jamali 2013 REV**  
**Naim Jamali, TTEE**  
**441 Kings Road**  
**Brisbane, CA 94005**

Complaint#: 202012981  
Property Address: 333 Randolph Street  
Block: 7118 Lot: 049  
Inspector: Rose, Cheryl

## **ELECTRICAL CORRECTION NOTICE AND REPORT**

**DATE OF INSPECTION: 01/24/2020**

**The San Francisco Electrical Code (SFEC) violations contained herein are those that were observed at the time of inspection. If other such violations become evident as corrective work progresses, they also shall be corrected in accordance with the San Francisco Electrical Code.**


1. Access to many units was not available at the time of inspection. Further inspection may expose violations that will require correction, SFEC 89.124(B)
2. Replace the potentially hazardous zip cord and extension cord wiring in all units and common areas area with an electrical installation suitable for the conditions of use, SFEC Section 89.126
3. Replace the unapproved NMS Cable wiring in unit 22 and all other areas where it is installed with an electrical installation suitable for the conditions of use, SFEC Article 89.126
4. Replace the missing junction box cover/s in the common area, SFEC Section 314.25  
  
Restore the required access, clearances and /or working space around branch circuit distribution panelboards as applicable, SFEC Section 110.26
5. Provide/maintain as applicable, occupant access to the over-current protective devices, SFEC Section 230.72(C); 230.92; and 240.24
6. Identify each electrical service disconnecting means, meter socket and panelboard as applicable, with durable markings to indicate the areas and/or loads served, SFEC Section 110.22, 230.70 (B) and 408.4
7. Provide/maintain as applicable, occupant access to the over-current protective devices, SFEC Section 230.72(C); 230.92; and 240.24



8. Provide a suitable and accurate circuit directory on the face or inside of each panelboard door, SFEC Section 408.4
9. Remove the abandoned and/or unused wire mold and conductors in the units and areas where it occurs, SFEC Section 89.116
10. Replace the unapproved luminaire/s (light fixture) in the shower rooms with one suitable for the application, SFEC Section 410.10
11. Install ground-fault protection for the receptacle outlet/s within 6ft from the edge of a sink, SFEC Section 210.8
12. Repair or replace as applicable, the defective or deteriorated GFCI receptacle devices throughout the building, SFEC Section 89.116
13. Install a small appliance branch circuit/s for kitchen area receptacles, SFEC Section 210.52 (B) & 210.11(C)(1)

**Based on the above report, the violations contained herein shall be corrected by a California State licensed electrical contractor, subject to electrical permit and inspection requirements. NO ELECTRICAL WORK SHALL BE PERFORMED UNTIL A VALID ELECTRICAL PERMIT IS ISSUED.**

If you need additional information regarding this report, please telephone Senior Electrical Inspector Cheryl Rose at 415-558-6022. Office hours: 7:30 to 8:30 AM and 3:15 to 4:00 PM.

  
Cheryl Rose, Senior Electrical Inspector

CR:grs



# NOTICE OF VIOLATION

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

**DEPARTMENT OF BUILDING INSPECTION**  
City and County of San Francisco  
1660 Mission St. San Francisco, CA 94103

NOTICE: 1

NUMBER: 202012981

DATE: 05-FEB-20

ADDRESS: 333 RANDOLPH ST

OCCUPANCY/USE: ()

BLOCK: 7118 LOT: 049

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: NAIM & SANA M JAMALI 2013 REV  
MAILING ADDRESS: NAIM & SANA M JAMALI 2013 R  
ADDRESS: NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA 94005

PHONE #: --

PERSON CONTACTED @ SITE: NAIM & SANA M JAMALI 2013 REV

PHONE #: --

## VIOLATION DESCRIPTION:

	CODE/SECTION#
<input checked="" 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 type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

Unpermitted and non-compliant electrical installations observed. Excessive use of extension cords observed. Possible overloading of circuits.

Code Sec: SFEC 89.116, 89.120

Monthly Monitoring Fee applies

## CORRECTIVE ACTION:

- STOP ALL WORK SFBC 104.2.4 415-558-6445
- FILE BUILDING PERMIT WITHIN DAYS     (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 10 DAYS AND COMPLETE ALL WORK WITHIN 30 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- 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.

Have a licensed California state electrical contractor (C-10) apply for an electrical permit.

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: Michael Choy  
PHONE # 415-558-6445

DIVISION: EID

DISTRICT : 3

By: (Inspectors's Signature)

*Michael Choy*    *ck*



# NOTICE OF VIOLATION

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

Pursuant to SFBC 304(e) and 332.3 investigation fees are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 875 Stevenson St., 4th floor. 554-6720

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid. SFBC 203(b) & 332.3

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(c) of the Revenue and Taxation Code.

**WARNING:** Section 205(a) of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 304(e) y 332.3 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el límite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince días de haberse obtenido el permiso. Las apelaciones se hacen en el 875 de la calle Stevenson, cuarto piso, teléfono 554-6720.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobraran al dueño del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 203(b) y 332.3 de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de inconformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios ó 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o está diligentemente, rápidamente y conjuntamente acusado después de seis (6) meses de la fecha de este aviso, se le enviará una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 205(a) de el Código de Edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omita, descuide, rehúsa cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas por delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurra.

根據《三藩市建築法規》(簡稱 SFBC) 第 304(e) 項和第 332.3 項條款的規定，對沒有許可證便已開始的工程和或正在進行的工程、或者超越許可範圍的工程，將收取調查費。當事人可以在許可證發出日起 15 天之內，調查費可以向許可上訴委員會提出上訴。該委員會地址在 Stevenson 街 875 號 4 樓，電話：554-6720。

警告：任何人通過出租房屋獲得收入，而該房屋已被建築審查員判定為低於規定標準者，不能從加州個人所得稅、銀行和公司所得稅利息、以及與該低於規定標準的建築有關的折舊或稅款中扣除稅費。如果在此通告公布六個月後，改正工程沒有完成，或者沒有改善、迅速有效地區區進行，我們將根據《國家稅收法規》(即 Revenue & Taxation Code) 第 1264(c) 項條款，通知加州稅務委員會 (The Franchise Tax Board)。

警告：如不按照要求立即採取行動，以糾正上述違章行為，將導致建築檢查局付諸強制糾正程序的執行。請對此房地產項目的強制糾正程序令一經在市府備案，則自違章通知張貼日起的各項與此糾正程序有關的費用，將向房地產主索取，或將房地產扣押，直至付清各項費用。請參閱《三藩市建築法規》第 203 (b) 項和第 332.3 項條款。

警告：《三藩市建築法規》第 205(a) 項條款規定：對於任何違反、不遵從、疏忽、忽視、或拒絕遵照此法規者，或者抵制、反對實施此法規中的任何條款的個人，將付最高 500 元的民事罰款。此法規還規定對違法者，如果違章定罪，對每天所發生的、每一單項的違法行為，將付不超過 500 元的罰款，和/或者監禁六個月。

警告：《三藩市房屋法規》(即 SFHC) 第 304(b) 項條款規定：對每一違章初犯者立即將被罰款 100 元，二次違章者罰款 200 元，每種違章的最高罰款可達 7,500 元。此項法規還規定對每一違章初犯者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。

# EXHIBIT 12



**ORDER OF ABATEMENT**

April 21, 2021

**Owner:**

**NAIM & SANA M JAMALI 2013 R  
NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA 94005**

**Property Address: 333 RANDOLPH ST,**

**Block: 7118                      Lot: 049                      Seq: 00  
Tract:                              Case: BW1  
Complaint: 202012981**

**Inspector: Hernandez**

ORDER OF ABATEMENT UNDER SAN FRANCISCO BUILDING CODE SECTION 102A.6 & 102A.7 ORDER NO. **202012981A**  
HEARING OF THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION AGAINST THE  
PROPERTY AT THE LOCATION SHOWN ABOVE WAS HELD ON **April 13, 2021** IN ACCORDANCE WITH THE SAN  
FRANCISCO BUILDING CODE SECTION 102A.5. THE HEARING WAS CONDUCTED BY A REPRESENTATIVE OF THE  
DIRECTOR. **THE OWNER WAS NOT 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:**

All permit to comply with this NOV must be completed within 30 days and pay all CES fees

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 105A.3 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO DISABLED ACCESS MAY BE APPEALED TO THE ACCESS APPEALS COMMISSION. PURSUANT TO SECTION 105A.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 49 South Van Ness Ave, Suite 400, San Francisco, CA 94103, Tel: (628) 652-3517, (628) 652-3430, 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:**

Mauricio E. Hernandez  
Chief Building Inspector  
Phone No. (628) 652-3400  
Fax No. (628) 652-3409

**APPROVED BY:**

Patrick O'Riordan, Interim Director  
Department of Building Inspection  
Fax No. (628) 652-3463

# EXHIBIT 13



**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  
49 South Van Ness Avenue San Francisco, CA 94103

NUMBER: 202061721  
DATE: 23-OCT-20

ADDRESS: 333 RANDOLPH ST

OCCUPANCY/USE: ()

BLOCK: 7118 LOT: 049

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: NAIM & SANA M JAMALI 2013 REV  
MAILING NAIM & SANA M JAMALI 2013 R  
ADDRESS NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA 94005

PHONE #: --

PERSON CONTACTED @ SITE: NAIM & SANA M JAMALI 2013 REV

PHONE #: --

**VIOLATION DESCRIPTION:**

VIOLATION DESCRIPTION:	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	CPC 103.1
<input type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	

Complaint has been filed regarding the following plumbing violations observed during physical inspection by SFPID. Work without a plumbing permit for: Units on 1st floor: #9 - sink installed, #10 - sink installed, #7 - kitchen and bathroom remodeled, #16 - kitchen and bathroom remodeled/replaced, #14 - shower, wc and sink installed, commercial water heater installed in basement.  
Code/Section: SFCPC 2019 Chapters 1, 3, 5, 6, 7

Monthly monitoring fee applies.  
Code/Section: SFBC 110A, Table 1A-K

**CORRECTIVE ACTION:**

STOP ALL WORK SFBC 104.2.4

(628)652-3400

- FILE BUILDING PERMIT WITHIN DAYS  (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN 15 DAYS AND COMPLETE ALL WORK WITHIN 15 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.
- CORRECT VIOLATIONS WITHIN 30 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.

Hire state licensed contractor secure all required permits. Expose concealed piping if required. Schedule inspection with District Inspector.

**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: Daniel Ortega

PHONE # (628)652-3400

DIVISION: PID

DISTRICT :

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





# NOTICE OF VIOLATION

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

Pursuant to SFBC 107.5 and 106.4.7 Investigation fees are charged for work begun or performed without permits or for Work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14<sup>th</sup> Floor). (628) 652-1150

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid, SFBC 102.2 & 110.

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(6) of the Revenue and Taxation Code.

**WARNING:** Section 103 of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107.5 y 106.4.7 de el Código de Construcción de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14<sup>th</sup> Floor), telefono (628) 652-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendrá el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos estén pagados, se le cobrarán al dueño del edificio o la propiedad será embargada para recuperar dichos gastos. Referencia a la Sección 102.2 y 110 de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de inconformidad, aumentando hasta un máximo de \$7,500 por cada edificio. Esta Sección también permite obtener cargos criminales como delicto menor, resultando en multas de no menos de \$1,000 diarios ó 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o está diligentemente, rápidamente y continuamente acusado después de seis(c) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103 de el Código de Edificios de San Francisco impone multas civiles hasta de \$500 por cada día a cualquier persona que infrinja, desobedezca, omita, descuide, rehuse cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección también impone multas per delicto menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de las ofensas y por cada día que dicha ofensa ocurre.

根據《三藩市建築法規》(簡稱 SFBC) 第 107.5 項和第 106.4.7 項條款的規定，對沒有許可證或已開始的工程或正在進行的工程，或者無證許可證的工程，將收取調查費。當事人可以在許可證發出日起 15 天之內，向查詢或向內許可上訴委員會提出上訴。該委員會地址在 South Van Ness 街 49 號 14 樓。電話：(628) 652-1150。

警告：任何人通過出租房屋獲得收入，而該房屋已被建築審查局定為低於規定標準者，不能從加州個人所得稅、銀行和公司所得稅利息、以及與該住宅規定標準的建築有關的折舊或稅收中扣除稅款。如果在此廣告公布六個月後，改正工程沒有完成，或者沒有積極、迅速有效地繼續進行，我們將根據《國家稅收法規》(即 Revenue & Taxation Code) 第 1264 (c) 項條款，通知加州稅務委員會 (The Franchise Tax Board)。

警告：如不按照要求立即採取行動，以糾正上述違規行為，將導致國家檢查局付罰款到糾正程序的執行。倘對此房地產頒發的強制糾正程序令一經在市府備案，則自這通知張貼日期的各項與此糾正程序令有關的費用，將向房地產主索取，或將房地產扣押，直至付清各項費用。請參閱《三藩市建築法規》第 102.2 項和第 110 項條款。

警告：《三藩市建築法規》第 103 項條款規定：對於任何違反、不聽從、疏忽、忽視、或拒絕遵照此法規者，其者抵制、反對實施此法規中的任何條款的個人，將付最高 500 元的民事罰款。此法規還規定對違法者，如果被定罪，對每天所發生的、每一單獨的犯法行為，將付予高達 500 元的罰款，和/或者連續六個月。

警告：《三藩市房屋法規》(即 SFHC) 第 204(b) 項條款規定：對每一違章初犯者立即將被罰款 100 元，二次重犯者罰款 200 元，每種類字的最高罰款可達 7,500 元。此項法規還規定對每一違章初犯者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。



# NOTICE OF VIOLATION

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

## DEPARTMENT OF BUILDING INSPECTION

City and County of San Francisco  
49 South Van Ness Av Suite#400  
San Francisco, CA 94103

FIRST NOTICE

COMPLAINT NUMBER

SECOND NOTICE

OTHER:

202061721

ADDRESS 333 Randolph St

DATE 10/23/2020

OCCUPANCY/USE \_\_\_\_\_

BLOCK 7118 LOT 049

CONST. TYPE \_\_\_\_\_

STORIES \_\_\_\_\_  BASEMENT

\* 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: NAIM & SANA M JAMALI 2013 REV

PHONE#: \_\_\_\_\_

MAILING ADDRESS: 441 Kings Rd

CITY Brisbane

ZIP 94005

PERSON CONTACTED @ SITE \_\_\_\_\_

PHONE#: \_\_\_\_\_

## VIOLATION DESCRIPTION:

WORK WITHOUT PERMIT (SFBC 106.1.1);  ADDITIONAL WORK-PERMIT REQUIRED (SFBC 106.4.7);

EXPIRED PERMIT (SFBC 106A.4.4)  CANCELLED PERMIT (SFBC 106.3.7)

PA#: \_\_\_\_\_

UNSAFE BUILDING (SFBC 102);  SEE ATTACHMENTS

CODE / SECTION #

Complaint has been filed regarding the following plumbing violations observed during physical inspection by SFPID. Work without a Plumbing permit for: Units on 1<sup>st</sup> floor: #9-sink installed, #10-sink installed, #7-kitchen and bathroom remodeled, #16-kitchen and bathroom remodeled/replaced, #14-shower, wc, and sink installed, commercial water heater installed in basement.

CPC 2019 Chapters  
1, 3, 5, 6, 7

MONTHLY MONITORING FEE Section 110A TABLE 1A-k

BC - Building Code HC - Housing Code PC - Plumbing Code [EC - Electrical Code] MC - Mechanical Code

## CORRECTIVE ACTION:

### × STOP ALL WORK SFBC 104.2.4

FILE BUILDING PERMIT APPLICATION WITHIN \_\_\_\_\_ DAYS  WITH PLANS) A Copy of This Notice Must Accompany the Permit Application.

\* OBTAIN PERMIT WITHIN 15 DAYS AND COMPLETE ALL WORK WITHIN 15 DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.

\* CORRECTION VIOLATIONS WITHIN 30 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 PROCEEDING TO BEGIN. SEE REVERSE SIDE FOR ADDITIONAL WARNINGS.

Hire state licensed contractor. Have licensed contractor secure all required permits. Expose concealed piping if required. Schedule inspection with District Inspector.

INVESTIGATION FEE OR OTHER FEE WILL APPLY See reverse side for further explanation

9x Fee (Work w/o Permit after 9/1/60)

2x Fee (Work Exceeding Scope of Permit)

OTHER: \_\_\_\_\_  Re-inspection 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 Dan Ortega  
(Inspector - Print Name)

OFFICE HOURS 8:00 AM TO 9:00 AM AND 3:00 PM TO 4:00 PM

PHONE # (628) 652-3687

By: (Inspector's Signature) \_\_\_\_\_ DISTRICT # \_\_\_\_\_

CC:  DCP  EID  PID  BID  HIS  CED  CPC  DAD  SFFD  DPH  RPC

- Building Inspection Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3450
- Housing Inspection Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3700
- Electrical Inspection Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3450
- Plumbing Inspection Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3450
- Code Enforcement Division  
49 S. Van Ness Av, Suite# 400 (628) 652-3430



# NOTICE OF VIOLATION

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

Pursuant to SFBC 107.5 and 106.4.7 investigation fees are charged for work begun or performed without permits or for Work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 49 South Van Ness Ave., Suite 1475 (14<sup>th</sup> Floor). (628) 652-1150

**WARNING:** Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. **If an Order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" until all costs are paid, SFBC 102.2 & 110.**

**WARNING:** Section 204 of the San Francisco Housing Code provides for immediate fines of \$100 for each instance of initial non-compliance, followed by \$200 fines per violation for the second instance of non-compliance, up to a maximum of \$7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than \$1,000 per day or six months' imprisonment or both.

**WARNING:** Anyone who derives rental income from housing determined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandard structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six (6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(6) of the Revenue and Taxation Code.

**WARNING:** Section 103 of the San Francisco Building Code provides for civil fines of up to \$500 per day for any person who violates, disobeys, omits, neglects or refuses to comply with or opposes the execution of any provisions of this code. This section also provides for misdemeanor fines, if convicted, of up to \$500 and/or imprisonment up to six months for each separate offense for every day such offense occurs.

De acuerdo a las Secciones 107.5 y 106.4.7 de el Código de Construcción, de Edificios de San Francisco, gastos de investigación serán cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Peimisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 49 South Van Ness Ave., Suite 1475 (14<sup>th</sup> Floor), telefono (628) 652-1150.

**ADVERTENCIA:** Si no cumple con las acciones inmediatas requeridas para corregir las infracciones, el Departamento de Inspección de Edificios tendra el derecho de iniciar el proceso de mitigación. Si una Orden de Mitigación es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicación del código, desde la primera puesta del Aviso de Infracción hasta que todos los gastos esten pagados, se le cobraran al dueno del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Sección 102.2 y 110 de el Código de Construcción de Edificios.

**ADVERTENCIA:** La Sección 204 de el Código de Vivienda de San Francisco permite que se multe inmediatamente \$100 por cada primer caso de inconformidad, seguida por una multa de \$200 por cada segunda infracción de incanformidad, aumentando hasta un maximo de \$7,500 por cada edificio. Esta Sección tambien permite obtener cargos criminales como delito menor, resultando en multas de no menos de \$1,000 diarios ó 6 meses de encarcelamiento o ambas sanciones.

**ADVERTENCIA:** Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspección de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciación o taxes atribuidos sobre dicha estructura. Si el trabajo de reparación no se termina o esta diligentemente, rapidamente y contua.mente acusado despues de seis(c) meses de la fecha de este aviso, se le enviara una notificación a la Junta de Concesión de Impuestos (Franchise Tax Board) de acuerdo a la Sección 1264(c) del Código de Ingresos e Impuestos (Revenue and Taxation Code).

**ADVERTENCIA:** La Sección 103 de el Código de Edicios de San Francisco impone multas civiles hasta de \$500 porcada dia a cualquier persona que infrinja, desobedezca, omite, descuide, rehusa cumplir, resiste o se opone a la ejecución de las provisiones de este código. Esta sección tambien impone multas per delito menor, si es declarado culpable, de hasta \$500 o encarcelamiento de hasta 6 meses, o ambas sanciones, por cada una de Jas ofensas y por cada dfa que dicha ofensa ocurre.

# EXHIBIT 14



**ORDER OF ABATEMENT**

April 21, 2021

**Owner:**

**NAIM & SANA M JAMALI 2013 R  
NAIM JAMALI, TTEE  
441 KINGS RD  
BRISBANE CA 94005**

**Property Address: 333 RANDOLPH ST,**

**Block: 7118                      Lot: 049                      Seq: 00  
Tract:                              Case: BW2  
Complaint: 202061721**

**Inspector: Hernandez**

ORDER OF ABATEMENT UNDER SAN FRANCISCO BUILDING CODE SECTION 102A.6 & 102A.7 ORDER NO. **202061721A**  
HEARING OF THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION AGAINST THE  
PROPERTY AT THE LOCATION SHOWN ABOVE WAS HELD ON **April 13, 2021** IN ACCORDANCE WITH THE SAN  
FRANCISCO BUILDING CODE SECTION 102A.5. THE HEARING WAS CONDUCTED BY A REPRESENTATIVE OF THE  
DIRECTOR. **THE OWNER WAS NOT 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:**

All permits to comply with this NOV to be completed within 30 days and pay all CES fees

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 105A.3 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO DISABLED ACCESS MAY BE APPEALED TO THE ACCESS APPEALS COMMISSION. PURSUANT TO SECTION 105A.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 49 South Van Ness Ave, Suite 400, San Francisco, CA 94103, Tel: (628) 652-3517, (628) 652-3430, 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:**

Mauricio E. Hernandez  
Chief Building Inspector  
Phone No. (628) 652-3400  
Fax No. (628) 652-3409

**APPROVED BY:**

Patrick O'Riordan, Interim Director  
Department of Building Inspection  
Fax No. (628) 652-3463