CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA ▪ SUITE 2340 ▪ OAKLAND, CALIFORNIA 94612-2031
Planning and Building Department
Bureau of Building
Code Enforcement Services
bbcode-inspect@oaklandca.gov
(510) 238-3381
TDD: (510) 238-3254

APPEAL OF HEARING OFFICER DECISION

Instructions:

Decisions made by Independent Hearing Officers on Building Code Enforcement appeals may be appealed to City Council. (O.M.C. 15.04.1.125G). The non-refundable filing fee for appeals to City Council is **$3,349**.00

The appellant has the burden of establishing that there is no substantial evidence in the record to support the Hearing Officer's decision or that the decision is based on an error of law. Council's consideration will be limited to the record established by the Hearing Officer. No new evidence may be considered unless the proponent shows that the evidence was both newly discovered and could not, with reasonable diligence, have been produced before the Hearing Officer.

Complete this form and return it, along with the required filing fee, to the Bureau of Building, at **250 Frank Ogawa Plaza, 2nd Floor, Cashiering, Oakland, CA 94612**. Appeals forms may be submitted in person or by mail but must be received by the Bureau of Building no later than 14 days from the date of the Notice of Decision. Appeals forms submitted without the required filing fee will be rejected.

Filing Date:	2/7/2024	**Complaint No.**	1303679
Property Address:	955 57th St. / 5655 Lowell St.	**APN**	015 129800900
Name of Appellant:	Miguel Jara		
Appellant Mailing Address:	955 57th St. Oakland, CA 94608		
Phone Number:	510-654-9282	**Email Address:**	mmjara18@gmail.com
Property Owner: (if different)		**Phone Number:**	
Property Owner Mailing Address:			
Representative/ Attorney (if any)	Michael McGrew	**Phone Number:**	9166625936
Representative's Mailing Address:	2729 Turk Blvd. San Francisco, CA 94118		

NON-ATTORNEY REPRESENTATIVES MUST PROVIDE NOTARIZED AUTHORIZATION

Please indicate the grounds for your appeal:

☑ There is no substantial evidence in the record to support the Hearing Officer's decision.
☑ The Hearing Officer's decision is based on an error of law.

Please explain below the grounds for your appeal. You may use this form to write your explanation and/or attach supplemental pages as needed.

See attached Summary and two Closing Arguments.

I Declare under Penalty of Perjury that the information given herewith in all respects is true and accurate to the best of my knowledge and belief.

			2/7/24
Appellant Signature	**Date**	**Representative Signature**	**Date**
		Michael McGrew	
Print Name Clearly		**Print Name Clearly**	

Office Use Only

Receive Date: _____ ***Appeal Fee: $***_____

Fees are subject to change without prior notice. The fees charged will be those that are in effect at the time of application submittal. All fees are due at submittal of application.

APPELLANT'S GROUNDS FOR APPEAL

This Appeal is in regards to the Notice to Abate ("NTA") as well as the subsequent Declaration of Public Nuisance ("DPN") for the property at 955 57th St. and 5655 Lowell St. As listed in the notice of decision issued on January 24th, 2024, these two matters of Abatement and Nuisance are combined within the complaint, and as such the arguments put forth in all three of the hearing dates are applicable, May 23 and 24th, 2023 and October 19th, 2023. The Hearing Officer admitted all evidence of the previous matters in the most recent hearing. Michael Roush was the Hearing Officer in both hearings.

The Notice to Abate, ("NTA"), required city to issue a compliance plan within 30 days and on the last page warned in bold letters: Corrections may not commence without issuance of a Compliance Plan. The city, however, failed to issue the compliance plan. In his Decision, the Hearing Officer relies on the fact that the DPN contained a clause allowing the Appellant to request a Compliance Plan as sufficient to prove that the onus was on the Appellant to request a Compliance Plan. This completely ignores the earlier issued NTA's verbiage and requirements. As such, Appellant was in the confusing situation as to whether or not he was supposed to be obtaining permits and correcting the premises or not.

In his decision Hearing Officer Roush said that Appellant had not applied for permits before 2021, however, Appellant's architect, Craig Miers (incorrectly referred to as Fred Miers by the Hearing Officer in the Decision) testified as to numerous permits had been applied for and received prior to the City's deadline of 10/4/2021. Permit 2002151 was filed on 8/21/2020, and became finalized. The City's witness Inspector Carillo testified that the building itself and all of the second floor remodel had passed inspection and the work listed in the nuisance and abatement orders had been resolved relative to the interior of Appellant's building. Permit OB2101124 had been obtained on 6/14/21. This permit allowed for a long term obstruction for the scaffolding to attempt to allow the premises to come into accordance with City standards.

The City's Order to Abate and Notice of Public Nuisance discuss the issue of electrical, plumbing, or mechanical work. However, it was not specified the specific location of the premises as to where this work was done. Mr. Carillo testified that the second floor alterations had been completed and there were no issues as to mechanical, plumbing, and mechanical work . Yet the Hearing Officer alleged that the inspection was not sufficient to clear the issue, despite the City at no point claiming that there was any issue in regards to these matters outside of the

second story alteration. The errors regarding the NTA and DPN issued within the Decision are sufficient to void it entirely.

Throughout the last ten years, Appellant has faced an uphill battle in managing their property and business at 955 57th Street. Miguel Jara is the son of immigrants and has lived in the bay area his entire life. He has owned and operated his business in Oakland for decades, and has been a meat distributor for many of the bay area and Oakland's taquerias and other restaurants. Appellant's business employs over 30 Oakland residents and he distributes over $100 million dollars of product per year throughout the bay area and Oakland. Appellant has regularly attempted to bring his property and business up to the correct standards. Permits are currently under review to correct the unpermitted work on the loading dock, canopy and driveway gate (Permits BW23002670 and BW23003601 filed 7/20/23 and 9/26/23 respectively). Despite these continuing efforts, Appellant is faced with continuing fines that make the future of his business remaining in Oakland precarious. Appellant hopes for an amicable solution to this matter so as to bring his property and business up to the proper standards and to continue his operations in Oakland.

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Attorney at Law
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sjh@hassinglaw.com
Attorney for Appellant, 955 57th LLC

IN RE ADMINISTRATIVE APPEAL OF	May 23, 24, 2023 Administrative Hearing
955 57th LLC	Appellant's Closing Argument

I
INTRODUCTION

The city's own 10/04/21 Notice to Abate, (Ex "C"), required the city to issue a compliance plan to address improvements constructed in 2013 by licensed contractors which had moved forward without permits or who had obtained permits but failed to call for finals. The city threatens penalties of $1000.00 per day for non-compliance. For the following reasons Appellant seeks a decision finding error or abuse of discretion on the part of the city. Based on the evidence, it would also be appropriate for the decision to include an order requiring Appellant to continue using its best efforts to complete the permitting process.

Appellant's closing argument focuses on the following:

1. The Notice to Abate, ("NTA"), required city to issue a *compliance plan* within 30 days and on the last page warned in bold letters in bold letters;
   Corrections may not commence without issuance of a Compliance Plan.
   The city, however, failed to issue the compliance plan.

2. On 01/13/20, the city's inspection manager, without authority, issued a wrongful notice, voiding the parties existing 10/20/14 compliance plan. (See Ex "H").

3. The NTA was issued in violation of appeal stays.

4. Some of the permits of which the city complains, were obtained but terminated by the city prior to final inspection. Appellant's architect attempted to apply for other permits only to be turned away because of the city's election to refrain from processing them until an unrelated conditional use permit and variance application had been acted upon.

5. Many of the permitting issues were resolved prior to the hearing.

6. Separate from the cities' failure to issue a compliance plan, the NTA is otherwise so flawed as to be unenforceable.

7. Appellant's culpability regarding permits are not more troublesome than are actions of the city. Just prior to the hearing—despite city's failure to issue a compliance plan—Appellant directed its architect to submit permit applications for all unpermitted improvements.

8. There was no showing of any injury or likelihood of injury due to lack of permits.

II
ARGUMENT

A. The City Expressly Prohibited Appellant From Taking Any Action Until City Issued a New Compliance Plan Which it Failed to Issue. Issuance of the Plan Was a Condition Precedent to Appellant Taking Any Action

On the first page of the NTA, Appellant was ordered to within thirty days, execute a *compliance plan* for the *rehabilitation*[1] of the building and property. The final page of the NTA contained the following warning:

Corrections may not commence without issuance of a Compliance Plan

Of the more than 100 pages making up the city's exhibits, there was no evidence of it ever having provided a compliance plan to Appellant. The only compliance plan referenced during the hearing was the original 10/20/14 Compliance Plan entered into seven years prior to the NTA. (Ex "B"). As a matter of law, Appellant cannot be sanctioned for failing to take action as directed by the NTA when the NTA *expressly prohibited* Appellant from commencing the permitting process until City issued a new compliance plan. The city is estopped by its own failure to issue the required compliance plan.

B. On 01/13/20, The City's Inspection Manager, Without Authority, Issued a Wrongful Notice Voiding the Parties Existing 10/20/14 Compliance Plan. (See Ex "H").

On 01/13/20, Tim Low, the city's inspection manager, without apparent authority to void previously issued compliance plans, issued Appellant written notice voiding the compliance plan the parties had entered into on 10/20/14 purportedly due to the planning commission's unrelated decision entered the month prior. (Ex "H"). That compliance plan

[1] Nothing at the property required rehabilitating. All that was required was obtaining permits.

required Appellant to obtain permits for improvements previously constructed. Not only did the manager of permits lack the authority to void a previously issued compliance plan, Appellant was in the appeal process contesting the interim zoning administrator's decision on Appellant's application for a conditional use permit and the planning commissions' decision thereon.

Appellant's counsel has been unable to locate any authority in the OMC or in any California case which allows a city inspections manager to void a compliance plan based on a Planning Commission decision which didn't even address the Plan and instead addressed a Planning Application for design review, conditional use permit, and variance.

C. The NTA Was Issued in Violation of Appeal Stays

Once the appeal of an order compelling one to act has been perfected, the order a *all matters embraced therein or affected thereby*, except as provided in CCP §§ 917.1 to 917.9, inclusive[2], and in § 116.810[3], are automatically stayed. The October 2014 compliance plan, (Ex "B"), ordered Respondents to do many things. Respondents attempted to comply with the City's dictates by means of the application for special use permit, variance, and design review. Denial by the interim zoning administrator was appealed to the Planning Commission. The Planning Commission's hearing was overseen and directed by the same interim zoning administrator whose decision had been appealed to the Planning Commission. The Planning Commission's denial, engineered by the zoning administrator, was timely appealed by Petition for Writ of Mandate. The denial of the Petition for Writ was then timely appealed to the First District Court of Appeal.

There's no question that the denial of the special use permit, variance, and design review were all *embraced within the appeal* of the denial of the Petition for Writ as well as *being affected thereby*. The City violated the automatic stay when it issued its October 4, 2021 Notice to Abate, (Ex "C"), just 25 days after Appellant filed its Notice of Appeal in the FDCA. (Judicial Notice). It further violated the stay when it issued its May 31, 2022, decision on Appellant's October 28, 2021 appeal, (Ex "E"), it's June 27, 2022 Notice of Declaration of Public Nuisance, (Ex 4). The FDCA didn't issue its remittitur until March 8, 2023. (Ex 24).

By law, Appellant had 90 days from the Planning Commission's action in which to Petition for a Writ. Appellant's timely Petition and its timely 09/09/21 appeal to the First

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[2] Sections 917.1 through 917.9 pertain to matters outside the issues implicated in this appeal.
[3] Small claims court judgments

District Cour of Appeal after the Petition was denied, stayed all matters embraced within the appeal and barred the city from issuing the 10/04/21 Notice to Abate until the remittitur was entered on 03/08/23. City violated numerous stays in serving the NTA and in serving scheduling notices prior to that time.

D. Some of the Permits Had Been Issued But Were Terminated Prior to Final[4]. Appellant's Architect Attempted to Apply For Others Only to be Turned Away Due to The City's Election to Wait Until an Unrelated CUP and Variance Application Had Been Acted Upon[5]

Permit #	Subject	Status
B1204377	Add Sound Attenuation Panels along 3 Rooftop Coolers	Permit issued 03/07/13. Work completed.
B1303653	Masonry Wall at West Side of Property	Permit applied for on 09/25/13 Permit Issued 09/25/13. Passed all inspections just need stucco applied to west side of wall to be finaled
B1304577	Build steel canopy, concrete recessed dock, two truck driveway, and 10 foot high fence/gate.	Permit applied for 12/02/13 by Cold Storage, Inc. The permit was not issued because the work had been completed and Cold Storage never returned with plans and specs
B1304583	Replace windows, drywall ceiling and wall.	Permit applied for 12/02/13. Not issued due to need more information on window openings. Were replaced under permit B2002151
B1401255	Change address from 57th Street to Lowell Street per Compliance Plan	Permit applied for 10/23/14. Approved. Finaled.
B1500317	**Replace 12 windows**	**Permit applied for 01/22/15. Permit issued but expired.**
B1501029	**Replace second floor exterior**	**Permit applied for 03/10/15.**

[4] See Red in Chart.
[5] See Blue in Chart.

	plaster with brick veneer over plaster compatible with existing first floor. Add interior wall at 2nd floor to create storage room.	City refused to issue it stating architect need to address cold case and city had determined to wait on determination of CUP Application
B2002151	Remove wall upstairs, interior framing and drywall,	Permit applied for 08/21/20. Permit issued. Work finaled 040623. Ex 23
E2202738	Electrical in walls and ceiling in upstairs remodel.	Electrical permit applied for 08/01/22. Issued. Work finaled 04/06/23.

E. Many of the Permitting Issues Were Resolved Prior to the Hearing

See yellow highlights in matrix immediately above. Additional Items within Box #1 were completed, i.e.,

Sub-item #2 within Box #1 (p. 4)

The evidence established replacement windows were permitted under B2002151. They were replaced, inspected and a final issued. Ex 22 consisted of six pictures depicting the new upstairs windows on the west, north, and east sides of the second floor of the building, located in places to match the existing windows in the first floor.

Sub-item #3 within Box #1

The evidence established that wall removal and relocation had been cured under permit B2002151. It had been inspected and a final issued. (Exs 16, 19, and 23). Also recall the testimony of Craig Miers and Tim Low regarding electrical permit E2202738 issued July 21,2022 and the final issued on April 6, 2023).

Sub-item #5 within Box #1

The evidence established that permit B1303653 was issued on September 25, 2013 for the CMU wall. The footings, foundation, and masonry wall had been inspected and approved. The sole reason the wall hasn't received a final is because the west side of the wall has not yet been stuccoed as called for in the permit. (Testimony of Tim Low and news to Appellant). There was no evidence that city had ever advised Appellant of the need to stucco that west side of the block wall.

F. The NTA is so Flawed as to be Unenforceable

A reading of the City's NTA makes obvious it was meant for a property other than Appellant's. It focused on rehabilitation of deteriorated conditions due to use of faulty materials. The need to rehabilitate deteriorated conditions does not comport with the evidence produced by the city during the hearing. Appellant's only sin was in not making sure its contractors had obtained the proper permits or finals, which by the way it admits. Appellant is now in the process of remedying those issues.

For example, the first page of the NTA ordered Appellant to *rehabilitate* its building and property within 30 days. The city failed to produce any evidence that the building required rehabilitation. The only issue raised during the appeal hearing was Appellant's construction, in 2013, of improvements without permits. The city offered no evidence to indicate that the building required *rehabilitation*. There was no evidence that the improvements constructed without permits, once inspected, would not be approved.

The NTA also cited *deteriorated conditions*, which, like the alleged need for rehabilitation, was unsupported by evidence. What deteriorated *conditions*? The sole issue addressed by city during the hearing is failure to obtain permits for some of the *improvements* made by Appellant's contractors. Oddly, the NTA also cited *habitability hazards* which, like deteriorated conditions and a need for rehabilitation, were never discussed during the hearing or supported by any offer of proof on the part of the city. The city's NTA even complained that Appellant's building was *substandard*, and that Appellant had used *faulty materials of construction*, allegations which ring hollow since no evidence was produced to support any of those charges.

Page 4 of the NTA, applicable to all five boxes that follow, contained the following additional preamble:

> **Substandard Buildings/Improper Occupancy–** Any residential or non-residential building or portion thereof in which there exists any of the following listed conditions to an extent that endangers the life, lib, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building and a public nuisance:

Again, the city failed to produce evidence that any conditions existed within Appellant's building or lot which endangered the life, lib, health, property, safety, or welfare of the public or

the occupants. We have no idea on what these allegations are based. They, like the allegations noted above, were obviously carry-overs from previous notices to abate issued to other property owners.

Additional defects in the NTA are reflected within Box 5 on page 5. First, the three items listed in Box 5 were preceded by a separate additional preamble stating:

> **Faulty Materials of Construction** – The use of material of construction, except those which are specifically allowed or approved by this code and the Oakland building Construction Code, and which have been adequately maintained in good and safe condition, shall cause a residential or non-residential building or structure to be Substandard and a Public Nuisance.

However, as was the case with so many other allegations contained within the NTA, the city failed completely to produce evidence of the use of any faulty construction materials at Appellant's property. The only witness produced by the city to provide evidence in support of faulty construction materials was Tim Low, the city's manager of inspections. When asked by the deputy city attorney about the use of such materials Mr. Low was unable to point to anything other than an area upstairs where the walls had been stripped to the studs. He was unable to identify any substandard or hazardous materials. Instead, he simply referenced the fact that once the walls had been stripped to their studs, and the materials which had covered the studs had been removed, the studs then lacked the required fire rating. (5/24 Trans. P. 27).

On re-direct, (pp. 28, 29), Hassing asked if the issue was fire rating rather than faulty construction materials. Mr. Low testified, *it's pretty much the same terminology*. Hassing then directed Mr. Low's attention to Permit B2000151 at which time Mr. Low testified that from the *suggestion* indicated on the permit description, he *thought* the permit was only for the outside skin. Mr. Low then candidly admitted that ***he didn't know*** that the upstairs now has new walls and sheetrock in conjunction with Permit 2000151 and that the electrical within the new walls had been inspected and approved under Permit E2202738.

Mario Jara, general manager for Suprema Meats, Inc., testified that on April 7, 2023, he took pictures of the second floor of the subject building. He identified eleven pictures, (Ex 18), as well as the picture comprising Ex 19, and six pictures comprising Ex 22. He testified that the pictures depicted new interior sheetrocked walls and ceiling containing electrical fixtures as well as new windows and window openings were depicted.

Permit B20025 and some of the permit history were admitted as Appellant's Ex 23 which established it was issued for window installation and exterior finishes as well as for framing and finish of walls, ceilings, installation of insulation and electrical and was finaled by the city on April 6, 2023. (Miers, 5/23 Trans. pp. 48-49; Low, 5/24 Trans. pp. 7-13). There was, however, no evidence of Appellant's use of faulty construction materials.

The NTA referred to all five areas of concern as maintenance violations. However, there was no testimony or documentary evidence supporting a claim that Appellant's property was ill maintained. Counsel has scoured the Report of Proceedings and has come up with nothing. Similarly, there was no evidence of any blighted conditions and certainly no evidence of conditions threatening the life, limb, health, property, safety, or welfare of the public. The issues for which the NTA was allegedly drafted and served do not exist.

What Appellant did wrong was hire contractors who improved the property without obtaining permits or without obtaining finals for permits they did obtain. Since those improvements have not been inspected there is no way to gauge whether modifications will even be necessary. Seems they were all constructed by licensed contractors. The Hearing Officer is asked to carefully examine the highlighted copy of City's Ex "C" attached as an Appendix.

G. It Appears From the Evidence That the City and Appellant Are Equally Culpable Regarding Permitting. Just Prior to the Hearing—Despite City's Failure to Issue a Compliance Plan—Appellant Directed its Architect to Submit Permit Applications For all Unpermitted Improvements

While Appellant freely admits some improvements were constructed without permits, the evidence confirmed that Appellant had applied for nearly all of the permits in 2013 and 2014 but they were withheld by the city which simply decided to withhold all permits pending a determination on Appellant's Application for conditional use permit and variance. The city, however, took three years to issue a decision. (Ex 2). Meanwhile, improvements having nothing to do with the CUP and variance were left unpermitted and those permits which had been applied for lapsed via the city's 180-day rule.

Appellant timely appealed the zoning manager's determination. (Ex 3). While Appellant was appealing the Planning Commission's denial of Appellant's initial appeal via Petition for Writ of Mandate, the city inspection manager, having no authority to do so, sent

notice that the 10/20/14 compliance plan under which Appellant had been attempting to legalize the improvements had been rendered void. (Ex "H"). The city failed to offer evidence of Mr Low's authority to summarily, without a hearing, declare the compliance plan void. Moreover, there is no language contained in the compliance plan authorizing anyone from the city to unilaterally declare it void.

The evidence revealed that Appellant applied for, and/or attempted to apply for, permits to legalize nearly all improvements built without benefit of permits. As revealed by both Craig Miers and Tim Low, some of the permits just weren't processed due to the city's desire to process them after Appellant's application for variance, design review, and conditional use permit was decided—despite the fact that some of the permit applications were in no way affected by those applications. (See Miers, p. 47-48, RP day 1; Low, p. 21-23, RP day 2). Now that the appeal is over and remittitur has been issued, (see Ex 24). Mr. Miers has been directed to apply for all permits necessary to legalize all improvements. (See Miers testimony, both days).

H. There was no Evidence of Injury or Likelihood of Injury Due to Lack of Permits

During the hearing, city offered no evidence to support the contention that the property presented risk of injury to anyone. The evidence established that improvements complained of had been constructed in 2013. The city knowingly allowed Appellant to operate the facility without having obtained final approval of the improvements for *ten years*. Certainly, the city would not have allowed Appellant to operate the facility for ten years if it believed the improvements at issue created a risk to the occupants or to the public.

October 28, 2021, Appellant timely appealed the NTA. (Ex "D" & "G", pp 2-6). Appellant sought retraction of the NTA. On May 31, 2022, the city issued its decision on Appellant's appeal. The decision, like the NTA, was replete with material error, (Ex "E"). The decision consists of eight separate paragraphs with the first paragraph being introductory.

Paragraph #2, referring to a loading dock, dock door, and canopy having yet to be addressed with proper permits. While it's true that the permits which had been applied for to legalize those improvements had been withheld, Appellant went to great lengths to address

those issues[6]. The NTA references Permit B1304577 & B1304577 which reference the same permit. It states they are in a *needs file* pending plans and calculations. There was no evidence that Appellant was ever made aware of this or that the city had ever requested additional plans or calculations.

Paragraph #5 notes that permits for plumbing work…*have yet been made*[7], Paragraph #6 notes air circulation/distribution system permits *have yet been made*[8]. Compare the wording of paragraph 3 which states that the permit *has yet to be final*. (see fns 7 and 8), to the wording of paragraphs #5 and #6 which states the permits *have yet been made*. (Id).

Paragraph #7 ignores permit B2002151 obtained August 21, 2020, 21 months before the Appeal Decision was rendered. (See Ex "J"). Paragraph #8, likewise ignored permit B2002151 and the testimony of Mr. Low, Mr. Miers, and Mario Jara, all of which established that the work was completed, inspected, approved and a final issued.

III
CONCLUSION

The city seeks to sanction Appellant $1000.00 per day for not complying with the 10/04/21 Notice to Abate. Allowing that would constitute a heinous abuse of discretion and error given that the city is estopped from obtaining such penalties due to the city having failed to issue the compliance plan which it made a condition precedent to Appellant's ability to move forward.

Moreover, the many erroneous contentions, allegations, and *facts* contained in the NTA render it so ambiguous and confusing as to make it virtually meaningless. Certainly, sanctions are not warranted, especially given the strides Appellant has made and continues to make to obtain permits for all unpermitted work or permitted work not yet finaled.

Respectfully submitted this 26th day of June, 2023

Steven J. Hassing, CSB #152125
Attorney for Appellant

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[6] See Ex "B", Ex 2, Ex 3, Ex "H", Petition for Writ, Judgment denying Writ, Appeal to FDCA.

[7] Note, the city did not write, "Have ***not*** yet been made", or "**Have yet to be made**". It is evident that city knew the difference between *Have not yet been made* and *Have yet been made* by reviewing what it wrote in the third paragraph of Ex "E", (Permits for item #1 listed under heading #5 for unpermitted installation of CMU wall have et to be final).

[8] Again, city did not write "Have ***not*** yet been made" or "**Have yet to be made**".

APPENDIX

CHY EX "C"
PP 1-6

CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA ▪ SUITE 2340 ▪ OAKLAND, CALIFORNIA 94612-2031
Planning and Building Department (510) 238-3381
Bureau of Building TDD:(510) 238-3254
Building Permits/Inspections and Code Enforcement Services
inspectioncounter@oaklandca.gov

Order to Abate – Habitability Hazards

October 4, 2021

955 57th LLC
955 B 57th Street
Oakland, CA 94608-2843

certified and priority postage

Subject: **5655 Lowell Street/955 57th Street**

Re: Complaint Number: **1303769**
APN: 015-1298-009-00
Notice of Violation – 01/02/2014

Re-inspection Date: 08/17/2021
Appeal Deadline: **10/31/2021**

Dear Property Owner(s):

Our re-inspection of the Subject property identified above for housing and building code violations confirmed that habitable conditions on the premises remain deteriorated to an extent that the health, safety, and welfare of (potential) occupants and the public is jeopardized by these hazards. Consequently, you are hereby ordered to do the following:

- ☒ ***within 30 days*** from the date of this letter, pay City assessments, execute a Compliance Plan for the rehabilitation of the building and property, and provide satisfactory evidence of adequate rehabilitation financing; and
- ☒ ***within 60 days*** pay permit fees and submit a complete application for the rehabilitation of the building; and
- ☒ ***within 120 days*** obtain final inspection approvals of the rehabilitation permits, and
- ☒ ***continually maintain*** the premises free of blighting conditions and secured from unauthorized entry (in accordance with enclosed City specifications), and
- ☐ ***not re-occupy*** or re-use the vacant premises for any reason or any purpose without prior written approval from the City.
- ☐ pay relocation benefits to affected residential tenants to allow abatement work to commence (OMC Chapter 15.60).

☐ A more detailed summary of the Code Enforcement Relocation Ordinance is attached for your review.

☐ In accordance with California Civil Code section 1942.5, you are precluded from specific retaliatory actions against tenants for exercising their rights under Title 5, Chapter 2, or for filing a complaint with the City.

Failure to comply fully with all parts of this abatement order, and within the time durations specified, will subject you to the following enforcement actions:

* continuing re-inspection and administrative fees, and
* administrative citations and judicial civil action, and
* Substandard/Public Nuisance action (receivership or demolition).

Fees, costs, assessments, penalties and payments associated with our enforcement and relocation actions are *very* significant and shall be a charge against the property and the owners, and if not reimbursed immediately, shall become a priority lien and special assessment recorded against the property title and are recoverable through the property tax general levy and court action, among other remedies available to the City.

If you dispute this Order and findings of code violations, you have the right to appeal before an independent Hearing Officer. Your appeal must be submitted on the enclosed Appeal Form to the address in the letterhead above with a check for **$116.00** (payable to the City of Oakland) ***not later than the* Appeal Deadline *indicated above.*** If we do not receive the appeal form with the filing fee by **Appeal Deadline**, you will waive your right to administrative review of this Order to Abate. *Incomplete appeals including, but not limited to an oral notification of your intention to appeal, a written appeal postmarked but not received by us within the time prescribed or a written appeal received by us without a filing fee are not acceptable and will be rejected.*

You may contact us Monday, Tuesday, Thursday and Friday, between 8:00 a.m. and 4:00 p.m. or Wednesday, 9:30 a.m.-4:00 p.m. at, inspectioncounter@oaklandca.gov or by scheduling and appointment by calling 510-238-3381.

Sincerely,

Rich Fielding Rich Fielding 2021.10.04 12:05:46 -07'00'

Rich Fielding
Principal Inspection Supervisor
Planning and Building Department

cc:
☐ Housing Department – Relocation Assistance Center

Attachments:
☒ Photographs
☒ Appeal Form
☒ List of Violations
☒ Litigation Guarantee
☐ Notice of Limitation

Additional Attachments/Interest Holders

1. 955 57th LLC - 955 B 57th Street - Oakland, CA 94608-2843
2. Charles W. Lemoine & Norma Lemoine - 4574 River Rock Hill Rd. Pleasanton,CA 94588
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.

LIST OF VIOLATIONS

Address:	955 57th Street	**Inspection Date:**	1st Inspection: 07/25/2013 Most Recent Inspection: 08/17/2021
A.P.N:	015-1298-009-00	**Complaint No.**	1303769
Inspector:	Chris Candell	**Occupancy:**	Business/Warehouse
No. of pages:	3	**Approved Use:**	HBX
Revised Date:	10-02-2021		

THE FOLLOWING MAINTENANCE VIOLATION(S) SHALL BE CORRECTED EXPEDITIOUSLY:

1

Substandard Buildings/Improper Occupancy – Any residential or non-residential building or portion thereof in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building and a public nuisance:

1. Unpermitted alteration/construction of the loading dock, dock door and canopy.
2. Unpermitted alteration/removal/construction of windows and window openings. *(See Note1)
3. Unpermitted removal/installation of interior wall partitions.
4. Lack of/inadequate natural light and ventilation in partitioned areas.
5. Unpermitted installation of CMU wall.
6. Lack of/inadequate fire and sound separation in unpermitted wall partitions.

OMC 15.08.340, 15.08.340 N; OMC 15.08.050; OMC 15.08.120; OMC 15.08.140; OMC 15.08.220. Discontinue use, remove all unapproved construction. Obtain permits, inspections and approvals and remove/repair/restore to original approved use, or obtain permits and approvals for converted use.

2

Electrical:

1. Installation of refrigeration equipment, electric motors, circulation/distribution systems and thealteration to the electrical system without required permit.

OMC 15.08.340 D; OMC 15.08.050; OMC 15.08.120; OMC 15.08.140; OMC 15.08.260 C. Discontinue use, remove all unapproved construction. Obtain permits, inspections and approvals and remove/repair/ restore to original approved use, or obtain permits and approval for converted use.

3

Plumbing:

1. Unapproved plumbing work.
2. Unpermitted installation of sump pump and drainage.

OMC 15.08.340 E; OMC 15.08.050; OMC 15.08.120; OMC 15.08.140; OMC 15.08.230 D, E, & G – Discontinue use, remove all unapproved construction. Obtain permits, inspections and approvals and remove/repair/restore to original approved use, or obtain permits and approval for converted use.

4

Mechanical:

1. Unpermitted air circulation /distribution system with electric motor units, hoses and ducts attached to the building rafters, posts and on top of masonry wall along property line.

OMC 15.08.340 F; OMC 15.08.050; OMC 15.08.120; OMC 15.08.140; OMC 15.08.260 A & B - Discontinue use, remove all unapproved construction. Obtain permits, inspections and approvals and remove/repair/restore to original approved use, or obtain permits and approval for converted use.

5

Faulty Materials of Construction – The use of materials of construction, except those which are specificallyallowed or approved by this code and the Oakland building Construction Code, and which have been adequately maintained in good and safe condition, shall cause a residential or non-residential building or structure to be Substandard and a Public Nuisance.

1. Unpermitted installation of interior partitions.
2. Unpermitted removal and framing of windows and window openings. *(See Note1)
3. Lack of fire rated drywall and non-fire rated intumescent sealers used for sealing penetrations inpartitioned areas.

OMC 15.08.340I, OMC 15.08.120, OMC 15.08.140, OMC 15.08.230N, OMC 15.08.240, OMC 15.08.250A. Obtain permits, inspections and approvals and repair and restore to original. Discontinue use, remove all unapproved construction. Obtain permits, inspections and approvals and remove/repair/restore tooriginal approved use, or obtain permits and approval for converted use.

☐ **Surface mold present on** _____

(Description required, e.g. bedroom walls)

See enclosed brochure for remediation guidelines.

- **None**

CORRECTION NEEDED:

Certain areas were not open for inspection. Any violations or deficiencies subsequently identified shall become a component part of this report and shall be corrected in an approved manner.

Corrections may not commence without issuance of a Compliance Plan, submittal of a performance security deposit, payment of all assessments and business tax license, field check inspection, and issuance of required permits.

***Note1 - See Building Permit B2002151**

CITY OF OAKLAND NUISANCE APPEAL HEARING

City of Oakland v. 955 57th LLC
Hearing Date: October 19, 2023

APPELLANT'S WRITTEN CLOSING ARGUMENT

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INTRODUCTION

955 57, LLC, ("**Appellant**"), hereby presents its closing argument following an October 19, 2023 administrative appeal hearing. Appellant seeks to overrule and reverse City of Oakland's, ("**the City**"), June 27, 2022 Notice of Declaration of Public Nuisance. Appellant has established that issuance of the Declaration of Public Nuisance constituted error. Based on the record no fines are warranted.

The Notice of Declaration of Public Nuisance is the result of an October 4, 2021 Order to Abate – Habitability Standards issued by the City to Appellant. Below, Appellant will show the following:

1. The City's Declaration of Public Nuisance and Order to Abate were in error due to permits existing for alleged violations and permits being issued later to further prevent violations.

2. The City acted in bad faith when it never issued or proposed a Compliance Plan for Appellant to execute bringing alleged violations into compliance with city standards.

3. The City acted in bad faith when revoking the former Compliance Plan that allowed Appellant to seek permits for previous improvements.

4. The City applies habitability standards to a non-residential building in error.

RELIEF REQUESTED

Appellant seeks an order Granting its appeal and including the following findings:

1. Finding that the City acted in bad faith when voiding the 2014 Compliance Plan.

2. Finding that the City acted in bad faith when not drafting or proposing a new Compliance Plan to Appellant in light of the 2021Order to Abate.

3. Finding that no penalties are warranted as Appellants have abated and have been abating applicable violations.

4. Order to City to draft and propose a Compliance Plan for consideration of Appellant.

BACKGROUND

On October 20, 2014, Appellant entered into a Compliance Plan with the City in part to correct unpermitted improvements on the premises of 955 57 Street. App. Ex. 1. Appellant hired architect Craig Miers to assist in correcting violations and obtain permits for past and future projects. Mr. Miers was in regular communications with City planning and building officials in 2015. App. Ex. 6, 7, & 9. In a January 24, 2015 email, Mr. Miers discusses that the permit for window replacement had been approved, and that Appellant still sought permits for the inclusion of plaster repair to improve the image of the building. App. Ex. 7. In this email, Mr. Miers also discusses the issues with the process and timing of obtaining permits, as the neighbors to their building were appealing approved projects. App. Ex. 7.

The 2014 Compliance Plan gave numerous deadlines to obtain permits and legalize the property. Appellant made various attempts to conform with the Compliance Plan, including a proposal to legalize the canopy, loading dock, fences/gates, and second-floor exterior improvements. App. Ex. 2. This proposal included a Minor Variance to reduce the side yard setback from five feet to 0 feet. *Id.* On February 7, 2018, the Appellant Zoning Manager's decision on this proposal approved the Minor Conditional Use Permit and the Regular Design Review for the unpermitted improvements. The Zoning Manager found specifically that the improvements would, "reduce traffic, noise and air quality impacts, and nuisances on neighbors." Despite this, the Minor Variance was denied, solely due to the Zoning Manager's logic of the HBX zoning of the land required a setback and the extending canopy to be reduced by five feet. Appellant appealed the denied portion of this decision. However, hearing the appeal, the City's Planning Commission denied the Appellant's proposal in its entirety. On January 13, 2020, the City voided the Compliance Plan, citing the Planning Commission's decision as the sole reason. Despite the Planning Commission's voiding of the Compliance Plan, Appellant still attempted to obtain permits for the violations.

Throughout 2020 through 2021, Appellant and their architect were in communication with City employees while attempting to obtain permits. App. Ex. 12, 16, & 17. This included discussions about plans under review with the plan checker in 2020, and submittals of planning

packages through 2021. App. Ex. 12 &17. Appellant was able to receive review and acceptance on their permit for their repair, replacement of siding and windows. App. Ex. 15.

On October 4, 2021, the City issued an Order to Abate – Habitability Hazards. The Order delineated the following violations:

Substandard Buildings/Improper Occupancy:

1. Unpermitted alteration/construction of the loading dock, dock door and canopy.
2. Unpermitted alteration/removal/construction of windows and window openings.
3. Unpermitted removal/installation of interior wall partitions.
4. Lack of/Inadequate natural light and ventilation in partitioned areas.
5. Unpermitted Installation of CMU wall.
6. Lack of/inadequate fire and sound separation in unpermitted wall partitions.

Electrical:

1. Installation of refrigeration equipment, electric motors, circulation/distribution systems and the alteration to the electrical system without required permit.

Plumbing:

1. Unapproved plumbing work.
2. Unpermitted installation of sump pump and drainage.

Mechanical:

1. Unpermitted air circulation /distribution system with electric motor units, hoses and ducts attached to the building rafters, posts and on top of masonry wall along property line.

Faulty Materials of Construction:

1. Unpermitted installation of interior partitions.
2. Unpermitted removal and framing of windows and window openings.

3. Lack of fire rated drywall and non-fire rated intumescent sealers used for sealing penetrations in partitioned areas.

Not included in the Order to Abate was any section including options to meet for a compliance plan. The Order included the requirement that within 30 days of the Order Appellant execute a Compliance Plan for the rehabilitation of the property. Appellant did not receive or draft any communications regarding a Compliance Plan and unsuccessfully appealed the Order to Abate.

On June 27, 2022, the City issued the Notice of Declaration of Public Nuisance. The notice delineated the same violations of the Order to Abate, and referenced the Order to Abate in support of the declaration. This Notice contained a section with the option to meet for a compliance plan.

ARGUMENT

Throughout the last ten years, Appellant has faced an uphill battle in managing their property and business at 955 57th Street. Miguel Jara is an immigrant from Mexico and English is not his first language. He has owned and operated his business in Oakland for decades, and has been a meat distributor for many of the Bay Area's taquerias and other restaurants. Over that time, the property has been rezoned leading to issues with neighbors and necessary changes to how Mr. Jara ran his business. Included in these changes, was the need to improve facilities that were originally created from 1944 to 1955. App. Ex. 6. Mr. Jara was unprepared for and unaware of the complexity of the process one has to go through for obtaining permits in modern day Oakland. In 2014, The City offered Appellant a Compliance Plan, to help simplify this process. However, difficulties in obtaining permits and continual appeals by begrudged neighbors would hinder this process. Through numerous complications and oversights, the City acted in bad faith when it voided the Compliance Plan and never provided a new Compliance Plan. In addition, the City committed error in their Declaration of Nuisance in light of previous permits and wrongfully applied codes. As such, the City should be directed to draft and propose a new Compliance Plan to Appellants, so that they can enforce said plan and rehabilitate their property.

A. <u>The City acted in bad faith when it never issued or proposed a Compliance Plan for Appellant to execute and bring alleged violations into compliance with city standards.</u>

In reference to municipal corporations, good faith suggests a moral quality; its absence is equated with dishonesty, deceit or unfaithfulness to duty. *Guntert v. City of Stockton* (1974) 43 Cal.App.3d 203, 211. The California Supreme Court has stated that '[t]he phrase "good faith" in common usage has a well-defined and generally understood meaning, being ordinarily used to describe that state of mind denoting honesty of purpose, freedom from intention to defraud, and, generally speaking, means being faithful to one's duty or obligation.' *People v. Nunn* (1956) 46 Cal.2d 460. A right may be legitimately acquired or otherwise vest by administrative action. *Los Alamitos Gen. Hosp., Inc. v. Lackner* (1978) 86 Cal.App.3d 417, 424.

The City did not act in good faith when they directed a parent to execute a compliance plan, without giving them a compliance plan to execute. Due to this lack of good faith, appellant was left with no reasonable standard, as to abate violations, and come into compliance with the appropriate standards. Section 13 of the 2014 Compliance Plan states, "the City and Owner agree to work in good faith for the purpose of completing the improvements, repairs, and rehabilitation of the property." App. Ex. 1. It goes further to require the City to, "act in accordance with its ordinary custom and practice respect to issuing planning approvals, building permits, inspection sign-offs, time extensions, and other approvals." *Id.* In his testimony, Mr. Miles explains that it is not typical for the owner of the property at issue to draft original Compliance Plans. Mr. Miles explains that customarily the City drafts the original Compliance Plan. In explaining why it is not typical, Mr. Miles informs that the Compliance Plan would include milestones and the consequences of incompletion. This inaction by the City directly conflicts with the previous Compliance Plan's requirement for the City to act in accordance with its ordinary custom and practice of issuing first drafts of compliance plans.

Appellant was never offered a revised or new Compliance Plan to bring their property into compliance. Rather, the Order to Abate informed Appellant they were required to "execute" a contract within a certain time. The Order to Abate did not contain any section with information about meeting for or requesting a Compliance Plan. Further, the Oakland Municipal Code is mute upon the distribution of Compliance Plans. Execution of the plan would consist of carrying out the requirements that the plan would propose or require. It is baseless to assume the execution required

by the Order to Abate, required Appellant to somehow draft and start a new compliance plan when that is not the norm.

Good faith requires being faithful to one's duty. After the City voided the Compliance Plan, it issued an Order to Abate which required the execution of a new plan. However, the City then never drafted nor sought a new plan with the Appellant. Witnesses testified that typically the City drafts compliance plans. Despite this, they never contacted Appellant with a draft. As evidenced in the Declaration of Nuisance, the City can and does include sections in their notices with the option to meet for a compliance plan.

The 2014 Compliance Plan gave lengthy periods of time to obtain and complete the permits and work required. Not including City response and review time, sections six through eleven of the Plan gave Appellant up to 17 months to complete the rehabilitation. Mr. Miers testified that if a new Compliance Plan had been received, that Appellant could realistically rehabilitate their premises within that time frame. Good faith would require the City to propose a new Compliance Plan rather than order Appellant to execute a plan that at the time did not exist.

City's counsel asked Mr. Miles in his questioning if he was aware of any attempt to meet and confer for a compliance plan, referring to the Declaration of Public Nuisance. However, it is improper for Appellant to consider this before the appeal of the Declaration is completed.

As such, the City's non-issuance of a compliance plan and subsequent Declaration of Nuisance are void for being in bad faith and the City should be ordered to submit a draft of a new Compliance Plan upon the Appellant.

B. <u>The City acted in bad faith when revoking the former Compliance Plan that allowed Appellant to seek permits for previous improvements.</u>

Compliance Plans are authorized by Oakland Municipal Code §15.08.370. Under subsection B, the OMC states extensions to obtain may be granted as may be considered reasonable under the circumstances. Section 14 of the 2014 Compliance Plan entails the City's and Owner's rights as to withdrawing or voiding the plan. The City's only right to terminate the plan is if the Appellant withdraws from any Conditional Use Permit (CUP) application. Further, termination only occurs if the City determines that any appeal of the CUP are based on non-material conditions. The Plan also requires the City to act in accordance with customary practices relating to time-extensions of requirements, however, no extensions were ever considered.

Here, Appellant never withdrew from the Compliance Plan or CUP application. Rather,

their application was first confirmed and denied in part, then denied entirely. Appellant never withdrew and never intended to withdraw, rather they sought to receive a writ on the decision or complete a new application for the permitting of the improvements. They have continued to be in contact with Oakland planning officials via their architect and have sought to obtain the Cup still. Further, they have continued to obtain and apply for the permits that the 2014 Compliance Plan required of them. Mr. Miers testified that even the day before the hearing, Appellant had submitted a design review package concerning the loading docks and canopy.

Mr. Miers further testified that it is not rare to have resubmittals required in order to get a permit package approved. When the City voided the Compliance Plan after only the first attempt at getting their plans approved, they acted without consideration of the ordinary custom and practice. As such, they acted in bad faith as to not let Appellant attempt to resubmit their proposal for a CUP and variance. The Appellant had a right to try again to comply with the Plan and rehabilitate their property. Rather than void the Plan, the City should have held to customary practices relating to time extensions, and allowed the Appellant an opportunity to submit their proposal again.

The cure to this issue is readily available in the form of a new Compliance Plan drafted by the City for Appellant to execute. Appellant has continued to seek permits and reviews and inspections to bring their property into compliance. Appellant has long been a fixture at this location and has served the businesses and people of Oakland for decades. With a new Compliance Plan, Appellant can continue to do so and properly rehabilitate their building.

C. <u>The City's Declaration of Public Nuisance and Order to Abate were in error due to permits existing for alleged violations and permits being issued later to further prevent violations.</u>

In the City's Notice of Declaration of Public Nuisance (NDPN), the City claimed City of Oakland's Code Enforcement Services (CES) inspected the property for the last time pertaining to this matter on April 26, 2022. CES confirmed in this inspection violations of the Oakland Municipal and Planning Codes. The Declaration included the following violations:

> 1. Alteration without required permit, windows removed and opening reframed, interior walls removed and new wall framed in violation of O.M.C. §§ 15.08.050:15.08.120.
> 2. Exterior alterations, windows changed, without planning department approval in violation of O.M.C § 15.08.050." …

1. Alteration without required permit, windows removed and opening reframed, interior walls removed and new wall framed in violation of O.M.C. §§ 15.08.050:15.08.120."

However, prior to this inspection, permits were already being sought by Appellant and had been approved. SM EX. 15. Appellant's exhibit 15 shows planning permit approval, and other exhibits showcase ongoing conversations of various plans and approvals between City officials and Appellant's architect, Craig Miers. SM EX. 6, 7, 12, 15, 16, & 17.

Mr. Bears had David Carrillo testify, the Specialty Combination Inspector that performed the January 12, 2023 inspection. In his testimony, Mr. Carillo did not discuss the various code violations, habitability issues, or substandard building. Rather, Mr. Carillo presented that Suprema had obtained permits and that the entirety of their second-floor remodel was in compliance. He testified that a previous inspection had been approved by a colleague. 32:58. He then testified he inspected again in April of 2023, and that the project had become final by that date. Mr. Carillo made clear that the second story remodel including all walls, windows, and siding was in compliance.

This second-floor remodel was permitted and finalized and makes moot large portions of the Order to Abate and Declaration of Nuisance. Mr. Carillo's inspection revealed no violations relating to the windows, inadequate light or ventilation, drywall on the interior walls, as well as weatherproofing of the exterior walls. Of the 13 numbered violations in the Order to Abate, Mr. Carillo's inspection showed that 7 of them were now permitted and cured.[1]

Mr. Bears attempted to limit the scope of the inspection in regards to the City's Order to Abate, stating the Order may have referenced other places in the property outside of the second-floor remodel. However, the City Inspector simply says that the Order to Abate is not specific. Mr. Carillo said that those portions of the Order did in fact pertain to the second floor, although he was

[1] Inspection revealed second story no violations of the following: Substandard Building: 2. Unpermitted alteration/removal/construction of windows and window, 3. Unpermitted removal/installation of interior wall partitions. 4. Lack of/Inadequate natural light and ventilation in partitioned areas. 6. Lack of/inadequate fire and sound separation in unpermitted wall partitions. Faulty Materials of Construction: 1. Unpermitted installation of interior partitions. 2. Unpermitted removal and framing of windows and window openings. 3. Lack of fire rated drywall and non-fire rated intumescent sealers used for sealing penetrations in partitioned areas.

unaware if they could apply elsewhere. Any attempt to claim that there were some additional walls or partitions outside the scope of the inspection and thus unpermitted is baseless.

Accordingly, the Declaration should be void as it is in error concerning previously permitted and proper rehabilitated portions of the premises, including to all of the second floor and exterior window renovations.

D. <u>The City committed error when it misapplied habitability standards of the municipal code to a non-residential building in error.</u>

The OMC defines Habitable Space as space in a residential building or structure intended or used for living, sleeping, eating, or cooking. OMC §15.08.170. In §15.08.190, the OMC clarifies that Article V only applies to all residential buildings and structures and to non-residential buildings and structures as specifically indicated.[2] However, throughout Title 15 relating to buildings and construction, the OMC refers to different regulations to be applied to habitable spaces.

In the Order to Abate, the City references OMC sections 15.08.220, 15.08.230 D, E, G, N, and 15.08.240. All of these sections fall within the application solely to habitable spaces and require specific indication within the code to be applied to non-residential buildings. Appellant's building is not and has never been considered a habitable space as indicated by the OMC. The building is solely used as a business and is not intended for use of sleeping, living, eating, or cooking. Further, the building is non-residential in nature. Mr. Miers testified that residential buildings have different standards as opposed to residential.

Due to this error and misapplied codes, Appellant did not have the ability to correct any specific issue regarding these matters as there was no clarity concerning the issues.

[2] Article V is sections 15.08.170 through 15.08.240

CONCLUSION

The City has violated its duty to act in good faith throughout its dealings with the Appellant in the rehabilitation of their building. The City failed to exercise good faith when they voided the 2014 Compliance Plan, and again when they ordered Appellant to execute a nonexistent Compliance Plan. The City failed to consider the ongoing abatement that Appellant undertook in response to the original Order.

DATED this 30th day of November 2023

Michael-Ryan McGrew

Representative for Appellant

City of Oakland

City of Oakland
Transaction Receipt# 5479542
Record ID: 1303769

250 FRANK H. OGAWA PLAZA OAKLAND, CALIFORNIA 94612-2031

Date: 02/08/2024

ADDRESS: 955 57TH ST, OAKLAND, CA
PARCEL: 015 129800900

DESCRIPTION	AMOUNT DUE	TRAN AMOUNT
Appeal to City Council	$ 2,919.00	$ 2,919.00
Recrd Mangmnt & Tech Enhancement Fee	$ 430.00	$ 430.00
	$ 3,349.00	**$ 3,349.00**

PAYMENT TYPE	PAYOR	PAYMENT AMOUNT	AMOUNT NOT ALLOCATED
Credit Card 1588298-3	Michael McGrew	$ 3,349.00	$ 0.00
Comments: Michael McGrew			
		$ 3,349.00	**$ 0.00**

TOTAL TRANSACTION AMOUNT: $ 3,349.00