

***Regular Meeting of the
Abatement Appeals Board***

February 18, 2026

Agenda Item D2

Appellant Statement

Abatement Appeals Board
City and County of San Francisco
49 South Van Ness Avenue,
San Francisco, CA 94103

January 28, 2026

Re: 242 Moscow Street -AAB Appeal No. 6967

Dear Board of Appeal,

We would like to appeal the notice of abatement for the above property due to the lack of access to perform the required work/ denial by the tenant and his counsel to let us enter and do the required work under Permit #202307172350.

On 7/10/2023, the NOV was issued for the above property. On 7/18/2023, we got a permit to cure this NOV. Because there was a pending eviction, the tenant was not cooperating and we could not do any work. On May 6, 2025, a director's hearing was held at DBI in which a 60 day advisement was given to perform the work. On May 18, 2025, we receive a letter and email from the tenant's lawyer stating we cannot come in to do any work.

Due to the pending litigation with the tenant, we cannot have access to do any work at the premises. Therefore, I ask the board for their understanding and wait for the litigation to come to a resolution so we can do the work. We ask that we are not penalized and the fees be waived as the situation is not under our control at this time.

Thank you for your consideration.



Lan Le
As agent for Peng Zeng Lie
1859 Powell Street, # 157
San Francisco, CA 94133
Tel: (415) 595 8359
Email: LanLe@yahoo.com

Exhibit A, B, C Attached

Exhibit # A

Permit Details Report**Report Date:** 1/28/2026 4:04:29 PM

Application Number: 202307172350

Form Number: 8

Address(es): 6005 / 002D / 0 242 MOSCOW ST

Description: TO COMPLY W/BID NOV#202310230 DATED 7/10/2023, REPLACE FRONT FACADE (3)WINDOWS IN-KIND, REMOVE AS-BUILT AWNING, WINDOW, VENT & TRASH ENCLOSURE, REPLACE HANDRAIL @ STAIRS, RESTORE GARAGE DOOR TO ORIGINAL CONFIGURATION. NO STRUCTURAL ALTERATIONS

Cost: \$8,000.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
7/17/2023	TRIAGE	
7/17/2023	FILING	
7/17/2023	FILED	
7/18/2023	APPROVED	
7/18/2023	ISSUED	

Contact Details:**Contractor Details:**

License Number: OWNER

Name: OWNER

Company Name: OWNER

Address: OWNER * OWNER CA 00000-0000

Phone:

Addenda Details:**Description:**

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
INTAKE		7/17/23	7/17/23			7/17/23	PASION MAY		
CP-ZOC		7/17/23	7/17/23			7/17/23	ENCHILL CHARLES		7/17/2023: Comply w/ Notice of Violation#202310230 to replace 3 vinyl sliders with aluminum clad wood sliders with simulated divided lite w/ dark spacer, remove entry awning, remove frosted glass near entry, restore garage door and legalize railing. Charles.Enchill@sfgov.org
BLDG		7/17/23	7/17/23			7/17/23	MCELROY CAREY		APPROVED OTC
BID- INSP		7/17/23	7/17/23			7/17/23	MARTIN DAMIEN		OK TO PROCESS, PENALTY APPLIED
CPB		7/18/23	7/18/23			7/18/23	JINGJING LU		

This permit has been issued. For information pertaining to this permit, please call 628-652-3450.

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 628-652-3400 between 8:30 am and 3:00 pm.

Station Code Descriptions and Phone Numbers

Exhibit # B

COMPLAINT DATA SHEET**Complaint Number:** 202310230**Owner/Agent:** OWNER DATA
SUPPRESSED**Owner's Phone:****Contact Name:****Contact Phone:****Complainant:** COMPLAINANT DATA
SUPPRESSED**Date Filed:****Location:** 242 MOSCOW ST**Block:** 6005**Lot:** 002D**Site:****Rating:****Occupancy Code:****Received By:** Eduardo Menendez Herrera**Division:** BID**Complainant's****Phone:****Complaint****Source:****Assigned to****Division:**

TELEPHONE

CES

Description:

They are doing exterior work and as well they are adding a room in the garage. They removed the garage door and added a door. They have done stucco work and as well replaced windows. They have done a full remodeling inside. A lot of debri was left outside. They have no permits to do any of the work.

Instructions:**INSPECTOR CURRENTLY ASSIGNED**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
CES	HELMINTAK	6354		

REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
11/5/2024	Suzanna Wong	CES	Per Michael Chan

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIV
07/03/23	CASE OPENED	Chan	CASE RECEIVED		Eduardo Menendez Herrera 03-JUL-23	BID
07/05/23	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	case reviewed, to be assigned to complaint investigation team. CM/tt	Thu Ha Thi Truong 05-JUL-23	INS
07/06/23	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	left message with contact . CF		BID
07/07/23	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Left WYWO hanger. CF		BID
07/10/23	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	generated NOV CF		BID
07/10/23	OTHER BLDG/HOUSING VIOLATION	Francis	FIRST NOV SENT	1st NOV by CF:jy	Julie Yu 11-JUL-23	INS
07/11/23	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	1st NOV mailed:jy	Julie Yu 11-JUL-23	INS
07/12/23	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Posted NOV. CF		BID
09/06/23	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	assign to district inspector. Pa 202307172350 CF		BID
09/06/23	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	assign to district inspector. Pa 202307172350 CF		BID
01/22/24	OTHER BLDG/HOUSING VIOLATION	Chan	CASE CONTINUED	permit active for the NOV.	Michael (Yuet) Chan 22-JAN-24	BID
11/05/24	OTHER BLDG/HOUSING VIOLATION	Chan	FINAL WARNING LETTER ISSUED	PA 202307172350 was issued on 07/18/2023, no inspection history	Paul Matthews 05-NOV-24	BID
11/05/24	GENERAL MAINTENANCE	Matthews	REFERRED TO OTHER DIV	transfer to div CES	Suzanna Wong 05-NOV-24	BID

11/05/24	OTHER BLDG/HOUSING VIOLATION	Matthews	CASE UPDATE	Final warning letter mailed and referred to CES per MC; slw	Suzanna Wong 05-NOV-24	BID
11/08/24	OTHER BLDG/HOUSING VIOLATION	Ng	CASE UPDATE	Case received in CES - sj	Susan Jew 08-NOV-24	CES
04/09/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	PERMIT RESEARCH	PA 202307172350 to comply with NOV was issued on 07/18/2023 with no inspection history and expires on 07/07/2025. drh	Daniel Helminiak 09-APR-25	CES
04/09/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	REFER TO DIRECTOR'S HEARING	Refer to DH on 05/06/2025. drh	Daniel Helminiak 09-APR-25	CES
04/17/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	DH package prepared-tm	Thomas Moyer 17-APR-25	CES
04/18/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	DIRECTOR HEARING NOTICE POSTED	Posted DH notice photos taken. drh	Daniel Helminiak 18-APR-25	CES
04/18/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	Cert Mailed DHN to owners on file-tm	Thomas Moyer 18-APR-25	CES
05/01/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	Updated case file. drh	Daniel Helminiak 01-MAY-25	CES
05/06/25	OTHER BLDG/HOUSING VIOLATION	Lam	DIRECTOR'S HEARING DECISION	60-Day Advisement per HO (K.G.). owner/rep was present.	Gilbert Lam 07-MAY-25	CES
07/08/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	PERMIT RESEARCH	No final inspection. drh	Daniel Helminiak 08-JUL-25	CES
07/08/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	ORDER OF ABATEMENT ISSUED	Issued OOA per hearing officer decision 05/06/2025. Inspector assessment costs including 23 months of monitoring fees have been completed. drh	Daniel Helminiak 08-JUL-25	CES
07/17/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	Created Order of Abatement (OOA) package-tm	Thomas Moyer 17-JUL-25	CES
07/23/25	OTHER BLDG/HOUSING VIOLATION	Pena	ORDER OF ABATEMENT POSTED	OOA notice posted and photos taken. J. Peña	Joe Pena 23-JUL-25	CES
07/25/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	Mailed OOA notice to owners on file-Certified and regular mail-tm	Thomas Moyer 25-JUL-25	CES
07/31/25	OTHER BLDG/HOUSING VIOLATION	Hernandez	CASE UPDATE	Spoke to owner/ property representative regarding violation and abatement appeals process. Advised that last day of appeal would be August 8th. MH	Mauricio Hernandez 31-JUL-25	CES
08/01/25	OTHER BLDG/HOUSING VIOLATION	Hernandez	CASE UPDATE	AAB application reviewed and approved to process/ MH	Mauricio Hernandez 01-AUG-25	CES
08/01/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	Processed AAB application & payment. -mr	Melissa Reyes 01-AUG-25	CES
08/29/25	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	Reviewed for lien cycle. drh	Daniel Helminiak 29-AUG-25	CES
01/09/26	OTHER BLDG/HOUSING VIOLATION	Lam	CASE UPDATE	Case OK to schedule for AAB. -GL	Gilbert Lam 09-JAN-26	CES
01/12/26	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	AAB notice posted photos taken. drh	Daniel Helminiak 12-JAN-26	CES
01/13/26	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	Cert mail/mail AAB NOH to owner on file-hb	Heather Brooks 13-JAN-26	CES
01/13/26	OTHER BLDG/HOUSING VIOLATION	Helminiak	CASE UPDATE	Emailed appellant to inform them that Abatement Appeals Board Hearing in which their appeal will be heard is scheduled for 2/18/2026. Attached notice of hearing in email. - CR	Charles Robinson 13-JAN-26	CES

COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

7/10/2023

Inspector Contact Information

Exhibit # C

Re: 242 Moscow ave, Lower unit Notice to enter

From: Abel Mouton (amouton@laesf.org)
To: lanple@yahoo.com; gina88168@gmail.com
Cc: cmosbrucker@laesf.org; cfrank@laesf.org
Date: Sunday, May 18, 2025 at 08:37 PM PDT

Hello Lan:

Please see attached letter regarding your improper notice of entry for construction work, served this morning for tomorrow. The upshot is that neither you, your clients, nor any contractors or workers shall be admitted at 242 Moscow tomorrow morning,

A

From: Lan Le <lanple@yahoo.com>
Sent: Sunday, May 18, 2025 9:00 AM
To: Miaoqin Xu <gina88168@gmail.com>
Cc: Abel Mouton <amouton@laesf.org>
Subject: 242 Moscow ave, Lower unit Notice to enter

Good morning,

Please see the attached.

Thank you,

Lan Le

 2025.05.18.Tan.Ltr LL Improper Notice of Construction.pdf
379.5 kB



LEGAL ASSISTANCE TO THE ELDERLY

May 18, 2025

Lan Le
1859 Powell Street #157
San Francisco, California 94133
lanple@yahoo.com

**Re: Bai Tian Tan & Miaoqin Xu Family Residence
242 Moscow Street, San Francisco, CA 94112**

Dear Ms. Le:

I am in receipt of your notice of construction. Please be advised that I have instructed my clients not to allow the entry until certain conditions are met as the notice does not comply with the requirements of Civil Code §1954. If you or your agents attempt to enter tomorrow morning, you/they will be treated as trespassers.

In order to resolve this, please provide a description of all of the work to be done including any plans, drawings and contracts for the work to the garage door. Given all of the shoddy, non-code compliant work that has been previously done at the property, please also provide the name, contact information and contractor's license number of the person(s) or company who will be doing the work. We need enough detail to be able to determine that the work can be safely done with the Tan family in residence, especially since the garage door as it is currently configured constitutes the front wall of their living room.

Once it is determined that the proposed work is necessary and can be done safely, you will need to provide more than 24-hours written notice. Such short notice is not reasonable under the circumstances. You are basically asking my clients to empty the living room of all of their furnishings and possessions.

Giving notice of entry on a Sunday morning for entry on Monday morning given the amount of work you are asking the Tan's to do is the type of harassment that Civil Code §1954(c) prohibits. The notice of entry you provided this morning is clearly unreasonable solely on this basis. Your description of the work to be done also needs to clearly justify why the Tan family's belongings need to be moved 10 feet from the front door.

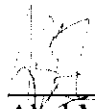
Additionally, the Tan family will not be putting the garbage cans in the backyard. It is unreasonable to ask them to move the garbage cans through their living room and kitchen into the back yard. You will need to come up with a workable solution other than that to cure the Notice of Violation.

Tan Improper Notice Letter
May 18, 2025
Page 2 of 2

Please note this letter in no way waives any rights Mr. Tan and Ms. Xu have to have a safe, habitable home.

The Department of Building Inspection on May 6, 2025, gave you and the owners 60 days to cure the Notice of Violation issued in 2023. The work you described in the permit will not cure the Notice of Violation as it does not cure the illegality of the unit which the owners have been renting to the Tan family. An over-the-counter permit to do work on the garage door will not legalize the rental unit. For that you need plans, architectural drawings and multiple permits. I would suggest that you contact a lawyer before you take any further steps.

Sincerely,



Abel Mouton
Staff Attorney
Legal Assistance to the Elderly