

***Regular Meeting of the Building
Inspection Commission***

March 18, 2026

Agenda Item 8



BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection

49 South Van Ness Avenue, 5th Floor San Francisco, California 94103

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DRAFT

Daniel Lurie
Mayor

Appeal re 146 Vernon St. (Karen Kwan, Appellant)

NOTICE OF DECISION AND FINDINGS

COMMISSION

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Alexander-Tut
President

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Vice-President

Dan Calamuci
Judy Lee
Lindsey Maclise
Bianca Neumann
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Sonya Harris
Secretary

Patrick O'Riordan,
C.B.O., Director

I. Background

This matter concerns Emergency Order No. 111234-E ("Order"), which was issued by Department of Building Inspection (DBI) Director Patrick O'Riordan on June 24, 2025, pursuant to San Francisco Building Code (SFBC) section 102A.16.

The Order declared that 146 Vernon Street (the "Property") constituted an imminent and substantial hazard to the life, health and/or safety of the public due to at least a dozen conditions that had collectively been documented in three prior Notices of Violation.

The Order stated that these conditions must be abated within 72 hours and, if they were not, required the property owner (Appellant Karen Kwan) to vacate the building. The Order imposed other corrective action obligations on Appellant.

Appellant was notified of the Order and corrective action requirements from June 25 through 27, 2025. On July 2, 2025, Appellant submitted a notice of appeal pursuant to San Francisco Administrative Code Section 77.5, seeking review of DBI's issuance of the Order.

After a series of continuances, the Building Inspection Commission (BIC) held an initial hearing on the matter on January 21, 2026. At the hearing, the Appellant requested another continuance, which was granted. Appellant subsequently filed a pre-hearing statement on February 4, 2026, and DBI filed its pre-hearing statement on February 6, 2026.

The BIC held a further hearing on the matter on February 18, 2026. At that hearing, the BIC heard additional argument from the parties and reviewed the evidence presented. The BIC then deliberated on the appeal. By a unanimous vote, the BIC modified the Order. The BIC now issues the following Findings in support of its decision in accordance with San Francisco Administrative Code Section 77.5(e).

II. Jurisdiction

Section 77.3 of the Administrative Code enumerates the types of appeals that the BIC may hear, providing in pertinent part:

The Commission may hear and decide appeals for the following matters:

(a) Decisions or determinations regarding applications for permits under the San Francisco Building, Electrical, Housing, Mechanical, and Plumbing Codes, excluding decisions appealable to the Access Appeals Commission or Board of Appeals.

(b) Decisions or determinations made by the Department of Building Inspection in the enforcement of the Codes enumerated in subsection (a) above and the other laws that it enforces.

Here, the Director issued the Order. Because the Director is acting to enforce the Building Code and/or other laws DBI is responsible for enforcing, jurisdiction exists under § 77.3(b).

III. FINDINGS

Based on the argument presented and the record evidence, the BIC finds as follows.

1. On May 14, 2025, DBI opened complaint number 202537632 in connection with alleged plumbing and unsafe conditions on the Property.
2. On June 9, 2025, DBI opened complaints number 202538677 and 202532715 in connection with the Property following a referral after a Task Force inspection.
3. DBI conducted multiple inspections of the Property between May 2025 and June 2025 in response to the above complaints and Task Force referrals alleging hazardous and unsanitary conditions at the Property.
4. On June 10, 2025, DBI conducted an inspection of the Property pursuant to a valid inspection warrant and documented certain hazardous structural and life safety conditions.
5. During the above inspections, DBI inspectors observed and documented extensive structural deterioration and unsafe building conditions.
6. On June 10, 2025, DBI issued a Notice of Violation in connection with complaint number 202532715 documenting unsafe building conditions which DBI staff had observed, including excess combustible storage, egress obstructions, unsanitary conditions, and lack of smoke detectors, carbon monoxide alarms, water service and heating. This Notice of Violations was subsequently posted on June 13, 2025, and was mailed to Appellant on June 12, 2025 pursuant to SFBC 102A.4.
7. On June 11, 2025, DBI issued a Notice of Violation in connection with complaint number 202538677 documenting multiple unsafe building conditions which DBI staff had observed, including collapsed ceiling plaster, falling sheet rock, and decay of floor display. This Notice of Violations was subsequently posted on June 13, 2025, and was mailed to Appellant on June 18, 2025 pursuant to SFBC 102A.4.
8. On June 13, 2025, DBI issued a Notice of Violation in connection with complaint number 202537632 documenting plumbing conditions which DBI staff had observed, including plugged or damaged roof drainage causing property damage. This Notice of Violations was subsequently posted on June 13, 2025, and was mailed to Appellant on June 13, 2025 pursuant to SFBC 102A.4.

9. DBI Director Patrick O’Riordan issued the Order on June 24, 2025, based on the hazardous conditions set forth in the above-mentioned Notices of Violation, and was served on Appellant pursuant to SFBC 102A.4 and 102A.16.
10. The Order indicates that the Property constitutes an imminent and substantial hazard to the life, health and/or safety of the public based on the following observed hazardous conditions: collapsed interior ceiling plaster in multiple rooms, failing sheetrock exposing framing, visible floor decay and instability, unsecured building accessible to unauthorized entry, lack of maintenance of sanitation and cooking facilities, hazardous access conditions for residences and emergency personnel, damaged roof drainage system causing property damage, excessive combustible storage creating a life safety hazard, obstructed egress paths, unsanitary accumulation of trash, rodent harborages, and lack of smoke detectors, carbon monoxide alarms, water service and heating
11. The above conditions constitute violations of applicable San Francisco Codes, including BC section 420.4.2; Housing Code sections 701, 801, 908, 911, 1001, 1306, and 1307; and Plumbing Code Chapters 1, 3, 4, and 11.
12. At the hearing, and in support of its decision, DBI asserted that conditions at the Property continue to constitute a serious and immediate hazard, and that the Order was based on documented structural deterioration, unsafe conditions, and life safety hazards directly observed by DBI inspectors.
13. DBI also asserted that these conditions posed risks to occupants, neighboring properties, and emergency responders, and that the Property has been secured and boarded up by DBI.
14. At the hearing, Appellant attested to being elderly, disabled, and low-income, and to the financial hardship she could experience in connection with bringing the Property into compliance with all applicable City codes.
15. Appellant also attested to intending to try to find lower-cost options for performing repairs on the Property and bringing it into compliance with all applicable City codes.
16. DBI did not make an error or abuse its discretion under SFBC 102A.16 in finding that the Property contains serious structural deterioration, unsafe conditions, and life safety hazards,
17. However, DBI did abuse its discretion in not providing more time for the Appellant to complete repairs on the Property and bring it into compliance with the applicable City codes is in conformance with the intent and purpose of such codes.
18. Modifying the Order to grant an extension of time for the Appellant to complete repairs on the Property and bring it into compliance with the applicable City codes is in conformance with the intent and purpose of such codes.

IV. CONCLUSION

Based on the findings set forth above, by a vote of 5 to 0 (ayes: Calamuci, Lee, Maclise, Neumann, Williams) the BIC **MODIFIES** the Order to hold in suspension any further expenditures of repair by DBI on the Property provided that: (1) the required permit(s) is issued to a licensed contractor within 45 days of the February 18, 2026 hearing on this matter to abate the issues identified in the Order; and (2) all work under the required permit is completed within six months of the February 18, 2026 hearing on this matter, with the DBI able to extend such six-month deadline by up to three months at the recommendation of the DBI Director. Such suspension shall be lifted upon Appellant's failure to meet either or both of the above conditions.

By a vote of _ to _, the BIC adopted the foregoing findings on March 18, 2026.

Alysabeth Alexander-Tut, President
Building Inspection Commission

Sonya Harris, Secretary
Building Inspection Commission

cc: Karen Kwan, Appellant
Patrick O'Riordan, Director, Department of Building Inspection