BOARD OF APPEALS
Date Filed: October 19, 2026

City & County of San Francisco

REHEARING REQUEST FOR APPEAL NO. 26-046

Andrew Linton and Angelina Greep, Appellant(s) seeks a rehearing of **Appeal No**. **26-046** which was decided on **October 7, 2026.** This request for rehearing will be considered by the Board of Appeals on **Tuesday**, **November 10, 2026**, at 5:00 p.m. **and will be held in Room 408 of San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place. The parties may also attend via the Zoom video platform.**

Pursuant to Article V, § 9 of the Rules of the Board of Appeals, the **response** to the written request for rehearing must be submitted by the opposing party and/or Department no later than **10 days from the date of filing, on or before October 29, 2026** and must not exceed six (6) double-spaced pages in length, with unlimited exhibits. The brief shall be double-spaced with a minimum 12-point font size. An electronic copy should be e-mailed to: boardofappeals@sfgov.org julie.lamarre@sfgov.org and andrewlintonfife@gmail.com and agreep7@gmail.com

You or your representative **MUST** be present at the hearing. It is the general practice of the Board that only up to three minutes of testimony from each side will be allowed. Except in extraordinary cases, and to prevent manifest injustice, the Board may grant a Rehearing Request only upon a showing that new or different material facts or circumstances have arisen, where such facts or circumstances, if known at the time, could have affected the outcome of the original hearing.

Based on the evidence and testimony submitted, the Board will make a decision to either grant or deny your request. Four votes are necessary to grant a rehearing. If your request is denied, a rehearing will not be scheduled and the decision of the Board will become final. If your request is granted, a rehearing will be scheduled, the original decision of the Board will be set aside, and after the rehearing, a second decision will be made. Only one request for rehearing and one rehearing are permitted under the Rules of the Board.

Requestor or Agent

Signature: Via Email

Print Name: Andrew Linton, requestor

BOARD OF APPEALS, CITY AND COUNTY OF SAN FRANCISCO

REQUEST FOR REHEARING — APPEAL NO. 26-046

Andrew Linton and Angelina Greep, Appellants, v. Department of Building Inspection, Planning Department approval. Permit Holder: Student Reach.

Subject Property: 888 Peru Avenue (Block 5963, Lot 014). Permit No. 2026/08/14/6639. Notice of Violation No. 202650385.

Hearing date: October 7, 2026 (appeal denied 5–0). Request filed: October 19, 2026.

Submitted under Board Rules Article V, Section 9 and Business and Tax Regulations Code Article 1, Section 16.

I. Relief Requested

We are the tenants at 888 Peru Avenue, and we ask the Board to grant rehearing. At the rehearing, we ask the Board to uphold the permit only with the following conditions, each to be met before any demolition work begins:

1. A lead and asbestos inspection by a certified inspector covering the materials to be disturbed, including where the enclosure joins the original 1931 exterior wall. The results are to be given to DBI and to us.
2. A written hazardous-materials handling plan. It must cover containment, dust control, waste handling and cleanup, and must meet San Francisco Existing Building Code Section 327 and Bay Area Air Quality Management District Regulation 11, Rule 2, as they apply.
3. A written commitment that no demolition debris or materials will be carried through our home. The Permit Holder told the Board at the hearing that nothing would go through the house.

4. A written schedule with an estimate of how long the work will take. If the work will require us to leave our home temporarily, written confirmation that the Permit Holder will follow the Rent Ordinance and Civil Code Section 1947.9 for any temporary displacement.

In the alternative, we ask the Board to add a condition to the permit that requires items 1 and 2.

II. The Board Heard a Commitment to Provide an Environmental and Safety Plan

Our appeal sought safe work in an occupied family home, not to stop the work. We told the Board that the room "contains potentially asbestos, lead, mold" with "no plan for containment" (2:13:59–2:14:21).[1] We asked for an environmental protection plan and whether the work would exceed 20 days, noting an expected newborn (2:39:44–2:40:06). We cited the asbestos clause on page 7 of our lease (**Exhibit 4**) (2:44:28–2:44:35) and past black mold (2:42:48).

The Board asked the Permit Holder's side directly about a plan. President Trasviña asked the Permit Holder's contractor, Ron Montez of Three Feathers Construction: "is there already in existence an environmental safety plan for the work…? … are you or the owner of the property willing to come up with some plans to address any environmental concerns?" The answer was: "Yeah, absolutely." (2:30:45–2:31:16.)

A commissioner then restated that "the current property owners" would be "willing to provide an environmental or safety plan or a hazardous material handling plan" (2:43:49–2:44:12). He added: "it does sound like that is something that they … have committed verbally to doing and I would imagine would be a requirement … if hazardous materials are suspected" (2:45:24–2:45:34).

The Permit Holder's brief likewise said testing "required by applicable demolition or environmental regulations" would be done, "before demolition," and invited the Board, "if necessary," to "require appropriate supplemental trade permits and safety compliance" (**Exhibit 5**; Item 6 packet, PDF pp. 122–124).

The motion denied the appeal because the permit "was properly issued," with no condition (2:54:07–2:54:33), and left other tenant issues to "other forums" (2:53:31–2:54:03). The safety plan was never written into the permit. It rests only on a verbal "Yeah, absolutely."

III. New Facts That Arose After the Hearing

The Board may grant rehearing when "new or different material facts or circumstances have arisen, where such facts or circumstances, if known at the time, could have affected the outcome of the original hearing" (Board Rules, Art. V, Sec. 9(b)). These facts arose after the Board voted. We could not have presented them at the hearing.

(i) Nature of the new facts.

A. The night the permit was upheld, the Permit Holder noticed the demolition for October 14–16, with no safety plan. That night, after the vote, Mr. Devoll served Ms. Greep with a "Notice of Intent to Enter Dwelling Unit (California Civil Code §1954)," dated 10/07/2026 (Exhibit 1). It was notice of the permitted removal work. It scheduled three full workdays, October 14, 15, and 16, from 8 a.m. to 5 p.m. The work was to "perform work related to existing correction notices," which includes the Notice of Violation this permit addresses. The persons entering were the removal contractor, "Ronald Montez," "and other workers as required." The notice also called for inspection of "the entire unit, interior and exterior," and warned that refusing access "may result in further action" under state law and the Rent Ordinance.

The notice says nothing about lead, asbestos, mold, hazardous materials, testing, containment, or any environmental or safety plan. Its wording matches verbatim, save the dates of entry, the roughly 30 prior notices we have received since May, 2026. Nothing in the Permit Holder's approach changed after the commitment made to the Board.

B. The entry was cancelled the next day, with no reason, plan, or schedule. On October 8, 2026, Mr. Devoll emailed us: "Please disregard the notice of entry for next week, we will not be coming to perform any work next week" (**Exhibit 2**). The email gives no reason and provides no plan, testing, or schedule.

C. No plan has been provided. As of October 19, 2026, we have received no lead or asbestos inspection, test results, or hazardous-materials plan.

(ii) Witnesses and documents. The witnesses are Angelina Greep and Andrew Linton. The documents are Exhibits 1–5, listed below.

(iii) Why this evidence was not produced at the original hearing. All of these facts occurred after the vote, so we could not have presented them. We filed within the 12 days that Rule V.9(a) allows.

Effect on the outcome. The Board treated the plan as "committed verbally" and voted 5–0. The Permit Holder's own conduct now leaves only two possibilities. Either it scheduled the demolition of a room in an occupied family home for three days with no testing, no containment, and no hazardous-materials plan, despite the commitment it made to this Board. Or it served a three-day entry notice for work it did not intend to perform. Either way, the verbal commitment has not been carried out and cannot be enforced. Had the Board known this, it could have conditioned the permit, as the Permit Holder's own brief invited, or continued the matter until a plan was produced.

IV. Denying Rehearing Would Result in Manifest Injustice

Rule V.9(b) also allows rehearing "in extraordinary cases, and to prevent manifest injustice." This is such a case.

The building is pre-1979. 888 Peru Avenue was built in 1931 (SF Assessor roll, Block 5963, Lot 014). The Permit Holder said lead and asbestos are "not at issue" because the enclosure dates to about 2013 (2:23:55–2:24:11). But the contractor testified the enclosure is "attached to the back side of the home that was the exterior," with "the exterior siding" visible (2:26:23–2:27:55). Removing it disturbs the 1931 wall and siding. SF Existing Building Code Section 327 governs disturbance of lead-based paint on pre-1979 buildings and requires notice to occupants (Sec. 327.5.3). DBI guidance says untested paint must be presumed to contain lead. The application left the lead item blank, and no lead or asbestos testing is in the record. The record inspection found conditions consistent with mold and recommended a certified industrial hygienist (Appellants' brief, Ex. L).

This is an occupied family home with twin boys and a newborn expected mid to late October 2026. Whether the work exceeds 20 days decides which relocation rules apply: Rent Ordinance Section 37.9C or Civil Code Section 1947.9 (2:39:51–2:39:58).

The only protection is verbal and unenforceable. Without a condition, the Permit Holder can reschedule entry at any time, and demolition can proceed in a home with young children and a newborn, with no inspection and no plan, despite a commitment the Board heard and relied on. A written condition costs the Permit Holder nothing it has not already promised. "Other forums" offer no protection once dust is released.

V. Conclusion

We do not ask the Board to stop this work. We ask only that the commitment made to the Board at the hearing be made enforceable. We respectfully request that the Board grant rehearing and condition Permit No. 2026/08/14/6639 as set out in Section I.

Respectfully submitted,

Andrew Linton Date: October 19, 2026

Andrew Linton, Appellant. 888 Peru Avenue, San Francisco, CA 94112.

andrewlintonfife@gmail.com. 415 916 8994

Angelina Greep Date: October 19, 2026

Angelina Greep, Appellant. 888 Peru Avenue, San Francisco, CA 94112. agreep7@gmail.com. 415 916 8993

Exhibits (attached; exhibits contain no argument):

1. Notice of Intent to Enter Dwelling Unit dated 10/07/2026, scheduling work October 14–16, 2026 (2 pp.).
2. Email from Jeff Devoll, October 8, 2026.
3. Hearing video and caption excerpts, Item 6, October 7, 2026, with a timestamp index.
4. Lease, page 7.
5. Permit Holder's brief, Item 6 packet, PDF pp. 122–124.

[1] All times refer to the SFGovTV recording of the October 7, 2026 Board of Appeals meeting (clip 53323), where Item 6 begins at 2:09:45. Quotations come from the closed captions (https://sanfrancisco.granicus.com/videos/53323/captions.vtt). Captions are produced in real time and may contain minor transcription errors. These excerpts are reproduced in **Exhibit 3.**

EXHIBIT 1

Notice of Intent to Enter Dwelling Unit dated 10/07/2026, scheduling work October 14–16, 2026

NOTICE OF INTENT TO ENTER DWELLING UNIT (California Civil Code §1954)

Date of Notice: 10/07/2026

To:
Andrew Linton
Angelina Greep
And all other occupants

Rental Address:
888 Peru Avenue
San Francisco, CA 94112

PLEASE TAKE NOTICE that the owner/landlord, Jeff Devoll, and/or authorized contractor Ron Montez intend to enter the above-referenced dwelling unit pursuant to California Civil Code §1954 for the lawful purposes set forth below.

PURPOSE OF ENTRY:
To conduct inspection(s) and perform work related to existing correction notices, including inspection, assessment, and/or repairs necessary to address maintenance, health, safety, and habitability conditions. This will include inspection of the entire unit, interior and exterior and to allow the insurance carrier to inspect the dwelling.

DATE OF ENTRY:
Month October, Day/s 14, 15, 16th 2026, during normal business hours.

APPROXIMATE TIME WINDOW:
Between 8am and 5pm. (during normal business hours)

AUTHORIZED PERSONS ENTERING:
Jeff Devoll, Owner/Landlord and/or licensed contractor(s) retained for correction and repair work, Ronald Montez. and other workers as required.

This entry is required to address outstanding correction notices, assess potential maintenance items, establish a baseline for maintenance/repairs and to maintain the premises in compliance with applicable health, safety, and housing laws. Entry will be

limited strictly to the stated purpose and conducted in a reasonable manner as required by law. The insurance company is also requesting to inspect the property.

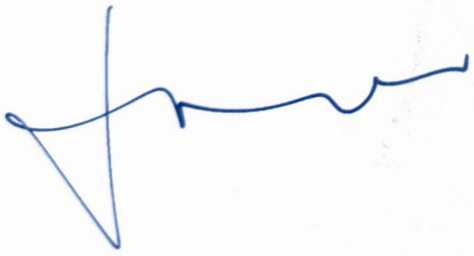
You are not required to be present for lawful entry. However, you may choose to be present if you wish. Please ensure reasonable access to all areas necessary to complete the inspection and related work.

If you believe the proposed time creates a serious hardship, you may submit a written request for an alternative reasonable time prior to the scheduled entry date.

You can make such a request before 10 / 12 /2026 at jeff@studentreach.org

Please be advised that refusal to provide lawful access after proper notice may constitute a violation of the rental agreement and may result in further action as permitted under California law and the San Francisco Rent Ordinance.

Sincerely,



Jeff Devoll
Executive Director – StudentReach and acting property manager
Phone: 707.310.2665
Email: jeff@studentreach.org

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EXHIBIT 2

Email from Jeff Devoll, October 8, 2026.

Gmail Andrew Linton <andrewlintonfife@gmail.com>

access next week

1 message

Jeff Devoll <jeff@thereachgroup.org> Thu, Oct 8, 2026 at 4:41 PM
To: Ange Greep <agreep7@gmail.com>, Andrew Linton <andrewlintonfife@gmail.com>
Cc: Tanya Devoll <tanya@thereachgroup.org>

Mr. Linton and Ms. Greep -

Please disregard the notice of entry for next week, we will not be coming to perform any work next week.

Jeff

EXHIBIT 3

Hearing video and caption excerpts, Item 6, October 7, 2026, with a timestamp index.

EXHIBIT 3

Hearing Video and Caption Excerpts, Item 6, October 7, 2026, with Timestamp Index

San Francisco Board of Appeals — Appeal No. 26-046 — 888 Peru Avenue

Video: https://sanfrancisco.granicus.com/MediaPlayer.php?view_id=6&clip_id=53323 (Item 6 begins at 2:09:45)

Captions: https://sanfrancisco.granicus.com/videos/53323/captions.vtt

Note: Captions are generated in real time and may contain transcription errors. Excerpts are reproduced verbatim as captioned. Times are positions in the recording (h:mm:ss). In the captions, President Trasviña appears as "PRESIDENT CHRISTINA" or "TREVINO," and Ms. Greep as "GROUP."

Time	Speaker	Caption excerpt (verbatim)
2:09:43 – 2:10:03	Not identified	THANK YOU. WE ARE NOW MOVING ON TO ITEM NUMBER SIX. THIS IS APPEAL NUMBER 20 6-046 ANDREW LYTTON AND ANGELA ANGELINA GROUP VERSUS DEPARTMENT OF BUILDING INSPECTION PLANNING DEPARTMENT APPROVAL SUBJECT PROPERTY 880 PERU AVENUE. APPEALING THE ISSUANCE ON AUGUST 14TH, 2026 TO STUDENT
2:13:52 – 2:14:31	Angelina Greep (appellant)	SAYING THEY PLAN TO CARRY DEBRIS FROM THE BACKYARD THROUGH THE ENTIRE HOUSE AND ASKING ME TO CLEAR A PATHWAY SO THE UNPERMITTED ROOM CONTAINS POTENTIALLY ASBESTOS LEAD MOLD. WE DON'T KNOW WHAT IT HAS BECAUSE IT WAS BUILT ILLEGALLY AROUND 2011 WHICH EVERYBODY REALIZES AND ACKNOWLEDGES OCCURRED. >> SO NOT ONLY IS THERE NO PLAN FOR CONTAINMENT OF POTENTIALLY HAZARDOUS MATERIALS, WE'RE JUST ASKED TO ACCOMMODATE ALL OF THE HAZARD TO MATERIALS BEING TRAIPSED THROUGH THE HOUSE. THIS IS A CLEAR VIOLATION OF TENANT RIGHTS.

Time	Speaker	Caption excerpt (verbatim)
2:23:49 – 2:24:17	Jeff Devoll (permit holder)	ALSO THIS ROOM IS PRETTY MUCH DOCUMENTED TO HAVE BEEN BUILT SOMEWHERE AROUND 2013 THROUGH SATELLITE PHOTOS THERE IN THE THERE IN THE THE EXHIBITS THAT WE PRESENTED LED PAINT, ASBESTOS, THOSE KIND OF THINGS HAVEN'T BEEN USED IN QUITE SOME TIME OBVIOUSLY SINCE THE 70S SO SOME OF THOSE THINGS ARE REALLY NOT AT ISSUE IN TERMS OF IT BEING A BEDROOM. THERE IS A FOURTH BEDROOM DOWNSTAIRS.
2:26:20 – 2:26:35	Ron Montez	SOMEWHERE RIGHT AROUND 2013 I THINK IS WHEN THEY DID THE SKYLIGHTS. SO THE ROOM ITSELF IS ATTACHED TO THE BACK SIDE OF THE HOME THAT WAS THE EXTERIOR. SO I DID SUBMIT ALL THE DOCUMENTS AFTER TALKING WITH
2:27:47 – 2:28:02	Ron Montez	FAR AS HABITABLE SPACE GOES, IT'S IT'S JUST DEFINITELY NOT A ROOM. IT'S YOU KNOW, YOU CAN SEE THE EXTERIOR SIDING ON IT. THE THE BARS THAT WERE TAKEN OFF WERE PART OF TRYING TO REMEDY THE EGRESS ISSUE THAT
2:30:35 – 2:31:15	President Trasviña	THANK YOU. PRESIDENT CHRISTINA HAS A QUESTION A QUESTION WE'VE HEARD A MYSTERY. >> WE TALK ABOUT THE POTENTIAL ENVIRONMENTAL DANGERS IS THERE ALREADY IN EXISTENCE AN ENVIRONMENTAL SAFETY PLAN FOR THE WORK THAT'S TO BE DONE ON ENVIRONMENTAL NO, NOT ENVIRONMENTAL. IS THERE ARE YOU OR THE OWNER OF THE PROPERTY WILLING TO COME UP WITH SOME UH PLANS TO ADDRESS ANY ENVIRONMENTAL CONCERNS?
2:31:16 – 2:31:17	Ron Montez	>> YEAH, ABSOLUTELY. THANK YOU.

Time	Speaker	Caption excerpt (verbatim)
2:39:20 – 2:40:11	Angelina Greep (appellant)	GOING TO MOVE ON TO REBUTTAL. >> MS. GROUP YOU HAVE THREE MINUTES TO ADDRESS THE BOARD, RIGHT. WELL THANK YOU FOR THE CLARIFICATION OF TWO SETS OF PLANS. >> I JUST INTERPRETED THAT SENTENCE A LITTLE BIT DIFFERENTLY. >> UM THE INTENTION TO RESOLVE THE A.V. DOESN'T EQUATE TO THE ACTUAL LEGAL EXECUTION OF THAT INTENTION MIGHT BE THERE. HOWEVER THERE'S SPECIFIC WAYS THAT THE RENT BOARD AND TENANT RIGHTS DICTATE THAT THEY SHOULD AT LEAST PROVIDE THE ENVIRONMENTAL PROTECTION PLAN. THE WE NEED TO KNOW IF IT'S LESS THAN 20 DAYS, IF IT'S LONGER THAN 20 DAYS AND OBVIOUSLY I'M GOING TO HAVE A NEWBORN VERY SOON. SO IT'S GOING TO BE PRETTY DIFFICULT TO NAVIGATE THE NOISE AND EVERYTHING THAT GOES AROUND WITH DEMOLITION.
2:42:40 – 2:42:55	Not identified	OUR INTENTIONS WERE JUST TO GET A PLACE THAT IS WORTH PAYING TOP DOLLAR SAN FRANCISCO RENT FOR THIS ROOM PARTICULARLY THAT THEY WANT TO DESTROY DID HAVE BLACK MOLD IN IT. WE HAD ORIGINALLY NOTIFIED THE PREVIOUS LANDLORDS THEY DIDN'T
2:43:49 – 2:44:16	Commissioner (captioned "Bob")	LEGALLY REQUIRED. >> SO THAT LEADS ME TO MY NEXT QUESTION WHICH IS WE'VE HEARD THE CURRENT PROPERTY OWNERS WHO WHO ARE RELATIVELY NEW IT SOUNDS LIKE AND HAVE BEEN WORKING TO ADDRESS ISSUES ON THE PROPERTY SINCE THEY TOOK OWNERSHIP THAT UH THAT THEY WOULD BE WILLING TO PROVIDE AN ENVIRONMENTAL OR SAFETY PLAN OR A HAZARDOUS MATERIAL HANDLING PLAN. >> YOU MENTIONED THAT AT ONE

Time	Speaker	Caption excerpt (verbatim)
2:44:19 – 2:44:39	Commissioner (captioned "Bob"); response: not identified	AND ARE YOU AWARE OF YOU DOCUMENTED THAT THERE'S OTHER HAZARDOUS MATERIALS ASBESTOS LEAD OR LIKE I UNDERSTAND THOSE ARE CONCERNS BUT ARE HAVE WE VERIFIED THAT THOSE ARE ACTUAL CONDITIONS ON THE PROPERTY? >> SO THE LEASE HAS A CLAUSE ON PAGE SEVEN THAT REFERENCES THE EXISTENCE OF ASBESTOS AND IT DOESN'T SPECIFY WHERE BECAUSE THAT BACK ROOM WAS DONE
2:45:24 – 2:45:38	Commissioner (captioned "Bob")	>> I UNDERSTAND THE CONCERN AND IT DOES SOUND LIKE THAT IS SOMETHING THAT THEY ARE HAVE COMMITTED VERBALLY TO DOING AND I WOULD IMAGINE WOULD BE A REQUIREMENT A BUILDING REQUIREMENT IF IF HAZARDOUS MATERIALS ARE SUSPECTED.
2:53:15 – 2:54:07	President Trasviña; Vice President Saroyan (from 2:53:22)	BEFORE US TONIGHT AS A PERMIT I WOULD UPHOLD THE PERMIT AND I WOULD DENY THE APPEAL. I'M HAPPY TO ENTERTAIN ANY DISCUSSION FROM MY COLLEAGUES. VICE PRESIDENT SAROYAN I CONCUR WITH PRESIDENT TRASVINA. >> THIS IS A COMPLEX, LONGSTANDING AND MULTIFACETED SITUATION AND I THINK THAT WHAT IS BEFORE US TONIGHT IS AN OVI DESPITE ALL OF THE TANGENTIAL BUT VERY IMPORTANT ISSUES RELATED TO I HAVE SYMPATHY FOR THE PARTIES BUT ON BOTH SIDES AND I THINK THAT THERE'S OTHER FORUMS THAT MAY BE BETTER SUITED TO ADDRESS SOME OF THESE ISSUES WHETHER IT'S THE RENT BOARD, WHETHER THERE'S COURT ACTIONS AND I, I THINK THAT MAY BE OUTSIDE OF OUR PURVIEW.
2:54:07 – 2:54:21	Vice President Saroyan	SO I WOULD BE INCLINED TO MAKE A MOTION TO DENY THE PERMIT ON THE BASIS DID I I'M SORRY I DENY THE APPEAL AND I PULLED THE PERMIT ON THE BASIS THAT IT WAS PROPERLY ISSUED. YES. OKAY.

Time	Speaker	Caption excerpt (verbatim)
2:54:21 – 2:54:37	Not identified	ON THAT MOTION, COMMISSIONER LOPEZ PRESIDENT TREVINO HIGH COMMISSIONER A BOARD I MR. WONG I SO THAT MOTION CARRIES 5 TO 0 AND THE APPEAL IS DENIED. THANK YOU.

EXHIBIT 4

Page 7 of Lease admitting the property may contain asbestos

Residential Tenancy Agreement, 888 Peru Ave (lease page 7)

Tenant must communicate repair requests directly to Owner or Owner's agent, and in writing. Non-emergency repair requests from guests or subtenants shall not be processed; however, should Owner elect to process such repair or maintenance requests from persons other than Tenant, that election shall not create a direct relationship between Owner and the third party and serves only to confirm Owner's interest in maintaining/repairing the Premises or Building.

36. LEAD DISCLOSURE: Many homes and apartments built before 1978 have paint that contains lead (called lead-based paint). Lead from paint chips and dust can pose serious health hazards if not taken care of properly. The law requires that Tenant receive certain information before renting pre-1978 housing. By signing this Agreement, Tenant represents and agrees that Owner has provided Tenant with such information, including, but not limited to: EPA booklet entitled, "Protect Your Family From Lead In Your Home" before Tenant signed this Agreement.

37. ASBESTOS: The Premises may contain asbestos or have original construction materials that contain asbestos. Asbestos is known to exist in the following locations: N/A

(Copies of available reports, if any, are attached hereto for your reference and information.)

Damaging or disturbing the surface of asbestos-containing materials (ACMs) may increase the risk of exposure. Therefore, Tenant and Tenant's guests, contractors, or invitees shall not allow any action which may, in any way, disturb ACMs or any part of the Premises that may contain asbestos or ACMs. Tenant shall notify Owner immediately if Tenant knows or suspects that an ACM has been disturbed or if Tenant becomes aware of any ACM that is showing signs of deterioration.

38. MOLD/MILDEW: Tenant agrees to maintain the Premises in a manner that prevents the occurrence and infestation of mold or mildew in the Premises, including the use of bathroom exhaust fans and/or opening windows as necessary to avoid moisture build-up. Tenant agrees to uphold this responsibility in part by complying with the list of responsibilities in the addendum entitled, "Mold Notification." By signing this Agreement, Tenant represents and agrees that Owner has provided Tenant with such information, including, but not limited to the attached Addendum—"Mold Notification."

39. SATELLITE DISHES: Any satellite dish installations shall be subject to all of the following rules and conditions: a) Satellite dish must be installed within the interior of the Premises or inside balcony railings or windows; b) Satellite dish may not exceed one (1) meter in diameter; c) installation must comply with reasonable safety standards; d) Satellite dishes shall not be attached to or obstruct the immediate use of fire escapes, nor shall the wires from any such satellite dish to the Premises be attached to or extend across the fire escape, nor shall any wires be allowed to create a tripping hazard on the roof, stairs, fire escapes, etc.; e) installation must not damage Premises, including interior and exterior walls or other appurtenances; f) Tenant remains strictly liable for any injury or damage to persons or property caused by the satellite dish; and g) Tenant agrees to maintain sufficient liability coverage against any such injury or damage. Proof of such insurance must be provided to Owner, with Owner listed as an "Additional Insured," prior to approval of installation and upon each renewal of coverage. If Tenant contracts with any *communications services provider*, as that term is used in Article 52 of the San Francisco Police Code, said communications services provider shall agree to be bound by this Paragraph.

40. ENTRY and INSPECTION: Owner shall have the right to enter the Premises pursuant to California Civil Code Section 1954. Owner shall give Tenant reasonable notice of the intention of Owner/Owner's agent to enter the Premises and shall enter only during normal business hours, unless otherwise agreed by Tenant. For purposes of this Paragraph, normal business hours shall be defined as 7:00 AM to 7:00 PM, every day of the week. Tenant may not place any unreasonable restrictions upon such entry. If, however, Owner reasonably believes that an emergency exists (such as a fire or flood) which requires immediate entry, such entry may be made without prior notice to Tenant. Tenant agrees and understands that Owner may give 24 hours' notice to enter via email. Tenant agrees to inform Owner in writing if Tenant changes their email address.

Tenant agrees and understands that if Owner provides 24 hours' written notice under California Civil Code, Tenant cannot require that Tenant be present.

If Tenant has, after written notice to cease, continued to deny Owner access to the Premises, as required by law, such failure is a substantial breach of this Agreement and is a just cause for recovery of possession of the Premises.

If the Premises or the Building is required by any government agency, lender or insurer to undergo inspections, repairs or alterations, Tenant agrees to cooperate fully with Owner so that all such inspections, repairs or alterations are made in as expeditious and efficient a manner as possible.

41. ELECTRICAL SAFETY: Tenant shall not recharge more than one lithium-ion battery powered personal transporter (electric skateboards, kick scooters, self-balancing unicycles, hover boards, and Segways) in the Premises at a time. A GFCI or AFCI outlet or power strip shall be used when charging personal transporters. Tenant shall reduce the risk fire by never using wall taps or outlet adapters to increase the number of installed outlets available. Tenant shall avoid overloading circuits by ensuring multiple high amperage devices are not plugged into the same outlet. Per the SF Fire Code, extension cords shall not be a substitute for permanent wiring and shall not be routed through walls, ceilings or floors, or under floor coverings or doors, and shall never be affixed to the Premises. Issues with electrical wiring of the Premises shall be reported to Owner. Tenant shall not alter or tamper with outlets, circuit breakers or wiring at any time.

42. SMOKE and CARBON MONOXIDE ALARMS: The Premises are equipped with functioning smoke alarms and/or carbon monoxide alarms as required by law, and Tenant shall be responsible for testing the alarm(s) monthly and immediately reporting any problems, maintenance or need for repairs to Owner. Most smoke and CO alarms are now 10-year units that no longer require battery changes, but if the alarm in the Premises is battery operated, Tenant is responsible for changing the alarm's battery as necessary, or for immediately reporting to Owner the need for assistance in changing batteries. Owner shall have a right to enter the Premises to check and maintain the alarm(s) as provided by law. It is expressly understood that Tenant must not, at any time, disable or remove an installed alarm, and to do so shall be considered a material breach of this Agreement.

San Francisco has mandated upgrades to fire alarm systems to be completed over the next several years. These upgrades may require extensive wiring work inside of the Premises and installation of new annunciation devices in every sleeping room. Tenant shall cooperate with Owner and Owner's contractors, making every effort to assist in the installation process. Once installed, these new annunciation devices may have their own battery systems that can only be replaced by qualified personnel.

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EXHIBIT 5

Permit Holder's brief, Item 6 packet, PDF pp. 122–124.

Appellants argue that removal may involve electrical, plumbing, lead, asbestos, or environmental requirements.

Appellants speculate that lead, asbestos, or other hazardous materials may be present. However, the unpermitted enclosure was constructed long after the 2005 permitted remodel that established the property's legal configuration, and Appellants present no evidence that any hazardous materials are actually present. If any testing is required by applicable demolition or environmental regulations, the owner will comply with those requirements. The speculative possibility of hazardous materials is not a basis to prevent correction of an acknowledged code violation.

The owner does not seek exemption from any legally required testing, trade permits, safety procedures, containment measures, or inspections. The owner and contractor will comply with all applicable requirements identified by DBI and other responsible agencies before and during construction.

Those requirements concern how the permitted work must be performed. They do not establish that the prohibited structure must remain or that the corrective permit should be revoked.

If separate electrical or plumbing permits are required to disconnect or remove unpermitted systems, those permits can be secured as required. If hazardous-material testing or abatement is required as determined by the contractor or city, that work can likewise be completed before demolition. The appropriate remedy is compliance with the applicable safety requirements, not indefinite preservation of an unpermitted enclosure.

G. The Board can clarify the permit without revoking it

If the Board believes the phrase “patio structure” could be clearer, Respondent does not oppose a clarifying condition substantially stating:

Permit No. 202608146639 authorizes removal of the unpermitted second-floor rear enclosure identified in Notice of Violation No. 202650385, including the unpermitted roof, walls, finishes, and associated work, and

restoration of the affected area to its last legal exterior use, subject to all required inspections and any separately required trade, environmental, or safety permits.

Such a clarification would address Appellants' claimed ambiguity while preserving the City's enforcement decision and allowing the owner to correct the documented violation.

Revoking the permit would accomplish the opposite. It would leave the noncompliant enclosure in place, prevent restoration to the last legal use, and prolong the conditions DBI has identified as presenting life-safety concerns.

V. RESPONSE TO APPELLANTS' REQUESTED RELIEF

Appellants ask the Board to restrict the permit to what they characterize as a separate rear-yard patio and to prohibit removal of the enclosed structure.

That relief would sever the permit from the Notice it was issued to correct. It would also leave the unpermitted second-floor enclosure intact despite:

- the Notice's direction to legalize or restore;
- the lack of an approved permit establishing the enclosure as habitable floor area;
- the contractor's conclusion that legalization is not reasonably feasible;
- Appellants' own expert report describing unsafe and noncompliant rear conditions; and
- DBI's determination that prompt correction is necessary.

The Board should decline to impose relief that prevents the permit holder from correcting the precise unpermitted condition identified by DBI.

Alternatively, if the city chooses to remove the violation via a variance and let the structure remain in place, no further action would be taken and the residence would be determined to be free of code and safety violations.

Removal of the structure or removal of the violation via variance are the only viable remedies.

VI. CONCLUSION

The essential facts are straightforward.

The rear enclosure was not included in the approved plans establishing the property's legal configuration. It was constructed without permits over an area whose lawful use was exterior deck, porch, or patio space. DBI ordered the owner either to legalize the enclosure or restore the property to its last legal use. Legalization is not a viable alternative given the manner in which the enclosure was constructed. The owner therefore obtained a permit to remove it and restore the area to exterior use.

The terminology used to describe the structure does not create a substantive conflict. The enclosure is a former exterior deck or patio that was later enclosed and used as a room without permits. Its current use does not transform it into legally approved living space.

Respondent respectfully requests that the Board:

1. **Deny the appeal;**
2. **Uphold Permit No. 202608146639;**
3. **Allow removal of the unpermitted second-floor rear enclosure and restoration of the area to its last legal use; and**
4. **If necessary, clarify the permit description or require appropriate supplemental trade permits and safety compliance without revoking the underlying permit.**

Or

5. **Direct the city to remove the code violation and declare the residence free of and further code or safety violations via a code variance.**

BRIEF SUBMITTED BY THE PERMIT HOLDER(S)

Opposition to Request for Rehearing

Board of Appeals City and County of San Francisco

Appeal No. 26-046 | Permit No. 202608146639

888 Peru Avenue | Block 5963 Lot 014

Permit Holder StudentReach

Appellants Andrew Linton and Angelina Greep

The unanimous decision should stand and the board should not grant an additional hearing

StudentReach requests denial of the October 19, 2026 rehearing request. On October 7, the Board voted 5–0 to deny the appeal and uphold this corrective permit as properly issued. The Board heard the environmental concerns, the request for a safety plan, and the parties' access and tenancy disputes. Appellants now seek conditions addressing substantially the same issues. The later entry notice and its prompt withdrawal do not show that the permit was improperly issued or that the owner has repudiated its safety commitments.

This is clearly a blatant attempt to delay, interfere and harass the contractor who the tenant has maligned without evidence and the landlord who has sought only to comply with NoVs originated by the tenant.

This matter has been decided and on a procedural matter, this is not the forum for new, additional requirements outside of the board's purview. The contractor will operate inside the bounds required by the law, nothing more or less is expected or required.

A reading of the tenants brief itself should make it clear to the board that the tenant hasn't even met basic requirement for a hearing. They are no longer even trying to overturn the board's decision, but just to add additional requirements.

We submit that no hearing should be given, as the tenants haven't met the requirement to grant a re-hearing.

The rehearing standard has not been met

Article V, section 9(b) requires material new or different facts that could have affected the original outcome, subject to the extraordinary-case and manifest-injustice exception. Section 9(c) permits denial for lack of diligence in producing evidence earlier. Events occurring after the vote can be new chronologically without establishing material grounds to reopen the decision. We address the notice, cancellation, alleged nonperformance, and each requested condition below. The 5–0 vote does not bar rehearing, but the request must satisfy the governing standard.

The notice and cancellation do not establish misconduct

Response to section III A. Appellants characterize the October 7 notice as scheduling demolition without safeguards. Its actual language is broader: inspections and/or work related to correction notices, assessment and repairs, and access for an insurance inspection. It identifies October 14–16 as entry dates; it does not expressly state that demolition would begin on those dates. A notice of access is not a complete construction protocol, and its silence about testing does not prove that required precautions would be omitted. (Request, exhibit 1.)

Response to section III B. We issued the notice after prevailing at the hearing. We subsequently learned that a waiting period applied and withdrew the notice. The October 8 email expressly told Appellants to disregard it and stated that no work would be performed the following week. That was a correction to respect the applicable process, not a sham notice or an attempt to evade the Board. The email's brevity does not establish a contrary motive. (Request, exhibit 2.)

Appellants' asserted choice between unsafe demolition and a notice never intended to be honored is incomplete. There is a straightforward third explanation: intended access was cancelled when we learned that the work could not yet proceed. Repeated use of a notice form and its reference to lawful remedies for denied access do not, by themselves, establish harassment or unsafe work. We have sought to follow the applicable process despite what we regard as repeated tenant resistance to corrective access.

We have not repudiated the hearing commitments

Response to sections II and III C. We acknowledge Ron Montez's affirmative response when asked whether the owner or contractor was willing to develop plans addressing environmental concerns. We also reaffirm our prior brief's commitment to comply with required testing, permits, safety procedures, containment, and inspections. We do not ask the Board to disregard that testimony. (Request, exhibit 3, 2:30:35–2:31:17; exhibit 5.)

The question concerned willingness to address concerns; the cited exchange set no delivery date or detailed scope for a separate written hazardous-materials plan. The Board nevertheless upheld the permit without adding a condition. As of October 19, non-delivery of the documents Appellants demand does not establish that we have refused to honor the undertaking. The cited entry was cancelled. These exhibits do not document demolition undertaken in breach of that undertaking.

Our earlier willingness to accept clarification or supplemental safety requirements if the Board considered them necessary was not an admission that the permit was invalid without them. The Board considered the record and upheld issuance. Appellants have not identified a new test result, newly discovered material, or post-hearing demolition event that changes that decision. Previously raised concerns about the lease, mold, children, and construction impacts deserve appropriate attention, but their repetition does not itself satisfy section 9(b).

Lead asbestos and mold concerns can be addressed through compliance

Response to section IV and requested conditions 1 and 2. The rear enclosure is a later addition, rather than an original 1931 room. Testimony places its development around 2011–2013; Planning identified its appearance in approximately 2011 aerial imagery. That history supports distinguishing newer enclosure materials from the original house. It does not prove every affected surface is free of lead or asbestos. (October 7 hearing transcript, Planning testimony; request, exhibit 3.)

We dispute that Appellants have established actual lead or asbestos in the newer enclosure. Their lease excerpt says the premises may contain asbestos and lists known locations as N/A; it is not a laboratory finding identifying asbestos in this work area. The reported mold concerns were also raised before the vote. (Request, exhibit 4; section II.)

We recognize that the attachment to the older wall matters if older finishes are disturbed. Section 327 regulates specified paint disturbance on pre-1979 buildings, and Air District Rule 11-2-303.8 addresses asbestos surveys before demolition or renovation. We will comply with applicable requirements, including qualified assessment where required. We oppose additional blanket conditions beyond those requirements absent a material new showing. Our request is to preserve the permit while compliance is addressed, not to obtain an exemption from safety law. A contractor's experience informs construction methods but does not replace legally required specialist work.

Exterior removal addresses the debris concern

Response to requested condition 3. We have previously confirmed in writing that demolition debris and removed construction materials would not be carried through the tenants' home, but only as a courtesy, the law does not require that the tenant not be disturbed in any way during maintenance. We have arranged an exterior removal route over the fence through neighboring space, consistent with our hearing representation. (October 7 hearing transcript, permit holder rebuttal.) This is sufficient.

The tenants can assist by keeping doors separating the home from the work area closed during work. The contractor remains responsible for any required isolation, dust control, containment, cleanup, and safe handling; closing doors is not offered as a substitute for those measures. The exterior route answers the specific concern about debris being carried through occupied rooms without requiring the Board to reopen permit issuance.

The contractor can manage the permitted work

Ron Montez of Three Feathers Construction is our licensed contractor, is in good standing to our knowledge, and has more than 40 years of construction experience, as presented at the hearing. His assessment supports removal as a practical means of correcting the unpermitted enclosure. We are entitled to rely on his professional construction judgment, subject

to agency oversight and applicable law. (October 7 hearing transcript, permit holder introduction and contractor testimony.)

Ordinary construction decisions should remain with qualified professionals and the responsible agencies. Appellants have not shown that their preferred additional testing or plan conditions must be imposed through rehearing rather than addressed under existing requirements.

Scheduling and relocation do not require reopening issuance

Response to requested condition 4. The withdrawn three-day entry window was not a final representation of total project duration or a determination that displacement would be required. Before work proceeds, scheduling and any required notices must reflect the actual scope. If temporary displacement is necessary, we will follow applicable relocation requirements. We seek no ruling extinguishing tenant rights. Appellants' reference to a 20-day threshold does not establish the project's duration or which relocation provisions apply.

Further delay would prolong the unresolved violation

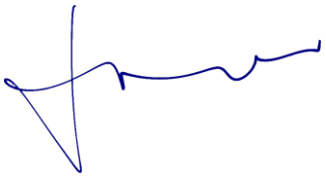
We contend that this request is another delay tactic in a longstanding dispute involving extended nonpayment of rent and resistance to corrective access. In our view, continued delay postpones correction while Appellants remain without paying rent. We do not ask the Board to determine the rent balance, the legal justification for withholding, or the parties' tenancy claims. Those issues belong in the appropriate forum; denial is warranted on the rehearing record independently of disputed motive.

Let the board be reminded that the tenant, not the landlord, called for inspections in a likely attempt to withhold rent even further than the more than 2.5 years the tenant has lived rent free without any expressed plan to pay back rent to the previous or current landlord. The tenant wants commitments and guarantees of many kinds without any guarantee of back rent (which will be legally due). The tenant seems to seek additional expense to the landlord while they withhold rent, harass our contractor and inspectors, have an illegal tenant in the property and dispute every repair made in some way. This isn't how a healthy rental market works in San Francisco or any city.

Requested disposition

The cited post-hearing events show a withdrawn notice, not a new defect in permit issuance or an established refusal to comply. We request denial of rehearing, denial of the alternative request to add conditions 1 and 2 on this showing, and preservation of the October 7 decision upholding Permit No. 202608146639. The corrective work can proceed when legally authorized, subject to applicable safety requirements.

Respectfully submitted,



Jeff Devoll for StudentReach

Date 10/19/2026

BRIEF SUBMITTED BY PLANNING DEPARTMENT

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

BOARD OF APPEALS BRIEF

HEARING DATE: November 4, 2026

October 29, 2026

Appeal No.:	26-046
Project Address:	888 Peru Avenue
Block/Lot:	5963/014
Zoning District:	RH-1 (Residential-House, One Family) Priority Equity Geographies SUD
Height/Bulk:	40-X
Staff Contact:	Corey A. Teague, AICP, Zoning Administrator – (628) 652-7328 corey.teague@sfgov.org

Background & Analysis

The Board of Appeals' rules state that "Except in extraordinary cases, and to prevent manifest injustice, the Board may grant a Rehearing Request only upon a showing that new or different material facts or circumstances have arisen, where such facts or circumstances, if known at the time, could have affected the outcome of the original hearing." The Appellant's submittal does not raise any concerns or issues related to the Planning Department's approval of the subject building permit. Instead, if focuses on the means and methods of completing the work approved by the permit, which is not the purview of the Planning Department. Therefore, the Planning Department takes no position on the Rehearing Request.

cc: Jeff Devoll (Agent for Permit Holder)
Andrew Linton and Angelina Greep (Appellants)
Carey McElroy (Department of Building Inspection)

DOCUMENTS SUBMITTED FOR THE HEARING ON OCTOBER 7, 2026

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
ANDREW LINTON and ANGELINA GREEP, Appellant(s)
vs.
DEPARTMENT OF BUILDING INSPECTION, PLANNING DEPARTMENT APPROVAL Respondent

Appeal No. **26-046**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on August 21, 2026, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on August 14, 2026 to Student Reach, of an Alteration Permit (removal of non-permitted patio structure at the rear of the property per Notice of Violation No. 202650385) at 888 Peru Avenue.

APPLICATION NO. 2026/08/14/6639

FOR HEARING ON October 7, 2026

Address of Appellant(s):	Address of Other Parties:
Andrew Linton and Angelina Greep, Appellant(s) 888 Peru Avenue San Francisco, CA 94112	Student Reach, Permit Holder(s) c/o Jeff Devoll, Agent for Permit Holder(s)

Date Filed: August 21, 2026

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

PRELIMINARY STATEMENT FOR APPEAL NO. 26-046

I / We, **Andrew Linton and Angelina Greep**, hereby appeal the following departmental action: **ISSUANCE** of **Alteration Permit No. 2026/08/14/6639** by the **Department of Building Inspection** which was issued or became effective on: **August 14, 2026**, to: **Student Reach,** for the property located at: **888 Peru Avenue**.

BRIEFING SCHEDULE:

Appellants' Brief is due on or before: 4:30 p.m. on **September 17, 2026**, **(no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, andrew.perry@sfgov.org, carey.mcelroy@sfgov.org and jeff@studentreach.org

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **October 1, 2026**, **(no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, andrew.perry@sfgov.org, carey.mcelroy@sfgov.org andrewlintonfife@gmail.com and agreep7@gmail.com

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, October 7, 2026, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place.** The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at www.sfgov.org/boa. You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:

See attachment to the Preliminary Statement of Appeal.

Appellant or Agent:

Signature: Via Email

Print Name: Andrew Linton and Angelina Greep, appellants

Preliminary Statement of Appeal

Permit No. 202608146639

Property: 888 Peru Avenue, San Francisco

Appellants: Angelina Greep and Andrew Linton, Tenants

We are tenants at 888 Peru Avenue and appeal the issuance of Building Permit No. 202608146639 on August 14, 2026.

The permit authorizes "Removal of non-permitted patio structure at the rear of the property." This does not accurately describe the condition identified in NOV No. 202650385. The April 27, 2026 NOV identifies a "new unapproved room approximately 18 feet by 12 feet" at the second-floor rear of the building and directs the owner to either legalize the existing floor plan or restore the property to its last legal use.

The structure is an enclosed, finished room forming part of the tenant-occupied dwelling, with finished flooring, windows, skylights and direct interior access. It is used as living and office space and is not an open patio or rear deck. Nevertheless, the CP-ZOC review treated the work as removal of a "rear deck."

Complaint No. 202660828 was filed on August 12, 2026 concerning the landlord's stated intention to demolish the room. The permit was issued two days later.

We respectfully request that the Board overrule the issuance of Permit No. 202608146639 and order that the permit be denied or set aside.

Respectfully submitted,

Angelina Greep Angelina Greep

Date: August 21, 2026

415-916-8993 | agreep7@gmail.com

Andrew Linton Andrew Linton

Date: August 21, 2026

415-916-8994 | andrewlintonfife@gmail.com

Permit Details Report

Report Date:	**8/21/2026 11:50:59 AM**
Application Number:	202608146639
Form Number:	8
Address(es):	5963 / 014 / 0 888 PERU AV
Description:	Removal of non permitted patio structure at the rear of the property. Per nov#: 202650385.
Cost:	$5,000.00
Occupancy Code:	R-3
Building Use:	27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
8/14/2026	TRIAGE	
8/14/2026	FILING	
8/14/2026	FILED	
8/14/2026	APPROVED	
8/14/2026	ISSUED	

Contact Details:

Contractor Details:

License Number:	1011998
Name:	RONALD FREDERICK MONTEZ II
Company Name:	3 FEATHERS CONSTRUCTION
Address:	229 BATTLECREEK CR * SACRAMENTO CA 95835-0000
Phone:	

Addenda Details:

Description:

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
INTAKE		8/14/26	8/14/26			8/14/26	MOK CALVIN	Administrative	
HIS		8/14/26	8/14/26			8/14/26	LUTON MATT	Approved	8/14/2026: Okay to process. ML
CP-ZOC		8/14/26	8/14/26			8/14/26	USER DCP	Approved	T Greenan. Remove rear deck to comply with NOV# 202650385
BLDG		8/14/26	8/14/26			8/14/26	LIU STEPHEN	Approved	OTC
CPB		8/14/26	8/14/26			8/14/26	TRUONG ALEX	Administrative	

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

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks

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

Online Permit and Complaint Tracking home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

City and County of San Francisco © 2026

BRIEF SUBMITTED BY THE APPELLANT(S)

BOARD OF APPEALS

CITY AND COUNTY OF SAN FRANCISCO

Appeal No.: 26-046

Permit No.: 202608146639

Property: 888 Peru Avenue, San Francisco, California 94112

Block/Lot: 5963 / 014

Appellants: Angelina Greep and Andrew Linton, tenants

APPELLANTS' BRIEF

I. ISSUE PRESENTED

Whether the Department of Building Inspection properly issued Permit No. 202608146639—a Form 8 over-the-counter permit that describes removal of a patio structure, recites Notice of Violation No. 202650385, and states that occupancy will not change—when that Notice identifies an enclosed second-floor room and requires a plans filing either to legalize the existing floor plan or to restore last legal use.

II. RELIEF REQUESTED

Appellants request that the Board deny Permit No. 202608146639 and overrule its issuance.

If the Board does not deny the permit, Appellants request that the Board order the following:

1. The permit is limited to removal of the rear-yard patio or deck described in the first sentence of Item 16.

2. The words “Per NOV# 202650385” and “to comply with NOV# 202650385” are stricken.

3. The permit does not authorize demolition or removal of the enclosed second-floor room identified in Notice of Violation No. 202650385.

4. Work under this permit does not abate Notice of Violation No. 202650385 and does not authorize a change to the floor plan.

III. STATEMENT OF FACTS

Appellants occupy 888 Peru Avenue with their family. The building is R-3. (Ex. A; Ex. B.)

On April 27, 2026, DBI issued Notice of Violation No. 202650385. The Notice states:

“The legal use of this building is a R-3, single dwelling unit per CFC issued 9/22/2005.” (Ex. A.)

“Presently at the second floor level at the rear of the building, there is a new unapproved room approximately 18 feet by 12 feet. This structure was installed without the benefits of any permits.” (Ex. A.)

The Notice required:

“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.” (Ex. A.)

The Notice further required:

> "SUBMIT A COPY OF THIS NOTICE OF VIOLATION AND TWO SETS OF PLANS WITH THE BUILDING PERMIT APPLICATION TO LEGALIZE THE EXISTING FLOOR PLAN AND CONDITIONS OR RESTORE TO ITS LAST LEGAL USE. ELECTRIC AND PLUMBING PERMITS ARE ALSO REQUIRED." (Ex. A.)

"Existing floor plan and conditions" is the layout that exists now, including the enclosed room. Legalizing that floor plan means keeping the room and bringing it to code. Restoring last legal use means returning the building to the September 22, 2005 certificate layout, which would remove the room and alter the existing floor plan. Either path requires plans. (Ex. A.)

An enclosed room stands at the second-floor rear. (Exs. E, F, I.) A bathroom is attached to the room. (Ex. I.) A separate patio stands in the rear yard. (Ex. H.) Kearney inspected on March 26, 2025, and described the rear enclosure as an interior room with no independent exit. Adjacent bedrooms open into that enclosure rather than to open air. He recorded elevated moisture at the rear and conditions consistent with mold, and recommended assessment by a certified industrial hygienist. No such testing or remediation is in this record. (Ex. L at 4; Figs. 5–8.)

On August 14, 2026, the applicant checked Form 8. Item 16 states:

> "Removal of non permitted Patio structure @ the rear of the property. Per NOV# 202650385." (Ex. B.)

Planning wrote: "Remove rear deck to comply with NOV# 202650385." (Ex. C.) Housing wrote: "To Comply With NOV# 202650385 Dated: 4/27/26 For Work Stated Only." (Ex. B.) Item 24, change of occupancy, is "NO." Items 12 and 13 claim no electrical or plumbing work. Item 25 is blank. The application claims no lead. No lead or asbestos testing has been produced.

No copy of the Notice is in the packet. (Ex. B.) The official file lists Electronic Plans: 0 and Printed Plans: 0. (Ex. J.)

The owner then wrote that the work would remove enclosed living space available for occupancy. (Ex. D-1.) On August 18, 2026, the owner wrote that everything must be removed from inside the area identified for correction, that workers must have a clear path through the bedroom to the front door, front porch, and outside stairs, that a dump trailer would occupy the driveway, and that tenants would be restricted and kept out of the construction area while materials were hauled through the home. (Ex. D-2.)

DBI later told this Board the Notice is "for the construction of a new room at the second floor at the rear of the existing building." (Ex. K.)

This appeal was filed. The permit is suspended under Article I, section 8 of the San Francisco Business and Tax Regulations Code. (Ex. C.)

After the appeal was filed, Senior Planner Andrew Perry asked the owner for copies of the issued plans for Permit No. 202608146639. (Ex. M.) The contractor did not produce issued plans. He emailed an unstamped two-sheet set and stated that the stamped and approved set would have to be scanned separately. (Ex. M.)

Sheet A-1 depicts a single rear volume to be removed. The notes on that volume include "Existing wood framed deck w/lvp flooring," "Existing skylights," "Existing non permitted structure low slope roof," and "2x4 walls with lap siding exterior with drywall interior." (Ex. M.) Sheet A-2 depicts the condition after demolition. The drawing set is not an issued or stamped-

and-approved plan set. (Ex. M.) The official file still lists Electronic Plans: 0 and Printed Plans: 0. (Ex. J.)

IV. ARGUMENT

A. Reciting the Notice does not change the work stated.

The issued description is removal of a "Patio structure," plus "Per NOV# 202650385." (Ex. B.) The Notice identifies a room and requires a plans filing to legalize the existing floor plan or restore last legal use. (Ex. A.) Housing limited approval to "For Work Stated Only." (Ex. B.) The work stated is not "remove the room."

The issuance should be overruled because a Form 8 describing a patio structure cannot be treated as the Notice permit for the room.

B. The Notice and the permit describe different things.

The Notice, DBI, Kearney, the photographs, and the owner describe an enclosed room. (Exs. A, D-1, E, F, I, K, L.) Item 16 and Planning describe a patio structure / rear deck. (Ex. B; Ex. C.) A rear-yard patio exists and is separate from that room. (Ex. H.)

C. The owner's own conduct shows the intended work is the room.

The owner described loss of enclosed living space. (Ex. D-1.) The owner then demanded that the interior of the area be emptied and that demolition debris be hauled through a bedroom and out the front of the occupied dwelling. (Ex. D-2.) The contractor's later unstamped sheet shows

one rear volume with drywall and skylights to be removed. (Ex. M.) The issued permit still says "Patio structure." (Ex. B.)

D. Removal of the unpermitted room implicates testing this Form 8 does not contain.

The Notice identifies an enclosed room built without permits and requires electrical and plumbing permits and inspections. (Ex. A.)

This Form 8 states that there is no electrical work and no plumbing work. It states that there is no lead. (Ex. B.) No lead testing has been produced. No asbestos testing has been produced. No industrial-hygienist assessment recommended by Kearney has been produced. (Ex. B; Ex. L.)

Removal of that unpermitted room implicates lead and asbestos testing, especially because the owner has demanded that a path be cleared through occupied rooms so demolition debris can be hauled through the home. (Ex. D-2.) This application answers those questions "no" and produces no testing.

E. Implementing the Notice as to the room would change the existing floor plan. This Form 8 says it will not.

The Notice requires plans to legalize the existing floor plan, which includes the room, or to restore last legal use, which would remove the room and alter that floor plan. (Ex. A.) This application is Form 8, answers change of occupancy "NO," claims no electrical or plumbing work, and contains no plans. (Ex. B; Ex. J.)

If "Per NOV# 202650385" means the room comes off, Item 24 is false and Form 8 could not issue. If Form 8 and Item 24 are true, "Per NOV# 202650385" is false.

This permit cannot abate that Notice.

V. CONCLUSION

The Department issued a Form 8 that describes a patio structure, recites a Notice about a room, and answers change of occupancy "NO." Those statements cannot stand together. The Board should deny the permit and overrule its issuance. If the permit remains, it should be limited to the rear-yard patio described in the first sentence of Item 16, the Notice language should be stricken, and the permit should not authorize removal of the enclosed room or abatement of Notice of Violation No. 202650385.

Respectfully submitted,

Dated: September 15, 2026

Angelina Greep

Andrew Linton

888 Peru Avenue

San Francisco, CA 94112

agreep7@gmail.com andrewlintonfife@gmail.com

415-916-8993 / 415-916-8994

LIST OF EXHIBITS

A. Notice of Violation No. 202650385

B. Form 8 application packet (Permit No. 202608146639)

C. Permit Details Report and CP-ZOC note

D-1. Owner email regarding removal of enclosed living space

D-2. Owner email dated August 18, 2026 (“Preparation for repairs”)

E. Marketing photographs of the rear room

F. Current photographs of the rear room

G. Complaint No. 202660828 and CES notes

H. Photographs of the rear-yard patio

I. Photographs of the bathroom attached to the rear room

J. DBI records-request receipt

K. Letter of Carey McElroy to President Trasviña

L. Kearney & Son Preliminary Report on Dwelling Habitability, Life and Safety (June 10, 2026)

M. September 1–2, 2026 Planning/contractor email correspondence and two-sheet drawing set

EXHIBIT A

Notice of Violation No. 202650385

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 Ave, Suite 400 San Francisco, CA

Notice: 1 **COMPLAINT NUMBER: 202650385**

DATE: 04/27/2026

ADDRESS : 888 PERU AV **BLOCK : 5963 LOT : 014**

OCCUPANCY/USE : R-3 | RESIDENTIAL- 1 & 2 UNIT DWELLINGS,TOWNHOUSES LESS THAN 3 STORIES

N If checked, this information is based upons site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

ON SITE CONTACT :

VIOLATION DESCRIPTION:

Y	WORK WITHOUT PERMIT	103A
☐	ADDITIONAL WORK-PERMIT REQUIRED	106A.4.7
☐	EXPIRED PERMIT	106A.4.4
☐	CANCELLED PERMIT PA#:	106A.3.7
Y	UNSAFE BUILDING	102A
☐	SEE ATTACHMENTS	

CODE VIOLATION DESC : The legal use of this building is a R-3, single dwelling unit per CFC issued 9/22/2005. On the ground floor there is a garage, a family room with a laundry center, a bedroom and a storage room. On the second floor there is a living room, a kitchen, a master bedroom with a master bathroom , two bedrooms, and a bathroom. Presently at the second floor level at the rear of the building, there is a new unapproved room approximately 18 feet by 12 feet. This structure was installed without the benefits of any permits. The following code violations were noted at the time of inspection: WORK WITHOUT PERMIT 301 HC, 106A, 106A.4.1 SFHC UNAPPROVED WIRING AND PLUMBING 1001(e) & 1001(f) SFHC NUISANCE (1001(d) SFHC IMPROPER OCCUPANCY (1001(o)SFHC LACK OF PROPER 1 HOUR FIRE CONSTRUCTION MATERIALS 1001(n)SFHC, 602.5, 708.1 SFBC LACK OF PROPER WEATHER PROTECTION 703 SFHC INADEQUATE EXIT 1001(m) SFHC

CORRECTIVE ACTION:

☐ STOP ALL WORK SFBC 104.2.4
Y FILE BUILDING PERMIT WITHIN **30** DAYS
Y (WITH PLANS) A copy of this notice must accompany the permit application
Y 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 COMMENT DESCRIPTION : SUBMIT A COPY OF THIS NOTICE OF VIOLATION AND TWO SETS OF PLANS WITH THE BUILDING PERMIT APPLICATION TO LEGALIZE THE EXISTING FLOOR PLAN AND CONDITIONS OR RESTORE TO ITS LAST LEGAL USE. ELECTRIC AND PLUMBING PERMITS ARE ALSO REQUIRED. AFTER THE PERMITS ARE ISSUED CALL FOR ALL REQUIRED INSPECTIONS. TO ABATE THIS NOTICE YOU MUST CONTACT HOUSING INSPECTION SERVICES FOR AN INSPECTION AND PRODUCE ALL PERMITS, PLANS, AND SIGNED JOBCARDS WITH THE APPROPRIATE SIGN OFFS AS REQUIRED.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

Y	9x Permit Fee (Work w/o Permit after 9/1/60)	☐	2x Permit 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	**1/1/2005 12:00:00 AM**	
☐	value of work performed without permits	**5000**	

CONTACT INSPECTOR : Anthony M Lepe HIS / 18 628-652-3377

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 (14th 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 C6digo 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 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 (14th 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 Construcci6n 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, depreciaci6n o taxes atribuidos sobre dicha estructura. Si el lrabajo 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 Concesi6n 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, omita, desculde, rehusa cumplir, resiste o se opone a la ejecuci6n de las provisiones de este c6dígo. 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 occura.

根据《三藩市建筑法规》（简称 SFBC）第 107.5 项和第106.4.7项條款的规定，對沒有許可証或已開始的工程和或正在进行的工程，或者超逾許可範圍的工程，將收取調查费。當事人可以在許可證發出日起 15 天之內，向查核可以向許可上訴委員會提出上訴。被委員會 地址在 South Van Ness 街 49 號 14 樓，電話：(628) 652-1150。

警告：如不按照要求立即采取行動，以糾正上述違章行爲，將導致經營業主局付諸到糾正程序的執行。倘對此房地產留發的強制糾正程序令一經在市府備案，則自動通通知張貼日期的各項員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《三藩市理條法規》第 102.2 項和第 110 項條款。

警告：《三藩市房屋法規》（即 SFHC）第 204(b) 項條款規定：對每一證章初犯者立即將被罰款 100 元，二次侵犯者罰款 200 元，每違標宇的最高罰款可證 7,500 元。此項法規還規定對每一違章侵罪者可提出刑事控告，每日最高罰款可證 1,000 元，或／和監禁六個月。

警告：任何人通過出租房屋已被建築審查局定爲低於規定標準，不能就加州個人所得稅、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損失中扣除稅款。如果在此隔告公布六個月後，改正工程沒有完成，或者沒有積極、迅速有效地運轉進行，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 103 項條款規定：對於任何違反、不服從、蔑視、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、每一單獨的犯法行爲，將付予高證 500 元的罰款，和／或者監禁六個月。

Online Permit and Complaint Tracking home page.

Technical Support for Online Services
If you need help or have a question about this service, please visit our FAQ area.

City and County of San Francisco © 2026

EXHIBIT B

Form 8 application packet (Permit No. 202608146639)

RR20260826971	RECORD REQUEST RECEIPT

Property Information

Address: **888 PERU AV** Block/Lot: **5963/014**

Building Occupancy: **D** New Construction Date: **1931**

Other possible addresses for this location:

Applicant Information

First Name	ANDREW***SUNSHINE***		**Address**	NA	
Last Name	LINTON		**Address2**		
Company			City	NA	
Phone	4159168994	Ext	**State**	NA	
Alt. Phone		Ext	**Zip Code**		
E-mail	andrewlintonfife@gmail.com		**Origin**		

Request Information

Processed By: SHUANG

Date Received: **08/26/2026 08:31 AM**

Ready Date: **09/23/2026**

Until Date: **10/07/2026**

Completed date:**08/26/2026**

Final Date:

Voided Date:

Turnaround Time: **0**

Duplication for Plans - NEED TO BE PICKED UP WITHIN 30 DAYS OF RECEIVING READY NOTICE

Duplication: ○ **Yes** **or** ○ **No**	Mailed date:	Owner:
Electronic Plans: 0 ~~$0.00~~	Printed Plans: 0 $0.00	Design Prof:

View Only

Façade: 0	Soils Reports: 0	Rolls: 0	DivApps: 0	Pvision Permits: 0	Pvision Plans: 0

Printed Copies

Electronic Records: 5 ~~$0.00~~	Printed Records: 0 $0.00	16MM: 0 $0.00	Certification: 0 $0.00

Additional Comments

Provided building permit. -SH

Payment Amount

Customer Completed Date: **08/26/2026**

Total: **0.00** Deposit or adjustment: **0.00** Balance due: **0.00**

Total Printed Copy Paid Units

Aperture Cards / Electronic Records	Pvision Permits/ Printed Records	16MM	Certified	35MM/ Electronic Plans	Pvision Plans/ Printed Plans

< >

Payments Applied

Receipt		Payment date	Payor	Address	Issued By	Amount

< >

OFFICIAL COPY

SAN FRANCISCO DEPT. OF BUILDING INSPECTION ISSUED AUG 14 2026

DCP FEE

$1,282.38

2024 3089 - H15
20264970 - H15
20260503 85 - H15

BLDG. FORM 3/8

APPROVED FOR ISSUANCE

APPLICATION NUMBER 202608263

OSHA APPROVAL NUMBER APPROVAL REQ'D ☐

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3 ☐ OTHER AGENCIES REVIEW REQUIRED

FORM 8 ☑ OVER-THE-COUNTER ISSUANCE

2 NUMBER OF PLAN SETS

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

▼ DO NOT WRITE ABOVE THIS LINE ▼

DATE FILED	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB	BLOCK & LOT
8.14.26		606 Peru Ave	5963/014
RECEIPT NO.	**ISSUED**	**(2A) ESTIMATED COST OF JOB**	**(2B) REVISED COST:**
26089919	8/14/26	~~$5,000~~	BY: $5000 sr DATE: 8/14/26

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR.	(5A) NO. OF STORIES OF OCCUPANCY:	(6A) NO. OF BASEMENTS AND CELLARS:	(7A) PRESENT USE:	(8A) OCCUP. CLASS	(9A) NO. OF DWELLING UNITS:
V	2		Residential	R-3	1

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR.	(5) NO. OF STORIES OF OCCUPANCY:	(6) NO. OF BASEMENTS AND CELLARS:	(7) PROPOSED USE (LEGAL USE)	(8) OCCUP. CLASS	(9) NO. OF DWELLING UNITS:
V	2		Residential	R-3	2

(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION?	(12) ELECTRICAL WORK TO BE PERFORMED?	(13) PLUMBING WORK TO BE PERFORMED?
YES ☐ NO ☑	YES ☐ NO ☑	YES ☐ NO ☐	YES ☐ NO ☐

(14) CONTRACTOR	E-MAIL	PHONE	CSLB NO.	EXPIRATION DATE
3 Feathers Construction	rmontez@3featherscontruction.com	707-339-2564	1019998	3.31.28

(15) PROPERTY OWNER	ADDRESS	ZIP	E-MAIL	PHONE (FOR CONTACT BY DEPT.)
Student Ranch	5449 E Levee Rd.	95695		707-333-9089

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

Removal of non permitted Patio structure @ the rear of the property. Per NOV# 20265038 5

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA
YES ☐ NO ☑		YES ☐ NO ☑	SQ. FT.

(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN)	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?
YES ☐ NO ☑	YES ☐ NO ☑	YES ☐ NO ☑	YES ☐ NO ☑

(25) ARCHITECT OR ENGINEER (DESIGN ☐ CONSTRUCTION ☐) ADDRESS CALIF. CERTIFICATE NO.

(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN") ADDRESS

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or scaffolding used during construction is to be closer than 6'0" to any wire containing more than 750 volts. See Sec 385, California Penal Code.

Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED, EXCEPT POST-ENTITLEMENT PERMITS IN CONJUNCTION WITH THE CREATION AND/OR LEGALIZATION OF ONE ORE MORE HOUSING UNIT(S).

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24).

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX

☐ OWNER ☐ ARCHITECT
☐ CONTRACTOR ☐ AGENT
☐ ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERETO WILL BE COMPLIED WITH.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (I) or (II) designated below, or shall indicate item (III), (IV), or (V), whichever is applicable. If however item (V) is checked, item (IV) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

( ) I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

( ) II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are:

Carrier _____

Policy Number _____

( ) III. The cost of the work to be done is $100 or less.

( ) IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's compensation provisions of the Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.

( ) V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

8.6.26

Signature of Applicant or Agent Date

OFFICIAL COPY
SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

CONDITIONS AND STIPULATIONS

REFER TO:		
☐	APPROVED: Matt Luton, HIS AUG 14 2026 To Comply With NOV# 202660305 Dated: 4/27/26 Please contact Housing Inspector. For Work Stated Only. P-3 HOUSING INSPECTION DIVISION, DEPT. OF BLDG. INSPECTION	DATE: INSPECTOR: BUILDING INSPECTION DIVISION
☐	APPROVED: APPROVED BY TRENT GREENA PLANNING DEPARTMENT AUG 14 2026 SEE P.T.S. DEPARTMENT OF CITY PLANNING	DATE: INSPECTOR: ELECTRICAL INSPECTION DIVISION
☐	APPROVED: Stephen Liu, DBI AUG 14 2026 PLAN REVIEW SERVICES, DEPT. OF BLDG. INSPECTION	DATE: INSPECTOR: PLUMBING INSPECTION DIVISION
☐	APPROVED: CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: INSPECTOR: CODE ENFORCEMENT SERVICES
☐	APPROVED: MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: INSPECTOR:
☐	APPROVED: SAN FRANCISCO FIRE DEPARTMENT	DATE: INSPECTOR:
☐	APPROVED: SF DEPARTMENT OF PUBLIC WORKS / MAYOR'S OFFICE OF DISABILITY (CROSS ONE OUT)	DATE: INSPECTOR:
☐	APPROVED: SF PUBLIC UTILITIES COMMISSION	DATE: INSPECTOR:
☐	APPROVED: DEPT. OF PUBLIC HEALTH / OCII (CROSS ONE OUT)	DATE: INSPECTOR:

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

OWNER'S AUTHORIZED AGENT

OFFICIAL COPY

City and County of San Francisco
Department of Building Inspection

Daniel Lurie, Mayor
David Kane, S.E., Interim Director

LICENSED CONTRACTOR'S STATEMENT

Required documentation

- ☐ Government-issued photo ID
- ☐ Current San Francisco Business License
- ☐ Current State California contractor's license and classification (the pocket card)

Permit Application Number 202608146639

Permit Application Address 8888 Peru Ave

Print Company 3 Feathers Construction

Print Contractor Name Ron Montez

CSLB Number 1011998 Contractor Class B Expiration Date 3·31·28

Contractor Mailing Address 4155 Auburn Folsom Rd. Loomis, Ca. 95650

Contractor Telephone 702-339-2964 Contractor Email rmontez@3feathersconstruction.com

WORKERS' COMPENSATION DECLARATION

Warning: failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars ($100,000), in addition to the cost of compensation, damages as provided for in section 3706 of the labor code, interest, and attorney's fees.

I hereby affirm under penalty of perjury that: *(select one)*

☐ I have and will maintain a certificate of consent to self- insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

Policy No. _____

☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier _____ Policy Number _____ Expiration Date _____

Name of Agent _____ Phone Number _____

☑ I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

DECLARATION REGARDING CONSTRUCTION LENDING AGENCY

I hereby affirm under penalty of perjury one of the following declarations: *(select one)*

☑ I have no construction lending agency for this project.

☐ I have a construction lending agency, of the following, for the performance of the work for which this permit is issued (Section 8172, Civil Code).

Lender's Name _____ Branch Designation _____

Lender's Address _____

By my signature below, I certify to each of the following:

- I am authorized to act on the property owner's behalf.
- I have read this application and the information I have provided is correct.
- I agree to comply with the applicable city and county ordinances and state laws relating to building construction.
- I authorize representatives of this city and county to enter the above-identified property for inspection purposes.

Contractor's Signature _____ Date 8·14·26

Central Permit Bureau
49 South Van Ness Avenue, Suite 200 – San Francisco, CA 94103

OFFICIAL COPY

City and County of San Francisco
Department of Building Inspection

Daniel Lurie, Mayor
David Kane, S.E., Interim Director

ASBESTOS REMOVAL DECLARATION & LEAD HAZARD WARNING

☑ I certify that notification of asbestos removal is either not applicable or has been submitted to the Bay Area AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at https://www.baaqmd.gov/permits. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at San Francisco Public Health Department at https://www.sfdph.org/dph/EH/CEHP/Lead/InfoContractor.asp.

Contractor's Signature _____ Date 8-14-26

AUTHORIZATION OF AGENT TO ACT ON CONTRACTOR'S BEHALF

The following information is required to be completed by the contractor only when designating an agent of the contractor to apply for a building permit for the contractor.

As the contractor listed above, I hereby authorize _____ to obtain a building permit(s), including any supplemental permits, but not limited to electrical, plumbing or temporary street-use permits, on behalf of the company/contractor listed above, with the Department of Building Inspection for the City & County of San Francisco located at 49 South Van Ness Avenue, San Francisco, California 94103.

Agent's Name _____

Agent's Address _____

Agent's Telephone _____ Agent's Email _____

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm, under penalty of perjury, that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is full force and effect.

Contractor's Signature _____ Date _____

OFFICIAL COPY
SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

City and County of San Francisco
Department of Building Inspection

Daniel Lurie, Mayor
David Kane, S.E., Interim Director

JOB SITE ADDRESS 788 Peru **PERMIT APPLICATION NUMBER** 202608146639

FINAL DECLARATION FOR PERMIT ISSUANCE

I certify that I have read this application INCLUDING THE PROPERTY OWNER'S PACKAGE / CONTRACTOR'S STATEMENT and state that the information, INCLUDING THE PROPERTY OWNER'S PACKAGE / CONTRACTOR'S STATEMENT, are correct. I agree to comply with all City and County of San Francisco ordinances and state laws relating to building construction, and hereby authorize representatives of the City and County of San Francisco to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City and County of San Francisco nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible, for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to other, and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided.

By signing below, I certify that:

1. I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration/Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and
2. This permit is being obtained with the consent of the property owner; and
3. I acknowledge that any stipulation required herein or by code may be appealed, except post-entitlement permits in conjunction with the creation and/or legalization of one or more housing units.

Applicant Name Ron Montez ☐ Owner ☑ Contractor ☐ Agent

Applicant Email rmontez@3feathersconstruction.com Phone Number 702-339-2964

Applicant Signature [signature] Date 8.14.26

EXHIBIT C

Permit Details Report and CP-ZOC note

Permit Details Report

Report Date: **9/14/2026 5:00:55 PM**

Application Number:	202608146639
Form Number:	8
Address(es):	5963 / 014 / 0 888 PERU AV
Description:	Removal of non permitted patio structure at the rear of the property. Per nov#: 202650385.
Cost:	$5,000.00
Occupancy Code:	R-3
Building Use:	27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
8/14/2026	TRIAGE	
8/14/2026	FILING	
8/14/2026	FILED	
8/14/2026	APPROVED	
8/14/2026	ISSUED	
8/21/2026	SUSPEND	Per BOA Appeal No.26-046

Contact Details:

Contractor Details:

License Number:	1011998
Name:	RONALD FREDERICK MONTEZ II
Company Name:	3 FEATHERS CONSTRUCTION
Address:	229 BATTLECREEK CR * SACRAMENTO CA 95835-0000
Phone:	

Addenda Details:

Description:

Station	Rev#	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Review Result	Hold Description
INTAKE		8/14/26	8/14/26			8/14/26	MOK CALVIN	Administrative	
HIS		8/14/26	8/14/26			8/14/26	LUTON MATT	Approved	8/14/2026: Okay to process. ML
CP-ZOC		8/14/26	8/14/26			8/14/26	USER DCP	Approved	T Greenan. Remove rear deck to comply with NOV# 202650385
BLDG		8/14/26	8/14/26			8/14/26	LIU STEPHEN	Approved	OTC
CPB		8/14/26	8/14/26			8/14/26	TRUONG ALEX	Administrative	

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

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks

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

Online Permit and Complaint Tracking home page.

Technical Support for Online Services
If you need help or have a question about this service, please visit our FAQ area.

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EXHIBIT D-1

Owner email regarding removal of enclosed living space

Gmail Andrew Linton <andrewlintonfife@gmail.com>

Construction Update

3 messages

Jeff Devoll <jeff@thereachgroup.org> Mon, Aug 10, 2026 at 7:01 PM
To: Andrew Linton <andrewlintonfife@gmail.com>, Ange Greep <agreep7@gmail.com>

Dear Mr. Linton and Ms. Greep,

As you know, StudentReach has been undertaking a series of repairs and improvements at the property in connection with ongoing efforts to address identified building and safety issues.

As part of the property's ongoing repair and compliance efforts, we have consulted with the City extensively regarding the enclosed rear patio structure. Following that review, it was determined that retaining the structure is not a practical or feasible option. As a result, the structure will be removed during the upcoming construction work.

We understand that this area has been used for work and storage purposes and recognize that this change may be inconvenient. We are providing advance notice so that any equipment, materials, supplies, or personal property currently located in the space can be relocated before construction begins.

Once the structure is removed, the area will no longer be available for use as enclosed workspace, storage, or occupancy. Upon completion of the work, this portion of the property will be returned to backyard/open outdoor use.

The decision to remove the structure is part of the overall construction and compliance work being performed at the property and is not specific to any particular use of the area. This was not our desired outcome. Our goal is to complete the necessary improvements as efficiently and safely as possible.

Because the removal of the structure will result in a reduction in the enclosed square footage available for occupancy, any corresponding adjustment to rent will be calculated in accordance with the applicable formulas, rules, and procedures established by the San Francisco Rent Board.

We will provide additional information regarding the timing of the work as schedules are finalized. If you have questions regarding access or construction scheduling, please contact us.

Sincerely,

Jeff Devoll
Executive Director

EXHIBIT D-2

Owner letter concerning hauling debris through household

Gmail Andrew Linton <andrewlintonfife@gmail.com>

Preparation for repairs

2 messages

Jeff Devoll <jeff@thereachgroup.org> Tue, Aug 18, 2026 at 7:18 PM
To: Ange Greep <agreep7@gmail.com>, Andrew Linton <andrewlintonfife@gmail.com>, Tanya Devoll <tanya@thereachgroup.org>, Ron Montez <rmontez@3feathersconstruction.com>

Mr. Linton and Ms. Greep,

After consulting with San Francisco Code Enforcement, they have confirmed that the complaint filed alleging safety concerns, unpermitted work performed and other allegations has been rejected today (8/12/2026).

We will proceed with the removal of the unpermitted patio cover next week as required by the city correction notice.

Again, the correction notice filed by the city requires mitigation, and there is a demolition permit issued by the city.

We will attempt to reduce the inconvenience as much as possible, but the following will be necessary:

* Everything will need to be removed from inside the unpermitted covered patio area identified by the city for correction.

* The workers will need access to the work area and access to remove materials. This will mean a clear path through the bedroom to the front door, the front porch, and the outside stairs.

* A dump trailer will need to be parked during work hours on the days identified in the main driveway for prompt removal of construction materials from the property. Please prepare for alternative parking of personal vehicles during business hours.

*Reasonable restrictions on the movements of the tenants in the during materials removal will be necessary to observe and tenants will not be permitted in the construction area for the safety of the tenants.

These are reasonable requirements to perform the repair, and tenants are required to provide full access to accommodate repairs under California law.

Jeffrey Devoll
StudentReach

EXHIBIT E

. Marketing photographs of the rear room





EXHIBIT F

Current photographs of the rear room









EXHIBIT G

Complaint No. 202660828 and CES notes

COMPLAINT DATA SHEET

Complaint Number:	**202660828**		
Owner/Agent:	OWNER DATA SUPPRESSED	Date Filed:	
Owner's Phone:		Location:	888 PERU AV
Contact Name:		Block:	5963
Contact Phone:		Lot:	014
Complainant:	COMPLAINANT DATA SUPPRESSED	Site:	
		Rating:	
		Occupancy Code:	
		Received By:	BMCBRIDE
Complainant's Phone:		Division:	BID
Complaint Source:	WEB FORM		
Assigned to Division:	CES		
Description:	date last observed: 11-AUG-26; time last observed: 10:00 am; exact location: Main Bldg; building type: Residence/Dwelling WORK W/O PERMIT; ILLEGAL CHANGE OF USE; WORK BEING DONE IN DANGEROUS MANNER; ; additional information: The landlord at 888 Peru Ave has issued a written ultimatum to the tenants to clear out an enclosed room for an upcoming structural demolition related to an outstanding Notice of Violation. No building or demolition permits have been filed or issued by the Department of Building Inspection for this work. The landlord is attempting to perform unpermitted structural demolition while the property is actively occupied. We live here with minor children, and we are fearful for our family's safety regarding structural instability, hazardous materials, and utility shutoffs. Please dispatch an inspector to issue a formal warning against illegal construction and protect the occupants.;		
Instructions:			

INSPECTOR CURRENTLY ASSIGNED

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
CES	FRANCIS	6380		

REFFERAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIV
08/12/26	CASE OPENED	Intake Inspector	CASE RECEIVED		Brenda McBride 12-AUG-26	INS
08/12/26	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	- Case reviewed and assigned to CES complaint inspector per JG;bm	Brenda McBride 12-AUG-26	INS
08/13/26	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Phoned owner. Left a message stating no permit has been issued, no work is to be done prior to and issued permit. CF.	Chris Francis 13-AUG-26	CES
08/17/26	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	Generated inspection request letter. CF	Chris Francis 17-AUG-26	CES
08/17/26	OTHER BLDG/HOUSING VIOLATION	Francis	CASE UPDATE	1st inspection request letter mailed.ay	Anne Yu 17-AUG-26	INS
08/18/26	OTHER BLDG/HOUSING VIOLATION	Francis	CASE CLOSED	Pa 202608146639 issued. Received call from complainant, forwarded call to district inspector. Permit can be appealed for 15 days from issuance. CF	Chris Francis 18-AUG-26	CES

COMPLAINT ACTION BY DIVISION

NOV (HIS): **NOV (BID):**

Inspector Contact Information

Online Permit and Complaint Tracking home page.

Technical Support for Online Services
If you need help or have a question about this service, please visit our FAQ area.

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EXHIBIT H

Photographs of the rear-yard patio



EXHIBIT I

Photographs of the bathroom attached to the rear room



EXHIBIT J

DBI records-request receipt

RR20260826971	RECORD REQUEST RECEIPT

Property Information

Address: **888 PERU AV** Block/Lot: **5963/014**

Building Occupancy: **D** New Construction Date: **1931**

Other possible addresses for this location:

Applicant Information

First Name	ANDREW***SUNSHINE***		**Address**	NA	
Last Name	LINTON		**Address2**		
Company			City	NA	
Phone	4159168994	Ext	**State**	NA	
Alt. Phone		Ext	**Zip Code**		
E-mail	andrewlintonfife@gmail.com		**Origin**		

Request Information

Processed By: SHUANG

Date Received: **08/26/2026 08:31 AM**

Ready Date: **09/23/2026**

Until Date: **10/07/2026**

Completed date:**08/26/2026**

Final Date:

Voided Date:

Turnaround Time: **0**

Duplication for Plans - NEED TO BE PICKED UP WITHIN 30 DAYS OF RECEIVING READY NOTICE

Duplication: ○ **Yes** **or** ○ **No**	Mailed date:	Owner:
Electronic Plans: 0 ~~$0.00~~	Printed Plans: 0 $0.00	Design Prof:

View Only

Façade: 0	Soils Reports: 0	Rolls: 0	DivApps: 0	Pvision Permits: 0	Pvision Plans: 0

Printed Copies

Electronic Records: 5 ~~$0.00~~	Printed Records: 0 $0.00	16MM: 0 $0.00	Certification: 0 $0.00

Additional Comments

Provided building permit. -SH

Payment Amount

Customer Completed Date: **08/26/2026**

Total: **0.00** Deposit or adjustment: **0.00** Balance due: **0.00**

Total Printed Copy Paid Units

Aperture Cards / Electronic Records	Pvision Permits/ Printed Records	16MM	Certified	35MM/ Electronic Plans	Pvision Plans/ Printed Plans

< >

Payments Applied

Receipt		Payment date	Payor	Address	Issued By	Amount

< >

EXHIBIT K

Letter of Carey McElroy to President Trasviña

City and County of San Francisco
Department of Building Inspection

Daniel Lurie, Mayor
David Kane, Interim Director

Board of Appeals Brief

Hearing Date: October 7, 2026

September 2, 2026

RE: Rescheduling Request for Appeal No: 26-046
Permit No: 2026-0814-6639
Subject Property: 888 Peru Avenue
Block / Lot: 5963 / 014
DBI contact: Carey McElroy, Senior Building Inspector.
628-652-3779 carey.mcelroy@sfgov.org

President Trasviña,

With regards to the Rescheduling Request for Appeal No. 26-046, DBI Deputy Director of Inspection Services Matthew Greene and DBI do not support rescheduling this hearing to a later date. Permit application # 2026-0814-6639 was issued in response to Notice of Violation (NOV) No. 202650385 that was issued on April 27th, 2026, for the construction of a new room at the second floor at the rear of the existing building without the benefit of an approved Building Permit. The Notice of Violation noted unapproved electrical wiring and plumbing, non-existent 1 hr. rated exterior walls at property line, lack of proper weather protection, and inadequate exit. DBI feels these unpermitted conditions pose a life safety issue which needs to be addressed as soon as possible. The compliance deadline for the NOV has passed, and further enforcement proceedings are pending resolution of this appeal.

Carey McElroy
Senior Building Inspector
Department of Building Inspection.

EXHIBIT L

Kearney & Son Preliminary Report on Dwelling Habitability, Life and Safety (June 10, 2026)

Kearney & Son
Contracting and Consulting, Inc.

Preliminary Report on Dwelling Habitability, Life and Safety

888 Peru Avenue, San Francisco, CA 94112 REF: Linton & Greep

Inspection: 03.26.2025 Report: 06.10.2026



Prepared by:

Kevin Kearney | President
Robert Connor Kearney | Vice President
Kearney and Son Contracting & Consulting Inc.

(415) 819-1157 * **405 East D Street, Suite G * Petaluma, CA 94952**
2051 Coffee Lane, Sebastopol, CA 95472 * kevin@kearneyobanion.com

I. Introduction

Kearney and Son Contracting and Consulting Inc. was retained to provide observations, analysis, and opinions regarding the safety, habitability, and code compliance of 888 Peru Avenue, San Francisco, California (REF: Linton & Greep). On March 26, 2025, this office conducted a physical inspection of the property. The inspection was performed by Kevin M. Kearney, President of Kearney and Son Contracting and Consulting Inc. and a California-licensed General Contractor, together with staff of this office. At the time of our inspection, a copy of Notice of Violation #202430009, issued by the San Francisco Department of Building Inspection, was present at the property. *(See Figures 1-2.)*

888 Peru Avenue is a two-story single-family residential building. The legal use of the building is a one-unit R-3 dwelling, established by Certificate of Final Completion and Occupancy #200411189618, issued September 22, 2005. Under that certificate, the ground floor is approved only as a family room, bathroom, and storage, and the second floor contains the habitable rooms, bathrooms, and the building's only permitted kitchen. The property is governed by the San Francisco Housing Code, the San Francisco Building Code, and the California Health and Safety Code. Our review of the permit history maintained by the Department of Building Inspection confirms that no permit was ever issued to construct a second kitchen or a separate dwelling unit on the ground floor, and that no permit authorizes the conditions described below.

Based on our inspection and the City's own records, it is our opinion that, at the time of our inspection, 888 Peru Avenue contained an illegal and unpermitted dwelling unit and a series of conditions that were illegal, unpermitted, dangerous, unsafe, and entirely non-code compliant, and that rendered the building unfit for human occupancy.

Qualifications: Kearney & Son Contracting and Consulting, Inc. is a California-licensed general contracting and construction consulting firm (License #1072746) specializing in habitability, construction defect, and life safety investigations. Kevin M. Kearney, President, has over 45 years of experience in construction and building investigation throughout the Bay Area and California, and has inspected hundreds of residential units for habitability, code compliance, and life safety in support of litigation. Mr. Kearney has been deposed over 400 times and has testified in more than 43 superior court trials, 36 mediations, and 16 arbitrations. His complete CV and resume is attached as Exhibit 1.

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2051 Coffee Lane, Sebastopol, CA 95472 * kevin@kearneyobanion.com

II. Dwelling Habitability, Life Safety & Code Compliance Analysis

1. Illegal and Unpermitted Dwelling Unit: Ground Floor

During the March 26, 2025 inspection, we observed a full second kitchen, with cabinetry, a gas cooktop, and plumbing fixtures, together with a bathroom and sleeping areas, on the ground floor of the building. The ground floor is approved only as a family room, bathroom, and storage. This work converts the ground floor into a separate, self-contained dwelling unit. No permit was ever issued for it, and the Department of Building Inspection reached the same conclusion.

As cited in NOV #202430009:

> ***THE LEGAL USE OF THIS BUILDING IS A R-3 ONE UNIT DWELLING. A FAMILY ROOM, BATHROOM AND STORAGE ON THE GROUND FLOOR AND HABITABLE ROOMS, BATHROOMS AND A KITCHEN ON THE SECOND FLOOR PER CFCO 200411189618 ISSUED ON 9/22/2005. CURRENTLY AT THE GROUND FLOOR THERE IS A NEW KITCHEN. PERMIT RESEARCH REVEALED THAT NO PERMITS HAVE BEEN TAKEN TO PERFORM THIS WORK.***

The NOV classifies the ground-floor unit as an unauthorized dwelling unit constructed without permit under Ordinance 33-16, and orders the owner either to legalize it or to revert it to its last legal use by removing the unpermitted kitchen, bathroom, and sleeping-room walls and the associated plumbing and electrical work. The complaint that initiated the City's investigation also reported that the gas line serving the ground-floor in-law unit did not appear to be permitted, consistent with our finding that the entire unit was built outside the permit process.

In plain terms, people were living in a unit that was never approved, inspected, or signed off by the City for residential occupancy. The City dated the unpermitted work to on or about January 1, 2006, and it remained uncorrected for approximately nineteen years. *(See Figures 3-4.)* **This condition is illegal, unpermitted, dangerous, unsafe, and non-code compliant.**

- **San Francisco Housing Code §301 and §1001(d), (o) (work without permit; improper occupancy; nuisance)**
- **San Francisco Building Code §106A.3.1.3 and San Francisco Planning Code §207.3 (dwelling unit constructed without permit)**
- **California Health and Safety Code §17920.3 (substandard building)**

2. Lack of Proper Heat and Heat Source

The ground-floor unit lacked a permanent, approved source of heat. The complaint to the City reported that the downstairs in-law unit was not heated, and the NOV cites the lack of a proper heat source.

San Francisco Housing Code §701 sets a measurable minimum:

> *every habitable room must be provided with permanently installed heating facilities capable of maintaining a room temperature of at least 70 degrees Fahrenheit at a point three feet above the floor.*

In plain terms, the occupants of the ground-floor unit had no lawful, permanent way to keep the unit at a safe and habitable temperature. **This condition is illegal, unpermitted, dangerous, unsafe, and non-code compliant.**

- **San Francisco Housing Code §701 (heating facilities)**
- **California Civil Code §1941.1(a)(4) (heating facilities maintained in good working order)**
- **California Health and Safety Code §17920.3(a)(6) (inadequate heating renders a dwelling substandard)**

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Construction Management, Legal Experts, and Building Policy Consultants * California License #1072746

3. Lack of Proper One-Hour Fire-Resistive Construction

Converting the ground floor into a separate dwelling unit created fire-separation requirements that the building does not satisfy. The Department of Building Inspection cited the building for the lack of proper one-hour fire-resistive construction. Fire-rated separation between dwelling units, and between dwelling units and the rest of a building, is required to contain a fire and give occupants time to escape. Where that separation is missing, a fire that starts in one part of the building can spread unchecked into the sleeping areas.

As cited in NOV #202430009, the building suffers from a **LACK OF PROPER 1 HOUR FIRE CONSTRUCTION MATERIALS**. In plain terms, the building lacked the fire-rated barriers that life safety codes require to protect the people sleeping inside. **This condition is illegal, unpermitted, dangerous, unsafe, and non-code compliant.**

- **San Francisco Housing Code §1001(n) (lack of fire-resistive construction renders a dwelling substandard)**
- **San Francisco Building Code §708.1 and §602.5 (fire-resistance-rated separations)**
- **California Health and Safety Code §17920.3(h) (fire or explosion hazard)**

4. Lack of Proper Egress, Light, and Ventilation: Rear Second-Floor Rooms

At the rear of the second floor, a former exterior porch or deck had been enclosed and converted into additional rooms. The rear right bedroom's only connection to the rear of the building is an interior sliding glass door. That door opens not to the outside, but into a windowless interior room created from the enclosed porch and covered by a translucent plastic roof. The rear room has no independent exit to the exterior and no operable window providing emergency escape, natural light, or ventilation to open air. The rear left bedroom presents the same condition: its window opens only onto the enclosed deck structure rather than to the outside.

As cited in NOV #202430009:

> ***LACK OF PROPER LIGHT AND VENTILATION 504 SFHC.***

In plain terms, the people sleeping in the rear second-floor rooms had no safe, direct way out in a fire and no source of outside air or daylight. The enclosure sealed off what egress and ventilation the porch once provided. *(See Figures 5-8.)* **These conditions are illegal, unpermitted, dangerous, unsafe, and non-code compliant.**

- **San Francisco Housing Code §504 (light and ventilation)**
- **California Health and Safety Code §17920.3(a)(8) (insufficient natural light and ventilation)**
- **California Health and Safety Code §17920.3(l) (inadequate exit facilities)**

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5. Dilapidation and Dry Rot: Front Entry Stairway and Landing

The building's only entry is reached by an exterior stairway rising from the street to the front door. During our inspection we observed that the stairway and its top landing were dilapidated and in serious disrepair. The wood framing at the top of the stairway and on both sides of the entry landing was severely deteriorated, with extensive dry rot and water damage. In several locations the structural wood had rotted through to bare, splintered, and crumbling material. Because this stairway is the primary means of access to and egress from the home, its deterioration is both a fall hazard and an egress hazard.

The owner's own corrective permit acknowledges the condition: Permit #25036200, issued March 11, 2025, calls for replacement of the wooden steps off the entrance and of the interior staircase. As of our inspection on March 26, 2025, fifteen days after that permit issued, no corrective work had been performed and the rot remained. *(See Figures 9-11.)* **This condition is illegal, unpermitted, dangerous, unsafe, and non-code compliant.**

- **California Health and Safety Code §17920.3(b) (structural hazards, including deteriorated or dry-rotted members)**
- **California Health and Safety Code §17920.3(a)(14) (general dilapidation and improper maintenance)**
- **California Civil Code §1941.1(a)(8) (floors, stairways, and railings maintained in good repair)**

6. Unsafe and Unapproved Electrical System

The building's electrical system was both unpermitted in part and unsafe in use.

A. Unpermitted and failing wiring serving the ground-floor unit. The wiring installed to serve the unpermitted ground-floor kitchen and unit was never permitted or inspected. The complaint to the City reported that electrical outlets spark and short out when items are plugged in, and the NOV cites unapproved wiring (San Francisco Housing Code §1001(e)).

B. No ground-fault protection at the second-floor bathroom. In the second-floor bathroom, an electrical receptacle was located within two feet of the pedestal sink. Using a Klein Tools GFCI receptacle tester, we found the outlet had no ground-fault circuit interrupter protection: the tester ran a full six seconds without tripping the circuit, confirming the absence of GFCI protection on a receptacle immediately adjacent to a water source (California Electrical Code §210.8(A)).

Taken together, the unpermitted wiring and the missing ground-fault protection show an electrical system that was modified outside the permit process and left in an unsafe condition. This is not deferred maintenance: it is the result of unpermitted, unapproved electrical work in a building occupied by people. *(See Figures 12-13.)* **These conditions are illegal, unpermitted, dangerous, unsafe, and non-code compliant.**

- **San Francisco Housing Code §1001(e) (unapproved or hazardous wiring renders a dwelling substandard)**
- **California Electrical Code §210.8(A) (ground-fault protection required at bathroom receptacles)**
- **California Health and Safety Code §17920.3(d) (electrical wiring not maintained in good and safe condition)**

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2051 Coffee Lane, Sebastopol, CA 95472 * kevin@kearneyobanion.com

7. Unapproved Plumbing and Resulting Water Damage: Ground-Floor Unit

The plumbing serving the unpermitted ground-floor unit was installed without permit and was actively failing. Beneath the ground-floor kitchen sink we observed a corroded drain assembly and an active leak that had caused substantial water damage to the cabinet base, with staining and mineral deposits consistent with prolonged moisture exposure. The NOV cites unapproved plumbing.

In plain terms, the unit's plumbing was never approved or inspected, and it was leaking into the cabinetry at the time of our inspection. *(See Figure 14.)* **This condition is illegal, unpermitted, dangerous, unsafe, and non-code compliant.**

- **San Francisco Housing Code §1001(f) (unapproved or defective plumbing renders a dwelling substandard)**
- **California Civil Code §1941.1(a)(2) (plumbing maintained in good working order)**
- **California Health and Safety Code §17920.3(e) (plumbing not maintained in good and sanitary condition)**

8. Dampness and Suspected Mold: Rear Storage Area

In a storage area at the rear of the unit, we measured elevated moisture in the wall. Using a moisture meter placed against the lower edge of the wall, we recorded an elevated reading, indicating water intrusion or persistent dampness in the wall assembly. The complaint that initiated the City's investigation described a moldy addition at the rear of the house.

The conditions we observed, elevated wall moisture in an enclosed rear area, are visually consistent with mold growth; formal assessment by a certified industrial hygienist is recommended to confirm the species and extent. Persistent dampness and mold compromise both the structure and the health of the occupants. *(See Figure 15.)* **This condition is illegal, unpermitted, dangerous, unsafe, and non-code compliant.**

- **California Health and Safety Code §17920.3(a)(11) (dampness of habitable rooms)**
- **California Health and Safety Code §17920.3(a)(13) (visible mold growth)**
- **California Civil Code §1941.1(a)(1) (effective weather protection against water intrusion)**

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III. Photos

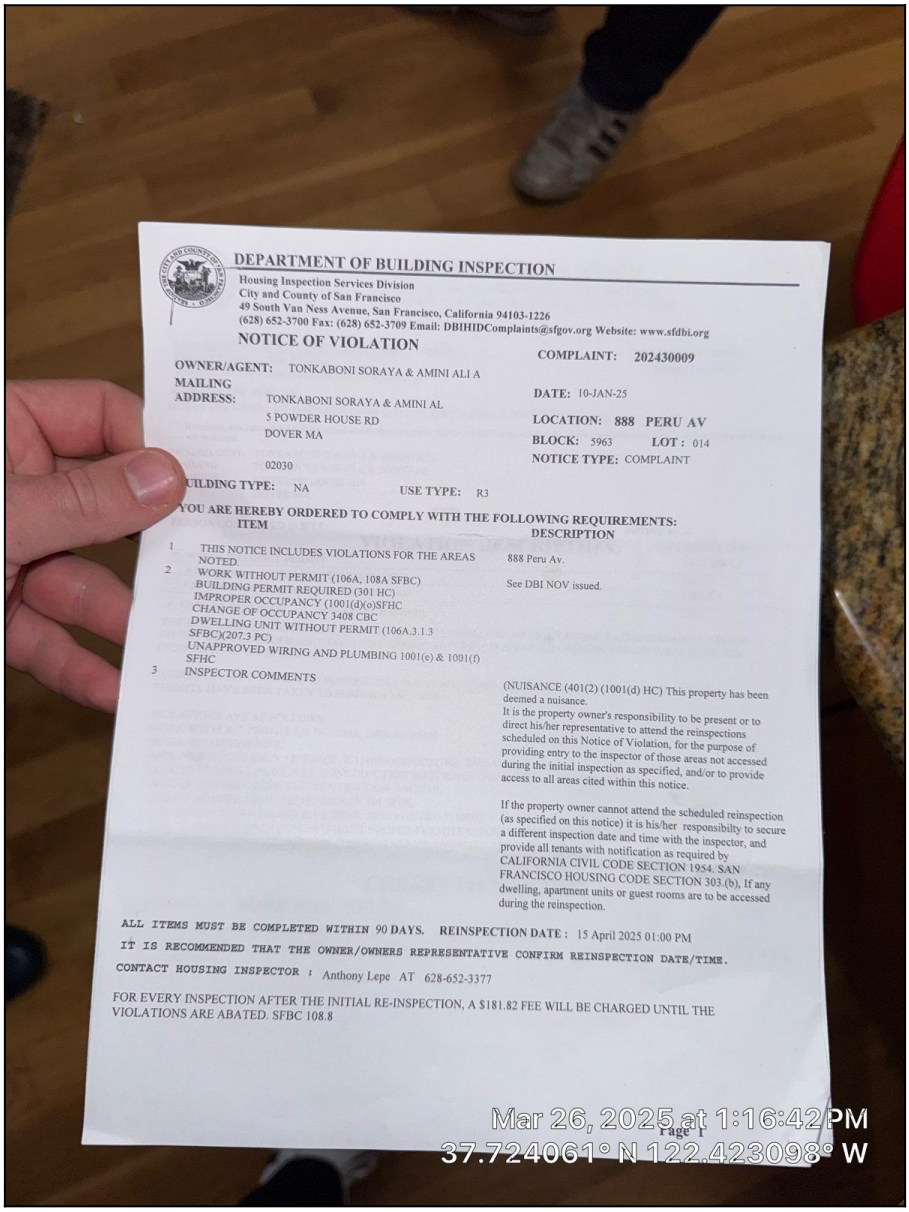
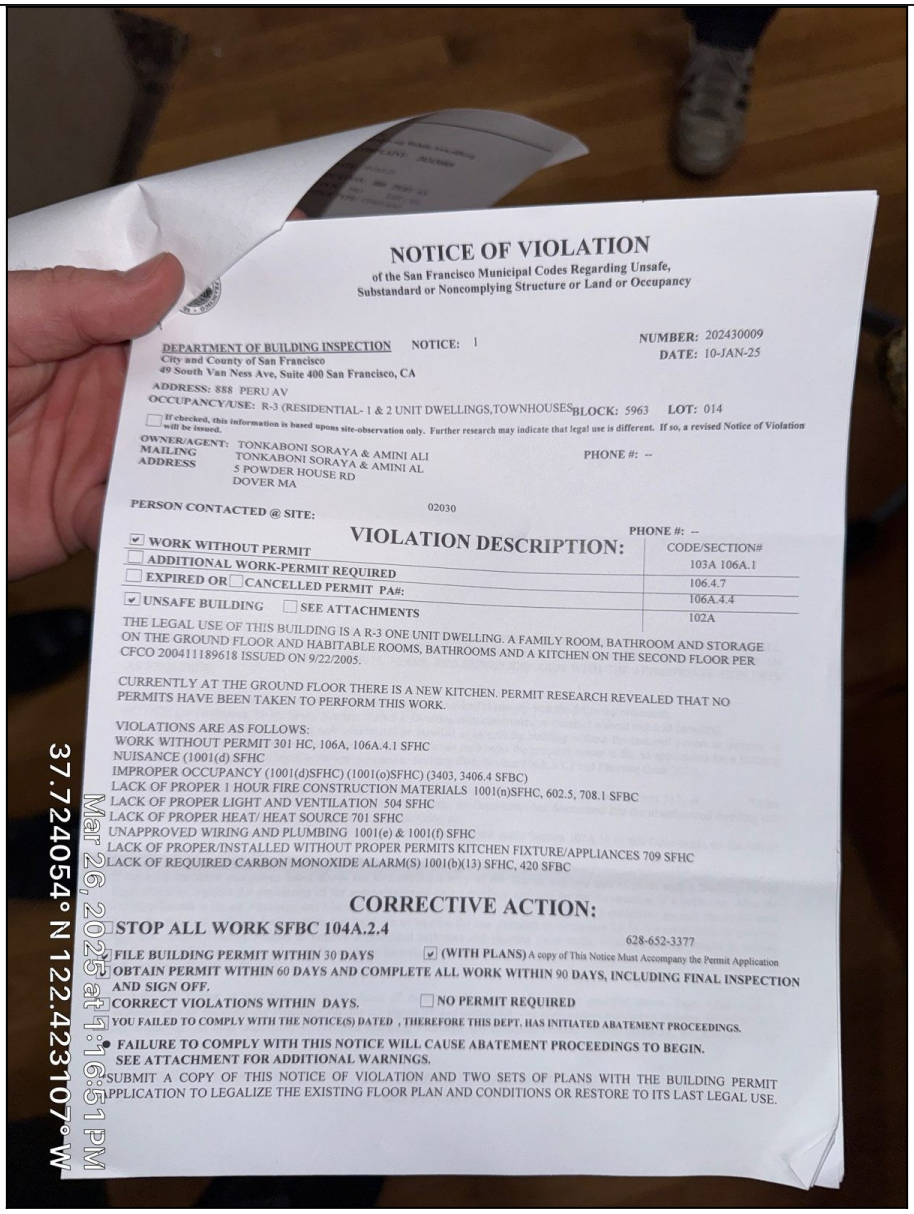


Figure 1. Notice of Violation #202430009, issued by the San Francisco Department of Building Inspection on January 10, 2025, page 1, present at the property at the time of our March 26, 2025 inspection.

(415) 819-1157 * **405 East D Street, Suite G * Petaluma, CA 94952**
2051 Coffee Lane, Sebastopol, CA 95472 * kevin@kearneyobanion.com



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 Ave, Suite 400 San Francisco, CA

NUMBER: 202430009
DATE: 10-JAN-25

ADDRESS: 888 PERU AV
OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS,TOWNHOUSES BLOCK: 5963 LOT: 014
☐ If checked, this information is based upons site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: TONKABONI SORAYA & AMINI ALI
MAILING ADDRESS: TONKABONI SORAYA & AMINI AL
5 POWDER HOUSE RD
DOVER MA 02030
PHONE #: --

PERSON CONTACTED @ SITE:
PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
☑ WORK WITHOUT PERMIT	103A 106A.1
☐ ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
☐ EXPIRED OR ☐ CANCELLED PERMIT PA#:	106A.4.4
☑ UNSAFE BUILDING ☐ SEE ATTACHMENTS	102A

THE LEGAL USE OF THIS BUILDING IS A R-3 ONE UNIT DWELLING. A FAMILY ROOM, BATHROOM AND STORAGE ON THE GROUND FLOOR AND HABITABLE ROOMS, BATHROOMS AND A KITCHEN ON THE SECOND FLOOR PER CFCO 200411189618 ISSUED ON 9/22/2005.

CURRENTLY AT THE GROUND FLOOR THERE IS A NEW KITCHEN. PERMIT RESEARCH REVEALED THAT NO PERMITS HAVE BEEN TAKEN TO PERFORM THIS WORK.

VIOLATIONS ARE AS FOLLOWS:
WORK WITHOUT PERMIT 301 HC, 106A, 106A.4.1 SFHC
NUISANCE (1001(d) SFHC
IMPROPER OCCUPANCY (1001(d)SFHC) (1001(o)SFHC) (3403, 3406.4 SFBC)
LACK OF PROPER 1 HOUR FIRE CONSTRUCTION MATERIALS 1001(n)SFHC, 602.5, 708.1 SFBC
LACK OF PROPER LIGHT AND VENTILATION 504 SFHC
LACK OF PROPER HEAT/ HEAT SOURCE 701 SFHC
UNAPPROVED WIRING AND PLUMBING 1001(e) & 1001(f) SFHC
LACK OF PROPER/INSTALLED WITHOUT PROPER PERMITS KITCHEN FIXTURE/APPLIANCES 709 SFHC
LACK OF REQUIRED CARBON MONOXIDE ALARM(S) 1001(b)(13) SFHC, 420 SFBC

CORRECTIVE ACTION:

☐ STOP ALL WORK SFBC 104A.2.4

628-652-3377

☐ 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 AND SIGN OFF.
☐ 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.
SUBMIT A COPY OF THIS NOTICE OF VIOLATION AND TWO SETS OF PLANS WITH THE BUILDING PERMIT APPLICATION TO LEGALIZE THE EXISTING FLOOR PLAN AND CONDITIONS OR RESTORE TO ITS LAST LEGAL USE.

Figure 2. Notice of Violation #202430009, page 2, identifying the legal use as a one-unit R-3 dwelling and citing the unpermitted ground-floor kitchen.

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Figure 3. Unpermitted kitchen on the ground floor, with cabinetry, gas cooktop, and a bathroom beyond. The ground floor is approved only as family room, bathroom, and storage (S.F. Housing Code §301).



Figure 4. The same unpermitted ground-floor kitchen from a second angle, showing the gas cooktop and full cabinetry of the unauthorized dwelling unit.

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Figure 5. Rear right second-floor bedroom. Its only connection to the rear is an interior sliding glass door (rear of room), opening not to the exterior but into an enclosed former porch.



Figure 6. The enclosed rear room created from a former porch, covered by a translucent plastic roof. It has no exit to the exterior and no proper light or ventilation (S.F. Housing Code §504).

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Figure 7. Rear left second-floor bedroom. The room opens only onto the same enclosed deck structure.

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Figure 8. Window of the rear left bedroom opening into the enclosed deck rather than to open air, providing no emergency escape, light, or ventilation (Cal. H&S Code §17920.3(l)).

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Figure 9. Front entry stairway, the building's only means of access, with deteriorated wood at the top landing.



Figure 10. Top landing of the entry stairway. The wood framing on both sides is severely dry rotted and deteriorated.

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Figure 11. Close-up of the left side of the entry landing, showing wood rotted through to bare, splintered material (Cal. Civ. Code §1941.1(a)(8)).



Figure 12. Second-floor bathroom receptacle located within two feet of the pedestal sink.

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Figure 13. Klein Tools GFCI tester at the same receptacle. The tester ran a full six seconds without tripping, confirming no ground-fault protection (Cal. Elec. Code §210.8(A)).



Figure 14. Plumbing beneath the ground-floor unit sink: a corroded drain and active leak with staining and water damage to the cabinet base (S.F. Housing Code §1001(f)).

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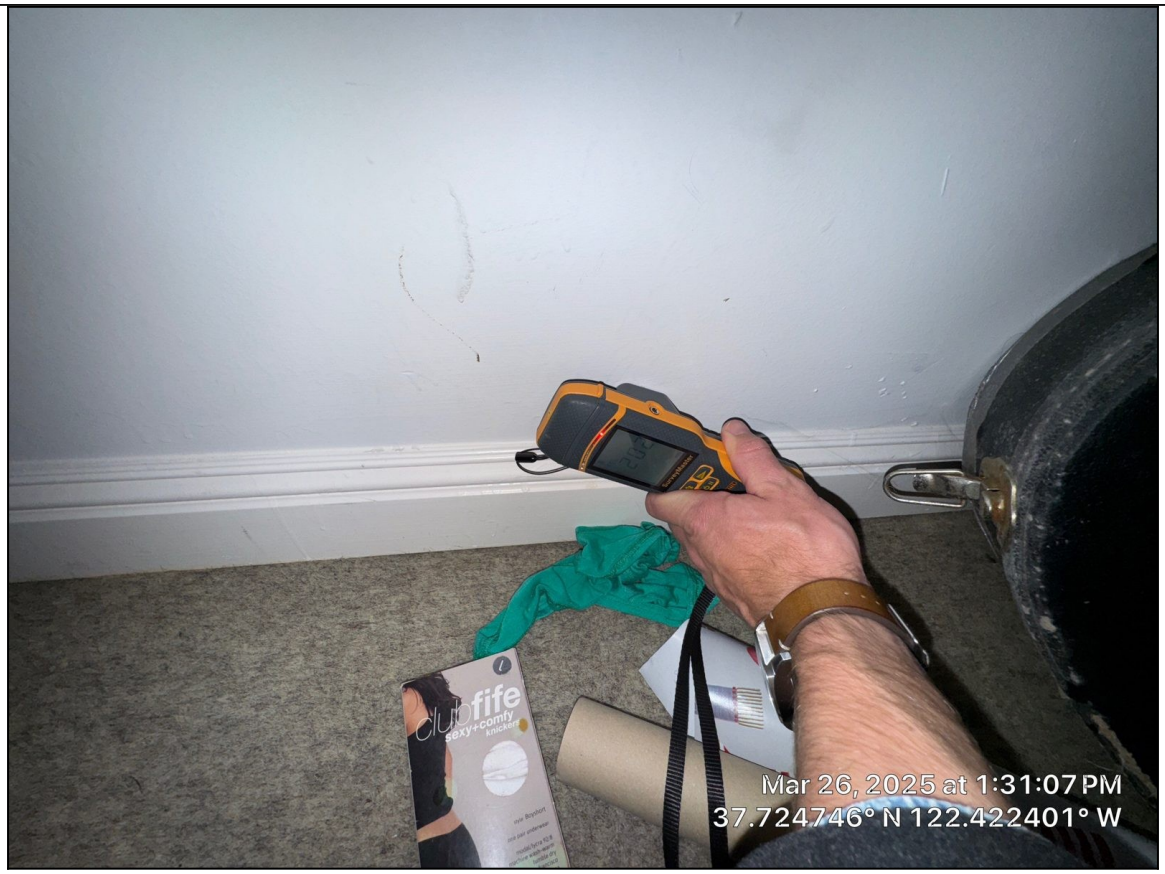


Figure 15. Moisture meter against the lower edge of a wall in the rear storage area, recording elevated moisture consistent with water intrusion (Cal. H&S Code §17920.3(a)(11)).

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IV. Conclusions

Based on the physical inspection conducted on March 26, 2025, the documents reviewed, and the City's own records, it is the opinion of Kearney and Son Contracting and Consulting Inc. that 888 Peru Avenue **was wholly and unambiguously uninhabitable under California law.** The building contained an illegal and unpermitted dwelling unit and a series of simultaneous violations affecting fire safety, egress, electrical safety, plumbing, heating, and the integrity of the building's only means of access.

Summary of violations:

Illegal and unpermitted dwelling unit, ground floor. S.F. Housing Code §301; S.F. Building Code §106A.3.1.3

Lack of proper heat and heat source. S.F. Housing Code §701

Lack of proper one-hour fire-resistive construction. S.F. Housing Code §1001(n)

Lack of proper egress, light, and ventilation, rear second-floor rooms. Cal. H&S Code §17920.3(l)

Dilapidation and dry rot, front entry stairway. Cal. H&S Code §17920.3(b)

Unsafe and unapproved electrical system. S.F. Housing Code §1001(e)

Unapproved plumbing and water damage, ground-floor unit. S.F. Housing Code §1001(f)

Dampness and suspected mold, rear storage area. Cal. H&S Code §17920.3(a)(11)

These conditions did not exist in isolation. The City cited the illegal unit and its attendant hazards in January 2025; the unpermitted work dates back nearly two decades; and although the owner pulled a narrow corrective permit in March 2025, that permit reached only the stairs, and at our inspection later that month nothing had been corrected. The pattern is one of long-running, unpermitted occupancy left in place. The conditions affecting fire separation, egress, and electrical safety are immediate threats to life. Occupancy of the ground-floor unit and the rear second-floor sleeping rooms under current conditions must cease immediately, and the remaining conditions should not continue without immediate corrective action, required permits, professional remediation, and verification of compliance.

These conditions are illegal, unpermitted, dangerous, unsafe, and non-code compliant, and they rendered 888 Peru Avenue unfit for human occupancy.

Sincerely,

Kevin M. Kearney | President
Robert C. Kearney | Vice President
Kearney & O'Banion, Inc.
Kearney and Son Contracting and Consulting Inc.

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V. Exhibit List

Exhibit 1: Kevin M. Kearney, CV and Resume, November 1, 2025

Exhibit 2: Kearney and Son Contracting and Consulting Inc., Permit Report for 888 Peru Street, August 4, 2025

Exhibit 3: San Francisco Department of Building Inspection, Notice of Violation #202430009, January 10, 2025

Exhibit 4: San Francisco Department of Building Inspection, Complaint Data Sheet, Complaint #202430009, October 22, 2024

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Addendum: Permit History

The record of building permits and code enforcement cases for the subject property is incorporated by reference from the companion Permit Report (dated August 4, 2025) produced by this office, and is to be read together with this report. The full Permit Report is attached as Exhibit 2.

Controlling legal use. The legal use of 888 Peru Avenue is fixed by Certificate of Final Completion and Occupancy #200411189618, issued September 22, 2005, which approved ground-floor additions comprising a family room, storage room, and a full bathroom, with the kitchen and habitable rooms on the second floor. No certificate or permit authorizes a second kitchen or a separate dwelling unit on the ground floor.

Compliance permit. In response to Complaint and Violation #202430009, the owner filed Permit Application #202503101905, issued as Permit #25036200 on March 11, 2025, proposing only replacement of the wooden entry steps and the interior staircase. It does not reach the illegal unit, the egress conditions, or the electrical hazards, and no work had been performed at the time of our March 26, 2025 inspection.

Pattern of unfinaled work. The permit history reflects a long pattern of work left without final inspection or certificate, including the 1990 re-roof, the 2004 bathroom and dry-rot repairs, and the 2010 drywall and stair work, none of which carries a final sign-off in the City's records.

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EXHIBIT

1

Kevin M. Kearney

CV and Resume

November 1, 2025

Kevin M. Kearney | Construction Expert

405 East D Street, Suite G, Petaluma CA 94952

Tel: 415.819.1157 | Email: kevin@kearneyobanion.com

SUMMARY OF EXPERIENCE

Kevin M. Kearney is a construction expert and independent expert witness who has testified in more than 43 superior court trials, as well as dozens of mediations and arbitrations.

Mr. Kearney has provided testimony for both plaintiff and defense in complex construction topics, including: general construction defects and cost analysis, safety standards, code enforcements, specification deviation analysis, housing laws, illegal units, damage calculations, and design remediation.

As founder and president of Kearney & O'Banion, Inc., Mr. Kearney has more than 35 years of building and construction consulting experience. His business specializes in the design-build renovation and restoration of high-end residential and commercial properties in the Bay Area.

Under his direction, Kearney & O'Banion generated revenues in excess of $200 million. Mr. Kearney oversees all facets of operations, from developing and presenting proposals with cost estimates to design and project management services. In 2023, Kevin's son, Robert Connor Kearney, joined the growing organization. Connor oversees construction, drone investigations, water intrusion investigations, and life/safety inspections and reports.

Mr. Kearney's extensive construction legal experience includes more than:

- 43 Superior court trials
- 36 Mediations
- 16 Arbitrations
- 300 Depositions

PROFESSIONAL EXPERIENCE

1980 – Present, **Kearney & O'Banion, Inc.**
President & RMO. Oversees the day-to-day operations of general contracting firm. Manages the design and/or building of homes. Responsible for cost calculations, budget estimates and making project presentations.

1990 – Present, **Independent Expert Witness**
Defense/Plaintiff Witness. Provides expert testimony on a wide range of building and construction subject matters, both commercial and residential. General Class B construction defects, damage calculations and design remediation.

2020 – Present, **Kearney & Son Contracting and Consulting, Inc.**
President & RMO. Runs day-to-day operations of the general contracting firm and consulting work as a construction legal expert.

BOARD MEMBERSHIPS

2001 – Present, **Promia, Inc**.
Member, Board of Directors. Promia is a developer of cyber security software. Designed to support highly secure and interoperable business applications for large corporations, Promia's customers include the U.S. Navy, the National Security Agency and Fortune500 companies.

2012 – 2017, **LEDCO**
CEO, Board of Directors. LEDCO is a publicly traded company specializing in LED products.

2012 – 2013, **Sugarmade, Inc. (SGMD)**
Member, Board of Directors. Sugarmade is a publicly traded treeless paper company distributed through major retailers throughout the United States.

2008 – 2009, **Public Media Works, Inc. (PMW)**
Member, Board of Directors. PMW is a publicly traded company operating in the diversified entertainment segment. The company transforms untapped content resources into entertainment products.

EDUCATION

University of California, Davis, MFA, Magna Cum Laude, May 1977
Maryland Institute College of Art, Cum Laude, 1974

LICENSES

CA State Contractors License Board:
B General Contractor's License #1072746 (2021)
B General Contractor's License #657757 (1992)
B General Contractor's License #391928 (1980)

TRIAL, ARBITRATION AND MEDIATION TESTIMONY (In person & via Zoom)

2025 Acted as construction expert and testified at arbitration for the law firm of Hall Griffin LLP in the case of Fanoiki v. 1081-1087 Mississippi Street, et al, ADRS Case No. 21-1209-BLS ADR Services, Inc., San Francisco, Judge Bonnie Sabraw. (Defense)

2025 Acted as construction expert and code compliance expert in the *Unlawful Detainer Action to Recover Possession of Real Property Because of a Violation of the Lease* for the Law Offices of Todd Rothbard in Napa County Superior Court in the case of Nick-O and Sons v. Rolando Herrera, Herrera Vineyard Leasing Company. Case No. 25CV000659, Judge Joseph J. Solga. (Plaintiff)

2025 Acted as construction expert and testified for the law firm of Bowne Law in the case of Sanders v. Patco Residential Construction, Inc., in Alameda Superior Court, Case No. RG20080596, Judge Jenna Whitman. (Plaintiff)

2025 Testified in arbitration for the law firm of Porter Law Group Inc in the case of Reichert Building Solutions Inc. v. Mprops LLC, Napa County Superior Court, Arbitrator Michael Timpane, Esq. (Plaintiff)

2025 Testified in arbitration for the law firm of Fisher & Fisher in Kiner v. 2208 Mission Street HOA, Superior Court of Santa Clara County, Case No. 23-6271-JT, Judge James Trembath. (Plaintiff)

2024 Testified for law firm of Nixon Peabody LLP at the San Francisco Planning Commission in opposition to request made by the 229-233 Whitney St. owners for conditional use authorization. The request was made pursuant to SF Planning Code SEC. 303 and SEC. 317 to legalize demolition of a two-story residential building with three dwelling units, which was previously demolished without a permit. (The request was successfully denied.)

2024 Acted as an expert and testified for Abir Cohen Treyzon & Salo, LLP (ACTS Law) in Santa Clara County Superior Court in the case of Hedayati, et al v. Bhatnagar. Case No. 19CV357264, Judge Carol Overton. (Plaintiff)

2024 Acted as an expert and prepared for trial for Hooshmond Law Group in San Francisco Superior Court in the case of Kristina Castro v. Jay Akkad, Saya Akkad. Case No. CGC-23-606555, Judge Braden C. Woods. (Plaintiff)

2024 Acted as construction litigation expert and testified for Candappa Law Firm, San Diego, in Alameda Superior Court in the Case of Broderick v. Malesardi, Case No. HG21103647, Judge Frank Roesch. (Plaintiff)

2024 Acted as construction litigation expert and testified for the Law Offices of Stephen M. Flynn, Napa, CA, in Sonoma County Superior Court in the case of Gateway Builders, Inc v. Di Lillo, Case No. SCV-265805, Judge Christopher M. Honigsberg. (Plaintiff)

2024 Acted as construction litigation expert and testified for Frankfurt Kurnit Klein

& Selz, Los Angeles, in San Francisco Superior Court in the case of John Steven Graham Jr. v. HGA Inc., Case No. CGC-22-598327, Judge Garrett L. Wong. (Plaintiff)

2023 Acted as expert and testified at trial in person for Ted Bloomfield Law, LLC in San Francisco Superior Court in the case of Sanchez v. 320 Alemany LLC, Judge Christopher C. Hite, CGC 21596863. (Plaintiff)

2023 Acted as expert and testified at trial in person in Sonoma County Superior Court in the case of Terry Ehmann v. Kimberley Pile-Ouimette, Judge Brad DeMeo, Case No. SCV260956. (Defense)

2023 Acted as a legal expert and testified at trial for Hooshmand Law Group in the case of Loya v. Grinsell, 2233 Powell Street, San Francisco, Case No. CGC21593044. (Plaintiff)

2023 Legal expert in Zoom arbitration for Ali Ari Law. DM 2465 Van Ness Holdings Member Investors LLV v. Navid Sarrafzadeh. JAMS, San Francisco. (Plaintiff)

2022 Researched and testified at Zoom mediation in preparation for trial for the law firm of Louis A. Gonzalez, Jr. in the case of Tonna, Roger, et al. v. Saca, John, et al. JAMS reference #1130010134, Sacramento Superior Court. (Plaintiff)

2022 Researched and testified at Zoom mediation in preparation for trial for Jon Rodriguez of Cornerstone Law in Sajkovic v. Williams, San Francisco Superior Court Case #CGC-21-590101, Judge Cahill. (Plaintiff)

2022 Researched and testified at Zoom mediation in preparation for trial for the law firm of Kaufman Dolowich & Voluck. MacGuinness v. 246 Carl Street LLC, et al. SF Superior Court case #CGC-20-586159. (Plaintiff)

2021 – 2022 Acted as an expert and prepared for trial for Kaufman, Dolowich & Voluck in Mendocino Superior Court, Department E, Judge Nadel, Sean Sebring v. Coldwell Banker Mendo Realty, Inc., et al. SCUK-CVG-19-72931. (Defense)

2021 Acted as expert, testified at trial in Precision Tile and Granite, A California Corp v. Building Contractors. Santa Clara County Superior Court Department One: Judge Sunil R. Kulkarni for Last & Faoro, Attorneys at Law. (Defense)

2021 Acted as expert and testified at an in-person trial with Judge Derek W. Hunt, for New Castle Enterprises, LTD., A California Corporation v. Southwest Painting, Inc., A California Corporation. Case No. 30-2019-01099958- CU, CO, SCS, for Law Offices of Gary R. Carlin, APC. Orange County Superior Court. (Plaintiff)

2021	Acted as expert and testified at a Zoom Mediation with Hon. Lynn Duryee (Ret.) for Kaufman Dolowich & Voluck in Tenants v. Eureka Street HOA. (Defense)
2021	Testified as expert at a San Francisco Board of Permit Appeals for Kaufman Dolowich & Voluck in 441-443 Cole Street Tenants v. HOA. (Defense)
2021	Acted as expert and testified at a Zoom Mediation with Hon. Michael G. Ornstil for JAMS Ref No. 1120014648, 3300 Geary Street, San Francisco explosion, Edwin Bradley, Esq., Raff Law, APC. (Plaintiff)
2021	Acted as an expert and testified at a Zoom Mediation with Hon. Bonnie Sabraw (Ret.), for Robert Salinas Law in the Paula Steward, Alfred Monroe, JR. Aaron Townsend, and Eddie Ford, v. Ali Hassan, Zahid Jahania, California Pacific Realty et al. (Plaintiff)
2021	Acted as expert and testified at a Zoom Mediation with Robert Shapiro for Kaufman Dolowich & Voluck in 441-443 Cole Street Tenants v. HOA. (Plaintiff)
2021	Acted as expert for lawyers in the case and in the hearing with California State Contractors Board v. Precision Tile and Granite, OHA No. 2020040852. Case No. N2018-351 was withdrawn by SCLB as a result of Kevin M. Kearney's report and brief by attorney Jonathan M. Browne for the firm Last & Faoro. (Defense)
2020	Acted as expert and testified at a Zoom Trial with Brekhus Law Partners for Elizabeth Brekhus and The Arques School of Traditional Boat Building. CIV 1800843 with Hon. Andrew E. Sweet in the Marin County Superior Court. (Plaintiff)
2020	Acted as expert and testified at a Zoom Arbitration for Goldstein, Gellman, Melbostad, Harris & McSparran, Law Firm in the Mille, Brad Sower, et al. v. Lai, Hilda, et al., San Francisco, Superior Court Judge David A. Garcia. (Plaintiff)
2019 – 2021	Acted as expert in the mediation of Park, Howard, et al. v. Abraham, Magid, et al. Judge Lynn Duryee for Goldstein, Gellman, Melbostad, Harris & McSparran, LLP. JAMS Reference #1100111153. Settled in plaintiff's favor. (Plaintiff)
2019	Acted as expert and testified at trial for Fireman's Fund Insurance Company, as Subrogee to the Rights of QFA Royalties LLC, V. Triton Subs, Case; CGC-15-544547 San Francisco, Superior Court Judge Curtis E.A. Karnow. (Plaintiff)
2019	Acted as an expert and testified at trial for Hooshmand Law Group in Sarkany v. West, Case: GCG-18-571355, Superior Court Judge Kathleen A. Kennedy. (Plaintiff)
2018	Acted as expert and testified at trial for Hooshmand Law Group in Pennypacker v.

Dennis Yuen Case; CGC – 16 – 555507, San Francisco Superior Court Judge Anne-Christine Massullo. (Plaintiff)

2018 Acted as expert and testified for Ari Law LLP and testified at trial in Yamen Eltawil v. Thakor, et all. Case; CGC – 16 – 552571 San Francisco Superior Court Judge Gail Dekreon. (Plaintiff)

2018 Acted as expert and testified at trial for the law firm Tobener Ravenscroft LLP for defendants in 1856 Pacific Avenue, SF. Pacific Manor, LP v. Displaced Tenants, SF Rent Stabilization Board Case No. L180671, Judge Connie Brandon. (Defense)

2018 Acted as expert and testified at trial for the Hooshmand Law Group in Troung v. Wu case; CGC – 17 – 552571 San Francisco Superior Court Judge Ronald E. Quidachay. (Plaintiff)

2017 Acted as expert and testified at trial in San Francisco Superior Court case CGC-15-545655 Duncan/Mendoza v. Anne Kihagi/Swain, Judge Edward M. Chen. (Plaintiff)

2017 Acted as expert and testified at trial for the law firm of Wood Robbins LLP in the case of ENA North Beach Inc. v. 524 Union Street. San Francisco Superior Court case: CGC-15-547922, Judge Richard B. Ulmer, Jr. (Defense)

2017 Testified at trial in San Francisco Superior Court for Hooshmand Law Group in Reynolds v. Lau with Judge A. James Robertson II. (Defense)

2016 Testified at trial for Grunsky Law Group, Watsonville, CA, in the case of CSAA Insurance Company v. Premier Restoration, San Francisco Superior Court, Judge Lynn O'Malley Taylor. (Plaintiff)

2016 Acted as legal expert and testified at trial for the Hooshmand Law Group in the case of Bristol Hotel, 56 Mason Street. David Jaranillow v. Balwantsinh Thakor. San Francisco Superior Court, Judge Angela Bradstreet. (Plaintiff)

2016 Acted as expert witness and testified at trial in Alameda County Court for Trinh Law Firm, San Jose, CA, in the case of D. B. Lin Construction v. Wang et al, Judge Robert D. McGuiness, Case No. HG15768198. (Defense)

2016 Acted as expert and testified at mediation for the law firm of Goldstein, Gellman, Melbostad, Harris & McSparran, LLP in Doyle v. Fong, San Francisco Superior Court. (Plaintiff)

2016 Acted as legal expert and testified at trial for Goldstein, Gellman, Melbostad, Harris & McSparran, LLP in Henderson v. Karpfinger, San Francisco Superior Court, Judge Richard B. Ulmer, Jr., Case No. CGC-15-546542. (Plaintiff)

2016	Acted as legal expert and testified at arbitration of Ashbury General Construction and Engineering and Kever Born v. Chris Culpo and Grove Street Investments; San Francisco Superior Court, Arbitrator Honorable Richard M. Silver (Ret.) case #1110018550. (Defense)
2015 – 2020	Acted as expert, testified at arbitration, and developed repairs for Goldstein, Gellman, Melbostad, Harris & McSparran Law Firm in Julian Abody and Sabrina Moyle v. Luc Barthelet. (Defense)
2015	Acted as expert and testified at trial in Anderson v. Aquilina for Hooshmand Law Group, San Francisco Superior Court, Judge Richard B. Ulmer, Jr. (Plaintiff)
2015	Acted as expert and testified at trial in San Francisco Superior Court for the Hooshmand Law Group in Shannon Deaton et al V. Carolyn Chandler et al, Case No. CGC- 13-533822, Judge Peter Busch. (Plaintiff)
2015	Acted as expert and testified at trial in San Francisco Superior Court for the Hooshmand Law Group in the Phillips Hotel case, Case No. CGC-14-536744, Judge Richard B. Ulmer, Jr. (Plaintiff)
2015	Acted as expert and testified at trial in San Francisco Superior Court for the Hooshmand Law Group in cases against Marky Lynn Quayle, CGC-14-542913, CGC-14- 542997 and CGC-14-543055, Judge Lynn O'Malley Taylor. (Plaintiff)
2014	Acted as expert and testified in Cathedral Hill Appeal in San Francisco Superior Court for the law firm of Aune and Associates. (Defense) / (Plaintiff)
2014	Testified at trial for Hooshmand Law Group in Deaton Fire Case lawsuit at 2450 Octavia Street, San Francisco Superior Court, Judge Busch. (Plaintiff)
2013 – 2014	Acted as construction legal expert and testified in San Francisco Superior Court at arbitration for Hooshmand Law Group in the case of Tenants v. Balwantsenh 56 Mason, San Francisco Superior Court. (Plaintiff)
2013 – 2014	Acted as construction legal expert and testified at arbitration for Goldstein, Gellman, Melbostad & McSparran LLP in the case of Galasco v. McIllvenna, 215 Kenwood Way, San Francisco Superior Court. (Defense)
2013 – 2014	Acted as construction legal expert and testified at trial in San Francisco Superior Court for Hooshmand Law Group in the case of Tenants v. Auburn Hotel, San Francisco Superior Court. (Plaintiff)
2013	Acted as construction legal expert and testified at arbitration for Abbey, Weitzenberg, Warren & Emery in the investigation of Fitch Mountain Elementary School v. Wright Construction, Sonoma Superior Court. (Plaintiff)

2013 Acted as construction legal expert and testified at trial in AMCO Insurance Company v. Fancher Monterey, Inc dba Quiznos for the Cole Law Firm and Spiering, Swartz & Kennedy in the Alvarado Street Fire, Monterey Superior Court, Case No. M8899. (Plaintiff)

2012 – 2013 Acted as construction legal expert and testified at arbitration for Sedgwick LLP in Moody v. Vincent Construction, San Francisco Superior Court. (Defense)

2012 Acted as construction legal expert and testified at arbitration for Goldstein, Gellman, Melbostad, Harris & McSparran LLP in the case of Grady v. Lanyadoo, San Francisco Superior Court, Case No. CGC 10 500734. (Defense)

2011 – 2012 Acted as construction legal expert and testified at arbitration for Freeman & Freeman in Cheney v. Pacific Mountain Partners, Sonoma County Superior Court. (Plaintiff)

2011 – 2012 Acted as construction legal expert and testified at mediation for Freeman & Freeman in the construction defect case Miller v. Angel et al, Case No. CV-407944, Lake County Superior Court. (Plaintiff)

2011 – 2012 Acted as legal expert and testified at mediation for Archer Norris in the case of Olympus-Calistoga LLC v. Taisse Construction Corp, Case No. 26-40553, Napa County Superior Court. (Defense)

2011 – 2013 Acted as legal expert and testified at arbitration for Donald L. Lipmanson law firm in Redwood Hill Farm and Creamery, Inc. v. One Sun, Inc and Advanced Roofing, Sonoma County Superior Court. (Plaintiff)

2011 – 2012 Acted as legal expert and testified at mediation for Abbey, Weitzenberg, Warren & Emery in the Curtis Holding Co. v. Carter Construction Company, Lake County Superior Court. (Plaintiff)

2010 – 2011 Acted as legal expert and testified at mediation for Abbey, Weitzenberg, Warren & Emery in the McCarty v. Kingsborough Atlas Tree Surgery, Inc et al., Sonoma County Superior Court, Case No. SCV247187. (Plaintiff)

2010 – 2011 Expert witness, testified at trial in the construction defect and cost analysis case of Cederwall/Barrager for the law firm of Allen Matkins, Judge Tomar Mason, San Francisco Superior Court. (Plaintiff)

2009 – 2010 Testified at trial for construction defect and cost analysis in the case of Sangiacomo v. Cunningham for Archer Norris, Judge Monica F. Wiley, San Francisco Superior Court. (Plaintiff)

2008 Testified at mediation in construction defect and cost analysis in Weinman v.

	Handlen for Aune and Associates. Mediator: Gary Ragghianti. (Plaintiff)
2008	Testified in San Francisco Superior Court on code enforcements in the case of Cathedral Hill Condominium Associates v. Lisa Garber for Aune and Associates, Judge John Stewart. (Plaintiff)
2007	Testified at trial in Marin County Superior Court to develop a cost analysis in the case and trial of Sawicki v. Degnan for Joel Halverson Esq. (Defense)
2006	Testified at arbitration on construction defect and cost analysis for Sedgwick, Detert, Moran & Arnold, LLP in the case of Saarman v. Smiriga. (Defense)
2004	Testified at trial on construction defect and cost analysis for the law firm of Maciel & Segovia in Segovia v. Bach, Case No. CGC 04428834, Judge Ernest H. Goldsmith, San Francisco Superior Court. (Plaintiff)
2000 – 2002	Testified at arbitration in the case of Saal v. Nonella Construction for the law firm of Aune and Associates. (Plaintiff)
1998 – 2000	Testified at the San Francisco Rent Board in Lombard Income Partners v. Tenants Association in San Francisco Rent Board hearing concerning pass through of capital improvements for Aune and Associates. (Defense)
1993	Investigated construction defects in renovation of home in Palo Alto, CA. Completed remedial work, acted as an expert witness and testified at trial in the trial of Goldworth v. Seito in San Mateo Superior Court. (Plaintiff)
1992	Testified in San Francisco Superior Court in the trial of Ali Ghanbarian v. Doctor Winkie for the law firm of Robert DeVries, San Francisco, CA (Plaintiff)

CONSTRUCTION MANAGEMENT

2022 – 2024	Construction manager to resolve 121 Mariner Green Court, Corte Madera for Phil Nonneman and Dawn Williamson
2020 – 2022	Construction manager to resolve 606 Chaparral Drive, Napa, CA for Lee Harris
2020	Construction manager to resolve 287 Cresta Vista Drive, San Francisco case
2019 – 2022	Construction manager for 507 Cole Street, San Francisco for Andreas Phelps
2018 – 2022	Construction manager for 601/601A Fell Street and 313 Castro Street, San Francisco for Ronnie Wang
2018 – 2020	Construction manager for 3756 Jackson Street, San Francisco for Howard and

June Park

2018 – 2019 Construction manager for 3953 Washington Street, San Francisco for Michael Carboy

2018 – 2020 Construction manager for 2631 Appian Way, Pinole for Nichiren Shoshu Myoshinji Temple – Jay Kallman – Representative Attorney

2013 Construction manager for 701 Congo Street, San Francisco

2012 Construction manager for General Hydroponics, Santa Rosa, CA

2012 Construction manager for 729 Congo Street, San Francisco

2011 – 2016 Construction manager for TCC Union Square for the sidewalk restoration at 450 Post Street, a 15-story 1920s Gothic-inspired building clad in terra cotta

2011 – 2015 Construction manager for Redwood Hill Farm and Creamery of Sebastopol, CA in the case of RWHF&C Inc. v. One Sun, Inc. and Advanced Roofing, Sonoma County Superior Court

2011 – 2012 Construction manager for Seascape Village in Novato, CA, a large condominium complex, oversaw replacement of original shingle siding with Hardie-Shingles

2011 – 2016 Construction manager for the Mandarin Tower HOA, a 16-story commercial/condominium complex in San Francisco's Chinatown

2011 – 2012 Construction manager for the 1150 Lombard Street HOA, San Francisco

2010 Construction manager for Saarman Construction, San Francisco

2009 – 2013 Construction manager for the HOA at the 210-unit condominium complex at 101 Lombard Street, San Francisco

CONSTRUCTION LEGAL EXPERT CASES

Between 2020-2024, Kevin M. Kearney completed more than 200 construction investigations and construction expert reports.

2020 Legal expert, 364 – 366 3rd Avenue, San Francisco

2020 Legal expert, 160 – 162 Lower Terrace, San Francisco

2019 – 2020 Construction legal expert for Zacks, Freedman & Patterson on two occasions

2019 – 2020	Construction legal expert for ACTS Law Firm, Encino, CA, 270 El Nido Road, Portola Valley
2019 – 2020	Construction legal expert for Elke & Merchant, LLP 1840 – 1842 Church St.
2019	Legal expert, 11600 Wright Place, Rough and Ready, CA
2018 – 2020	Legal expert, 874 28th Avenue, San Francisco
2018 – 2020	Legal expert, 601/601A Fell Street and 313 Castro Street, San Francisco
2018 – 2020	Legal expert, 2519 Harrison Street, San Francisco
2018 – 2020	Legal expert, 3756 Jackson Street, San Francisco
2018 – 2020	Legal expert, 2631 Appian Way, Pinole for Nichiren Shoshu Myoshinji Temple, Jay Kallman, Representative Attorney
2018-2019	Legal expert, 3953 Washington Street, San Francisco
2018	Legal expert for the Hooshmand Law Group in the case of Xiao Zhen Wu v. Karol Naverrette and Louis Hernandez case: CUD –17–657946 San Francisco Superior Court Judge Ronald E. Quidachay
2016	Legal expert for Hooshmand Law Group in the case of Reynolds v. Lau
2016	Expert for Hooshmand Law Group in Torres v. Xiang, 128 Bartlett, San Francisco
2016	Legal expert for Hooshmand Law Group in the case of Scott v. Phillips, 1618 King Street, Santa Cruz, CA
2015	Expert for the Law Offices of Gene J. Goldsman in Santa Ana Boone v. Hastings Sacramento
2015	Expert in confidential defense matter for Rothschild, Wishek and Sands LLP
2014 – 2017	Legal expert for law firm of Ethan A. Gaubiger in the Zibinsky matter
2014 – 2015	Legal expert for Abbey, Weitzenberg, Warren & Emery in Hays v. Total Concepts Construction
2014	Legal expert in a personal injury case for the law firm of Joseph W. Campbell in Carpizo v. KB Homes
2014	Legal expert for Clement, Fitzpatrick & Kenworthy in the Kosta matter

2014	Legal expert for Penney & Associates in the case of Wiseman personal injury, Marin County Superior Court
2013 – 2014	Legal expert for the law firms of Morris, Polich & Purdy and Wild, Carey & Fife in the case of Pomo Indians v. Acco, San Francisco Superior Court
2013	Legal expert for law firm of Ethan A. Glaubiger in the case of Phillips v. Kenny, Sonoma County Superior Court
2011 – 2012	Investigated construction defects for Aune and Associates at 1150 Lombard Street, San Francisco
2011 – 2012	Legal expert for Abbey, Weitzenberg, Warren & Emery in the investigation of construction defects for the Green Valley Vista HOA, Sebastopol, CA
2011 – 2012	Legal expert for Nardell Chitsaz & Associates in the construction defect case of Kuebler/Babler, Cloverdale, CA in Sonoma County Superior Court
2011 – 2012	Investigated construction defects for Aune and Associates at 3326 California Street HOA, San Francisco
2010	Provided cost analysis for the Denmark Subdivision, Sonoma, CA, for attorneys Matthew A. Crosby and Edward C. McDonald. (Defense)
2010	Legal expert for Aune and Associates in TCC Union Square v. Elks Building Association, which involved restoration of the 3rd floor balcony at 450 Post Street in downtown San Francisco
2010	Expert witness in the Keon v. Carlson matter
2009 – 2011	Expert witness on construction defects and cost analysis in the case of Cederwall/Barrager for the law firm of Reed Smith (Defense)
2009 – 2011	Expert witness on construction defects and cost analysis in the Baus matter for Aune and Associates
2009 – 2011	Expert witness on construction defects and cost analysis in Susan Baldini v. 101 Lombard Street Condominium Association for Aune and Associates (Defense)
2009	Expert witness on construction defects and cost analysis in the case of Isabelle King for the law firm of John Sharp
2009	Expert witness on construction defects and cost analysis in the case of Song v. Bettencourt for the law firm of Clint Johnson and Associates
2008	Expert witness testimony on construction defects in the case of Tilton v. Coulter for the law firm of Gordon and Reese LLP (Defense)

2007 – 2019	Legal expert, expert for Kaufman Dolowich & Voluck, 507 Cole Street, SF
2007	Expert witness testimony on cost analysis in the case of Peak Attraction v. Bubba Gump Restaurants for Daniel Crowley & Associates (Defense)
2007	Expert witness on construction defects in the case of Mr. Jim Neidel v. Mario Trejo for Sheppard-Rosen Law Firm, LLP
2007	Expert witness on construction defects for law firm of Sheppard-Rosen in the case of Awe v. Spark Art, Inc.
2006	Expert witness on construction defect case for attorney Joel D. Breier (Defense)
2003	Expert witness for Davidovitz + Bennett in mediation of Teffeth v. Flanagan
2003	Expert witness in the case of Saal v. Nonella Construction for Burnham & Brown, attorneys for Saal's Insurance Company
2001	Expert witness for law firm of Conner & Bak in the Remuda Partners mediation
1995	Expert witness at the Schooler arbitration for law firm of Daron Tong (Defense)

ILLEGAL UNITS & FAIR HOUSING CASES

Acted as expert on numerous tenant lawsuits involving habitability and affordable housing. Investigated illegal units and fair housing cases for Hooshmand Law Group, Thomas W.J. Purtell Law, and more than a dozen tenant rights law firms in the Bay Area at the following addresses:

2020
17 Colgate Drive, Rancho Mirage, CA
21 Castenada Avenue, San Francisco, CA
21 Ichabod Lane, Orinda, CA
31 Canyon Street,
34 Rico Way, San Francisco, CA
53 Flicker Drive, Novato, CA
92 Locust Street, Mill Valley, CA
112 Capri Court, Danville, CA
131 Werner Avenue, Daly City, CA
147 Ripley Street, San Francisco, CA
200 Willowgreen, Santa Rosa, CA
246 Atherton Avenue & 132 Isabella Avenue, Atherton, CA
398 Rheem Boulevard, Moraga, CA
410 Diamond Street, San Francisco, CA

421 Crown Road, Kentfield, CA
424 28th Street, San Francisco, CA
435 China Basin Street, San Francisco, CA
450 Pulgas Drive, Woodside, CA
560 Hill Street, San Francisco, CA
732-734 Lyon Street, San Francisco, CA
747 Natoma Street, Unit 203, San Francisco, CA
865 Hamilton Avenue, Palo Alto, CA
867 27th Avenue, San Francisco, CA
934–962 Stockton Street, San Francisco, CA
960 Hilldale Avenue, Berkeley, CA
1001 California Street, 2A, San Francisco, CA
1060 Mississippi Street, San Francisco, CA
1129 Tennessee Street, San Francisco, CA
1310 Minnesota Street, Unit 202, San Francisco, CA
1385 San Rosa Avenue, Santa Rosa, CA
1433 Jefferson Street, San Francisco, CA
1450 Masonic Avenue, San Francisco, CA
1940 Redwood Hill Court, Santa Rosa, CA
2067–2069 Green Street, San Francisco, CA
2135 Lombard Street, San Francisco, CA
2263 Sacramento Street, San Francisco, CA
2441 Vallejo Street, San Francisco, CA
2722 Folsom Street, San Francisco, CA
3061 Live Oak Court, Danville, CA
3110 Patrick's Point Drive, Trinidad, CA
3208 Ronino Way, Lafayette, CA
3255 Redwood Road, Napa, CA
3291 Mariola Road, Sebastopol, CA
3300 Geary Boulevard, San Francisco, CA
3437–3439 Fillmore Street, San Francisco, CA
3756 Jackson Street, San Francisco, CA
3799 Shillingford Court, Santa Rosa, CA
3959 Washington Street, San Francisco, CA
4328 Streamside Drive, Santa Rosa, CA
4437 23rd Street, San Francisco, CA
4592 Carmen Drive, El Dorado Hills, CA
11600 Wright Place, Rough and Ready, CA
13755 Perini Road, Middletown, CA
41386 Fremont Boulevard, Fremont, CA
Arques School of Traditional Boar Building

2019 49 Hopkins Street, San Francisco, CA
121–123 Mariner Green Court, Corte Madera, CA
178 McLellan Avenue, San Mateo, CA
239 Coronado Street, Half Moon Bay, CA
287 Cresta Vista Drive, San Francisco, CA
288 Mac Donald Avenue, Daly City, CA
301 Washington Street, Sonora, CA
435–437 E. Oakwood Boulevard, Redwood City, CA
450 Post Street, Sausalito, CA
535 A Greenwich Street, San Francisco, CA
693 South Orchard Avenue, Ukiah, CA (Super 8 Motel)
710 Carlin Court, Petaluma, CA
761 Marina Boulevard, San Francisco, CA
991 Delores Street, San Francisco, CA
1195 Saranap Avenue, Unit 17, Walnut Creek, CA
1358 Union Street, San Francisco, CA
1474 6th Avenue, San Francisco, CA
1552–1554 8th Street, Oakland, CA
1760 Alabama Street, San Francisco, CA
2020 Hyde Street, San Francisco, CA
2200 Mission Street, San Francisco, CA
2210 Broderick Street, San Francisco, CA
2519 Harrison Street, San Francisco, CA
2712 Broadway Street, San Francisco, CA
2921 Vallejo Street, San Francisco, CA
3380 Vigilante Road, Sonoma, CA
3410 Industrial Way, Sacramento, CA
4009 Linden Street, Unit 6, Oakland, CA
4312 23rd Street, San Francisco, CA
4369 21st Street, San Francisco, CA
6048 Claret Court, Vallejo, CA
7700's 1240 W, West Jordan, UT
8689 England Avenue, Dublin, CA
17560 Taylor Lane, Occidental, CA

2015 1219 El Camino Real, Burlingame, CA
258 38th Avenue, San Francisco, CA
56 Mason Street, San Francisco, CA (2nd case)
3875 Castro Valley Blvd

2014 Civic Center Hotel, 20 12th Street, San Francisco, CA
445 O'Farrell Street, San Francisco, CA
710 Ellis Street, San Francisco, CA

3440 Redwood Court, Castro Valley, CA
3154 26th Street, San Francisco, CA
2440 Bryant Street, San Francisco, CA
500 Holloway Street, San Francisco, CA
1139 Market Street, San Francisco, CA
756 Valencia Street, San Francisco, CA
5825 Keith Avenue, San Francisco, CA
4240 Irving Street, San Francisco, CA
1443 Underwood Avenue, San Francisco, CA
3855 San Bruno Avenue, San Francisco, CA
Phillips Hotel, 22 Battery Street, San Francisco, CA
201–205 9th Street, San Francisco, CA
2311 32nd Avenue, San Francisco, CA
3562-3550 San Bruno Avenue, San Francisco, CA
1223 El Camino Real, Burlingame, CA
80 Pacheco Street, San Francisco, CA

EXHIBIT

2

Kearney and Son Contracting and Consulting Inc.
Permit Report for 888 Peru Street
August 4, 2025

August 5th, 2025

Thomas W. J. Purtell
The Law Offices of Thomas W. J. Purtell
1160 Battery Street, Suite 100
San Francisco, CA 94111

Re: Building Records of 888 Peru Street, San Francisco CA, 94112

I – Building Records

1. **Permit Application # 09024668 filed** on **11/28/1990 issuing Permit # 660456** on **11/30/2025.** This permit would be granting a **re-roof** described as follows:

   - **Removal of two layers of shingles to the Cedar shingles**
   - **Removal of all tar and gravel roofing to sheathing boards**
   - **Application of a 1-ply of 40 # base sheet and 3-ply of 15 # felt**
   - **New plumbing pipe cellar installation**
   - **Application of 1-play 15 # felt underlayment with new composition shingles**

   On the job record, it is noted that is seems the work was completed, but the call made was not answered.

   Record Status: Completed on **05/20/1991; No Final Certificate posted.**

2. **PA # P373269 filed** on **09/24/1998** to **relocate a gas meter.** The work would be **completed as described.**

   Record Status: **Final OK** on **10/01/1998**

3. **PA # 200411179443 filed & approved** on **11/17/2004, issuing Permit #1041731** in order to **make repairs to dry rotted damage, drywall damage, and a remodel of two existing bathrooms on the property.**

   From the job record, it seems the work was Rough OK'd on **02/06/2005,** and completed much later, but still completed, **however no Final Certificate Issued again.**

   Record Status: **Work Completed** on **09/20/2005; No Final Certificate.**

(415) 819-1157 * **405 East D Street, Suite G * Petaluma, CA 94952**
2051 Coffee Lane, Sebastopol, CA 95472 * kevin@kearneyobanion.com
Construction Management, Legal Experts, and Building Policy Consultants * California License #1072746

4. **PA # 200411189618 filed** and **approved** on **11/18/2004, issuing the Permit # 200411189618,** for the **relocation of a Kitchen, and 1 Bathroom**, to **add a family room on the 2nd floor. Noted on the permit was "1 Storage & 1 Full".**

   Work was completed as described as the work would be Finaled on **09/19/2005, issuing a Certificate of Final Completion and Occupancy shortly after. Though it does look like the description changed.** This was likely a mistranslation on the initial application, and a proper description afterwards, explaining:
   - **Ground floor additions**
     - **New Family Room**
     - **New Storage Room**
     - **Full bathroom remodel**

   Record Status: **Certificate of Final Completion and Occupancy issued** on **09/22/2005.**

5. **PA # P461852 filed** on **01/03/2005 & approved** for **3 new bathroom sink installations and a furnace along with a new gas line.**

   The rough OK would come in the same month, with the rest of the work completed and inspected later.

   Record Status: **Final OK** on **0912/2005**

6. **PA # E200501051778 filed** on **01/05/2005** for the **installation** of the following:
   - **50 Lights**
   - **40 Switches**
   - **60 Receptacles**
   - **16 Circuits**

   All work was **verified and approved following the final inspection.**

   Record Status: **Complete** on **09/19/2005**

7. **PA # E200506137471 filed** on **06/13/2005 for a new garage door opener install.**

   Record Status: **Complete** on **09/13/2005**

8. **PA # E20050914648 filed** and **issued** on **09/14/2005** for **the installation of 100 Amp service.** This was done as permitted, and completed.

   Record Status: **Complete** on **09/19/2025**

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2051 Coffee Lane, Sebastopol, CA 95472 * kevin@kearneyobanion.com
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9. **PA # 201008128689 filed & approved issuing Permit # 1218770** to **replace sheetrock in the kitchen and living room, replace 4 interior steps of stairs [less than 40%].**

   However, there is **no inspection log attached, and no Final Certificate on file. There is no way to verify the work was done properly.**

   Record Status: **Approved & Issued** on **08/12/2010**

10. **PA # EW20150113401 filed, approved and issued** on **01/13/2015** allowing an **upgrade to the electrical service to 125amp.**

    This would be done on time and in a complete manner, as inspected.

    Record Status: **Complete** on **01/16/2015**

11. **PA # 202503101905 filed** on **03/10/2025, approved, issuing Permit # 25036200** in an attempt to **solve the violations and negligence from Complaint & Violation # 202430009.**

    In this permit the following work would be proposed:
    - **Replacement of the wooden steps off the entrance**
    - **Replacement of the internal staircase [to be in-kind] as needed (Less than 50%)**

    Record Status: **Issued** on **03/11/2025**

(415) 819-1157 * **405 East D Street, Suite G * Petaluma, CA 94952**
2051 Coffee Lane, Sebastopol, CA 95472 * kevin@kearneyobanion.com
Construction Management, Legal Experts, and Building Policy Consultants * California License #1072746

II – Complaints & Violations

1. **Complaint # 202429913 filed** on **10/18/2024 and moved to the following Complaint & Violation # 202430009** on **10/22/2024.**

   This case would be opened regarding a:
   - **Moldy addition at the back of the house**
   - **The roof being plastic**
   - **The gas line was unpermitted**
   - **Electrical over fuse and shorting/sparking**

   Record Status: **Closed, Moved to Violation # 202430009** on **10/22/2024**

2. **Complaint # 202430009 filed** on **10/22/2024 regarding the same complaint as above, only being transferred here for correspondence.**

   This case would be opened regarding a:
   - **Moldy addition at the back of the house**
   - **The roof being plastic**
   - **The gas line was unpermitted**
   - **Electrical over fuse and shorting/sparking**

   A permit would be filed & issued to try and rectify this on **03/11/2025.**

   Record Status: **Notice of Violation sent** on **01/29/2025; Open as of 03/11/2025**

(415) 819-1157 * **405 East D Street, Suite G * Petaluma, CA 94952**
2051 Coffee Lane, Sebastopol, CA 95472 * kevin@kearneyobanion.com
Construction Management, Legal Experts, and Building Policy Consultants * California License #1072746

III – Conclusion

The permit history of 888 Peru Street shows a **long pattern of unfinished work, missing final inspections, and unresolved violations.** While some projects were properly completed, key repairs — including **the 1990 re-roof, 2004 bathroom/dry rot repairs, and 2010 drywall/stair work — remain unfinaled, leaving questions about safety and legality.**

Recent complaints **confirm ongoing problems: a mold-infested rear addition, a plastic roof, an unpermitted gas line, and over-fused electrical creating real fire and health risks.** Even though a corrective permit was filed in 2025, **the violations remain open.**

Core Issues Include:

- **Un-Finaled permits undermine the legitimacy of past remodels.**
- **Unsafe utilities (gas/electrical) pose life-safety hazards.**
- **Mold & water intrusion compromise habitability.**

Next Steps should be to:

- **Secure gas/electrical systems with licensed contractors.**
- **Abate mold and reconstruct the rear addition to code-compliant state.**
- **Push for DBI compliance review and retroactive inspections.**

In its current state, **888 Peru Street is not code-compliant and carries significant health, safety, and legal risks**. Any buyer, tenant, or legal representative must account for these unresolved liabilities before moving forward.

(415) 819-1157 * **405 East D Street, Suite G * Petaluma, CA 94952**
2051 Coffee Lane, Sebastopol, CA 95472 * kevin@kearneyobanion.com
Construction Management, Legal Experts, and Building Policy Consultants * California License #1072746

EXHIBIT

3

San Francisco Department of Building Inspection
Notice of Violation #202430009
January 10, 2025

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: **202430009**

OWNER/AGENT: TONKABONI SORAYA & AMINI ALI A

MAILING ADDRESS: TONKABONI SORAYA & AMINI AL
5 POWDER HOUSE RD
DOVER MA

02030

DATE: 10-JAN-25

LOCATION: **888 PERU AV**

BLOCK: 5963 **LOT :** 014

NOTICE TYPE: COMPLAINT

BUILDING TYPE: NA **USE TYPE:** R3

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM		DESCRIPTION
1	THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	888 Peru Av.
2	WORK WITHOUT PERMIT (106A, 108A SFBC) BUILDING PERMIT REQUIRED (301 HC) IMPROPER OCCUPANCY (1001(d)(o)SFHC CHANGE OF OCCUPANCY 3408 CBC DWELLING UNIT WITHOUT PERMIT (106A.3.1.3 SFBC)(207.3 PC) UNAPPROVED WIRING AND PLUMBING 1001(e) & 1001(f) SFHC	See DBI NOV issued.
3	INSPECTOR COMMENTS Basement NO Heat moldy Closet illegal unit	(NUISANCE (401(2) (1001(d) HC) This property has been deemed a nuisance. 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 responsibilty 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 90 **DAYS.** **REINSPECTION DATE :** 15 April 2025 01:00 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 $181.82 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8

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 **NUMBER:** 202430009
City and County of San Francisco **DATE:** 10-JAN-25
49 South Van Ness Ave, Suite 400 San Francisco, CA

ADDRESS: 888 PERU AV
OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS,TOWNHOUSES **BLOCK:** 5963 **LOT:** 014

☐ **If checked, this information is based upons site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.**

OWNER/AGENT: TONKABONI SORAYA & AMINI ALI **PHONE #:** --
MAILING ADDRESS TONKABONI SORAYA & AMINI AL
5 POWDER HOUSE RD
DOVER MA
02030

PERSON CONTACTED @ SITE: **PHONE #:** --

VIOLATION DESCRIPTION:

	CODE/SECTION#
☑ **WORK WITHOUT PERMIT**	103A 106A.1
☐ **ADDITIONAL WORK-PERMIT REQUIRED**	106.4.7
☐ **EXPIRED OR** ☐ **CANCELLED PERMIT PA#:**	106A.4.4
☑ **UNSAFE BUILDING** ☐ **SEE ATTACHMENTS**	102A

THE LEGAL USE OF THIS BUILDING IS A R-3 ONE UNIT DWELLING. A FAMILY ROOM, BATHROOM AND STORAGE ON THE GROUND FLOOR AND HABITABLE ROOMS, BATHROOMS AND A KITCHEN ON THE SECOND FLOOR PER CFCO 200411189618 ISSUED ON 9/22/2005.

CURRENTLY AT THE GROUND FLOOR THERE IS A NEW KITCHEN. PERMIT RESEARCH REVEALED THAT NO PERMITS HAVE BEEN TAKEN TO PERFORM THIS WORK.

VIOLATIONS ARE AS FOLLOWS:
WORK WITHOUT PERMIT 301 HC, 106A, 106A.4.1 SFHC
NUISANCE (1001(d) SFHC
IMPROPER OCCUPANCY (1001(d)SFHC) (1001(o)SFHC) (3403, 3406.4 SFBC)
LACK OF PROPER 1 HOUR FIRE CONSTRUCTION MATERIALS 1001(n)SFHC, 602.5, 708.1 SFBC
LACK OF PROPER LIGHT AND VENTILATION 504 SFHC
LACK OF PROPER HEAT/ HEAT SOURCE 701 SFHC
UNAPPROVED WIRING AND PLUMBING 1001(e) & 1001(f) SFHC
LACK OF PROPER/INSTALLED WITHOUT PROPER PERMITS KITCHEN FIXTURE/APPLIANCES 709 SFHC
LACK OF REQUIRED CARBON MONOXIDE ALARM(S) 1001(b)(13) SFHC, 420 SFBC

CORRECTIVE ACTION:

☐ **STOP ALL WORK SFBC 104A.2.4**

628-652-3377

☑ **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 AND SIGN OFF.**
☐ **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.**

*SUBMIT A COPY OF THIS NOTICE OF VIOLATION AND TWO SETS OF PLANS WITH THE BUILDING PERMIT APPLICATION TO LEGALIZE THE EXISTING FLOOR PLAN AND CONDITIONS OR RESTORE TO ITS LAST LEGAL USE.

NOTICE OF VIOLATION

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

ELECTRIC AND PLUMBING PERMITS ARE ALSO REQUIRED. AFTER THE PERMITS ARE ISSUED CALL FOR ALL REQUIRED INSPECTIONS. TO ABATE THIS NOTICE YOU MUST CONTACT HOUSING INSPECTION SERVICES FOR AN INSPECTION AND PRODUCE ALL PERMITS, PLANS, AND SIGNED JOBCARDS WITH THE APPROPRIATE SIGN OFFS AS REQUIRED.

*Because of the above cited alterations without permit, you are required to comply with the following ordinance:
NOTICE per Ordinance 33-16: SFBC Section 102A.3.1. Dwelling units constructed or installed without required permit(s).
In case of an unauthorized dwelling unit constructed or installed in an existing building without the required permit or permits, in addition to the above requirements the written Notice of Violation shall order the property owner to file an application for a building and other permits required to legalize the unit pursuant to Building Code Section 106A.3.1.3 and Planning Code 207.3.
Exceptions:
*Removal of the unit has been approved by the Planning Commission pursuant to Planning Code Section 317; or *After performing a screening under Section 106A.3.1.3(a) of this Code, the Department has determined that the unauthorized dwelling unit is not able to be legalized under Section 106A.3.1.3 of this Code; or
*The Building Official has determined that a serious and imminent hazard under Section 102A.16 of this Code exists on the subject property.

If none of the three exceptions listed above are met, submit a copy of this Notice and two sets of plans with a Building Permit Application to legalize the conversion of the garage/basement into a dwelling unit and for the construction of a bathroom. After the Building Permit is issued, Plumbing and Electrical Permits must be obtained. If any of the above 3 exceptions are met, the owner shall revert the areas of violation back to their last legal use or legalize the unit pursuant to Ordinance 33-16. To revert back to previous legal use, obtain Building Permits to remove unpermitted bathroom and sleeping room walls, obtain Plumbing Permits to remove unpermitted bathroom supply and waste lines, obtain Electrical Permits to remove unpermitted electrical work, and then perform work and complete all work in 90 days.

To abate this Notice of Violation, you must obtain all permits and complete all work as specified above. Then, when work is completed and all Building and Plumbing Permits are signed off and completed, you must contact the district Housing Inspector for a final inspection. At final inspection, all finalized Building, Plumbing and Electrical Permits must be produced, and access must be provided to all areas of the build1ng.

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

NOTICE OF VIOLATION

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

☐ **APPROX. DATE OF WORK W/O PERMIT** 01-JAN-06 (WORK W/O PERMIT PRIOR TO 9/1/60)

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION PERMITS $10000

CONTACT INSPECTOR: Anthony M Lepe

PHONE # 628-652-3377 DIVISION: HIS DISTRICT : 18

By:(Inspectors's Signature) _____

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 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 $199.57, and (2) an hourly rate of $199.57 for case management/administration, and $280.00 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, interalia, 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.

NOTICE OF VIOLATION WARNINGS! (Continued from page 1)

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 49 South Van Ness Ave, 2nd 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 Ave, Room 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 $280.00 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 327 of the San Francisco Existing 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 327.8.1 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

4

San Francisco Department of Building Inspection
Complaint Data Sheet, Complaint #202430009
October 22, 2024

COMPLAINT DATA SHEET

Complaint Number:	**202430009**		
Owner/Agent:	OWNER DATA SUPPRESSED	Date Filed:	
Owner's Phone:	--	Location:	888 PERU AV
Contact Name:		Block:	5963
Contact Phone:	--	Lot:	014
Complainant:	COMPLAINANT DATA SUPPRESSED	Site:	
		Rating:	
		Occupancy Code:	R-3
		Received By:	Stella Cheung
Complainant's Phone:		Division:	HIS
Complaint Source:	BID REFERRAL		
Assigned to Division:	HIS		
Description:	moldy addition at back of house, roof is plastic, gas line for in law unit does not appear to be permitted. Electrical outlets spark/short out when plugging things in. Downstairs in law unit is not heated		
Instructions:	BID referral 10/22/2024		

INSPECTOR CURRENTLY ASSIGNED

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	LEPE	6240	18	

REFFERAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	INSPECTOR	STATUS	COMMENT	UPDATED BY	DIV
10/22/24	CASE OPENED	Lepe	CASE RECEIVED		Stella Cheung 22-OCT-24	HIS
10/30/24	OTHER BLDG/HOUSING VIOLATION	Lepe	TELEPHONE CALLS	Left message for customer to call back.	Anthony Lepe 30-OCT-24	HIS
11/20/24	OTHER BLDG/HOUSING VIOLATION	Lepe	CASE UPDATE	Email to schedule an inspection.	Anthony Lepe 22-NOV-24	HIS
11/22/24	ILLEG CNVRSN/# UNITS	Lepe	INSPECTION OF PREMISES MADE	Inspector Anthony Lepe investigated the complaint at the subject property and will perform permit research to verify any violations of the San Francisco Housing Code.	Anthony Lepe 25-NOV-24	HIS
11/26/24	ILLEG CNVRSN/# UNITS	Lepe	PERMIT RESEARCH	Records request submitted.	Anthony Lepe 26-NOV-24	HIS
01/29/25	ILLEG CNVRSN/# UNITS	Lepe	FIRST NOV SENT	Reinspection on 04/15/2025 01:00 PM.	Anthony Lepe 29-JAN-25	HIS
01/29/25	ILLEG CNVRSN/# UNITS	Lepe	TELEPHONE CALLS	spoke with the P.M. from Vesta Management about the UDU.	Anthony Lepe 29-JAN-25	HIS
02/07/25	ILLEG CNVRSN/# UNITS	Lepe	BLDG POSTED & TENANTS NOTIFIED AS PER NOTIFICATION REQMNTS	Unit : 1;# of postings left on building: 1;Locations : Facade;Unit #s mailed posting: 2.	Anthony Lepe 14-FEB-25	HIS
03/11/25	ILLEG CNVRSN/# UNITS	Lepe	TELEPHONE CALLS	Recieved call from contractor. They are working to file a permit and have communicated with CPC about unit legalization.	Anthony Lepe 11-MAR-25	HIS

COMPLAINT ACTION BY DIVISION

NOV (HIS): 1/10/2025 **NOV (BID):** 1/10/2025

Inspector Contact Information

Online Permit and Complaint Tracking home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

City and County of San Francisco © 2025

EXHIBIT M

September 1–2, 2026 Planning/contractor email correspondence and two-sheet drawing set

Gmail Andrew Linton <andrewlintonfife@gmail.com>

APPEAL FILED NO. 26-046 @ 888 PERU AVENUE

4 messages

Longaway, Alec (BOA) <alec.longaway@sfgov.org> Fri, Aug 21, 2026 at 12:55 PM
To: "andrewlintonfife@gmail.com" <andrewlintonfife@gmail.com>, "jeff@studentreach.org" <jeff@studentreach.org>, "agreep7@gmail.com" <agreep7@gmail.com>
Cc: "Birmingham, Kevin (DBI)" <kevin.birmingham@sfgov.org>, "Blackshear, Czarina (DBI)" <czarina.blackshear@sfgov.org>, "Buckley, Jeff (BOS)" <jeff.buckley@sfgov1.onmicrosoft.com>, "Burke, Kenneth (DBI)" <kenneth.burke@sfgov.org>, "CROSSMAN, BRIAN (CAT)" <Brian.Crossman@sfcityatty.org>, "Kane, David (DBI)" <david.kane@sfgov.org>, "Kim, Bonnie (DBI)" <bonnie.kim@sfgov.org>, "Gasparac, Christine (CPC)" <christine.gasparac@sfgov.org>, "Greene, Matthew (DBI)" <matthew.greene@sfgov.org>, "Hannan, Patrick (CPC)" <patrick.j.hannan@sfgov.org>, "Hasbun, Carmen (DBI)" <carmen.hasbun@sfgov.org>, "Ho, Gary (DBI)" <gary.ho@sfgov.org>, "Lamarre, Julie (BOA)" <julie.lamarre@sfgov.org>, "Longaway, Alec (BOA)" <alec.longaway@sfgov.org>, "MAINARDI, JESSE (CAT)" <Jesse.Mainardi@sfcityatty.org>, "Man, Ben (DBI)" <ben.man@sfgov.org>, "McElroy, Carey (DBI)" <carey.mcelroy@sfgov.org>, "Mejia, Xiomara (BOA)" <xiomara.mejia@sfgov.org>, "Panelli, Steven (DBI)" <steven.panelli@sfgov.org>, "Parinas, Suzette (CPC)" <Suzette.Parinas@sfgov.org>, "Pei, Carrie (DBI)" <carrie.pei@sfgov.org>, "Perry, Andrew (CPC)" <andrew.perry@sfgov.org>, "CPC.Intake" <CPC.Intake@sfgov.org>, "Samarasinghe, Giles (DBI)" <giles.samarasinghe@sfgov.org>, "Sider, Dan (CPC)" <dan.sider@sfgov.org>, "Teague, Corey (CPC)" <corey.teague@sfgov.org>, "Walls, Mark (DBI)" <mark.walls@sfgov.org>, "Wong, Suzanna (DBI)" <suzanna.l.wong@sfgov.org>, "Watty, Elizabeth (CPC)" <elizabeth.watty@sfgov.org>

Alec Longaway

Legal Assistant, San Francisco Board of Appeals

49 South Van Ness, Suite 1475

San Francisco, CA 94103

Work PH: 1-628-652-1152

Cell: 1-415-746-0119

The Board's physical office is open to the public by appointment only. Please email boardofappeals@sfgov.org or call 628-652-1150 if you would like to meet with a staff member.

All documents and emails submitted to the Board Office are public records. You are advised to redact information if you want it to remain confidential. Please contact the Board Office if you need assistance.

2 attachments

APPEAL FILED NO. 26-046 @ 888 PERU AVENUE.pdf
392K

Special Instructions for Parties (11-3-25).pdf
236K

Perry, Andrew (CPC) <andrew.perry@sfgov.org> Tue, Sep 1, 2026 at 3:33 PM
To: "jeff@studentreach.org" <jeff@studentreach.org>
Cc: "Teague, Corey (CPC)" <corey.teague@sfgov.org>, "McElroy, Carey (DBI)" <carey.mcelroy@sfgov.org>, "andrewlintonfife@gmail.com" <andrewlintonfife@gmail.com>, "agreep7@gmail.com" <agreep7@gmail.com>

Hi Jeff,

At your earliest convenience, could you please share copies of the issued plans for Permit Application No. 202608146639, which is currently under appeal.

Thank you,

Andrew Perry
Senior Planner, Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628-652-7430 | www.sfplanning.org
San Francisco Property Information Map

From: Longaway, Alec (BOA) <alec.longaway@sfgov.org>
Sent: Friday, August 21, 2026 12:55 PM
To: andrewlintonfife@gmail.com <andrewlintonfife@gmail.com>; jeff@studentreach.org <jeff@studentreach.org>; agreep7@gmail.com <agreep7@gmail.com>
Cc: Birmingham, Kevin (DBI) <kevin.birmingham@sfgov.org>; Blackshear, Czarina (DBI) <czarina.blackshear@sfgov.org>; Buckley, Jeff (BOS) <jeff.buckley@SFGOV1.onmicrosoft.com>; Burke, Kenneth (DBI) <kenneth.burke@sfgov.org>; CROSSMAN, BRIAN (CAT) <Brian.Crossman@sfcityatty.org>; Kane, David (DBI) <david.kane@sfgov.org>; Kim, Bonnie (DBI) <bonnie.kim@sfgov.org>; Gasparac, Christine (CPC) <christine.gasparac@sfgov.org>; Greene, Matthew (DBI) <matthew.greene@sfgov.org>; Hannan, Patrick (CPC) <patrick.j.hannan@sfgov.org>; Hasbun, Carmen (DBI) <carmen.hasbun@sfgov.org>; Ho, Gary (DBI) <gary.ho@sfgov.org>; Lamarre, Julie (BOA) <julie.lamarre@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; MAINARDI, JESSE (CAT) <Jesse.Mainardi@sfcityatty.org>; Man, Ben (DBI) <ben.man@sfgov.org>; McElroy, Carey (DBI) <carey.mcelroy@sfgov.org>; Mejia, Xiomara (BOA) <xiomara.mejia@sfgov.org>; Panelli, Steven (DBI) <steven.panelli@sfgov.org>; Parinas, Suzette (CPC) <Suzette.Parinas@sfgov.org>; Pei, Carrie (DBI) <carrie.pei@sfgov.org>; Perry, Andrew (CPC) <andrew.perry@sfgov.org>; CPC.Intake <CPC.Intake@sfgov.org>;

Samarasinghe, Giles (DBI) <giles.samarasinghe@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Walls, Mark (DBI) <mark.walls@sfgov.org>; Wong, Suzanna (DBI) <suzanna.l.wong@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>
Subject: APPEAL FILED NO. 26-046 @ 888 PERU AVENUE
[Quoted text hidden]

Jeff Devoll <jeff@thereachgroup.org> Tue, Sep 1, 2026 at 6:28 PM
To: "Perry, Andrew (CPC)" <andrew.perry@sfgov.org>, Jeff <jeff@studentreach.org>, Ron Montez <rmontez@3featherscconstruction.com>
Cc: "Teague, Corey (CPC)" <corey.teague@sfgov.org>, "McElroy, Carey (DBI)" <carey.mcelroy@sfgov.org>, "andrewlintonfife@gmail.com" <andrewlintonfife@gmail.com>, "agreep7@gmail.com" <agreep7@gmail.com>

Ron will share them here...

Sent from my phone - please ignore typos and weird autocorrect stuff...

From: Perry, Andrew (CPC) <andrew.perry@sfgov.org>
Sent: Tuesday, 01 September 2026 15:33:58
To: Jeff <jeff@studentreach.org>
Cc: Teague, Corey (CPC) <corey.teague@sfgov.org>; McElroy, Carey (DBI) <carey.mcelroy@sfgov.org>; andrewlintonfife@gmail.com <andrewlintonfife@gmail.com>; agreep7@gmail.com <agreep7@gmail.com>
Subject: Re: APPEAL FILED NO. 26-046 @ 888 PERU AVENUE

[Quoted text hidden]

Ron Montez <rmontez@3featherscconstruction.com> Wed, Sep 2, 2026 at 9:07 AM
To: Jeff Devoll <jeff@thereachgroup.org>, "Perry, Andrew (CPC)" <andrew.perry@sfgov.org>, Jeff <jeff@studentreach.org>
Cc: "Teague, Corey (CPC)" <corey.teague@sfgov.org>, "McElroy, Carey (DBI)" <carey.mcelroy@sfgov.org>, "andrewlintonfife@gmail.com" <andrewlintonfife@gmail.com>, "agreep7@gmail.com" <agreep7@gmail.com>

Here are the plan sets that were submitted to the City. If you need the stamped and approved set I have to get those scanned for you.

Ron Montez
Office: (916) 760-7760
Cell: (702) 339-2964
CCL#1011998
rmontez@3featherscconstruction.com



From: Jeff Devoll <jeff@thereachgroup.org>
Sent: Tuesday, September 1, 2026 6:28 PM
To: Perry, Andrew (CPC) <andrew.perry@sfgov.org>; Jeff <jeff@studentreach.org>; Ron Montez <rmontez@3feathersconstruction.com>
[Quoted text hidden]

[Quoted text hidden]

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3 attachments



Outlook-b1dfps0v
12K

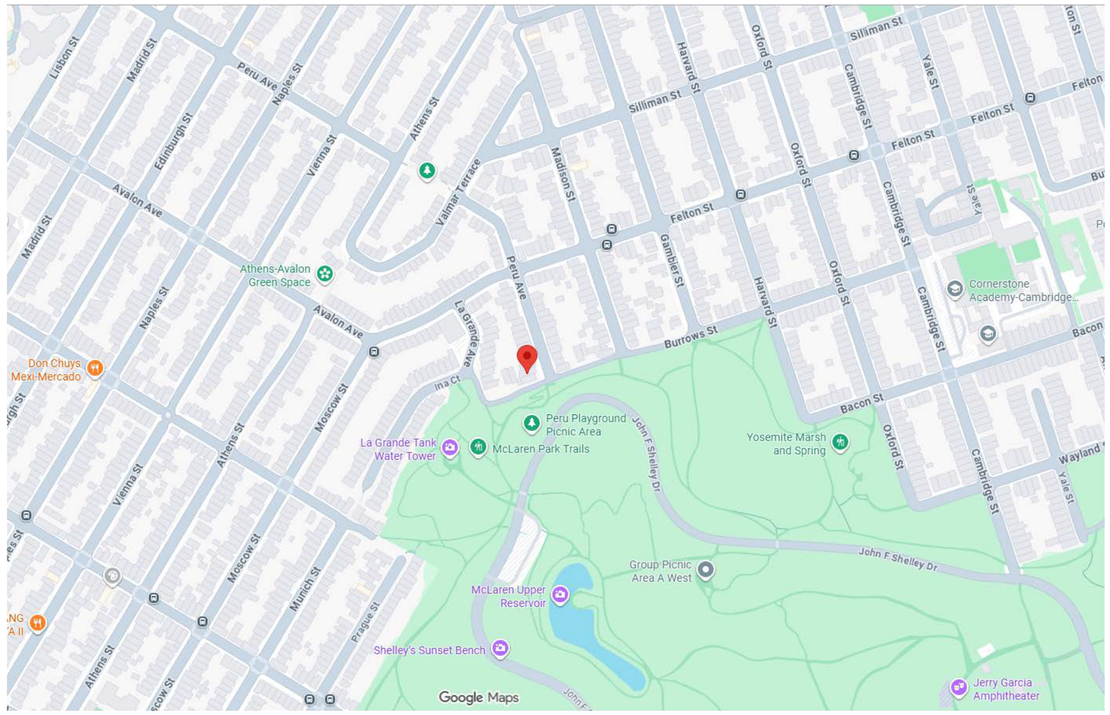
888 Peru cover sheet demo project 8-26.pdf
2120K

888 Peru 2nd floor plan layout_1.pdf
109K

Project Scope

Correction of NOV#202650385

*Correction of the violation is to remove all existing
structures, electrical and plumbing done with out permits
*Restore back of the building to its last legal use
*Provide egress patio at rear of the building



Property description

The legal use of the building is a R-3 , single dwelling unit per CFC issued on 9-22-2005
On the ground floor is a garage, a family room with a laundry center, a bedroom and a storage room.
On the second floor there is a living room, a kitchen, a master bedroom with a master bathroom, two bedrooms and a bathroom.
presently at the second floor at the rear of the building, there is a new unapproved room. This structure was installed without the benefits of any permits.

Drawing Index

*Cover sheet
*Sheet A-1 existing structure to be demoed
Sheet A-2 After Demo Egress paver patio

NO.	DESCRIPTION	BY	DATE

SHEET TITLE: Cover sheet

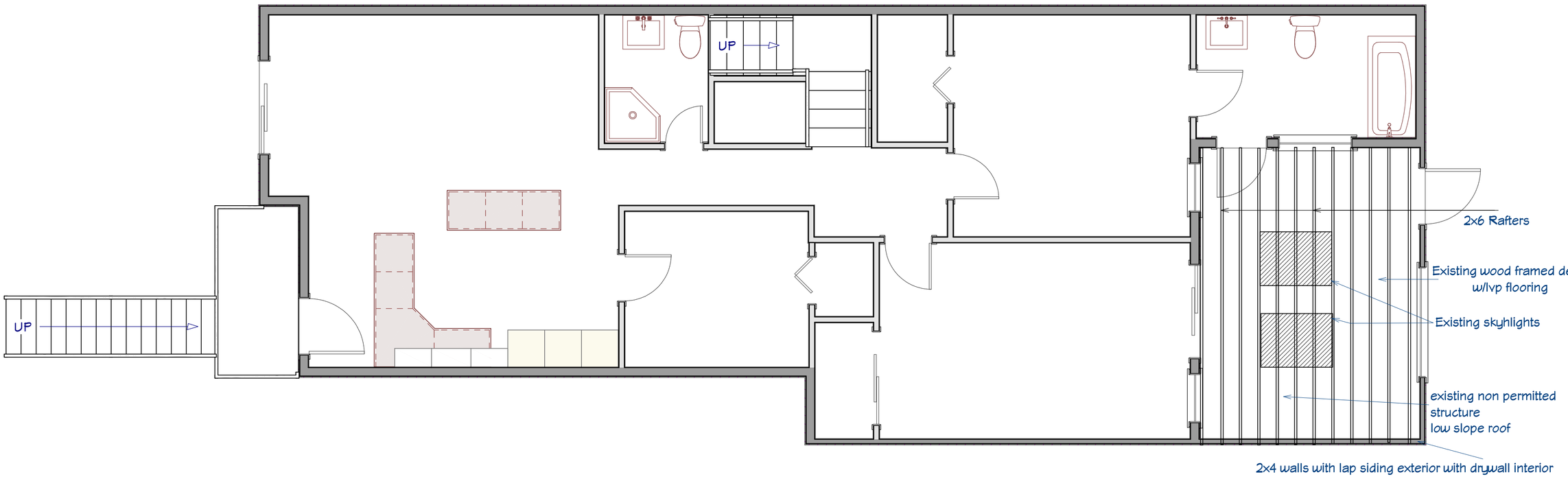
PROJECT DESCRIPTION:
888 Peru Ave.
San Francisco Ca. 94112

DRAWINGS PROVIDED BY:
3 Feathers Construction
Loomis Ca. 95650

DATE: 8-11-26

SCALE:

SHEET:



2nd Floor

Existing Non Permitted structure
To be removed

1st Floor

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Exisitng structure
to be demoed

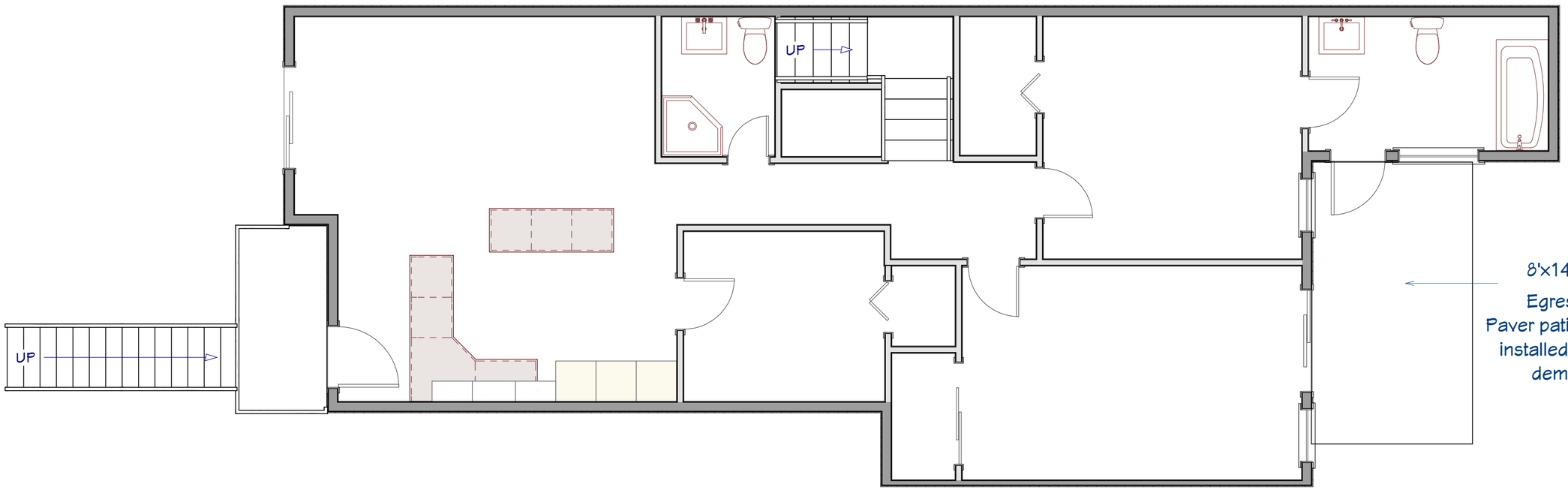
PROJECT DESCRIPTION:
888 Peru Ave.
San Francisco Ca. 94112

DRAWINGS PROVIDED BY:
3 Feathers Construction
4155 Auburn Folsom Rd.
Loomis Ca. 95650

DATE:
8-1-26

SCALE:

SHEET:
A-1



2ND FLOOR

1st Floor

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
After demo
paver patio install

PROJECT DESCRIPTION:
888 Peru Ave.
San Francisco Ca. 94112

DRAWINGS PROVIDED BY:
3 Feathers Construction
4155 Auburn Folsom Rd.
Loomis Ca. 95650

DATE:
8-1-26

SCALE:

SHEET:
A-2

BRIEF SUBMITTED BY THE PERMIT HOLDER(S)

BOARD OF APPEALS

CITY AND COUNTY OF SAN FRANCISCO

Appeal No.: 26-046

Permit No.: 202608146639

Property: 888 Peru Avenue, San Francisco, California 94112

Block/Lot: 5963 / 014

Appellants: Angelina Greep and Andrew Linton, Tenants

Permit Holder/Respondent: StudentReach / Property Owner

RESPONDENT'S BRIEF IN OPPOSITION TO APPEAL

I. INTRODUCTION

This appeal attempts to prevent the property owner from completing work required to correct an unpermitted rear enclosure.

The Department of Building Inspection issued Notice of Violation No. 202650385 after determining that an approximately 18-by-12-foot space had been constructed at the second-floor rear of the property without permits. The Notice identifies unapproved wiring and plumbing, improper occupancy, inadequate fire-resistant construction, inadequate weather protection, and inadequate exit conditions. It directs the owner either to legalize the existing conditions or restore the property to its last legal use.

The owner hired a licensed general contractor with extensive commercial and residential experience. Based on the contractor's assessment, the enclosure was not constructed as a lawful habitable addition, lacks the foundation and structural elements required for legalization, and cannot reasonably be converted into code-compliant living space. The building department ad used the same. The owner therefore selected a remediation solution expressly authorized by the Notice: removal of the unpermitted enclosure and restoration of the area to its last legal use.

Permit No. 202608146639 was issued for that corrective work. The permit describes removal of the “non permitted patio structure at the rear of the property” and expressly references Notice of Violation No. 202650385. The City’s permit record states that Planning approved removal of the rear deck to comply with the Notice.

The disagreement over whether the enclosure is called a “patio structure,” “deck,” “room,” or “enclosed former porch” does not change what it is: an unpermitted structure built over an area whose last legal use was not habitable interior space. Nor does that terminology provide a reason to leave documented life-safety violations uncorrected.

The Board should deny the appeal and uphold the permit. If the Board believes the description should be clarified, the proper remedy is to clarify or condition the permit, not revoke it and prevent the owner from complying with the Notice.

II. ISSUE PRESENTED

Whether the Board should uphold a permit allowing removal of an unpermitted rear enclosure when:

1. the available permit history and plans do not identify the enclosure as part of the lawful interior floor area;
2. legalization is not a practical solution based on the enclosure’s construction and lack of an adequate structural foundation; and
3. DBI has identified life-safety conditions requiring prompt correction.

III. FACTUAL BACKGROUND

A. The rear enclosure is not part of the approved 2004–2005 floor plan

The property’s legal use is an R-3 single-family dwelling established by a Certificate of Final Completion and Occupancy issued on September 22, 2005. The Notice states that the approved second-floor configuration

contains a living room, kitchen, master bedroom and bathroom, two additional bedrooms, and another bathroom. It separately identifies the rear enclosure as a “new unapproved room” constructed without permits.

The 2004 permit plans do not show the rear enclosure as approved interior living space. Ron Montez, owner of TheeeFeatherws Construction, the licensed contractor, further states that the original renovation permit for the main house did not include this structure, that there is no legal documentation identifying it as a room, and that it is not included in the dwelling’s recorded square footage. According to the contractor, the area was initially an uncovered deck, after which a cover and skylights were added at different times.

The historical aerial photographs are consistent with the structure having been constructed separately from the permitted remodeling of the main dwelling. EXHIBIT 3

B. DBI ordered correction of the unpermitted structure

On April 27, 2026, DBI issued Notice of Violation No. 202650385. The Notice identifies work without permit, unapproved wiring and plumbing, improper occupancy, inadequate fire construction, inadequate weather protection, and inadequate exit conditions. It requires the owner to obtain permits and either “legalize the existing floor plan and conditions or restore to its last legal use.”

The Notice therefore gives the owner two compliance alternatives:

1. legalize the unpermitted enclosure and bring it into compliance; or
2. remove the unpermitted work and restore the area to its last legal use.

The owner is not seeking to preserve the enclosure in its existing noncompliant condition. The owner is attempting to complete the second corrective alternative expressly stated in the Notice.

C. Legalizing the enclosure is not a reasonable construction alternative

Based on the contractor's inspection and construction assessment, the enclosure was not built with the foundation, structural support, weather protection, fire separation, egress, and related systems necessary for compliant habitable space.

The structure is not merely a permitted room with several correctable defects. It is an unpermitted enclosure constructed over an area whose legal use was exterior deck or patio space. Treating it as permanent interior living space would require substantial design, structural, foundation, seismic, electrical, plumbing, fire-safety, weatherproofing, and egress work.

A previous inspection report submitted by the Appellants themselves describes the area as a former exterior porch or deck that was enclosed and converted into additional rooms. That report states that the enclosure affected the adjoining bedrooms' access to outside air, daylight, ventilation, and emergency escape. It describes the enclosure as having a translucent plastic roof and no independent exterior exit.

The same report concludes that the rear conditions were "illegal, unpermitted, dangerous, unsafe, and non-code compliant." It specifically identifies inadequate egress, light, and ventilation affecting the rear second-floor rooms.

Thus, even the evidence presented by Appellants confirms that the enclosure cannot lawfully remain in its present condition.

Before filing, the owner intends to supplement this section with a declaration from the licensed contractor explaining:

- the absence or inadequacy of footings supporting the enclosure;
- the structure's method of attachment to the original building;
- the structural work necessary to treat it as habitable interior space;
- whether legalization would trigger broader structural or seismic work;

- the approximate scope and feasibility of legalization compared with removal; and
- why removal and restoration to exterior use is the reasonable means of complying with the Notice.

D. The City issued the permit to correct the Notice

On August 14, 2026, DBI issued Permit No. 202608146639 (Exhibit 2). Its description is:

"Removal of non permitted patio structure at the rear of the property. Per NOV#: 202650385."

The permit record also contains the Planning notation:

"Remove rear deck to comply with NOV# 202650385."

The permit was issued and then suspended following this appeal.

The associated demolition drawings identify the "existing non permitted structure" and show that structure being removed. The project scope states that the work is intended to correct Notice of Violation No. 202650385 by removing unpermitted structures, electrical work, and plumbing, restoring the rear of the building to its last legal use, and providing an exterior egress patio.

DBI subsequently stated that the Notice was issued for construction of a new second-floor room at the rear of the building without an approved building permit. DBI also stated that the unpermitted conditions presented life-safety concerns and required prompt correction.

IV. ARGUMENT

A. The permit implements one of the two corrective alternatives expressly authorized by the Notice

Appellants treat the Notice's two corrective alternatives as if the owner were obligated to pursue legalization. The Notice imposes no such requirement.

It permits the owner either to:

1. legalize the existing floor plan and conditions; **or**

2. restore the property to its last legal use.

The owner has selected the second alternative because the enclosure cannot reasonably be legalized as habitable space. Removal is therefore not inconsistent with the Notice. It is one of the two methods of compliance stated in the Notice itself.

Revoking the permit would leave the owner subject to an outstanding Notice while preventing the owner from completing the corrective alternative the Notice authorizes.

B. "Patio structure," "deck," and "room" describe the structure at different points in its history, not different structures

Appellants' argument depends heavily on the use of different words in different documents.

The Notice calls the present enclosure an unapproved "room." The permit calls it a nonpermitted "patio structure." Planning refers to a "rear deck." The inspection report submitted by Appellants describes it as a "former exterior porch or deck" that was enclosed and converted into additional rooms.

Those descriptions are not irreconcilable. They describe:

- the area's last legal use as an exterior porch, patio, or deck;
- the physical structure that was later built over that area; and
- the structure's current unauthorized use as an enclosed room.

The fact that occupants have used the enclosure as an interior room does not establish that it was lawfully constructed or approved as part of the dwelling. Likewise, describing its original character as a patio or deck does not limit the permit to an entirely separate ground-level feature.

The permit's express reference to Notice of Violation No. 202650385 identifies the structure being corrected. The accompanying scope and drawings make the intended work even clearer.

C. Removal of the enclosure does not change the building's occupancy classification

Appellants argue that checking "NO" in response to Item 24, concerning a change of occupancy, conflicts with removal of the enclosure.

That argument conflates a physical change to an unauthorized floor configuration with a legal change in occupancy.

The building's legal occupancy remains an R-3 single-family dwelling before and after the corrective work. The project does not convert the property into a different occupancy classification, add a dwelling unit, or establish a new use. It removes an unpermitted enclosure and restores the rear area to exterior use.

The official Form 3/8 distinguishes the proposed legal use, occupancy class, and number of dwelling units from the separate narrative description of construction work. Item 24 specifically asks whether the alteration constitutes a "change of occupancy," not whether any wall, enclosure, deck, or floor-plan condition will change. [media.api.sf.gov]

Accordingly, the "NO" response to Item 24 is consistent with the proposed work. The legal occupancy remains R-3.

D. The absence of plans in Appellants' records response does not prove that the permit authorizes different work

Appellants rely on a records-request receipt indicating zero electronic and zero printed plans. That receipt establishes what was returned or recorded in response to that request. It does not change the permit's stated scope or demonstrate that the City misunderstood the proposed work.

The project drawings identify:

- the existing nonpermitted structure;
- its wood-framed deck, low-slope roof, skylights, framed walls, exterior siding, and interior drywall;

- the structure to be removed; and
- the proposed exterior egress patio following removal.
- Stamped plans are provided in this document (Exhibit 2)

The City's official guidance also states that Form 8 is used for small projects reviewed over the counter or projects that do not require plans. That means the selection of Form 8 is not, by itself, evidence that the City could not issue this corrective permit.

If the Board concludes that additional drawings, notations, or departmental review should be added to the permit record, those matters can be addressed through a condition, revision, or addendum. They do not justify preventing correction of the violation.

E. Appellants' own evidence supports prompt correction

The inspection report included in Appellants' exhibits does not support leaving the enclosure intact. It identifies serious conditions involving egress, light, ventilation, moisture, fire protection, electrical work, plumbing, and weather protection. It characterizes the rear enclosure and related conditions as unsafe and noncompliant.

DBI likewise informed the Board that the unpermitted construction presents life-safety issues that should be addressed promptly and that further enforcement proceedings remain pending.

Appellants cannot reasonably rely on alleged safety conditions to challenge the property's compliance while simultaneously seeking to prevent the owner from removing the unpermitted construction contributing to those conditions.

F. Potential electrical, plumbing, lead, asbestos, or environmental requirements can be handled through ordinary regulatory compliance

Appellants argue that removal may involve electrical, plumbing, lead, asbestos, or environmental requirements.

Appellants speculate that lead, asbestos, or other hazardous materials may be present. However, the unpermitted enclosure was constructed long after the 2005 permitted remodel that established the property's legal configuration, and Appellants present no evidence that any hazardous materials are actually present. If any testing is required by applicable demolition or environmental regulations, the owner will comply with those requirements. The speculative possibility of hazardous materials is not a basis to prevent correction of an acknowledged code violation.

The owner does not seek exemption from any legally required testing, trade permits, safety procedures, containment measures, or inspections. The owner and contractor will comply with all applicable requirements identified by DBI and other responsible agencies before and during construction.

Those requirements concern how the permitted work must be performed. They do not establish that the prohibited structure must remain or that the corrective permit should be revoked.

If separate electrical or plumbing permits are required to disconnect or remove unpermitted systems, those permits can be secured as required. If hazardous-material testing or abatement is required as determined by the contractor or city, that work can likewise be completed before demolition. The appropriate remedy is compliance with the applicable safety requirements, not indefinite preservation of an unpermitted enclosure.

G. The Board can clarify the permit without revoking it

If the Board believes the phrase “patio structure” could be clearer, Respondent does not oppose a clarifying condition substantially stating:

Permit No. 202608146639 authorizes removal of the unpermitted second-floor rear enclosure identified in Notice of Violation No. 202650385, including the unpermitted roof, walls, finishes, and associated work, and

restoration of the affected area to its last legal exterior use, subject to all required inspections and any separately required trade, environmental, or safety permits.

Such a clarification would address Appellants' claimed ambiguity while preserving the City's enforcement decision and allowing the owner to correct the documented violation.

Revoking the permit would accomplish the opposite. It would leave the noncompliant enclosure in place, prevent restoration to the last legal use, and prolong the conditions DBI has identified as presenting life-safety concerns.

V. RESPONSE TO APPELLANTS' REQUESTED RELIEF

Appellants ask the Board to restrict the permit to what they characterize as a separate rear-yard patio and to prohibit removal of the enclosed structure.

That relief would sever the permit from the Notice it was issued to correct. It would also leave the unpermitted second-floor enclosure intact despite:

- the Notice's direction to legalize or restore;
- the lack of an approved permit establishing the enclosure as habitable floor area;
- the contractor's conclusion that legalization is not reasonably feasible;
- Appellants' own expert report describing unsafe and noncompliant rear conditions; and
- DBI's determination that prompt correction is necessary.

The Board should decline to impose relief that prevents the permit holder from correcting the precise unpermitted condition identified by DBI.

Alternatively, if the city chooses to remove the violation via a variance and let the structure remain in place, no further action would be taken and the residence would be determined to be free of code and safety violations.

Removal of the structure or removal of the violation via variance are the only viable remedies.

VI. CONCLUSION

The essential facts are straightforward.

The rear enclosure was not included in the approved plans establishing the property's legal configuration. It was constructed without permits over an area whose lawful use was exterior deck, porch, or patio space. DBI ordered the owner either to legalize the enclosure or restore the property to its last legal use. Legalization is not a viable alternative given the manner in which the enclosure was constructed. The owner therefore obtained a permit to remove it and restore the area to exterior use.

The terminology used to describe the structure does not create a substantive conflict. The enclosure is a former exterior deck or patio that was later enclosed and used as a room without permits. Its current use does not transform it into legally approved living space.

Respondent respectfully requests that the Board:

1. **Deny the appeal;**
2. **Uphold Permit No. 202608146639;**
3. **Allow removal of the unpermitted second-floor rear enclosure and restoration of the area to its last legal use; and**
4. **If necessary, clarify the permit description or require appropriate supplemental trade permits and safety compliance without revoking the underlying permit.**

Or

5. **Direct the city to remove the code violation and declare the residence free of and further code or safety violations via a code variance.**

StudentReach is aware that perceived value in square footage, even though it is not included on the current lease as a room or square footage, would be reduced and is willing to reduce the rent by the percentage of the square footage in the current lease. A new lease would be executed between the landlord and tenant (which is already necessary at this time) that would reflect market value, under city rent laws, minus the square footage reduction.

StudentReach simply wants to correct the code violations and restore the symbiotic landlord/tenant relationship where the landlord supplies a safe, affordable unit for the tenant and the tenant pays a reasonable market rate rent.

Respectfully submitted,

STUDENTREACH / PROPERTY OWNER

By: Jeff Devoll – Executive Director and Respondent

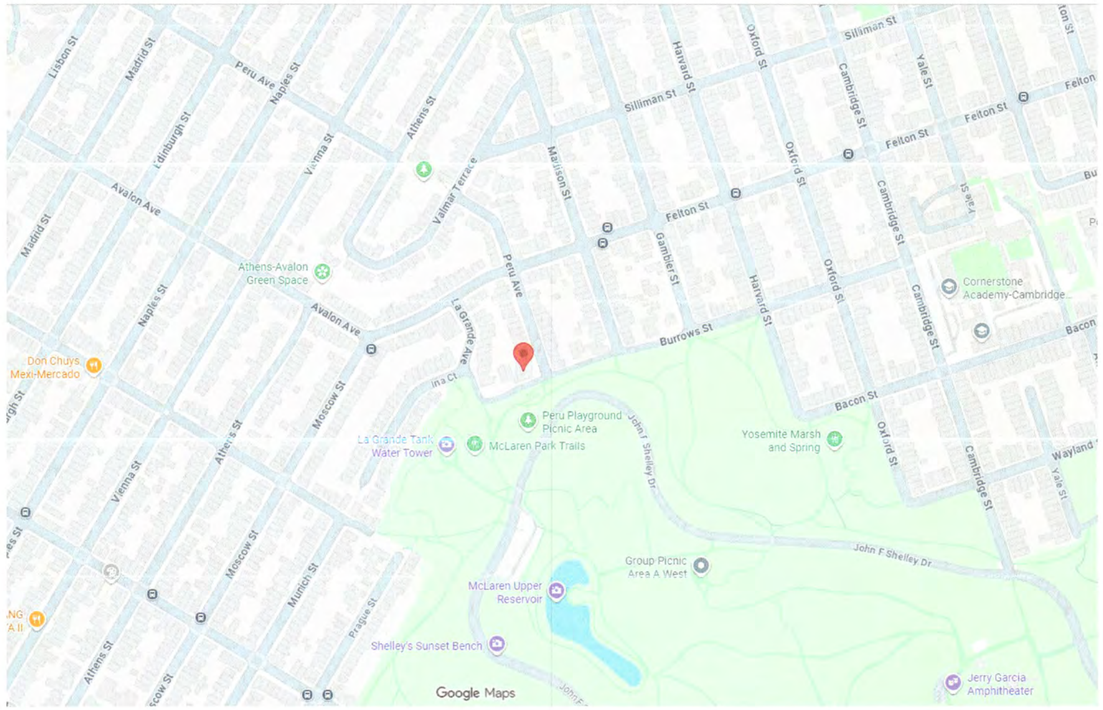
List of exhibits:

- Plans showing the structure was not part of the building
- Approved plans for removal of unpermitted structure
- Airial photos showing that the structure did not exist in 2010 but was built sometime after

Project Scope

Correction of NOV#202650385

*Correction of the violation is to remove all existing
structures, electrical and plumbing done with out permits
*Restore back of the building to its last legal use
*Provide egress patio at rear of the building



Property description

The legal use of the building is a R-3 , single dwelling unit per CFC issued on 9-22-2005
On the ground floor is a garage, a family room with a laundry center, a bedroom and a storage room.
On the second floor there is a living room, a kitchen, a master bedroom with a master bathroom, two bedrooms and a bathroom.
presently at the second floor at the rear of the building, there is a new unapproved room. This structure was installed without the benefits of any permits.

SAN FRANCISCO DEPT. OF BUILDING INSPECTION ISSUED AUG 14 2026

RECEIVED
AUG 14 2026
DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY STANDARD FOR PRODUCTION ACCEPTED

Stephen Liu, DBI
AUG 14 2026

APPROVED BY TRENT GREENAN PLANNING DEPARTMENT
AUG 14 2026

Drawing Index

*Cover sheet
*Sheet A-1 existing structure to be demoed
Sheet A-2 After Demo Egress paver patio

Ron Martez

2026081463?

NO.	DESCRIPTION	BY	DATE

SHEET TITLE: Cover sheet

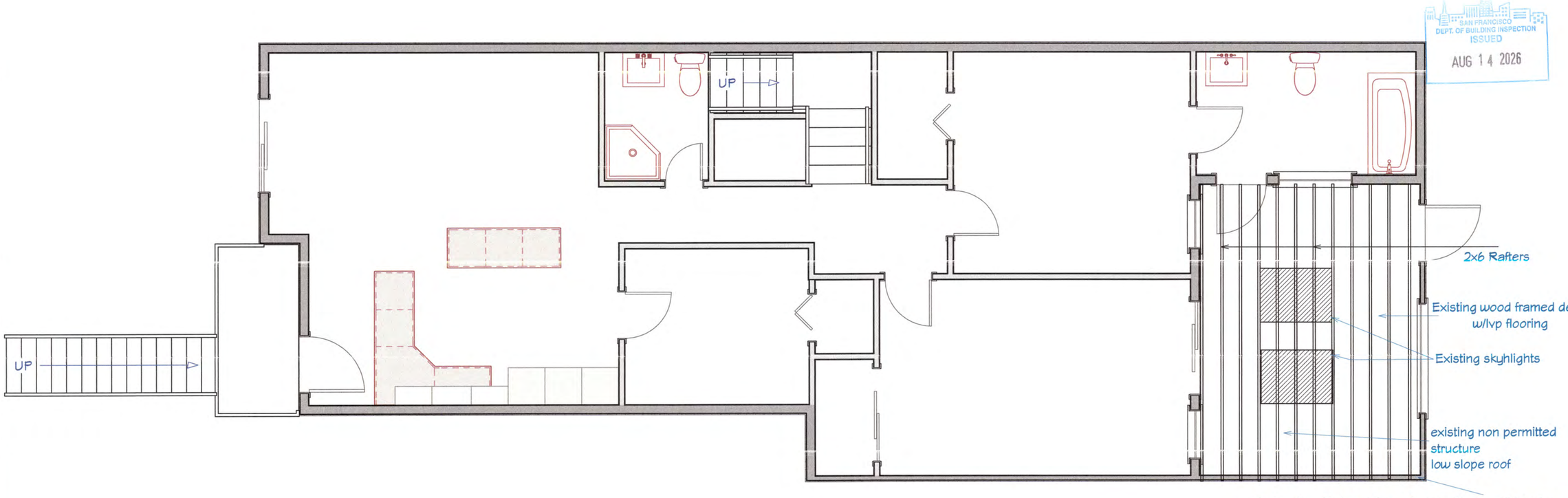
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DRAWINGS PROVIDED BY: 3 Feathers Construction Loomis Ca. 95650

DATE: 8-11-26

SCALE:

SHEET:



2nd Floor

Existing Non Permitted structure
To be removed

1st Floor

SAN FRANCISCO
DEPT. OF BUILDING INSPECTION
ISSUED
AUG 14 2026

RECEIVED
AUG 14 2026
DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY
STANDARD FOR REPRODUCTION
ACCEPTED _____

Stephen Liu, DBI
AUG 14 2026

APPROVED BY TRENT GREENAN
PLANNING DEPARTMENT
AUG 14 2026

Ron Montez

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Exisitng structure
to be demoed

PROJECT DESCRIPTION:
888 Peru Ave.
San Francisco Ca. 94112

DRAWINGS PROVIDED BY:
3 Feathers Construction
4155 Auburn Folsom Rd.
Loomis Ca. 95650

DATE:
8-1-26

SCALE:

SHEET:
A-1



2ND FLOOR

1st Floor

SAN FRANCISCO
DEPT. OF BUILDING INSPECTION
ISSUED
AUG 14 2026

Stephen Liu, DBI
AUG 14 2026

APPROVED BY TRENT GREENAN
PLANNING DEPARTMENT
AUG 14 2026

RECEIVED
AUG 14 2026
DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY
STANDARD FOR REPRODUCTION
ACCEPTED

Ron Master

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
After demo
paver patio install

PROJECT DESCRIPTION:
838 Peru Ave.
San Francisco Ca. 94112

DRAWINGS PROVIDED BY:
3 Feathers Construction
4155 Auburn Folsom Rd.
Loomis Ca. 95650

DATE:
8-1-26

SCALE:

SHEET:
A-2

OFFICIAL COPY
SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

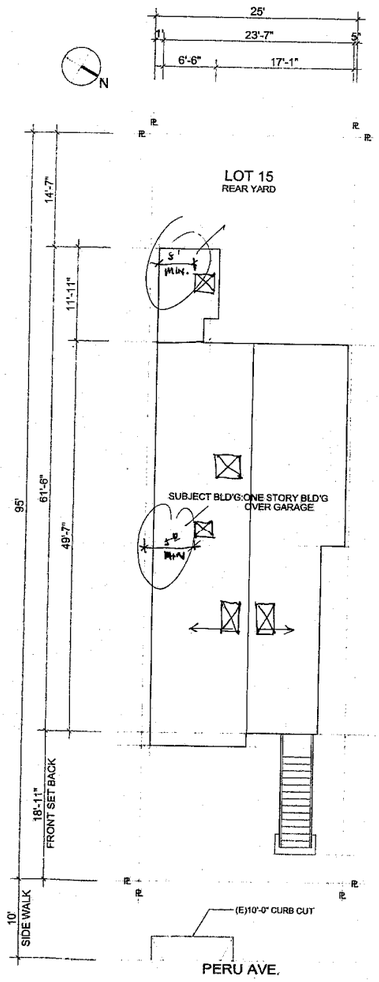
CONSTRUCTION NOTES

1. ALL HABITABLE ROOMS SHALL BE PROVIDED w/HEATING. MIN. CEILING HEIGHT SHALL BE 7'-6" AND 7'-0" MIN. FOR TOILET AND HALLWAY.
2. WINDOWS AS AN EGRESS FROM SLEEPING ROOM: MAX. SILL HEIGHT SHALL BE 44" WITH A MIN. NET CLEAR OPENABLE OF 5.7SQ.FT. THE MIN. NET CLEAR OPENING HEIGHT SHALL BE 24". THE MIN. NET OPENING WIDTH SHALL BE 20".
3. DOOR TO GARAGE SHALL BE 1-3/8" SOLID WOOD w/SELFCLOSING AND WEATHER STRIPPED.
4. PROVIDE SEISMIC STRAPPING TO FRAMING FOR WATER HEATER.
5. 1-HOUR RATED SEPARATION OF GARAGE FROM THE HABITABLE AREA.
6. ALL WORKS AND MATERIALS TO BE IN ACCORDANCE WITH REGULATIONS AND BUILDING CODES OF THE CITY AND COUNTY OF SAN FRANCISCO.
7. ALL DIMENSIONS AND EXISTING CONDITIONS TO BE VERIFIED IN THE FIELD PRIOR TO COMMENDING WORK AND SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
8. USE DF #2 FOR STUDS AND BLOC KINGS AND SEE SAN FRANCISCO BUILDING CODES FOR SCHEDULE OF MIN. PERMISSIBLE CONNECTIONS IF NOT SPECIFIED.

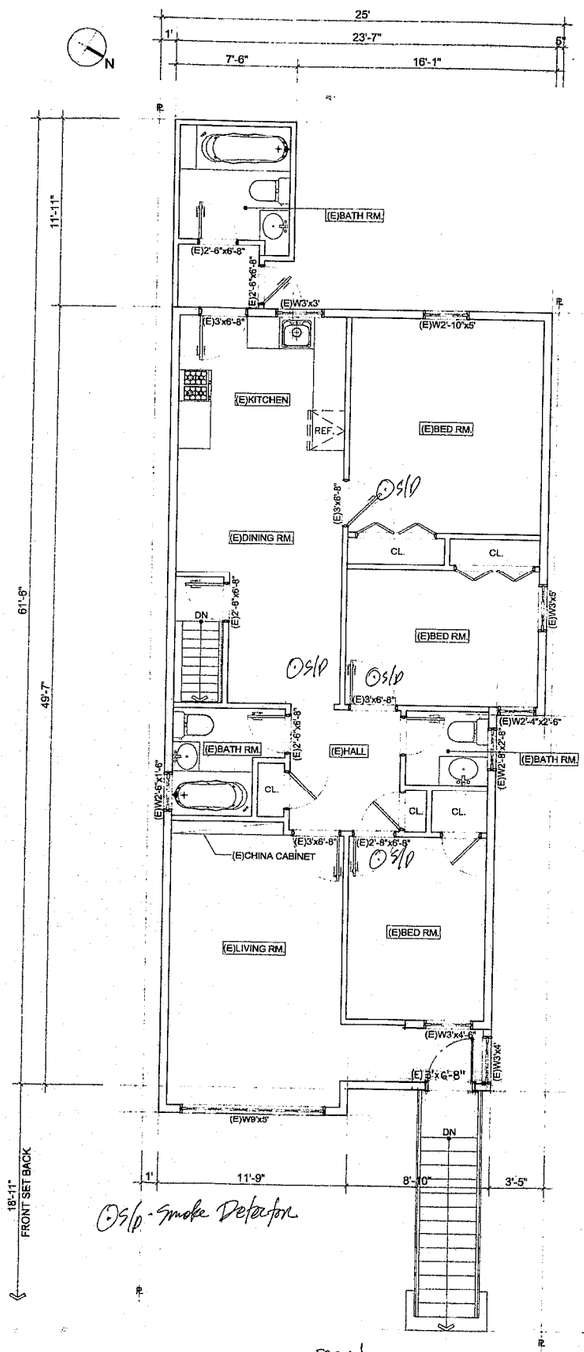
DRAWING LEGEND

- EXISTING WALL TO BE REMAIN
- EXISTING WALL TO BE REMOVED
- WALL w/ INSULATION
- NEW WALL
- (N) NEW
- (E) EXISTING
- OVERHEAD LIGHT WITH EXHAUST FAN
- LIGHT FIXTURE-CEILING
- FLUORESCENT LIGHT
- (S) SMOKE DETECTOR
- WALL DUPLEX OUTLET(110V)
- GFCI GROUND FAULT INTERRUPT(110V)
- SWITCH
- 3 2-WAY SWITCH
- REVISION CLOUD

2004-11-18-9618

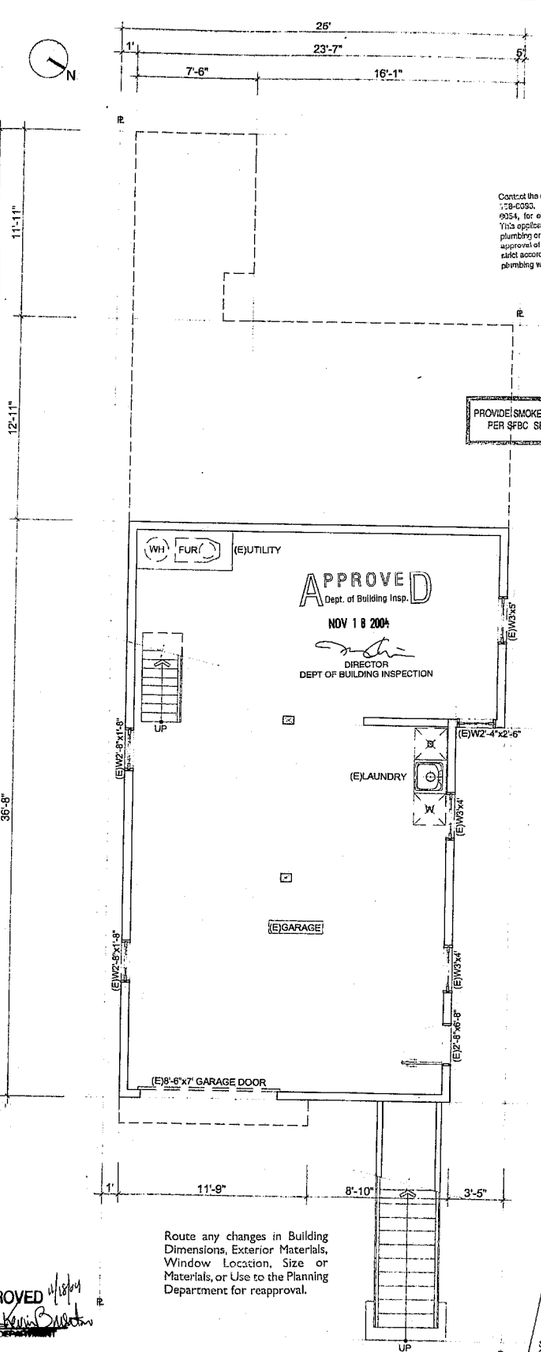


1 PLOT PLAN
SCALE : 1/8" : 1'-0"



2 EXISTING ~~GROUND~~ Second FLOOR PLAN
SCALE : 1/4" : 1'-0"

0510 - Smoke Detector



3 EXISTING ~~SECOND~~ Ground FLOOR PLAN
SCALE : 1/4" : 1'-0"

Contact the district building inspector at the start of work call 558-6093. For plumbing inspection scheduling call 558-6054, for electrical inspection scheduling call 558-6030. This application is approved without the inspection, datelled plumbing or electrical plan review and does not constitute an approval of the building. Work authorized must be done in strict accordance with all applicable codes. Any electrical or plumbing work shall require appropriate separate permits.

APPROVED
Dept. of Building Insp.
NOV 18 2004
DIRECTOR
DEPT OF BUILDING INSPECTION

FOR SINGLE FAMILY USE ONLY

APPROVED 11/18/04
PLANNING DEPARTMENT

Route any changes in Building Dimensions, Exterior Materials, Window Location, Size or Materials, or Use to the Planning Department for reapproval.

RECEIVED
NOV 18 2004
DEPT. OF BUILDING INSPECTION
STAMP INDICATES THE ONLY PLANS AND PERMITS THAT WILL BE ACCEPTED BY DBI

JIAN MIN FONG
415-812-7827

2004/11/18/9618

REVISIONS

NO.	DESCRIPTION	DATE

PROJECT TITLE
ALTERATION

SHEET TITLE
1. PLOT PLAN
2. EXISTING GROUND FLOOR PLAN
3. EXISTING SECOND FLOOR PLAN

LOCATION
888 PERU AVE. SF. CA.

BLOCK 5983 LOT. 14

ZONING RH-1

OWNER

ENGINEER

DRAWN YJ. CHO

CHECKED

SCALE 1/8"=1'-0"&1/4"=1'-0"

DATE OCTOBER, 2004

PROJECT NO. 04084

SHEET A1.01

2004/11/18/9618

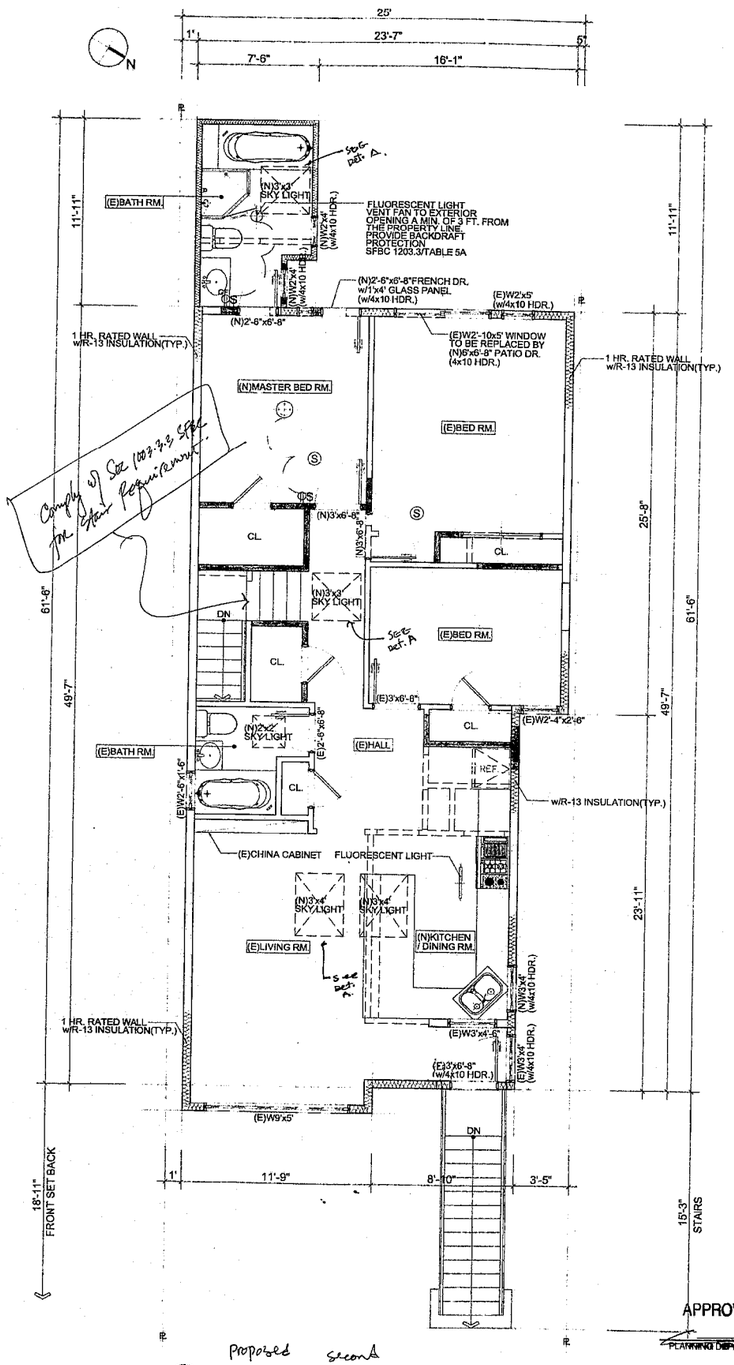
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SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

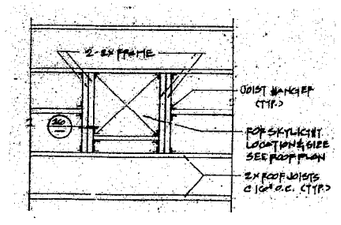
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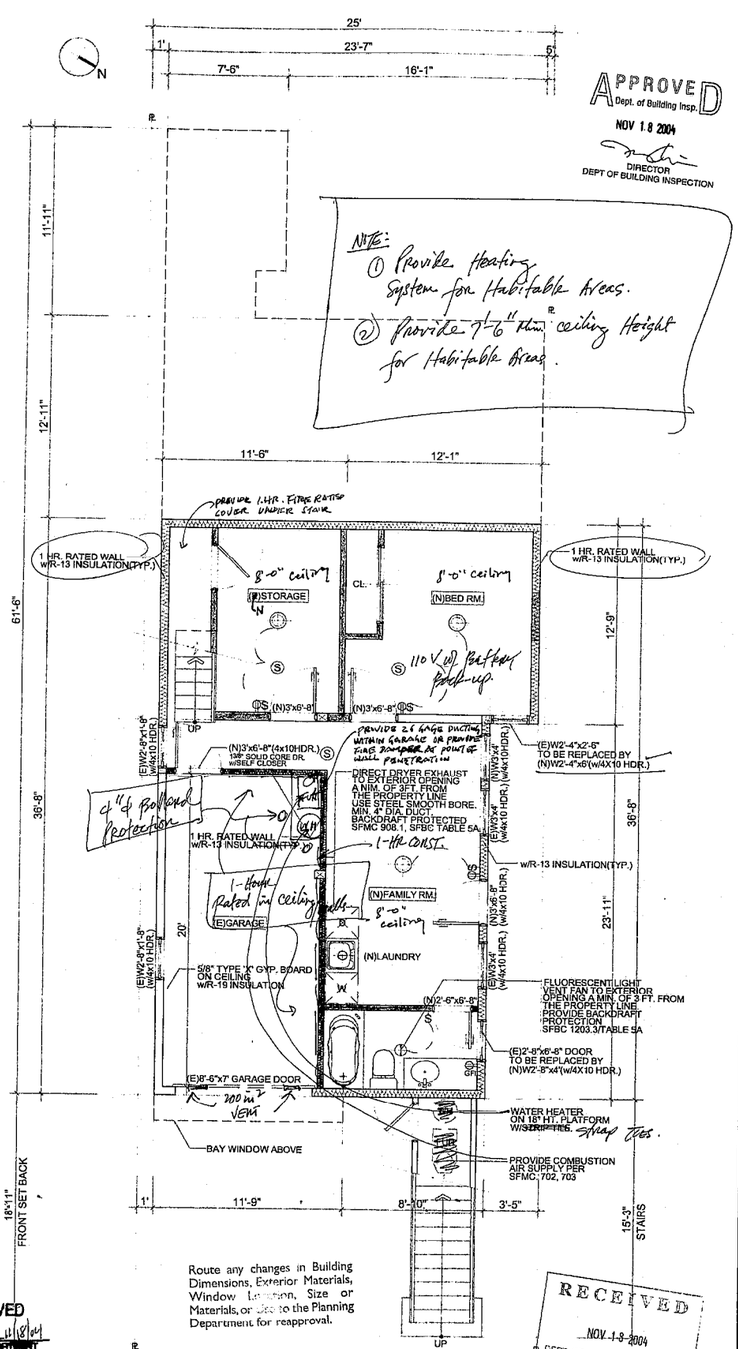
DRAWING LEGEND

- EXISTING WALL TO BE REMAIN
- EXISTING WALL TO BE REMOVED
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- SMOKE DETECTOR
- WALL DUPLEX OUTLET(110V)
- GFCI GROUND FAULT INTERRUPT(110V)
- SWITCH
- 3WAY 2-WAY SWITCH
- REVISION CLOUD





A SKY LIGHT DETAIL (TYP.)



1 proposed ~~EXISTING~~ second ~~GROUND~~ FLOOR PLAN
SCALE : 1/4" : 1'-0"

FOR SINGLE FAMILY USE ONLY

2 proposed ~~EXISTING~~ Ground ~~SECOND~~ FLOOR PLAN
SCALE : 1/4" : 1'-0"

Route any changes in Building Dimensions, Exterior Materials, Window Location, Size or Materials, or Deck to the Planning Department for reapproval.

APPROVED
11/18/04
PLANNING DEPARTMENT

RECEIVED
NOV 19 2004
DEPT. OF BUILDING INSPECTION
THIS PLAN MEETS THE QUALITY STANDARD FOR CONFORMING ACCEPT

JIAN MIN FONG
415-812-9829

REVISIONS

NO.	DESCRIPTION	DATE

PROJECT TITLE
ALTERATION

SHEET TITLE
2. PROPOSED GROUND FLOOR PLAN
3. PROPOSED SECOND FLOOR PLAN

LOCATION
888 PERU AVE. SF. CA.

BLOCK 5963 LOT. 14

ZONING RH-1

OWNER

ENGINEER

DRAWN YJ. CHO

CHECKED

SCALE 1/4"=1'-0"

DATE OCTOBER, 2004

PROJECT NO. 04084

SHEET A1.02

SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION OFFICIAL COPY

January 4, 2001

Mandatory Measures Checklist: Residential (Page 1 of 2) MF-1R

NOTE: Low-rise residential buildings subject to the Standards must contain these measures regardless of the compliance approach used. Items marked with an asterisk(*) may be superseded by more stringent compliance requirements listed on the Certificate of Compliance. When this checklist is incorporated into the permit documents, the features noted shall be considered by all parties as binding minimum component performance specifications for the mandatory measures whether they are shown elsewhere in the documents or on this checklist only.

Instructions: Check or initial applicable boxes when completed or enter N/A if not applicable.

DESCRIPTION	DESIGNER	ENFORCEMENT
Building Envelope Measures		
*§150(a): Minimum R-19 ceiling insulation.	✓	
§150(b): Loose fill insulation manufacturer's labeled R-Value.	✓	
*§150(c): Minimum R-13 wall insulation in wood framed walls or equivalent U-value in metal frame walls (does not apply to exterior mass walls).	✓	
*§150(d): Minimum R-13 raised floor insulation in framed floors.	✓	
§150(i): Slab edge insulation – water absorption rate no greater than 0.3%, water transmission rate no greater than 2.0 perm/inch.	✓	
§118: Insulation specified or installed meets insulation quality standards. Indicate type and form.	✓	
§116-17: Fenestration Products, Exterior Doors and Infiltration/Exfiltration Controls 1. Doors and windows between conditioned and unconditioned spaces designed to limit air leakage. 2. Fenestration products (except field-fabricated) have label with certified U-Factor, certified Solar Heat Gain Coefficient (SHGC), and infiltration certification. 3. Exterior doors and windows weatherstripped; all joints and penetrations caulked and sealed.	✓	
§150(g): Vapor barriers mandatory in Climate Zones 14 and 16 only.	X	
§150(j): Special infiltration barrier installed to comply with §151 meets Commission quality standards.	X	
§150(e): Installation of Fireplaces, Decorative Gas Appliances and Gas Logs 1. Masonry and factory-built fireplaces have: a. Closeable metal or glass door b. Outside air intake with damper and control c. Flue damper and control 2. No continuous burning gas pilots allowed.	✓	
Space Conditioning, Water Heating and Plumbing System Measures		
§110-113: HVAC equipment, water heaters, showerheads and faucets certified by the Commission.	✓	
§150(h): Heating and/or cooling loads calculated in accordance with ASHRAE, SMACNA or ACCA.	✓	
§150(j): Setback thermostat on all applicable heating and/or cooling systems.	✓	
§150(j): Pipe and Tank Insulation 1. Storage gas water heaters rated with an Energy Factor less than 0.58 must be externally wrapped with insulation having an installed thermal resistance of R-12 or greater. 2. First 5' of pipes closest to water heater tank, non-recirculating systems, insulated (R-4 or greater). 3. Back-up tanks for solar system, unfired storage tanks or other indirect hot water tanks have R-12 external insulation or R-16 combined internal/external insulation. 4. All buried or exposed piping insulated in recirculating sections of hot water systems. 5. Cooling system piping below 55°F insulated. 6. Piping insulated between heating source and indirect hot water tank.	✓	

January 4, 2001

Mandatory Measures Checklist: Residential (Page 2 of 2) MF-1R

NOTE: Low-rise residential buildings subject to the Standards must contain these measures regardless of the compliance approach used. Items marked with an asterisk(*) may be superseded by more stringent compliance requirements listed on the Certificate of Compliance. When this checklist is incorporated into the permit documents, the features noted shall be considered by all parties as minimum component performance specifications for the mandatory measures whether they are shown elsewhere in the documents or on this checklist only.

Instructions: Check or initial applicable boxes when completed or enter N/A if not applicable.

DESCRIPTION	DESIGNER	ENFORCEMENT
Space Conditioning, Water Heating and Plumbing System Measures: (continued)		
*§150(m): Ducts and Fans 1. All ducts and plenums installed, sealed and insulated to meet the requirements of the 1998 CMC section 601, 603 and 604 and Standard 6-3; ducts insulated to a minimum installed level of R-4.2, or enclosed entirely in conditioned space. Openings shall be sealed with mastic, tape, aerosol sealant or other duct-closure system that meets the applicable requirements of UL 181, 181A, or 181B. If mastic or tape is used to seal openings greater than 1/4" inch, the combination of mastic and either mesh or tape shall be used. Building cavities shall not be used for conveying conditioned air. Joints and seams of duct systems and their components shall not be sealed with cloth back rubber adhesive duct tapes unless such tape is used in combination with mastic and drawbands. 2. Exhaust fan systems have backdraft or automatic dampers. 3. Gravity ventilating systems serving conditioned space have either automatic or readily accessible, manually operated dampers.	✓	
§114: Pool and Spa Heating Systems and Equipment 1. System is certified with 78% thermal efficiency, on-off switch, weatherproof operating instructions, no electric resistance heating and no pilot light. 2. System is installed with: a. At least 36" pipe between filter and heater for future solar heating. b. Cover for outdoor pools or outdoor spas. 3. Pool system has directional inlets and a circulation pump time switch.	X	
§115: Gas-fired central furnaces, pool heaters, spa heaters or household cooking appliances have no continuously burning pilot light (Exception: Non-electrical cooking appliances with pilot < 150 Btu/hr).	✓	
Lighting Measures		
§150(k)1.: Luminaire for general lighting in kitchens shall have lamps with an efficacy of 40 lumens/watt or greater for general lighting in kitchens. This general lighting shall be controlled by a switch on a readily accessible lighting control panel at an entrance to the kitchen.	✓	
§150(k)2.: Room with a shower or bathtub must have either at least one luminaire with lamps with an efficacy of 40 lumens/watt or greater switched at the entrance to the room or one of the alternatives to this requirement allowed in §150(k)2.; and recessed ceiling fixtures are IC (insulation cover) approved.	✓	

APPROVED
Dept. of Building Insp.
NOV 18 2004
DIRECTOR
DEPT OF BUILDING INSPECTION

Certificate of Compliance: Residential (Page 1 of 3) CF-1R

ALTERATION — Project Title
888 PERU AVE, SF, CA — Project Address
11-15-04 — Date
JIAN MIN FONG — Documentation Author
415-812-9829 — Telephone
PACKAGE 'D' — Compliance Method (Package, Point System or Computer)
3 — Climate Zone
Building Permit #
Plan Check/Date
Field Check/Date
Enforcement Agency Use Only

GENERAL INFORMATION

Total Conditioned Floor Area: 718 ft² — Average Ceiling Height: 8 ft
Conditioned Slab Floor Area: 718 ft²
Building Type: (✓) Single Family ( ) Multi-Family ( ) Addition ( ) Existing-Plus-Addition
Front Orientation: 45° North/ South/ East/ West/ All Orientations (Input North orientation in degrees from True North and circle one.)
Number of Stories: 2
Number of Dwelling Units: 1
Floor Construction Type: Slab/Raised Floor (circle one or both)
RADIANT BARRIER(required in climate zones 2,4,8-15)
Required for this submittal: yes ( ) no (✓)

BUILDING ENVELOPE INSULATION

Component Type:	Frame Type wd=wood stl=steel	Cavity Insulation R-Value	Sheathing Insulation R-Value	Total R-Value 1	Assembly U-Value 1	Location/Comments (attic, to garage, typical, etc.)
Wall	WOOD	R-13	N/A	13	.0769	LIVING AREA
ceiling	WOOD	R-19	N/A	19	.0526	LIVING AREA
Roof						
Roof						
Floor	WOOD	R-19	N/A	19	.0526	LIVING AREA
Floor						
Slab Edge						

1 For prescriptive compliance, Total R-Value and Assembly U-Value are not required for a wood-framed wall that meets cavity R-Value insulation requirement for the prescriptive package.

FENESTRATION

Fenestration #Type/Pos.	Orientation	Area (sf)	Fenestration U-Factor	Fenestration SHGC	Shading Devices: Exterior Shading Alt.	Shading Devices: Overhangs/ Fins
Front	NE	0	0.55	N/A	N/A	NO
Front						
Left	SE	4				
Left						
Rear	SW	0				
Rear						
Right	NW	31				
Right						
Skylight						
Skylight						

Certificate of Compliance: Residential (Page 2 of 3) CF-1R

ALTERATION — Project Title
11-15-04 — Date

HVAC SYSTEMS
Note: Input hydronic or combined hydronic data under Water Heating Systems, except Design Heating Load.

Heating Equipment Type (furnace, heat pump, etc.)	Minimum Efficiency (AFUE or HSPF)	Distribution Type and Location (ducts/attic, etc.)	Duct or Piping R-Value	Thermostat Type	Heat Pump Configuration (split or package)
FURNACE	80%	DUCTS/PLENUM	R4.2	SETBACK	NA

Cooling Equipment Type (air conditioner, heat pump, evap. cooling)	Minimum Efficiency (SEER)	Duct Location (attic, etc.)	Duct R-Value	Thermostat Type	Heat Pump Configuration (split or package)
NA	NA	NA	NA	NA	NA

SEALED DUCTS AND TXVs (or Alternative Measures)

☐ Sealed Ducts (all climate zones)
(installer tersting and certification and HERs rater field verification required.

☐ TXVs Commision approved equivalent,readily accessible (climate zones 2 and 8-15 only)
(installer tersting and certification and HERs rater or field verification required.

OR

☑ Alternative to Sealed Ducts and TXVs (see package C or D Alternative Package Features for Project Climate Zone)

Climate Zone	Window SHGC	Window U-Factor	SEER	Heating
3		0.55		

WATER HEATING SYSTEMS

Water Heater Type	Distribution Type	Number in System	Rated[1] Input (kW or Btu/hr)	Tank Capacity (gallons)	Energy[1] Factor or Recovery Efficiency	Standby[1] Loss (%)	External Tank Insulation R-Value
STOR. GAS	STANDARD	1/UNIT	--	40	.53	--	R-12

1. For small gas storage (rated input ≤ 75,000 Btu/hr), electric resistance and heat pump water heaters, list Energy Factor. For large gas storage water heaters (rated input > 75,000 Btu/hr), list Rated Input, Recovery Efficiency and Standby Loss. For instantaneous gas water heaters, list Rated Input and Recovery Efficiency.

SPECIAL FEATURES and MODELING ASSUMPTIONS (Add extra sheets if necessary)
Package C and D: TXVs or Commission approved equivalent, Sealed Ducts, Radiant Barriers (see installation requirements for radiant barriers in section 6.13 of the 1999 Residential Manual). Package C: thermal mass (thermal mass type, covering, thickness, and description).

Certificate of Compliance: Residential (Page 3 of 3) CF-1R

ALTERATION — Project Title
11-15-04 — Date

COMPLIANCE STATEMENT
This certificate of compliance lists the building features and performance specifications needed to comply with Title 24, Parts 1 and 6, of the California Code of Regulations, and the administrative regulations to implement them. This certificate has been signed by the individual with overall design responsibility. The undersigned recognize that compliance using duct sealing and TXVs (or Commision approved equivalent) requires installer testing and certification and field verification by an approved HERS rater.

Designer or Owner (per Business & Professions Code)
Name: JIANMIN FONG
Title/Firm: DESIGNER
Address: 4176 MASTERSON ST. OAKLAND CA. 94619
Telephone: (415) 812-9829
Lic. #:
(signature) 11-15-04 (date)

Documentation Author
Name: JIANMIN FONG
Title/Firm: DESIGNER
Address: 4176 MASTERSON ST. OAKLAND CA. 94619
Telephone: (415) 812-9829
(signature) 11-15-04 (date)

Enforcement Agency
Name:
Title:
Agency:
Telephone:
(signature/stamp) (date)

RECEIVED
NOV 18 2004
DEPT OF BUILDING INSPECTION
THIS PLAN SHEET IS THE QUALITY STANDARD FOR ALL UNCOMMING ACCEPT...

REVISIONS

NO.	DESCRIPTION	DATE

PROJECT TITLE
ALTERATION

SHEET TITLE
ENERGY

LOCATION
888 PERU AVE. SF CA.
BLOCK 5963 LOT. 3/14
ZONING
OWNER
ENGINEER
DRAWN J. FONG
CHECKED
SCALE
DATE
PROJECT NO.
SHEET
E 1

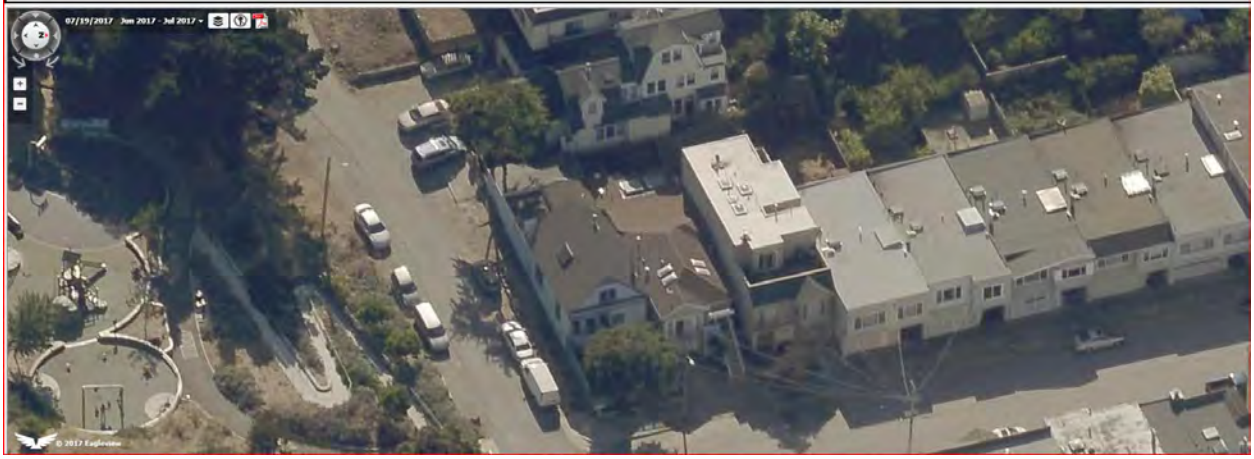
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May 2002 - Jul 2002
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892

BRIEF SUBMITTED BY THE PLANNING DEPARTMENT

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

BOARD OF APPEALS BRIEF

HEARING DATE: October 7, 2026

October 1, 2026

Appeal No.:	26-046
Project Address:	888 Peru Avenue
Block/Lot:	5963/014
Zoning District:	RH-1 (Residential-House, One Family) Priority Equity Geographies SUD
Height/Bulk:	40-X
Staff Contact:	Andrew Perry, Senior Planner – (628) 652-7430 Andrew.Perry@sfgov.org

Background & Analysis

Building Permit (BP) No. 202608146639 ("Permit") was filed on August 14, 2026, for the removal of a "non permitted patio structure at the rear of the property" as per the permit description, and was filed to resolve Department of Building Inspection (DBI) Notice of Violation No. 202650385 ("NOV") for the creation of "a new unapproved room approximately 18 feet by 12 feet" at the rear of the second floor level of the building, noting the "structure was installed without the benefits of any permits." The proposed scope of work does not require neighborhood notification under the Planning Code, including Section 311, and brings the building into compliance with its last legally permitted envelope. As such, it was approved over-the-counter by the Planning Department and the Permit was issued on August 14, 2026.

The Appellant's argument primarily focuses on the differences in terminology used to describe the unpermitted structure and the proposed scope of work. As noted above, the NOV describes the unpermitted portion of the rear second floor as "room" and "structure." The Permit application form

describes it as a "patio structure at the rear" and references the NOV. The Planning Department approval identifies it as removal of a "rear deck to comply with [the] NOV." Regarding the Planning approval language, the reference to a "deck" was likely due to the plan drawings, Sheet A-1, identifying this rear portion as both an "existing wood framed deck w/ lvp flooring" and an "existing non permitted structure low slope roof."

While there are discrepancies across the NOV, Permit application, plans, and Planning approval language regarding how the structure proposed for removal is described, the Permit, plans, and Planning approval language all make clear reference to the NOV, and with a clear intention to resolve the NOV. While the plans do not provide full dimensions, the portion of the rear second floor proposed for removal conforms to the description in the NOV of a "room approximately 18 feet by 12 feet," can be visually observed through aerial imagery of the property, with this portion of the building first appearing in approximately 2011 without any corresponding permit on file, and is absent from the last legal plan drawings under BP No. 200411189618.

Conclusion

While there are some discrepancies across the NOV, Permit application, plans, and Planning approval language on the Permit, the clear reference to the NOV and that the Permit is intended to correct or resolve the NOV across all aspects is sufficient to document the intended scope of work. This is further reinforced by the plan drawings, which are consistent with the NOV description. The proposed scope of work is consistent with the Planning Code and will bring the property into compliance with its last legally permitted envelope. The Permit was adequately reviewed by the Planning Department and did not require neighborhood notification. Therefore, the Planning Department respectfully requests that the appeal be denied.

cc: Jeff Devoll (Agent for Permit Holder)
Andrew Linton and Angelina Greep (Appellant)
Carey McElroy (Department of Building Inspection)

BRIEF SUBMITTED BY DBI

Board of Appeals Brief

Hearing Date: September 23, 2026

September 28, 2026

RE: Appeal No: 26-046
Permit No: 2026-0814-6639
Subject Property: 888 Peru Ave.
Block / Lot: 5963 / 014
DBI contact: Carey McElroy, Senior Building Inspector.
628-652-3779 carey.mcelroy@sfgov.org

Permit Description and Background:

The permit before the board is PA# 2026-0814-6639 with the Scope of Work as follows:

Removal of non-permitted patio structure at the rear of the property. Per NOV# 202650385.

The NOV was issued due to the following code violations:

CODE VIOLATION DESC: The legal use of this building is a R-3, single dwelling unit per CFC issued 9/22/2005. On the ground floor there is a garage, a family room with a laundry center, a bedroom, and a storage room. On the second floor there is a living room, a kitchen, a master bedroom with a master bathroom, two bedrooms, and a bathroom. Presently at the second-floor level at the rear of the building, there is a new unapproved room approximately 18 feet by 12 feet. This structure was installed without the benefits of any permits. The following code violations were noted at the time of inspection: WORK WITHOUT PERMIT 301 HC, 106A, 106A.4.1 SFHC UNAPPROVED WIRING AND PLUMBING 1001(e) & 1001(f) SFHC NUISANCE (1001(d) SFHC IMPROPER OCCUPANCY

(1001(o)SFHC LACK OF PROPER 1 HOUR FIRE CONSTRUCTION MATERIALS 1001(n)SFHC, 602.5, 708.1 SFBC LACK OF PROPER WEATHER PROTECTION 703 SFHC INADEQUATE EXIT 1001(m) SFHC

.

The Corrective Action per the NOV is as follows:

FAILURE COMMENT DESCRIPTION: SUBMIT A COPY OF THIS NOTICE OF VIOLATION AND TWO SETS OF PLANS WITH THE BUILDING PERMIT APPLICATION TO LEGALIZE THE EXISTING FLOOR PLAN AND CONDITIONS OR RESTORE TO ITS LAST LEGAL USE. ELECTRIC AND PLUMBING PERMITS ARE ALSO REQUIRED. AFTER THE PERMITS ARE ISSUED CALL FOR ALL REQUIRED INSPECTIONS. TO ABATE THIS NOTICE, YOU MUST CONTACT HOUSING INSPECTION SERVICES FOR AN INSPECTION AND PRODUCE ALL PERMITS, PLANS, AND SIGNED JOBCARDS WITH THE APPROPRIATE SIGN OFFS AS REQUIRED.

The plans and permit application for the permit under appeal were reviewed and approved over the counter by the Planning Department and DBI on 8/14/26 after determining the plans complied with the requirements of the Notice of Violation to restore the building to its' last legal use.

The last legal use per the plans for PA# 2004-1118-9618, did not show the room which was described in the Notice of Violation as "a new unapproved room approximately 18 feet by 12 feet installed without the benefits of any permits."

After reviewing the plans for PA # 2004-1118-9618 and the current plans for PA# 2026-0814-6639, it is apparent the undocumented room, which was added to the rear of the second floor, has created a

serious life safety issue for the residents of the building. The non-permitted room was added behind the existing rear facing bedrooms and the emergency escape and rescue openings from the bedrooms no longer open to the exterior of the building, as required per Section 1031 of the California Building Code. In addition, the rear bedrooms no longer comply with the natural ventilation requirements of Section 1202.5 of the California Building Code as the existing bedroom windows now open into the un-permitted room and not to the exterior of the building.

Conclusion:

The Department of Building Inspection requests the Board deny the appeal and re-instate the approved permit for the removal of the non-permitted rear room at the second floor, to restore the emergency escape and rescue openings and natural ventilation for the existing rear bedrooms as required by the California Building Code.

Carey McElroy
Senior Building Inspector
Department of Building Inspection.

cc. Corey Teague, (Zoning Administrator)

Andrew Perry, (CPC)

Julie Lamarre, (Executive Director B.O.A)

Andrew Linton (Appellant)

Angelina Greep (Appellant)

Jeff Devoli (Permit Holder)