Regular Meeting of the Abatement Appeals Board

November 18, 2026

Agenda Item C1

Staff Report

ABATEMENT APPEALS BOARD
City & County of San Francisco
49 South Van Ness Avenue, San Francisco, California 94103-1226

CODE ENFORCEMENT SECTION
ABATEMENT APPEALS BOARD
STAFF REPORT

Appeal No. 6981
Date of Abatement Appeals Board Hearing: 11/18/2026
Property Address: 237 Ordway St
Block: 6170 Lot: 047

Complaint Number: 202544161

PROPERTY OWNER INFORMATION

Property Owner and Appellant: Aidan Anthony O'Rourke

Building/Property Description: Vacant lot with prior excavation and construction activity.

Legal Use/Occupancy: Vacant lot as described in the October 3, 2025 NOV.

Case Summary:

The October 3, 2025 amended NOV cites two violations at 237 Ordway, Block 6170, Lot 047.

Unsafe condition (SFBC § 102A). The NOV states that a May 22, 2025 inspection found soil had moved downslope and pushed concrete K-rails into the public way, blocking the sidewalk. It also states that runoff controls were absent at the time of inspection and cites Appendix J § J109.4. The NOV attributes earth movement at 1021, 1015, and 1009 Goettingen Street to west-side excavation. The appellant disputes that attribution.

Expired permits (SFBC § 106A.4.4). The three permits cited in the 237 Ordway NOV (201605258270, 201905281793, and 202012161091) were marked expired on May 28, 2025. The separate rear retaining-wall revision, 202109108138, references 201605258270 and remains listed as issued in PTS, with no inspections shown. See Exhibit 5. On January 13, 2026, the inspector found no permit to comply with the NOV.

Required corrections. The NOV directs the owner to consult a shoring engineer, establish horizontal and vertical movement monitoring, stop excavation during the rainy season, and report any movement to DBI immediately. It also directs the owner to submit a geotechnical hillside stability report, clear soil and debris from the public way and return the K-rails to the property, and obtain a recommencement permit for the expired work within the stated five-day period.

Parcel history. The amended NOV continued Complaint No. 202185780 under corrected Lot 047. The 2016 tentative map decision documents the proposed division of former Lot 037 into two lots. CTS identifies 239 Ordway as Lot 046, with a separate NOV and Order of Abatement under Complaint No. 202538119. The recorded parcel map is needed to verify the boundaries.

Case Summary (continued) — Engineering and Survey Findings: H. Allen Gruen's October 4, 2025 investigation found 237 Ordway suitable for the planned development with its design and construction recommendations, including safe temporary slopes or shoring and runoff diversion. Alan Kropp & Associates' June 11, 2025 assessment attributed the damage at 1015 Goettingen to excavation at 239 Ordway and found the existing shoring insufficient to arrest movement. Golden Gate Surveying's January 5, 2026 report for 237 Ordway documented movement between June 2023 and December 2025, with one point exceeding 0.015 ft horizontally and six exceeding 0.015 ft vertically. The survey measured movement over the interval. It did not determine its cause. (See Exhibit 7.)

Enforcement Actions:

- 09/30/25 – DBI opened the continuation case under Lot 047.
- 10/03/25–10/07/25 – DBI issued, posted, and mailed the amended NOV.
- 10/14/25 – DBI issued the Final Warning Letter and referred the case to CES.
- 10/31/25 – DBI posted and mailed the Director's Hearing notice.
- 12/02/25 – Hearing officer continued the case for 30 days. Owner or representative attended.
- 12/18/25–12/23/25 – CES met with the owner and requested geotechnical information.
- 01/06/26 – Hearing officer authorized the order. Owner or representative attended.
- 01/13/26 – Inspector found no permit to comply with the NOV.
- 01/20/26–01/21/26 – DBI posted and mailed the order.
- 01/30/26 – CTS records appeal application and payment processing.
- 10/15/26–10/16/26 – DBI mailed and emailed the notice for the November 18 AAB hearing on October 15 and posted it on October 16.

Order of Abatement & Appeal:

Current Status: On January 13, 2026, the inspector found no permit to comply with the amended NOV. DBI still needs to verify the status of the permits cited for Lot 047, runoff controls, sidewalk clearance, and the required engineering and movement monitoring measures.

Director's Hearing and Order Requirements: Hearing Officer authorized Order of Abatement No. 202544161-A on January 6, 2026. The signed order adopts the findings in the October 3, 2025 amended NOV and finds that the owner did not comply with its conditions or timeline. To correct the cited violations, the amended NOV requires the owner to consult a shoring engineer, monitor horizontal and vertical movement, stop excavation during the rainy season, and immediately report any movement to DBI. It also requires a geotechnical hillside stability report, removal of soil and debris from the public way, return of the K-rails to the property, and a recommencement permit for the expired work . The order requires reimbursement of DBI's costs and states that DBI will record it against the property title 30 days after the hearing or 15 days after posting and service, whichever is later. (See Exhibits 2 and 4.)

Appellant's Request:

The appellant argues that Lot 046 borders the three Goettingen Street properties and disputes that excavation at 237 caused movement there. Seeks reversal, rescission or reissuance of the NOV, and waiver of costs. DBI separately issued a NOV for 239 Ordway on June 2, 2025. The hearing officer authorized a separate order on October 7, 2025.

Assessment of Costs: The January 16 initial bill totals $5,525.00
Staff recommendation: Uphold Order of Abatement No. 202544161-A and the $5,525.00 initial assessment of costs. Deny the appellant's request to waive those costs. Require the owner to complete the corrective work specified in the amended NOV for Lot 047 and obtain DBI final inspection sign-off before abatement.

LIST OF DOCUMENTS

1. Appellant's Appeal Application and Written Statement

2. Current CTS Complaint Data Sheet and Amended NOV

3. Director's Hearing Records

4. Order of Abatement and Initial Assessment of Costs

5. 2016 Tentative Map Decision and 237 and 239 Ordway Permit Records

6. Condition Photographs and AAB Hearing Notice

7. Geotechnical and Monitoring Reports

M. HERNANDEZ

Abatement Appeals Board Appeal Application Form

APPEAL TO THE ABATEMENT APPEALS BOARD 1/30/26
OF THE CITY AND COUNTY OF SAN FRANCISCO
FROM THE BUILDING INSPECTION DEPARTMENT DIRECTOR'S ORDER

Check Type of Appeal: [X] **Appeal of Director's Order** [ ] **Request for Jurisdiction** [ ] **Re-hearing**

Appellant Name: Arlen O'Rourke **Appeal Number:** _____
Director's Order No 202544161A **Complaint Tracking No(s)** 202544161
Date Appeal Filed: _____ **Filing Fee:$534.00**

Instructions: Please (1) answer all the questions on pages 1 and 2 for appeals of Director's Orders, and complete pages 1 through 3 for Requests for Jurisdiction, (2) sign the bottom of page 2 (and 3 if applicable), and (3) include the requisite filing fee of **$534.00** (checks are payable to the San Francisco Department of Building Inspection). Please attach additional pages as necessary and print legibly.

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

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

(1) The Order appealed from was made at a public hearing by the Director of Building Inspection, of the City and County of San Francisco, on 01/06/2026.

(2) The affected premises are located at 237 Ordway Street 6170/047, San Francisco. They contain Vacant Lot dwelling units and _____ guest rooms.

(3) State in ordinary and concise language the specific nature of the action appealed from, together with any material facts relating thereto.
The NOV was issued in Error to this lot. (047) 237 Ordway St. And should been issued to lot (046) 239 Ordway St. At the other side of the property line

(4) State the relief you seek and reasons why you claim the appealed action should be modified or reversed by this board. (Attach additional sheet(s) if necessary.).
We ask that the order of Abatement be reversed and fee's waved as 1021, 1015 and 1009 Goettingen ST are not near our lot (047), but touch Neighbouring lot (046)

(5) Please state /check appellant's relationship to the property: [X] property owner [ ] owner's agent [ ] attorney [ ] architect [ ] engineer [ ] contractor [ ] other_____)
If the appellant is an agent of the owner(s) of record, please attach documentation delineating representation

Abatement Appeals Board (AAB) Tel. (628) 652-3517 - (628) 652-3426
49 South Van Ness Avenue Suite 400, San Francisco, CA 94103

Page Two

EXHIBIT 1 | Appellant's Appeal Application and Written Statement

Abatement Appeals Board Appeal Application Form

(6) **Appellant's Information:**
Print Appellant's Name: Aidan O"Rourke
Appellant's Mailing Address: [redacted]
Phone Number: [redacted]
Email Address: [redacted]

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

(8) Did the current owner(s) of record own the property when this work was performed?
☒ Yes ☐ No

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

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

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

(12) When was the work done?

(13) Who did the work?

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

(15) Do you own other properties in San Francisco? ☐ Yes ☒ No

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

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

(18) Have you owned property in San Francisco before? ☐ Yes ☒ No

(19) Are you aware that building, plumbing, and/or electrical permits may be required to abate the subject code violations? ☐ Yes ☒ No

(20) Have you applied for the required permits to abate the subject code violations? ☐ Yes ☒ No
If yes, please list permit applications:
☐ Building Permit Application Nos.
☐ Plumbing Permit Application Nos.
☐ Electrical Permit Application Nos.

(21) What other permits have you been granted by the City?

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

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

Print Name: Aidan O"Rourke Signature: Aidan O'Rourke

Date Signed: 1-30-26 Signatory is ☒ property owner ☐ agent ☐ other

EXHIBIT 1 | Appellant's Appeal Application and Written Statement

237 Ordway case packet, PDF page 1

Aidan O Rourke

114 Beulah Street #3

San Francisco CA 94117

415 8063071

Email Mahergemma2000@yahoo.com

Oct 28th 2026

Re: 237 Ordway St . AAB Appeal No. 6981

Director's Order No. 202544161-A

Written Statement in Support of Appeal

The Violation States that excavation has caused earth movement to the neighbor's at 1021,1015, and 1009 Goettingen Street.

That is not Possible as the neighboring Lot 046 / 6170 (239 Ordway) that borders these 3 properties.

The NOV should have been issued to 239 Ordway Street (lot 046/6170) and not to the Property before you today 237 Ordway Street. Lot 047/6170

We ask you the reverse the Notice of Abatement, request that the Department to rescind the NOV and if needed re – issue on the correct property and wave the assessment of costs.

Aidan O' Rourke

Aidan O' Rourke

City and County of San Francisco
Department of Building Inspection
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103-1226

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202544161

OWNER/AGENT: OROURKE AIDAN ANTHONY
OROURKE AIDAN ANTHONY
114 BEULAH ST APT 3
SAN FRANCISCO CA US
94117

OWNER'S PHONE:
CONTACT NAME:
CONTACT PHONE:

COMPLAINANT: BID Referral

COMPLAINANT'S PHONE:

DATE FILED: 30-SEP-25
LOCATION: 237 ORDWAY ST
BLOCK: 6170 **LOT:** 047
SITE:
RATING: **OCCUPANCY CODE :**
RECEIVED BY: Suzanna Wong **DIVISION:** BID
COMPLAINT SOURCE: BID REFERRAL

ASSIGNED TO DIVISION: CES

DESCRIPTION: Complaint is a continuance of compliant# 202185780 to correct lot number 037 to 047
INSTRUCTIONS: BID 202185780

INSPECTOR CURRENTLY ASSIGNED

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
CES	MCCONN	6960		

REFFERAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
14-OCT-25	Brenda McBride	CES	per Jimmy Guaiumi

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
30-SEP-25	CASE OPENED	J GUAIUMI	CASE RECEIVED		Suzanna Wong 30-SEP-25	BID
30-SEP-25	OTHER BLDG/HOUSING VIOLATION	J GUAIUMI	CASE UPDATE	Case reviewed and assigned to complaint investigation team per GLam; slw	Suzanna Wong 30-SEP-25	BID
03-OCT-25	OTHER BLDG/HOUSING VIOLATION	J GUAIUMI	CASE UPDATE	Posted amended NOV with correct block and lot. JG	Jimmy Guaiumi 03-OCT-25	BID
03-OCT-25	OTHER BLDG/HOUSING VIOLATION	J GUAIUMI	FIRST NOV SENT	1st NOV issued by JG; slw	Suzanna Wong 06-OCT-25	BID
07-OCT-25	OTHER BLDG/HOUSING VIOLATION	J GUAIUMI	CASE UPDATE	1st NOV mailed; slw	Mauricio Hernandez 02-FEB-26	CES

City and County of San Francisco
Department of Building Inspection
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103-1226

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202544161

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
14-OCT-25	OTHER BLDG/HOUSING VIOLATION	J GUAIUMI	FINAL WARNING LETTER ISSUED	refer to CES. JG	Jimmy Guaiumi 14-OCT-25	BID
14-OCT-25	OTHER BLDG/HOUSING VIOLATION	J GUAIUMI	CASE UPDATE	final warning letter mailed and referred case to CES per JG;bm	Brenda McBride 14-OCT-25	INS
14-OCT-25	OTHER BLDG/HOUSING VIOLATION	J GUAIUMI	FINAL WARNING LETTER SENT	refer to CES. JG	Jimmy Guaiumi 14-OCT-25	BID
14-OCT-25	GENERAL MAINTENANCE	J GUAIUMI	REFERRED TO OTHER DIV	tranfer to div CES	Brenda McBride 14-OCT-25	INS
15-OCT-25	OTHER BLDG/HOUSING VIOLATION	G LAM	CASE RECEIVED	Case received in CES-tm	Thomas Moyer 15-OCT-25	CES
28-OCT-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	Case reassigned to Declan McConn - CR	Charles Robinson 28-OCT-25	CES
29-OCT-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	PERMIT RESEARCH	found no permits to comply with this NOV. Ok to send to Director Hearing on 12/2/25 - DMC	Declan McConn 29-OCT-25	CES
29-OCT-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	prepared DH 12/2/2025 packet	Susan Jew 29-OCT-25	CES
31-OCT-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	went out to site to post Director Hearing notice and take pictures - DMC	Declan McConn 31-OCT-25	CES
31-OCT-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	DIRECTOR HEARING NOTICE POSTED	Signed Affidavit and uploaded photos to case file - DMC	Susan Jew 31-OCT-25	CES
31-OCT-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	cert. & regular mailed DH packet - sj	Susan Jew 31-OCT-25	CES
19-NOV-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	received soils report and uploaded to file - DMC	Declan McConn 19-NOV-25	CES
21-NOV-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	prepared case for Director Hearing - DMC	Declan McConn 21-NOV-25	CES
02-DEC-25	OTHER BLDG/HOUSING VIOLATION	G LAM	DIRECTOR'S HEARING DECISION	Continued for 30-Days per HO (S.P.); Owner/Rep present. Owner rep was instructed to meet CES Inspector to review what needs to be done to abate the NOV on site. To report back at next hearing. -GL	Gilbert Lam 02-DEC-25	CES
15-DEC-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	spoke to owner. going to do site inspection on 12/18/25 at 11am - DMC	Declan McConn 15-DEC-25	CES

City and County of San Francisco
Department of Building Inspection
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103-1226

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202544161

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
15-DEC-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	OK to send to Director Hearing on 1/6/26 - DMC	Declan McConn 15-DEC-25	CES
16-DEC-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	returned call neighbored got no answer. - DMC	Declan McConn 16-DEC-25	CES
16-DEC-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	cert. mailed and regular mailed CDHN to owner - sj	Susan Jew 16-DEC-25	CES
18-DEC-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	went out to site to meet owner and contractor and go over plans - DMC	Declan McConn 18-DEC-25	CES
19-DEC-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	received Monitoring survey for 1015 Gottingen St uploaded to case file - DMC	Declan McConn 19-DEC-25	CES
23-DEC-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	prepared case for Director Hearing - DMC	Declan McConn 23-DEC-25	CES
23-DEC-25	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	had meeting with GL, MH, DMC and the owners of property 237 Ordway. we ask the owners to send in a geo tech report before the Director Hearing on 1/6/26 - DMC	Declan McConn 23-DEC-25	CES
05-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	responded to owners email - DMC	Declan McConn 05-JAN-26	CES
06-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	received email from owner with survey off monitoring points. uploaded survey to case file. - DMC	Declan McConn 06-JAN-26	CES
06-JAN-26	OTHER BLDG/HOUSING VIOLATION	G LAM	DIRECTOR'S HEARING DECISION	OK to Issue OOA per HO (B.H.). Owner/Rep Present. -GL	Gilbert Lam 07-JAN-26	CES
13-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	PERMIT RESEARCH	found no permit to comply with NOV - DMC	Declan McConn 13-JAN-26	CES
13-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	ORDER OF ABATEMENT ISSUED	MMF from 10/15/25 to 1/13/26 (2 months) - DMC	Declan McConn 13-JAN-26	CES
14-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	ORDER OF ABATEMENT ISSUED	prepared assessment of cost - DMC	Declan McConn 14-JAN-26	CES
16-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	prepared OOA, initial assessment & initial bill - sj	Susan Jew 16-JAN-26	CES
20-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	ORDER OF ABATEMENT ISSUED	went out to site to post OOA and take pictures - DMC	Declan McConn 20-JAN-26	CES

City and County of San Francisco
Department of Building Inspection
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103-1226

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 202544161

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIVISION
20-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	ORDER OF ABATEMENT POSTED	signed affidavit and up loaded photos to case file - DMC	Declan McConn 20-JAN-26	CES
20-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	sent AAB form to owner - DMC	Declan McConn 20-JAN-26	CES
21-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	cert. mailed & regular mailed OOA packet to owner - sj	Susan Jew 21-JAN-26	CES
30-JAN-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	processed AAB application and payment, gave receipt to customer at the counter - sj	Susan Jew 30-JAN-26	CES
02-FEB-26	OTHER BLDG/HOUSING VIOLATION	M HERNANDEZ	CASE UPDATE	AAB application reviewed and process on 1/30/26 MH	Mauricio Hernandez 02-FEB-26	CES
15-OCT-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	ABATEMENT APPEALS BOARD HRG	Abatement Appeals Board hearing scheduled for 11/18/2026. The notice has been mailed and email to the appellant - ML	Michael Luk 15-OCT-26	CES
16-OCT-26	OTHER BLDG/HOUSING VIOLATION	D MCCONN	CASE UPDATE	Posted AAB hearing notice and took pictures - DMC	Declan McConn 21-OCT-26	CES

COMPLAINT ACTION BY DIVISION

DIVISION	DATE	DESCRIPTION	ACTION COMMENT

NOV (HIS)	NOV (BID)
	03-OCT-25

EXHIBIT 2 | 237 Ordway Complaint Data Sheet and Amended NOV

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
☐ SECOND NOTICE
☐ OTHER:

COMPLAINT NUMBER: 202544161

ADDRESS: 237 Ordway Street
DATE: 10-03-2025
OCCUPANCY/USE: Vacant Lot
BLOCK: 6170 LOT: 047
CONST. TYPE:
STORIES: 0 ☐ 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: Orourke Aidan Anthony
PHONE#:
MAILING ADDRESS: 114 Beulah Street APT 3 CITY: San Francisco ZIP: 94117
PERSON CONTACTED @ SITE:
PHONE#:

VIOLATION DESCRIPTION:

☐ WORK WITHOUT PERMIT (SFBC 103.A); ☐ 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.A); ☐ SEE ATTACHMENTS

	SFBC 102.A
Excavation at the West side of lot has caused earth movement to the residences at 1021, 1015, & 1009 Goettingen Street. Site inspection on 5-22-25 revealed that the soil has moved down slope and has pushed the k-rails off the property and onto the public way blocking the sidewalk. No measures were in place to contain any water runoff at time of inspection (J-109.4). PA 201605258270, 201905281793, and 202012161091 have expired.	SFBC 106A.4.4
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 _____ DAYS AND COMPLETE ALL WORK WITHIN _____ DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
☒ CORRECTION VIOLATIONS WITHIN 5 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.

1) Owner shall consult with a shoringengineer to provide recommendation to mitigate the crecking development.
2) 237 Ordway owner to establish monitoring points to record the total cumulative horizontal and verticle movement.
3) All excavation shall be stopped during the rainy season. Notify DBI of any movement immediately
4) Obtain a geo-tech report on the stability of the hillside and provide the report to DBI within 5 days.
5) Remove soil and debris from the public way and move the k-rails back onto the property within 5 days and notify the below listed inspector when complete.
6) Obtain a recommencement of work permit for the above mentioned expired permits within 5 days.

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 N/A VALUE OF WORK PERFORMED W/O PERMITS $

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR Jimmy Guaiumi (jimmy.guaiumi@sfgov.org)
(Inspector – Print Name)

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

PHONE # (628)-652-3446

By: (Inspector's Signature) _____ DISTRICT #

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

M 9003 05 (Rev. 5/96)

☐ 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

HEARING INFORMATION FORM

PROPERTY ADDRESS: 237 Ordway St			☒ FIRST NOTICE: 10/3/2025		COMPLAINT NO. 202544161
DIRECTOR'S HEARING DATE: 12/2/2025			☒ FWL: 10/14/2025		
CONTINUED DIRECTOR'S HEARING DATE: _1/6/26			☐ VCS/VB WN: _		
SOURCE BY: BID ☒ EID ☐ PID ☐ CES ☐ INS ☐			BLOCK: 6170	LOT: 047	
CES REFERRAL DATE: 10/14/2025			INSPECTOR: Declan McConn		
OCCUPANCY/USE	_		BASEMENT ☐	_	
CONST. TYPE	_	STORIES	_	NO OF UNITS	_

PRIORITY CATEGORY:

☐ WORK W/O PERMIT	☐ SOFT STORY PROGRAM	☐ ILLEGAL OCCUPANCY	☐ CANCEL PERMIT
☒ EXPIRED PERMIT	☐ STRUCTURALLY UNSAFE	☐ ILLEGAL UNIT	☐ OTHER
☐ FIRE DAMAGE	☐ LIFE HAZARD	☐ BOILER PROGRAM	☐ BUILDING ENARGEMENT
☐ EXCEEDING SCOPE OF PERMIT	☐ VACANT BUILDING / COMMERCIAL STOREFRONT PROGRAM	☐ INADEQUATE MAINTENANCE (BLIGHT CONDITIONS)	

VIOLATION DESCRIPTION:

Excavation at the West side of lot has caused earth movement to the residences at 1021, 1015, & 1009 Goettingen Street. Site inspection on 5-22-25 revealed that the soil has moved down slope and has pushed the k-rails off the property and onto the public way blocking the sidewalk. No measures were in place to contain any water runoff at time of inspection (J-109.4). PA 201605258270, 201905281793, and 202012161091 have expired.Code/Section: SFBC 102.A, 106A.4.4Monthly monitoring fee applied.Code/Section: SFBC 110A Table 1A-K

INSPECTOR'S COMMENTS/STATUS:

1) Owner shall consult with a shoringengineer to provide recommendation to mitigate the crecking development.2) 237 Ordway owner to establish monitoring points to record the total cumulative horizontal and verticle movement.3) All excavation shall be stopped during the rainy season. Notify DBI of any movement immediately4) Obtain a geo-tech report on the stability of the hillside and provide the report to DBI within 5 days.5) Remove soil and debris from the public way and move the k-rails back onto the property within 5 days and notify the below listed inspector when complete.6) Obtain a recommencement of work permit for the above mentioned expired permits within 5 days.

PERMIT STATUS: FILED☐ / APPROVED☐ / ISSUED☐ / STATUS: WORK IN PROGRESS☐ / EXPIRED☐ / CANCELLED☐	
BUILDING #	
ELECTRICAL #	
PLUMBING #	

INSPECTOR'S RECOMMENDATIONS:	CONDITIONS:
☐ RETURN TO SOURCE ☐ CONTINUED FOR 30 DAYS ☒ ISSUE ORDER OF ABATEMENT ☐ OTHER	30 Days to Obtain Permit and Complete including Final Signoff to Comply with NOV# 202544161 and Pay All CES Fees.

HEARING OFFICIAL:

DECISION: Owner Represented: Y☐ / N☐ Building Unsafe (SFBC102): Y☐ / N☐ Hearing Continued Y☐ / N☐

1.
2.
3.
4.

DIRECTOR'S HEARING RESULT:

Director's Hearing Result ☐	AAB ☐ / City Attorney Ref. ☐	
☐ OOA: _ ☐ OOA W/ADVISEMENT: __DAYS ☐ CONTINUED DH: _ ☐ RETURN TO SOURCE: _	☐ AAB-Hearing Date:_ ☐ AAB- Decision: _ ☐ Litigation Ref: _ ☐ City Att. Ref: _ ☐LIEN Process: Y ☐ / N ☐	Return to Source ☐ Approved By: Mauricio Hernandez Date: _ ☐ BID ☐ EID ☐ PID ☐ CES

EXHIBIT 4 | Order of Abatement and Initial Assessment of Costs

237 Ordway case packet

City and County of San Francisco
Department of Building Inspection

Daniel Lurie, Mayor
Patrick O'Riordan, C.B.O., Director

ORDER OF ABATEMENT - ORDER NO. 202544161A

Owner: OROURKE AIDAN ANTHONY
114 BEULAH ST APT 3
SAN FRANCISCO CA US
94117

Address: 237 ORDWAY ST
Block: 6170 **Lot:** 047 **Seq:** 00
Complaint: 202544161
Date Order of Abatement Issued: January 6, 2026
Inspector/Division: McConn\CES
Code Enforcement Division Representative: G. Lam
Hearing Officer: B. Howard

A Hearing on the complaint by the Director of the Department of Building Inspection against the property referenced above was held on **January 6, 2026** 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: **October 3, 2025**
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
4. You have failed to comply with the original timeline and conditions specified in NOV# 202544161

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS:**

This Order of Abatement will be recorded against the property title 30 days from the date of this hearing or 15 days from the date this Order is posted and served - whichever is later.

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 Code Enforcement Division at (628 652-3430. Fax (628) 652-3439. 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) 652-3430.

Very truly yours,

Approved for Distribution on January 14, 2026
by Mauricio Hernandez, Chief Building Inspector, Code Enforcement

Patrick O'Riordan, C.B.O., Director
Department of Building Inspection

Code Enforcement Division
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226
Office (628) 652-3430 - FAX (628) 652-3439 - www.sfdbi.org

EXHIBIT 4 | Order of Abatement and Initial Assessment of Costs

237 Ordway case packet

DEPARTMENT OF BUILDING INSPECTION
City & County of San Francisco
49 South Van Ness Ave, Suite 400 San Francisco, CA 94103-1226

Date: January 16, 2026
Property Address: 237 ORDWAY ST

To:
OROURKE AIDAN ANTHONY
114 BEULAH ST APT 3
SAN FRANCISCO CA US
94117

Block: 6170 Lot: 047 Seq.: 00
Inspector: **Declan McConn**

Director's Order Number: **202544161 - A**

INITIAL BILL- Assessment of Costs
Code Violations Outstanding

Dear Property Owner(s):

Our records show that all required work has not been completed to abate the code enforcement case referenced above. FAILURE TO CORRECT THESE CODE VIOLATIONS PRIOR TO THE DIRECTOR'S HEARING AND RECORDED ORDER OF ABATEMENT HAS RESULTED IN THE ACCRUAL OF "ASSESSMENT OF COSTS" pursuant to 102.2,102.16, 102A.3, 102A.7, 103A5, and Section 110, Table 1A-K of the San Francisco Building Code. Said Code requires that this Department's "cost of preparation for and appearance at the hearing, and all prior and subsequent attendant costs shall be assessed upon the property owner. Said violations will not be deemed legally abated until the property owner makes full payment of the assessment..."

The Assessment of Cost AMOUNT accrued to date NOW DUE AND PAYABLE is : **$5525**.

Payment must be payable to CITY and COUNTY of SAN FRANCISCO OR CCSF-DBI in the form of cashier's check, money order or cash and must be accompanied by this original letter.

Please submit your payment by mail or in person during our regular business hours at the address listed below. Our office is open from 9:00 AM to 5:00 PM on Mondays, and from 8:00 AM to 5:00 PM Tuesday through Friday, excluding holidays.

Assessment of Costs Payment
Department of Building Inspection
Code Enforcement Section
49 South Van Ness Avenue, Suite 400
San Francisco, CA 94103

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

Note: The Order of Abatement of the Department of Building Inspection cannot be lifted, and the structure cited above cannot be brought into compliance with the applicable sections of the San Francisco Building and Housing Codes until all required work is completed and further accrued Assessments of Costs are paid.

You must notify your assigned CES Inspector when all violations have been completed AS SOON AS POSSIBLE TO AVOID OR MINIMIZE ADDITIONAL COSTS & PENALTIES.

You will be sent a Final bill assessment of costs for additional time accrued until the case is abated..

Code Enforcement Section can be reached at (628) 652-3430 should you have any questions.

Your prompt cooperation on this matter is appreciated,

Patrick O'Riordan, C.B.O, Director
Department of Building Inspection

By:Mauricio Hernandez
Chief Building Inspector, Code Enforcement

cc: CED File

EXHIBIT 4 | Order of Abatement and Initial Assessment of Costs

237 Ordway case packet

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103-1226

Daniel Lurie, Mayor
Patrick O'Riordan, C.B.O., Director

Assessment of Costs - Initial

(Pursuant to Sections 102A3 et al, and 110A Tables 1A-D, 1 A-G, 1A-K of the San Francisco Building Code and Ordinance 180-1(

Owner OROURKE AIDAN ANTHONY
OROURKE AIDAN ANTHONY
114 BEULAH ST APT 3
SAN FRANCISCO CA US
94117

Date January 16, 2026
Complaint Number 202544161
Block 6170 **Lot** 047
Address 237 ORDWAY ST

Prepared by Declan McConn
Reviewed by S. Jew
Amount Now Due and Payable $5,525.00
Comments MMF from 10/15/25 to 1/13/26 (2 months) - DMC

Payment for the items indicated:

Date	Action	Staff	Time in hrs	Rate	Amount
10/03/25	Issued Notice of Violation and Data entry	Inspector	.75	$405.00	$303.75
10/14/25	Issued Final Warning Letter	Inspector	.25	$405.00	$101.25
10/15/25	Case intake and Data entry	Clerical	.5	$226.00	$113.00
10/29/25	Researched permit history/status	Inspector	.25	$405.00	$101.25
10/29/25	Reviewed and approved case for Director's Hearing	Inspector	.75	$405.00	$303.75
10/29/25	Research Title and Prepare case for Director's Hearing	Clerical	1	$226.00	$226.00
10/31/25	Posted Notice of Director's Hearing	Inspector	.5	$405.00	$202.50
10/31/25	Processed photos	Inspector	.25	$405.00	$101.25
10/31/25	Certified Mailing	Clerical	.5	$226.00	$113.00
11/19/25	Telephone calls/Office visits (Owner/Agent)	Inspector	.25	$405.00	$101.25
11/21/25	Case review, Scheduling and Data entry	Inspector	.25	$405.00	$101.25
12/02/25	Hearing Appearance and Summary	Inspector	.25	$405.00	$101.25
12/02/25	Posted Hearing Case Update	Clerical	.25	$226.00	$56.50
12/15/25	Telephone calls/Office visits (Owner/Agent)	Inspector	.25	$405.00	$101.25
12/15/25	Reviewed and approved case for Director's Hearing	Inspector	.75	$405.00	$303.75
12/16/25	Telephone calls/Office visits (Occupant/Other)	Inspector	.25	$405.00	$101.25
12/16/25	Research Title and Prepare case for Director's Hearing	Clerical	1	$226.00	$226.00
12/16/25	Certified Mailing	Clerical	.5	$226.00	$113.00
12/18/25	Reinspection, Updated case and Travel time	Inspector	1	$405.00	$405.00
12/19/25	Telephone calls/Office visits (Owner/Agent)	Inspector	.25	$405.00	$101.25
12/23/25	Case review, Scheduling and Data entry	Inspector	.25	$405.00	$101.25
12/23/25	Case review, Scheduling and Data entry	Inspector	.25	$405.00	$101.25
01/05/26	Telephone calls/Office visits (Owner/Agent)	Inspector	.25	$405.00	$101.25

*** Please note that this is only an initial bill. The property owner will accrue additional assessment of costs until all required code abatement is complete and verified by inspector site inspection. The case will not be closed until all code abatement and assessment of costs are paid.**

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EXHIBIT 4 | Order of Abatement and Initial Assessment of Costs

237 Ordway case packet,

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103-1226

Daniel Lurie, Mayor
Patrick O'Riordan, C.B.O., Director

Assessment of Costs - Initial

(Pursuant to Sections 102A3 et al, and 110A Tables 1A-D, 1 A-G, 1A-K of the San Francisco Building Code and Ordinance 180-1(

01/06/26	Hearing Appearance and Summary	Inspector	.25	$405.00	$101.25
01/06/26	Telephone calls/Office visits (Owner/Agent)	Inspector	.25	$405.00	$101.25
01/06/26	Posted Hearing Case Update	Clerical	.25	$226.00	$56.50
01/07/26	Issued Order of Abatement	Inspector	.25	$405.00	$101.25
01/07/26	Building Official's Abatement Order (2 hr min.)	Building Official	2	$372.00	$744.00
01/13/26	Researched permit history/status	Inspector	.25	$405.00	$101.25
01/13/26	Monthly Violation Monitoring Fee (Ordinance 180-10)	Other Clerical	2	$149.00	$298.00
01/13/26	Prepared Assessment of Costs	Inspector	.25	$405.00	$101.25
01/16/26	Prepared Order of Abatement	Clerical	.5	$226.00	$113.00
01/16/26	Case Update and Maintenance	Clerical	1	$226.00	$226.00
				***Total to Date**	$5,525.00

*** Please note that this is only an initial bill. The property owner will accrue additional assessment of costs until all required code abatement is complete and verified by inspector site inspection. The case will not be closed until all code abatement and assessment of costs are paid.**

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EXHIBIT 5 | 2016 Tentative Map Decision

Public Works Project ID 9020, Planning response signed July 18, 2016

City and County of San Francisco
San Francisco Public Works · Bureau of Street-Use and Mapping
1155 Market Street, 3rd Floor · San Francisco, CA 94103
sfpublicworks.org · tel 415-554-5810 · fax 415-554-6161

TENTATIVE MAP DECISION

Date: April 13, 2016

Department of City Planning
1650 Mission Street, Suite 400
San Francisco, CA 94103

Project ID:	9020		
Project Type:	2 Lot Subdivision		
Address#	**StreetName**	**Block**	**Lot**
237	ORDWAY ST	6170	037
Tentative Map Referral			

Attention: Mr. Scott F. Sanchez

Please review and respond to this referral within 30 days in accordance with the Subdivision Map Act.

Sincerely,

James Ryan
2016.04.14 11:16:35 -08'00'

for, Bruce R. Storrs, P.L.S.
City and County Surveyor

☑ The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from California Environmental Quality Act (CEQA) environmental review as categorically exempt Class N/A, CEQA Determination Date N/A, based on the attached checklist.

☐ The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the attached conditions.

☐ The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code due to the following reason(s):

PLANNING DEPARTMENT

Signed Jonathan DiSalvo Digitally signed by Jonathan DiSalvo DN: dc=org, dc=sfgov, dc=cityplanning, cn=CityPlanning, ou=Current Planning, cn=Jonathan DiSalvo, email=Jonathan.DiSalvo@sfgov.org Date: 2016.07.18 14:22:05 -07'00' Date July 18, 2016

Planner's Name Jonathan DiSalvo
for, Scott F. Sanchez, Zoning Administrator

EXHIBIT 5 | 237 Ordway Permit Records

Summary of DBI Permit Tracking System reports dated November 4, 2026.

201605258270 • New three-story single-family dwelling. Issued May 10, 2018. Marked expired May 28, 2025. PTS identifies Block 6170, former Lot 037.
Inspections shown in PTS. May 19, 2022, shear wall (Site Verification). June 2, 2022, reinforcing steel (No Entry/No Progress). May 28, 2025, site verification (Expire).

201905281793 • Fire sprinkler installation associated with 201605258270. Issued May 30, 2019. Marked expired May 28, 2025. PTS identifies former Lot 037.
Inspections shown in PTS. May 28, 2025, site verification (Expire).

202012161091 • Test piers and temporary grading for the site access ramp associated with 201605258270. Issued January 6, 2021. Marked expired May 28, 2025. PTS identifies former Lot 037.
Inspections shown in PTS. January 19, 2021, Start Work. February 25, 2021, OK to Pour. May 28, 2025, site verification (Expire).

202109108138 • Rear retaining-wall revision extending the walls 18 feet toward the rear property line. References 201605258270. PTS identifies Lot 047 and shows issuance on July 11, 2022, with no expiration entry or inspections shown.
Inspections shown in PTS. The permit-specific report lists no appointments, inspections, or special inspections.

EXHIBIT 5 | Related 239 Ordway Records

Summary of the supplied CTS and PTS reports

Complaint No. 202538119 identifies 239 Ordway as Block 6170, Lot 046. The three PTS reports below show the historical parcel reference of Block 6170, Lot 037. Each permit was marked expired on May 28, 2025.

201605258264 • New three-story single-family dwelling. Issued May 10, 2018.
Inspections shown in PTS. November 10, 2021, OK to Pour. June 2, 2022, reinforcing steel (OK to Pour). May 28, 2025, site verification (Expire).

202012161090 • Test piers and temporary grading for a site access ramp. Issued January 6, 2021.
Inspections shown in PTS. January 19, 2021, Start Work. May 28, 2025, site verification (Expire).

202109108141 • Rear retaining wall revisions. Issued July 11, 2022.
Inspections shown in PTS. August 10, 2022, reinforcing steel (Forms, Partial). May 28, 2025, site verification (Expire).

Record note. A separate excerpt lists an April 21, 2022 reinforcing-steel inspection (Site Verification) and a May 28, 2025 site-verification appointment. The excerpt has no permit number, so these entries are listed separately.

ABATEMENT APPEALS BOARD
City & County of San Francisco
49 South Van Ness Avenue, San Francisco, California 94103-2414

NOTICE OF AAB HEARING

10/15/2026

OROURKE AIDAN ANTHONY
114 BEULAH ST APT 3
SAN FRANCISCO, CA, 94117

Re: 237 ORDWAY ST AAB Appeal No. 6981

Dear Parties:

On 1/6/2026, the Abatement Appeals Board (AAB) received Appellant OROURKE AIDAN's completed appeal form, appealing Director's Order No. 202544161-A.

This matter has been scheduled for hearing before the AAB on **11/18/2026 at 9:30 AM, in Room 416, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA.**

Information about the hearing procedures are set forth in the AAB's Bylaws and Procedural Rules, available on the AAB's webpage: www.sf.gov/departments--abatement-appeals-board

Under Procedural Rule III.D, the Appellant may submit a written statement setting forth their arguments and evidence in support of the appeal. The written statement must be submitted to the AAB Secretary by email at :dbi.aab@sfgov.org or in hardcopy no later than **(10/28/2026- 21 days before the hearing date)**. Please consult the AAB's Procedural Rules for more detailed information about the written statement.

The Department of Building Inspection must submit its report setting forth the procedural history and basis for the Order of Abatement and any assessment of costs by **(11/11/2026- 7 days before the hearing date)**.

When submitted, the AAB Secretary will forward a copy of a party's written filing to the opposing party.

If you have questions about this process, please contact CES at 628-652-3430 or via e-mail at dbi.aab@sfgov.org. Do not contact any AAB member directly.

Very Truly Yours.

Matthew Greene
Secretary,
Abatement Appeals Board
Hard copy Mail to: 49 South Van Ness Ave 4th Fl.
San Francisco, CA 94103

EXHIBIT 6 | Condition Photographs and AAB Hearing Notice



EXHIBIT 6 | Condition Photographs and AAB Hearing Notice



EXHIBIT 6 | Condition Photographs and AAB Hearing Notice





EXHIBIT 6 | Condition Photographs and AAB Hearing Notice

IMG_3535.JPG • Site overview showing the excavated slope and walls.



REPORT
GEOTECHNICAL INVESTIGATION
Planned Development At
237 Ordway Street
San Francisco, California

Prepared for:

Cullinane Construction and Plastering
1875 Mission Street, #103
San Francisco, CA 94103

Prepared by:

H. Allen Gruen
Geotechnical Engineer
360 Grand Avenue, # 262
Oakland, California 94610
(510) 455-0321

Project Number: 16-4619



H. Allen Gruen, C.E., G.E.
Registered Geotechnical Engineer No. 2147

Updated October 4, 2025

CONCLUSIONS

General

On the basis of my investigation and literature review, I conclude that the site is suitable for support of the planned improvements. The primary geotechnical concerns are founding improvements in competent earth materials, excavation of bedrock, support of temporary slopes and adjacent improvements, and seismic shaking and related effects during earthquakes. These items are addressed below.

Foundation Support

It is my opinion that the planned improvements may be supported on a conventional spread footing foundation bearing in competent earth materials. If the spread footings would cover a substantial portion of the building area, a mat foundation may be used as an alternative to reduce forming and steel bending costs. The Structural Engineer may also choose to use drilled piers to support improvements, or for shoring and underpinning, if required. Detailed foundation design criteria are presented later in this report.

I estimate that improvements supported on foundations designed and constructed in accordance with my recommendations will experience post-construction total settlements from static loading of less than 1 inch with differential settlements of less than ½ inch over a 50-foot span.

Excavation of Bedrock

Greenstone bedrock was encountered in the borings at depths of 3 to 4 feet. The bedrock near the ground surface is fractured and will generally excavate with conventional equipment. During the excavation operations, additional effort may be required to remove some of the bedrock materials underlying the site, particularly in the lower portions of the excavations. Since the bedrock may locally be massive, localized hoe-ram work and/or hand work with jackhammers may be necessary to break down massive blocks and large boulders.

Temporary Slopes and Undermining of Existing Structures

Temporary slopes will be necessary during the planned site excavations. In order to safely develop the site, temporary slopes will need to be laid back in conformance with OSHA standards at safe inclinations, or temporary shoring will have to be installed. The contractor may choose to excavate test pits to evaluate site earth materials and the need for temporary shoring.

If excavations undermine or remove support from the existing or adjacent structures, it may be necessary to underpin those structures. Care should be taken to provide adequate shoring or underpinning to support the affected improvements as a result of the loss of support.

Temporary slopes and support of structures during construction are the responsibility of the contractor. H. Allen Gruen, Geotechnical Engineer is available to provide geotechnical consultation regarding stability of excavations and support of improvements.

Geologic Hazards

Faulting

The property does not lie within an Alquist-Priolo Earthquake Fault Zone as defined by the California Division of Mines and Geology. The closest mapped active fault in the vicinity of the site is the San Andreas Fault, located about 6 miles southwest of the site (CDMG, 1998). No active faults are shown crossing the site on reviewed published maps, nor did I observe evidence of active faulting during my investigation. Therefore I conclude that the potential risk for damage to improvements at the site due to surface rupture from faults to be low.

Earthquake Shaking

Earthquake shaking results from the sudden release of seismic energy during displacement along a fault. During an earthquake, the intensity of ground shaking at a particular location will depend on a number of factors including the earthquake magnitude, the distance to the zone of energy release, and local geologic conditions. I expect that the site will be exposed to strong earthquake shaking during the life of the improvements. The recommendations contained in the applicable Building Code should be followed for reducing potential damage to the improvements from earthquake shaking.

Liquefaction

Liquefaction results in a loss of shear strength and potential volume reduction in saturated granular soils below the groundwater level from earthquake shaking. The occurrence of this phenomenon is dependent on many factors, including the intensity and duration of ground shaking, soil density and particle size distribution, and position of the groundwater table (Seed and Idriss, 1982). The site does not lie within a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco (CDMG, 2000). In addition, the earth materials encountered in the borings at the subject site have a low potential for liquefaction due to the lack of free groundwater and the high fines contents or bedrock being present. Therefore, it is my opinion that there is a low potential for damage to the planned improvements from liquefaction.

Lateral Spreading

Lateral spreading or lurching is generally caused by liquefaction of marginally stable soils underlying gentle slopes. In these cases, the surficial soils move toward an unsupported face, such as an incised channel, river, or body of water. Because the site has a low potential for liquefaction, I judge that there is a low risk for damage of the improvements from seismically-induced lateral spreading.

Densification

Densification can occur in clean, loose granular soils during earthquake shaking, resulting in seismic settlement and differential compaction. It is my opinion that earth materials subject to seismic densification do not exist beneath the site in sufficient thickness to adversely impact the planned improvements.

Landsliding

The geologic map of the site vicinity reviewed for this study did not show landslides at the subject site (Bonilla, 1998). The site is not mapped within an area of potential landslide hazard by URS/John A. Blume & Associates (1974). In addition, a map prepared by the California Division of Mines and Geology for the City and County of San Francisco (CDMG, 2000) indicates that the subject site does not lie within an area of potential earthquake-induced landsliding. During the site reconnaissance, my field engineer did not observe evidence of active slope instability at the subject site. Therefore, it is my opinion that the potential for damage to the improvements from slope instability at the site is low provided the recommendations presented in this report are incorporated into the design and construction of the project.

RECOMMENDATIONS

Site Preparation and Grading

General

The thickness of soil blanketing the site and the depth to bedrock can vary across the site. Design criteria are provided for foundations and retaining walls in soil and rock. Soil design criteria may be assumed within 4 feet of the current ground surface and rock design criteria may be assumed more than 4 feet below the current ground surface. However, if during construction, soil is observed more than 4 feet below the ground surface at foundation levels, the foundations will need to be deepened to bear in rock, or the foundations will need to be redesigned using the soil values. Likewise, if more than 4 feet of soil is being retaining by subsurface walls, the portions of walls supporting the additional soil will need to be designed using the lateral earth pressures for soil conditions.

Fill materials brought onto the site should be free of vegetative mater and deleterious debris, and should be primarily granular. The geotechnical engineer should approve fill material prior to trucking it to the site.

Compaction of Fill

Fill should be placed in level lifts not exceeding 8 inches in loose thickness. Each lift should be brought to at least the optimum moisture content and compacted to at least 90 percent relative compaction, in accordance with ASTM test designation D 1557.

Underpinning

During excavations adjacent to improvements, care should be taken to adequately support the existing improvements. When excavating below the level of foundations supporting existing structures, some form of underpinning may be required where excavations extend below an imaginary plane sloping at 1H:1V downward and outward from the edge of the existing footings. All temporary underpinning design and construction are the responsibility of the contractor. H. Allen Gruen, Geotechnical Engineer is available to provide consultation regarding underpinning adjacent improvements.

Temporary Slopes

Temporary slopes will be necessary during the planned site excavations. In order to safely develop the site, temporary slopes will need to be laid back in conformance with OSHA standards at safe inclinations, or temporary shoring will have to be installed. All temporary slopes and shoring design are the responsibility of the contractor. H. Allen Gruen, Geotechnical Engineer is available to provide consultation regarding stability and support of temporary slopes during construction.

Finished Slopes

In general, finished cut and fill slopes in soil should be constructed at an inclination not exceeding 2:1 (horizontal:vertical). Routine maintenance of slopes should be anticipated. The tops of cut slopes should be rounded and compacted to reduce the risk of erosion. Fill and cut slopes should be planted with vegetation to resist erosion, or protected from erosion by other measures, upon completion of grading. Surface water runoff should be intercepted and diverted away from the tops and toes of cut and fill slopes by using berms or ditches.

ALAN KROPP
& ASSOCIATES, INC.
GEOTECHNICAL
CONSULTANTS

ALAN KROPP, CE, GE
JAMES R. LOTT, CE, GE
FREDERICK MAURER, CE, GE
JEROEN VAN DEN BERG, CE
THOMAS M. BRENDIG, CE

June 11, 2025
3254-1, L-33699

Robert Selna
Selna Partners
337 17th Street, Suite 100
Oakland, CA 94612

RE: Geotechnical Engineering Assessment
Goettingen Street Property Damage
San Francisco, California

Dear Mr. Selna:

At your request, I am performing geotechnical engineering assessment services regarding the damage to the residential property at 1015 Goettingen Street in San Francisco, California. This property is owned by your clients, Kat Tauscher and Tim Byrne. The focus of my assessment was whether damages were caused by the excavation work on the adjacent property at 239 Ordway Street.

SCOPE OF WORK

My scope of work to prepare this letter included:

- A site visit to observe the exposed conditions on the principal, involved properties and discussion with your clients regarding the damages and timing;
- Review of documents related to the site planning and development;
- A review of historic Google Earth aerial photograph images;
- Geotechnical analysis of the collected data; and
- Preparation of this summary letter.

SITE VISIT

I visited the site on April 25, 2025, to discuss the documents your clients possess and hear them describe their observations since their purchase of the property. After these conversations, I observed and photo-documented the current surficial conditions, especially in the area where excavations were made on 237 and 239 Ordway Street, and where damage has occurred on your client's property.

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REVIEW OF KEY PROJECT DOCUMENTS

I performed a review of a number of key documents related to the project. These included:

- "Report-Geotechnical Investigation, Planned Development at 237 Ordway Street, San Francisco, California", prepared by H. Allen Gruen, dated October 10, 2016;
- Conceptual Plans, "Two New Single-Family Dwellings, 237& 239 Ordway Street, Block 6170; Lots 37A & 37B", prepared by Stephen Antonaros, Architect, dated May 4, 2016 (latest revision October 20, 2016), six sheets;
- Application for San Francisco Planning Department Environmental Evaluation, for 237 & 239 Ordway Street, submitted by Stephen Antonaros, dated May 25, 2016; and
- "Certificate of Determination, Exclusion/Exemption from Environmental Review", prepared by San Francisco Planning Department, for 237-239 Ordway Street, dated February 27, 2018.

GOOGLE EARTH IMAGES

Various historic Google Earth images were examined with dates ranging from March 26, 2018, to March 31, 2024. These images were studied to note changes that could be seen, primarily on the Ordway Street construction area. The dates began before the Ordway Street excavations were performed to after the time the site was abandoned.

LOT/PROPERTY LAYOUTS

1. 1015 Goettingen Street

The lot owned by your clients (Kat Tauscher and Tim Byrne) at 1015 Goettingen Street is located along the east side of Goettingen Street. It is one of four properties at, or adjacent to, the corner of Goettingen Street and Ordway Street that are about 25 feet wide and about 70 deep. Your client's house is located at the front of the lot and occupies most of the property. There is a relatively small backyard behind the home (about 20 feet deep). The area slopes downhill to the east, so the main level of the home at street-level is one-story above the backyard. A lower level of the home has a sliding door access to the rear yard, and a wrapping set of stairs leads from the southeast corner of the backyard to a deck at the main level of the house.

2. 237 and 239 Ordway Street

Directly behind your client's lot, there is a lot which has a frontage on Ordway Street. This property is 25 feet wide and 100 feet deep and extends behind the four corner lots which face Goettingen Street; it has an address of 239 Ordway Street. There is a second lot with identical dimensions located immediately east of the first lot which has an address of 237 Ordway Street.

ORDWAY STREET SITE CONSTRUCTION

The conceptual plans for development of the two vacant Ordway properties were dated in 2016. These plans indicate each lot was to be developed with a new three-story, single family home with parking. Major excavations were proposed to develop the lots, averaging about 15 feet deep. However, along the western boundary of 239 Ordway Street (which abuts the rear property lines of the Goettingen Street lots), excavations of greater than 30 feet were proposed. The geotechnical report for the project indicated the temporary slopes for the excavations would have to have shoring supports installed.

Kat Tauscher and Tim Byrne purchased their property about 2019, and the lots at 237 and 239 Ordway Street were vacant at that time. Google Earth images of that time period indicate the Ordway lots were covered with vegetation including grasses, bushes, and trees. The property at 239 Ordway was generally covered by numerous trees.

Google Earth images indicate that clearing on the Ordway Street lots began during the summer of 2020. Your clients said the major excavation work began in January 2021 and large amounts of soil were excavated and hauled off the site. A Google Earth image from May 30, 2021, reveals major excavation work in progress and a large excavator present on the site. In response to concerns expressed by your client and others, the developer agreed to install and periodically measure survey monitoring points (including on their rear fence and the rear of their home), to determine if ground movements were occurring. During the fall of 2021, no movements were reported by the surveyor, but various of the Goettingen Street properties apparently noted land slippage. Around Christmas 2021, major slope movement apparently occurred on the 239 Ordway Street property, and survey readings indicated at least one inch of horizontal and vertical movement was measured by the surveyor in your client's yard.

Your clients indicated the area was covered with plastic in January 2021, but no other remedial work was performed, and no further excavation occurred until about April. In April, a shoring wall was installed just inside the western property line of the 239 Ordway Street property; this wall is visible in a Google Earth image dated April 4, 2022. On Google Earth images from June and July 2022, the on-going installation of inclined struts to buttress the new shoring wall can be seen. Meanwhile, your clients' rear yard dropped four to six inches during this period. They report minimal additional support work or other construction activity after September 2022.

In July 2023, new survey readings indicate further movement of about ½ inch northward and 1-1/4 inch settlement in your client's yard. During my April 2025 site visit, they informed me that several areas are experiencing ongoing increases in separation/settlement.

KEY SITE OBSERVATIONS

During my site visit in April, I noted numerous areas of damage in the rear yard area of your client's property at 1015 Goettingen Street. These included:

- Deflection of the rear property line fence;
- Four to six inches of separation of the rear property line fence from the adjacent wood deck and planter;

- Serious deflection and damage to the lower sections of the stairs leading from the main floor deck to the rear yard;
- Large ground cracks in a number of areas below the artificial turf adjacent to the stair landing;
- A three-inch crack in the concrete below the stair landing;
- Distortion and damage at the base of the main wood post support for the main floor deck; and
- A two-inch separation of the rear yard wood deck where it abuts the rear of the house.

In addition, various damages were visible when I looked over the side yard fences into the adjacent Goettingen Street property rear yards.

CAUSATION ASSESSMENT AND IMPACTS

1. Ordway Street Site Excavation

The excavations made on the property at 239 Ordway Street exceeded 30 feet along the western property, which abut the Goettingen Street properties (including the property of your clients). Apparently, no temporary shoring was installed as the deep cuts into the hillside were made. These excavations removed support for the adjacent properties and also were so steep that slumping occurred. It was at the time of this work that the damages to your client's property were observed. The survey monitoring of points on your client's property documents the major and on-going character of the movement that occurred at that time. Furthermore, the temporary shoring that has been installed is not sufficient as on-going movement is still occurring. It is my opinion these damages on your client's property are the direct result of horizontal and vertical ground movement caused by the excavation of the 239 Ordway Street lot.

2. Extent of Future Damages

Without remedial work, the rear yard damages will further degrade, and the improvements will eventually no longer remain functional. In addition to impacting the usefulness of the rear yard, the deterioration will potentially create a safety hazard that will have to be addressed.

The ground movements caused by the excavation have apparently not yet significantly impacted the house itself so far. However, the large separation of the deck which abuts the rear sliding door from the house is very worrisome with a high potential for future house damage, in light of the on-going nature of the damages. Therefore, I judge that if the excavated slope is not properly further strengthened, the ground movement will progressively enlarge to the west and impact the house itself. It is critical the ground movement be arrested by appropriate remedial work on the 239 Ordway Street property.

LIMITATIONS

My work has been performed in accordance with generally accepted geotechnical engineering principles and practices. No other warranty, expressed or implied, is made. Should additional data become available regarding the conditions present and the events that occurred, please submit them to me for consideration as the opinions and general conclusions presented in this letter may be modified.

Contact me if you have any questions.

Very truly yours,



Alan Kropp, G.E.
Principal Engineer

AK/nf

Copies: Addressee (PDF) – robert@selnapartners.com

3254-1 Ordway Street Slide

EXHIBIT 7 | Geotechnical and Monitoring Reports

Golden Gate Surveying • 237 Ordway monitoring report and data

Golden Gate Surveying
PROFESSIONAL LAND SURVEYORS

Monitoring Survey Report

Date: January 5, 2026

To: Gemma Maher
Project Address: 237 Ordway Street, San Francisco
Project No.: 25-174

1. Introduction

This report details the findings of a recent monitoring survey conducted on the property. The purpose of this survey was to observe and quantify any vertical or horizontal ground movement at designated monitoring points established across the property.

2. Methodology

A total of eleven (27) monitoring points were re-surveyed or established on the property. For more information, review the monitoring points exhibits.
Two observations were conducted:

- **First Observation (Collection "H"):** June 28, 2023
- **Second Observation (Collection "A"):** December 30, 2025

The data presented in this report reflects the differences (deltas) between these Two observation periods, indicating the magnitude and direction of any movement. Initial monitoring was performed by Frederick T. Seher and Associates

3. Monitoring Results

The survey revealed varying degrees of movement across the monitoring points. An attached excel sheet is listed below this document. Note: 1 point had horizontal movement greater than 0.015′ and 6 of the points had vertical movement greater than 0.015′. 6 points were added during this new trip.

Key Observation: Several of the points from the original monitoring have been either removed or lost to weathering/construction activities. The significant time gap between monitoring trips indicates that there has been some movement among points.

Respectfully,

Zach Robinson, PLS
Licensed Land Surveyor No. 9772
Golden Gate Surveying

PROFESSIONAL LAND SURVEYOR
A. ZACHARY ROBINSON
9772
STATE OF CALIFORNIA

530 21st Ave, San Francisco, CA 94121 Tel: 415-688-9785 www.goldengatesurveying.com

EXHIBIT 7 | Geotechnical and Monitoring Reports

Golden Gate Surveying • 237 Ordway monitoring report and data (Case packet P

GOLDEN GATE SURVEYING
PROFESSIONAL LAND SURVEYORS
530 21ST Ave, San Francisco, CA 94121
Phone (415) 688-9785

Note:
All values are measured in feet and decimals thereof.
Coordinate values and elevations are on an assumed datum.
MT = monitoring point (Target)

ORIGINAL MONITORING PERFORMED BY FREDERICK T. SEHER AND ASSOCIATES AS IDENTIFIED IN COLLECTION H

First Observation (Collection "H") 6-28-2023							Second Observation (Collection "B") 12-30-2025							DELTAS BETWEEN "A"-"B"				
Point #	Northing	Easting	Elevation	Description			Point #	Northing	Easting	Elevation	Description			Δ Northing	Δ Easting	Δ Elevation	Δ 2D	Δ 3D
H100	4946.428	9997.4992	107.9485	MP-RT			A100	4946.43	9997.493	107.968	CP MT			-0.002	0.006	-0.020	0.007	0.021
H102	4936.956	9993.6946	109.065	MP-RT			A102	4936.954	9993.694	109.08	CP MT			0.002	0.001	-0.015	0.002	0.015
H103	4929.7978	9993.6894	109.6146	MP-RT			A103	4929.796	9993.687	109.629	CP MT			0.002	0.002	-0.014	0.003	0.015
H200	4920.8993	9908.6042	153.2039	MP-RT			A201	4920.884	9908.585	153.218	CP MT			0.015	0.019	-0.014	0.025	0.028
H201	4945.8957	9908.4823	137.8973	MP-RT			A202	4945.891	9908.479	137.915	CP MT			0.005	0.003	-0.018	0.006	0.019
H202	4946.2277	9923.1984	127.212	MP-RT			A201	4946.222	9923.196	127.231	CP MT			0.006	0.002	-0.019	0.006	0.020
H203	4946.402	9942.0436	124.6083	MP-RT			A203	4946.409	9942.037	124.623	CP MT			-0.007	0.007	-0.015	0.010	0.018
POINTS OBSTRUCTED/DESTROYED							NEW POINTS ADDED ALONG EASTERLY LINE											
H101	4943.2822	9993.5621	106.7129	MP-RT			A800	4941.868	9991.995	116.821	CP MT							
H104	4913.8626	9993.784	110.0005	MP-RT			A801	4930.763	9992.162	116.114	CP MT							
H106	4906.5132	9997.4234	116.6934	MP-RT			A802	4906.507	9997.426	116.717	CP MT							
H404	4895.4047	9942.1146	146.957	MP-RT			A803	4884.082	9992.843	118.436	CP MT							
H700	4921.2464	9944.4826	134.7091	MP-RT			A903	4896.448	9942.775	142.965	CP MT							
H703	4897.1012	9943.6071	138.4496	MP-RT			A913	4932.499	9942.961	133.061	CP MT							
H706	4874.0973	9944.6587	138.3506	MP-RT														