



06/09/2020

**NOTICE TO VACATE; NOTICE TO ABATE LIFE
THREATENING CONDITION; AND DECLARATION OF A
SUBSTANDARD DWELLING CONDITION
(REQUIRED RELOCATION PAYMENTS)**

NARAIN SHIU TR,
NARAIN CHANDRA WATI TR SHIU & CHANDRA NARAIN TRUST
146 N DELAWARE ST APT 6
SAN MATEO, CA 94401

CASE CE-2020-000232
APN 033146240

Shiu & Chandra Narain

You are receiving this NOTICE TO VACATE; NOTICE TO ABATE LIFE-THREATENING CONDITION; and DECLARATION OF A SUBSTANDARD DWELLING CONDITION as the record owners of the property located at 718 Tilton Ave, San Mateo, CA 94401.

On 6/6/2020 staff from San Mateo Consolidated Fire Department, the City of San Mateo Building Division and Code Enforcement Division conducted an inspection of the property in response to a complaint of substandard conditions inside of the dwelling.

Life-Threatening Conditions

During the inspection, City staff observed that electrical alterations and extensive overloading of the service panels causing arcing at the subpanel and smoke inside of the dwelling. Hazardous electrical system. Property Maintenance Code 7.14.060 (c) (IPMC 604.3) and California Health & Safety Code 17920.3 (d)

This constitutes a fire risk and life-threatening condition. The City of San Mateo hereby orders that the property be vacated by 5:00PM on June 6, 2020, and until such time that all hazard or unsafe electrical wiring repaired or replaced to code. All electrical repairs must be completed by a C-10 electrician licensed by the State of California. No later than June 25, 2020 you are required to obtain an electrical permit from the City of San Mateo prior to performing any work.

In addition, City staff observed the following substandard conditions:

Substandard Conditions

Prohibited occupancy of basement. Unfit for human occupancy: Property Maintenance Code 7.14.010 (IPMC 404.4.4) and California Health & Safety Code 17920.3 (a) 1, 3, 5, 6, 7, 8, 9, 10, 11, (d), (l), & (n)

- Walls erected in basement creating four separate living and sleeping spaces. Lack of required emergency egress, sanitation, cooking facilities, hot or cold running water, heat, natural light and ventilation.

Required Corrections:

- Basement must be vacated, and restored to original use, no habitation is allowed. *No later than June 25, 2020* you are required to obtain a building permit from the City of San Mateo prior to restoring the basement back to the original use.

Prohibited occupancy of accessory structures. Unfit for human occupancy: Property Maintenance Code 7.14.010 (IPMC 404.4.4) and California Health & Safety Code 17920.3 (a) 1, 3, 5, 6, 7, 8, 9, 10, 11, (d), (l), (n)

- Accessory structures including a detached garage, and two structures located in the rear yard used for habitation. Extension cords running from the dwelling to the sheds as a power supply.

Required Corrections:

No later than June 25, 2020

- Accessory structures, including the detached garage must be vacated
- Extension cords must be removed
- Accessory structures over 120 sq. feet require a building permit from the City of San Mateo

Nuisance Conditions

- Overflowing waste containers, discarded tires, waste and rubbish in the front and rear yard.

Required Corrections:

- *No later than June 25, 2020* Remove and lawfully dispose of weeds, vegetation, junk, dead organic matter, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials.

Property-Owner Obligations with Respect to Tenants Displaced from Unsafe or Substandard Units

Under San Mateo Municipal Code Chapter 7.50, property owners must provide permanently displaced tenants with relocation payments and moving expenses, as specified in section 7.50.090 of the SMMC. The City, in its sole discretion may make any of the payments required of a property owner under this chapter, including advancing eligible tenant household(s) reimbursable moving expenses and temporary housing accommodations costs. Such payments shall continue to be an obligation of the property owner and shall be reimbursed by the property owner to the City. SMMC 7.50.070. No property owner shall retaliate against any member of a tenant household for exercising rights granted under this chapter. SMMC 7.50.110.

- 1. The City of San Mateo has determined that the basement located below grade and all accessory structures, including the detached garage are noncomplying dwellings in addition to the life threatening conditions**

The tenants residing in the basement and the accessory structures, including the detached garage will need to immediately and permanently vacate the noncomplying dwellings.

Under section 7.50.090 (a) and (d) of the SMMC, these tenants are entitled to relocation payments equal to three times the current monthly HUD rate for an efficiency unit in San Mateo County, as follows:

- I. The HUD rate for an efficiency unit in San Mateo County is $\$2,197 \times 3 = \$6,591$**
- II. An Immediate Vacation allowance of \$1,000 because the tenants received fewer than 30 days' advanced notice before being displaced.**
- III. Actual moving costs and related expenses not to exceed \$1,000.**

Total due immediately: \$7,591 to each tenant that was residing in the noncomplying dwellings (basement, shed, and detached garage)

Total due within 60 days: Reimbursement for actual moving costs and related expenses not to exceed \$1,000.

- 2. The City of San Mateo has determined that the life threatening conditions have caused the dwelling to be immediately vacated until made safe.**

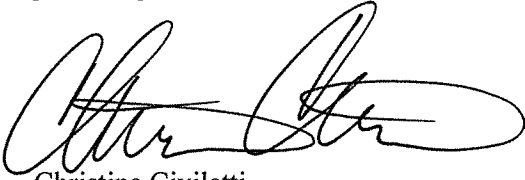
Under section 7.50.090 (b) of the SMMC, these tenants are entitled to relocation as follows: Actual and reasonable moving expenses in addition to temporary housing accommodations ("Temporary housing accommodations costs" shall include:

- I. The cost of rental payments and hotel or motel payments during the displacement period.**
- II. In addition to temporary housing accommodations, the tenants are entitled to an Immediate Vacation allowance of \$1,000 because the tenants received fewer than 30 days' advanced notice before being displaced.**

You must provide Code Enforcement with receipt for the payments made to tenants.

A property owner or tenant household may contest a decision, order, or determination regarding relocation payments or a notice of penalty or fine assessed this chapter by submitting an appeal in writing together with the appeal fee listed in the City's fee schedule. The appeal shall set forth the factual basis for disputing the decision, order, or determination. SMMC 7.50.100.

Property owners have the primary responsibility to maintain their properties and assure code compliance. According to Section 7.16.015 of the San Mateo Municipal Code, it is unlawful for any person or entity to maintain, create, cause or permit a public nuisance.

A handwritten signature in black ink, appearing to read 'Christine Civiletti', with a large, stylized loop at the end.

Christine Civiletti
Code Enforcement Manager
(650) 522-7154

CC: Street File
Posted
Tenants