

## Todd, Amber

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Thursday, February 04, 2016 5:00 PM  
**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Low, Tim  
**Subject:** Re: Permission to retrieve belongings as promised

1) I will see if she can do tomorrow. We can do Tuesday, Wednesday, and next weekend as well. With amount of people working last weekend to help vacate the building and this week until 11pm most nights it will be difficult to get anybody there on Saturday. Will offer next weekend if tomorrow, tuesday all day, and wednesday all day do not work for her.

2) There was a neighbor who complained and we had the street mess cleaned up that night. I will double check now to make sure all is clear and has stayed clear since.

On Thu, Feb 4, 2016 at 3:06 PM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

Danny,

You need to accommodate her, and any persons that have remaining items. I'm sure not all affected parties can make it on your schedule- some may need a weekend day, etc..

Please be mindful of item # 11 on the compliance plan; owner shall continually maintain the property free from blighting conditions... I imagine there may be some cleaning to do following the vacation of the tenants. Be mindful of the neighbors and any impacts on their quality of life.

Thank you

**From:** Danny Haber [<mailto:dannyjhaber@gmail.com>]  
**Sent:** Thursday, February 04, 2016 1:06 PM  
**To:** Fielding, Rich; Labayog, Edward  
**Subject:** Fwd: Permission to retrieve belongings as promised

----- Forwarded message -----

**From:** Joy Newhart <[joynewhart@sbcglobal.net](mailto:joynewhart@sbcglobal.net)>  
**Date:** Thursday, February 4, 2016

16 FEB 29 PM 12:28  
CITY OF OAKLAND  
OFFICE OF CITY MANAGER

Subject: Permission to retrieve belongings as promised  
To: Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>

So glad to hear you are making such efforts to accommodate us peasants. However, that is not a convenient time for me. I'll be there on Saturday.

On Feb 4, 2016, at 1:01 PM, Danny Haber wrote:

Joy Marv is setting up Tuesday and Wednesday from 8am-5pm for people to retrieve extra items .

On Thursday, February 4, 2016, Joy Newhart <[joynewhart@sbcglobal.net](mailto:joynewhart@sbcglobal.net)> wrote:

Danny, & Devon,

My understanding is that you were going to bequeath us lowly peasants the opportunity to retrieve belongings we were forced to leave behind as a result of your pogrom.

I will be at the property on Saturday with a civil standby if necessary. Am I subservient enough or do I need to kiss your ring.

Joy

**Todd, Amber**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Tuesday, December 08, 2015 4:39 PM  
**To:** Labayog, Edward; Martinelli, Gene; Low, Tim; <jh@jeremyharrisdesigns.com>  
**Subject:** Compliance Plan

Compliance Plan:

Dec 11: Submit Phase 1 Building Plans:

Phase 1:

Will consist of complete rehab of all Market and Myrtle perimeter units.

From date permits are approved we will need 8 months to complete all work which will be demolishing everything inside units and completely rebuilding framing, electrical, and plumbing.

Phase 2:

Submit building Plans by Jan 21st for entire middle and back of building which will complete 1919 Market building submittal.

We will have structural, title 24, and schematics for the back and middle as apart of package submitted to plan check and compliance.

Since the project is essentially a ground up build we will need up to 1.5 years from date permits are issued until work is completed.

By Dec 18th we will pull electrical permits to go in and do any electrical work necessary inside and outside the units.

By Dec 31st we will aim to make sure that all of the minor electrical fixes have been completed that were issued on violations sheet and anything else electrician covers.

Within 5 days of receiving compliance plan we will work with PG&E to get correct meters in building and legalize all electrical meters.

We will receive TCO once phase 1 has been approved by City of Oakland Department of Building staff.

**Todd, Amber**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Wednesday, November 25, 2015 3:29 PM  
**To:** Fielding, Rich  
**Cc:** jh@jeremyharrisdesigns.com; Labayog, Edward; Low, Tim; Valeska, David; Rodrigo Santos; Garrett, Flanoy  
**Subject:** Re: 1919 Market Plan For Compliance:

Feel better Rich, have been getting emails from Jeremy at 11:30pm/12am . He is on the case, looking forward to resolving all open issues early December. Happy thanksgiving to everybody.

On Wed, Nov 25, 2015 at 6:26 PM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

Jeremy,

Thank you for your reply. Once received, the notice will clarify many issues. Danny will need to proceed with Ed Labayog's direction, as I will be out of the office (medical). I will return on 12/21, but will remain in communication with Ed and CBO, Tim Low.

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**From:** [jh@jeremyharrisdesigns.com](mailto:jh@jeremyharrisdesigns.com) [mailto:[jh@jeremyharrisdesigns.com](mailto:jh@jeremyharrisdesigns.com)]  
**Sent:** Wednesday, November 25, 2015 11:31 AM  
**To:** Fielding, Rich; Danny Haber; Labayog, Edward; Low, Tim; Valeska, David; 'Rodrigo Santos'; Garrett, Flanoy  
**Subject:** RE: 1919 Market Plan For Compliance:

Hi Rich-

Thanks for the reply. I have not received the letter from Danny, yet, so I will need to see that for clear direction.

For clarification:

So everyone needs to vacate the building in any case, correct?

As far as phasing, We still need to phase as separate permits to get things moving, so we can start construction ASAP. Otherwise, putting the entire building together as one permit will take structural 1.5 months to complete as previously stated in the timeline. Factor in the holidays, and it could be 2 months. Which we can do, but seems less ideal since the building is unsafe.

Please advise on your preferred method of permitting if phasing doesn't work. Meanwhile, I'll await for the determination for further information.

Best,

Jeremy Harris | Design Artist  
Jeremy Harris Designs  
c | 858.449.5270  
e-mail | jh@jeremyharrisdesigns.com  
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web | www.jeremyharrisdesigns.com  
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**From:** Fielding, Rich  
**Sent:** Wednesday, November 25, 2015 11:07 AM  
**To:** jh@jeremyharrisdesigns.com; Danny Haber; Labayog, Edward; Low, Tim; Valeska, David; 'Rodrigo Santos'; Garrett, Flanoy  
**Subject:** RE: 1919 Market Plan For Compliance:

It is unsafe to occupy this building. Orders are in the mail, as I indicated to Danny this morning. A determination has been made by the Chief Building Official and the Oakland Fire Marshall.

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**From:** jh@jeremyharrisdesigns.com [<mailto:jh@jeremyharrisdesigns.com>]  
**Sent:** Wednesday, November 25, 2015 8:32 AM  
**To:** Fielding, Rich; Danny Haber; Labayog, Edward; Low, Tim; Valeska, David; 'Rodrigo Santos'; Garrett, Flanoy  
**Subject:** 1919 Market Plan For Compliance:

To all parties involved,

A few weeks ago, I took over as the project's Architect to ensure timely and successful completion of building permits for 1919 Market Street. I wanted to touch base and reassure everyone that all parties are working extremely hard to get this moving as fast and as timely as possible.

### **Our plan for submittal:**

After reviewing many of the obstacles with the owner's representative and the Structural engineers (Santos and Urrutia), we all find it best to move forward with a "two-phase" process, to ensure the safest and most efficient means of obtaining full compliance of the building. We believe this is the best solution for moving forward for these reasons:

1. Drawings and Coordination - Because of the size of the building, and the scope of work proposed in the previous planning permit, we are pretty much building the entire center of the building, and a good portion of the back of the building as new construction. There's a large amount of Structural design that is currently underway, as well as Architectural drawings and Title 24 that need a considerable amount of time to coordinate and produce.
2. Displacing Residents – There are currently some 125-150 people living in the building. We want to help mitigate the extraction of these residents, so that part of the building can remain untouched so many residents can remain in their place, while other portions of the building are being altered. Two phases ensures at least 50% can remain. If we do everything at once, we would be displacing everyone, which all parties don't want to happen.

### **Our plan for Two Phases:**

We have divided the full scope to focusing on the street-facing units on Myrtle and Market Street (phase 1) and the proposed new construction at the center and back of the building (phase 2). Plan is to submit for phase 1 first ASAP, and give structural time to develop the drawings for phase 2, then to submit either once phase 1 is approved or once we have all necessary documents. Phase 1 and Phase 2 are pretty much structurally and architecturally independent from each other, with exception to a few areas that will depend on Phase 2.

## Phase 1

Myrtle Street and Market Street units at both the first and second floor. Scope will include:

### Tenant structures:

- Removal of all interior framing installed by tenants without permits. This includes additional floor levels framed inside individual units.

### Life Safety Systems:

- Reconfiguration of units to provide compliant and safe egress from all spaces and from the building.
- Reconfigured exit passage ways and stairs with additional exits to meet code.
- Replacement of all exterior window as well as new windows replacing existing roll-up doors and infilled walls with windows to provide better light and ventilation, and emergency egress for all units.
- All units will have all necessary smoke and carbon monoxide protection

### Sprinklers:

- Reconfiguration of units to provide access to fire sprinkler risers, and out of dwelling units. New sprinklers distributed and adjusted within the altered units.

## Phase 2

The entire center and back of the building at both floors. Most is being rebuilt, and we will be considered completely new construction. Scope will include

### Tenant structures:

- Removal of all interior framing installed by tenants without permits. This includes additional floor levels framed inside individual units.

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- Reconfiguration of units to provide compliant and safe egress from all spaces and from the building.
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- All new or replaced windows for emergency egress.
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**Sprinklers:**

- All new sprinklers systems will be installed and tied into the completed work of phase 1

**Our timeline for completion:**

This is the time we propose submitting each of the two phases:

Phase 1 – We should have all necessary documentation from Structural, Architectural and Title 24 roughly two weeks from today or December 9<sup>th</sup> at the latest and ready for submittal on that day.

Phase 2 – This one has a considerable amount of Structural work and coordination. We should have all necessary documentation for submittal roughly two-four weeks after Phase 1, shooting for the first week of January as a deadline.

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Please send any comments / questions my way. I'd be happy to send a quick diagram of what the two phases will be if that is helpful for discussion purposes.

Best,

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#### **Our plan for submittal:**

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## **Todd, Amber**

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**Sent:** Wednesday, November 25, 2015 8:32 AM  
**To:** Fielding, Rich; Danny Haber; Labayog, Edward; Low, Tim; Valeska, David; 'Rodrigo Santos'; Garrett, Flanoy  
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**Todd, Amber**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Monday, November 16, 2015 11:14 PM  
**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Garrett, Flanoy; Low, Tim; <jh@jeremyharrisdesigns.com>  
**Subject:** Re: 1919 Market St

End of this week can we all get around a table and go over an exact plan. CC'ing Jeremy who took over as architect and is more well versed in live work code and I'd also like to invite Ben Tehrani from FSAC Inc, they design fire, alarm, and life safety systems.

On Mon, Nov 16, 2015 at 11:12 AM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

2 it is, thanks

**From:** Danny Haber [mailto:[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)]  
**Sent:** Monday, November 16, 2015 10:43 AM  
**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Garrett, Flanoy; Low, Tim  
**Subject:** Re: 1919 Market St

Will be at DBI today at 12 does 2pm at 1919 work or 3 could work as well.

On Monday, November 16, 2015, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

Good morning,

We would like to do a walk through with OFD. Would it be possible to meet at the site sometime today? Please call me at [\(510\)238-6202](tel:5102386202).

Thanks

**Todd, Amber**

---

**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Tuesday, November 03, 2015 8:36 AM  
**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Low, Tim; Reyes, Jorge; Taylor, Marie (Allene); Jull, Thomas; Rodrigo Santos; Marv Winegar; <jh@jeremyharrisdesigns.com>; Valeska, David  
**Subject:** Re: Compliance

Hey Rich,

Stopped in last week to give you an update. We got the plans/zoning approved . We are in process of finishing up seismic, structural work and calculations. In addition we have cleaned up the electrical open boxes pointed out in the inspection and gave the tenant who did the illegal wiring until this Thursday and then we are sending in an electrician to remove anything not properly enclosed in conduit.

Also switched architects to Jeremy Harris cc'd who works with Madison Park Financial on their Live Work projects in Oakland and is more well versed in all the nuances related to live work.

Have got Rodrigo Santos who was former President of the Building Commission in San Francisco and founder of Santos & Urrutia <http://www.santosurrutia.com/history/our-team>, finishing up the structural and seismic work.

Danny

On Tue, Oct 20, 2015 at 4:16 PM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

Please understand your proposal is for consideration. A Compliance Plan Agreement is an instrument initiated and constructed by the City. You will be required to follow a work schedule that we will require of you.

**From:** Danny Haber [<mailto:dannyjhaber@gmail.com>]  
**Sent:** Tuesday, October 20, 2015 11:33 AM

**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Low, Tim; Reyes, Jorge; Taylor, Marie (Allene); Jull, Thomas; Serina Calhoun; Rodrigo Santos; Marv Winegar  
**Subject:** Re: Compliance

I'd like to clear up any questions regarding the red units:

There are several of these red units that are already vacated and have move out agreements in place (units 9, 12, 13 and 14). We will work on the coming to an agreement with the remaining units asap. We are currently evicting the man who video taped the tour, he is in possession of units 3,4, and 200. His eviction case has been filed and is set for trial.



Additionally, I'd like to reiterate that we plan on offering relocation packages (including helping with storage expenses) which was a main concern in the tenant meeting a few weeks back.

Thanks,

Danny

On Tue, Oct 20, 2015 at 11:23 AM, Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)> wrote:

Ok to answer Rich's question regarding phasing of tenants here is a diagram of how we intend to phase the building attached. In addition we will cover the cost of storage as well as offer relocation payments for people in phase 1 and phase 2 to expedite the process and make it easier on everybody.

Structural is working on seismic, foundation, and calcs and hopefully will have by early next week.

ASAP in red: started on already currently have units or agreements on units: 9, 12, 13, 14 . Currently evicting the person with video camera from the tour on units 3,4, and 200. Eviction has been filed and case is set for trial.

Yellow Phase 1 : comprises 11 units and we should rehabbed with TCO's and inspected in a 4-6 month time span. In addition to the Red which will be vacated in that time period we should have 22 units either vacant and empty or completely rehabbed by phase 1. This will compromise 61% of the building that is either vacant or TCO. During this time we will have a plan to seal off from other part of the building and to make sure utilities are not affected for people in phase 2 units.

Blue Phase 2: Consists of 14 units. We will have these units rehabbed with inspections approved in 4-6 months and TCO in place. During this process we will close off phase 2 units from phase 1 that have now been rehabbed. We will also make sure not to affect utilities.

Above would be the plan to move current tenants in a creative way that would expedite the process from what we previously submitted down from over a year and half to in a best case scenario 8 months from start of work.

On Tue, Oct 20, 2015 at 10:28 AM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

I have spoken with the inspectors and Ed. There were no agreements made as to how to move forward. As I had indicated prior to the inspectors walk through, I did not intend for the inspectors to enter into a dialogue with you or the occupants. If you believe that a meeting was held, you are mistaken, and you had prior knowledge that a discussion regarding a directive to move forward was not to take place.

Prior to a compliance plan being entered into, a discovery of the conditions needs to take place. That discovery was made on Thursday's inspections. The next step is to issue a more fully developed directive. That is what the City is in the process of constructing. The property history is also necessary to review for accuracy of the directive.

When we met at our offices with you, Serena, Ed, Frank and I, it was clear that your request for a phasing of the corrective action was not decided.

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**From:** Danny Haber [<mailto:dannyjhaber@gmail.com>]

**Sent:** Tuesday, October 20, 2015 12:16 AM

**To:** Fielding, Rich

**Cc:** Labayog, Edward; Low, Tim; Reyes, Jorge; Taylor, Marie (Allene); Jull, Thomas; Serina Calhoun; Rodrigo Santos; Marv Winegar

**Subject:** Re: Compliance

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**From:** Danny Haber [<mailto:dannyjhaber@gmail.com>]

**Sent:** Friday, October 16, 2015 10:40 PM

**To:** Fielding, Rich; Labayog, Edward; Low, Tim

**Cc:** Rodrigo Santos; Marv Winegar

**Subject:** Compliance

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**Todd, Amber**

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**Sent:** Wednesday, October 21, 2015 12:34 AM  
**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Low, Tim; Reyes, Jorge; Taylor, Marie (Allene); Jull, Thomas; Serina Calhoun; Rodrigo Santos; Marv Winegar  
**Subject:** Re: Compliance

Got it, will be at building department at 130 for a meeting with Marie. Afterwards happy to stop by compliance in person and go over any other updates. Thanks for all the open communication and dealing with my poor grammar skills.

On Tue, Oct 20, 2015 at 4:16 PM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

Please understand your proposal is for consideration. A Compliance Plan Agreement is an instrument initiated and constructed by the City. You will be required to follow a work schedule that we will require of you.

**From:** Danny Haber [<mailto:dannyjhaber@gmail.com>]  
**Sent:** Tuesday, October 20, 2015 11:33 AM

**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Low, Tim; Reyes, Jorge; Taylor, Marie (Allene); Jull, Thomas; Serina Calhoun; Rodrigo Santos; Marv Winegar  
**Subject:** Re: Compliance

I'd like to clear up any questions regarding the red units:

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Additionally, I'd like to reiterate that we plan on offering relocation packages (including helping with storage expenses) which was a main concern in the tenant meeting a few weeks back.

Thanks,

Danny

On Tue, Oct 20, 2015 at 11:23 AM, Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)> wrote:

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Blue Phase 2: Consists of 14 units. We will have these units rehabbed with inspections approved in 4-6 months and TCO in place. During this process we will close off phase 2 units from phase 1 that have now been rehabbed. We will also make sure not to affect utilities.

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**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Low, Tim; Reyes, Jorge; Taylor, Marie (Allene); Jull, Thomas; Serina Calhoun; Rodrigo Santos; Marv Winegar  
**Subject:** Re: Compliance  
**Attachments:** Compliance Plan\_1919 Market Street\_Phasing .pdf

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Mr. Santos cc'd can comment on 2 through 4. Serina do we have # 1 done yet? #5 will get back to you on.

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Happy Friday everybody,

Just wanted to go over what we spoke about in unit D at 1919 market on thursday.

We vacate the middle and back of the building which has the largest safety issues ASAP.

We then do construction in 2 phases. Phase 1 is the north side facing Market street and Phase 2 is the south side facing Myrtle street.

We will have plan in place to separate the building half under construction from other half that is not. We will relocate everybody in half that is under construction and then once work is completed we relocate the other half while we do work on other half.

We would like ability to get TCO on each half of the building as we get work done which will help with the banks. We estimate around 4 months for each phase which will take our total project time for the original 1.5 years down to 8 or less months.

**Todd, Amber**

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**From:** Serina Calhoun <serina@sync-arch.com>  
**Sent:** Wednesday, October 14, 2015 1:04 PM  
**To:** Low, Tim; Fielding, Rich; 'Danny Haber'  
**Cc:** Labayog, Edward  
**Subject:** RE: 1919 Market survey inspections  
**Attachments:** 2015-10-13 1919 Market Unit Summaries.pdf; 1919 Market City Walkthrough.pdf

Hi Ed / Rich / Tim,

Thank you so much for agreeing to the inspection tour tomorrow. We've noticed all the tenants and everything should be ready for your tour beginning at 10am.

Attached please find a document detailing our observations in all the units. We've made a preliminary pass at addressing the code violations in each unit in an effort to help expedite tomorrow. Also, for reference I've attached a copy of the existing plans for your review.

I will print 5 copies of these plans at 11x17 tomorrow for the Inspectors use. Please don't hesitate to let me know if you need anything further.

All the best,

Serina Calhoun  
*Principal Architect*  
**syncopated architecture**

**Check out our website at:** [www.sync-arch.com](http://www.sync-arch.com)  
415-558-9843

**From:** Low, Tim [<mailto:TLow@oaklandnet.com>]  
**Sent:** Friday, October 9, 2015 4:24 PM  
**To:** Serina Calhoun <serina@sync-arch.com>; Fielding, Rich <RFielding@oaklandnet.com>; 'Danny Haber' <dannyjhaber@gmail.com>  
**Cc:** Labayog, Edward <ELabayog@oaklandnet.com>  
**Subject:** RE: 1919 Market survey inspections

We are there for clarifying purpose only. You are still responsible for the design for code compliance.

---

**From:** Serina Calhoun [<mailto:serina@sync-arch.com>]  
**Sent:** Friday, October 09, 2015 3:27 PM  
**To:** Fielding, Rich; 'Danny Haber'  
**Cc:** Labayog, Edward; Low, Tim  
**Subject:** RE: 1919 Market survey inspections

Hi Rich,

Thank you so much for facilitating this Inspection walk through. I can't tell you how much we appreciate this opportunity for our teams to work together in resolving the issues present in the building.

We will notify the tenants today about the walk through so they have plenty of advanced notice.

I look forward to meeting your team.

All the best,

Serina Calhoun  
*Principal Architect*  
**syncopated** architecture

**Check out our website at:** [www.sync-arch.com](http://www.sync-arch.com)  
415-558-9843

**From:** Fielding, Rich [<mailto:RFielding@oaklandnet.com>]  
**Sent:** Friday, October 9, 2015 12:33 PM  
**To:** Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>; Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)>  
**Cc:** Labayog, Edward <[ELabayog@oaklandnet.com](mailto:ELabayog@oaklandnet.com)>; Low, Tim <[TLow@oaklandnet.com](mailto:TLow@oaklandnet.com)>  
**Subject:** 1919 Market survey inspections

Hello,

I have scheduled our survey inspections for Thursday, October 15, starting at 10 a.m.. Please alert the occupants and be prepared to make all areas accessible. I expect the inspections to be finished in less than 3 hours.

Please understand that the intention of the inspections is to assemble an overall list of elements present, and not a punch list for each tenant space. For purposes of expedition, I would request that occupants refrain from an engagement of conversation with our staff. The results of this survey inspection will be documented and presented at a date following the inspections.

If there is a problem, please notify me a.s.a.p..

Thanks,

Rich



**Todd, Amber**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Friday, October 09, 2015 2:11 PM  
**To:** Fielding, Rich  
**Cc:** Serina Calhoun; Labayog, Edward; Low, Tim  
**Subject:** Re: 1919 Market survey inspections

We'll be good to go .

On Friday, October 9, 2015, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

Hello,

I have scheduled our survey inspections for Thursday, October 15, starting at 10 a.m.. Please alert the occupants and be prepared to make all areas accessible. I expect the inspections to be finished in less than 3 hours.

Please understand that the intention of the inspections is to assemble an overall list of elements present, and not a punch list for each tenant space. For purposes of expedition, I would request that occupants refrain from an engagement of conversation with our staff. The results of this survey inspection will be documented and presented at a date following the inspections.

If there is a problem, please notify me a.s.a.p..

Thanks,

Rich



29 June 2015 (revised 13 October 2015)

City of Oakland  
Departments: Building, Fire and Planning  
250 Frank H. Ogawa Plaza  
Oakland, CA 94612

Preliminary Building survey for property located at: **1919 Market Street; Oakland**

To: Marie Allene Taylor, Edward Labayog, Gene Martinelli, Scott Miller, David Valeska, Maurice Brenya-Addow, *Tim Low, Rich Fielding*

This letter is a follow up to the letter we provided to City Staff on June 29<sup>th</sup>. Since that date, we have accessed all but 1 unit in the building and have been able to prepare more accurate floor plans and a more detailed unit by unit survey of the violations in each space.

Currently, the building is occupied by approximately 100 residents occupying 37 units in the building. A variety of code violations were noted in our walk through.

Following is an itemized list of each unit with a brief summary of the condition of the space and the most visible violations noted for your reference.

We look forward to touring the building with your team on October 15<sup>th</sup> in order to discuss the project in more detail and determine the necessary steps required to bring this building into safe compliance for residential use.

**Building Data** (see attached document A0.0):

- Block number: 0852, Lot number: 044/045
- Lot size: 63,751SF
- Existing, Type IIIB, 2-story building
  - Number of stories does not include internal levels constructed by tenants
- Square Footage
  - Existing ground floor: 52,331.25 sf
  - Existing second floor: 21,632.25 sf
  - **Existing total sf: 73,963.5 sf**
    - Does not include internal levels constructed by tenants or mezzanine spaces constructed by tenants.
    - Includes all corridor and stair areas
- Occupant loads proposed at each level
  - Ground Floor:  $48,590.75/200 = 243$  occupants
  - First floor Mezzanine:  $9,039 \text{ sf}/200 = 45$  occupants
  - Floor 2:  $38,891.75 \text{ sf}/200 = 194.5$  occupants
  - Second floor Mezzanine:  $6,016.25 \text{ sf}/200 = 30$  occupants
  - Proposed Total Area:  $102,537.75 \text{ sf}/200 = 513$  occupants
- The building is a concrete frame, with concrete exterior walls and columns.
  - The majority of the interior walls are steel studs; although within units, wood framing has been used for interior partitions.
  - The roof assembly is constructed of large wood trusses.
- The building is fully sprinklered.
  - The system has been reviewed by a Fire Sprinkler contractor, but we are not aware of the outcome of that meeting.
  - Additionally, modifications will be required to sprinkle inside the rooms constructed without permits.
- Fire extinguishers are located throughout the common hallways in wall hung cabinets and are also visible in many of the units.
- The unit entry doors between the corridor and units are not fire rated. Fire rated doors were not identified in any units, however some wall assemblies, where exposed, appear to have multiple layers of sheetrock.
- Corridor lighting appears to be compliant throughout the common spaces
- Illuminated exit signs are present at hallways, exit doors, and intersections of hallways and appear to be in compliance.
- The exit access travel distance appears to exceed 250'; to be reviewed in more detail.
- Heaters are not visibly present in any of the units; however a detailed survey of this feature was not completed.
- The building roof assembly is not insulated at any locations. The exterior fenestration is single pane where present, therefore not in compliance with T24 requirements.
- Most units appear to have their own electric meters and 125A subpanels, which appear compliant.
- The structure of the building was not evaluated, but will be reviewed by a licensed Structural Engineer in the future.



### **Ground Floor Units**

**Note: Architect has completed a detailed survey of each unit and produced accurate floor plans for the purpose of this report. Square footages noted herein do not include any constructed mezzanine or second/third story spaces within units.**

**Architect has made every effort to evaluate violations within each unit, however, due to framing installed by tenants, including multiple stories of platforms within units, some violations may not have been visible and may not be noted herein.**

#### **Unit 19:**

1,775 sf

This unit fronts onto Myrtle Street; from the exterior it appears there is a window and roll-up door.

- The window is covered from the exterior with a corrugated plastic sheathing.
- It's unclear if the roll-up door is functional.
- Approximately 3 sleeping areas have been constructed in the space; none of the sleeping areas have access to an egress window.
- Two mezzanine/loft areas have been installed in the space.
- No apparent means of ventilation is present.
- Unit has a window on the property line facing the adjacent property.
- Stairs to the mezzanine levels are not compliant.
- A gas meter is present inside the unit; attached to the water heater

#### **Unit 18:**

1,047 sf

This unit fronts onto Myrtle Street. At the interior, a raised floor assembly was installed abutting the exterior wall.

- The bathroom and kitchen are installed in a way that blocks access to the roll-up door.
- Additionally, two mezzanine levels were installed, with an elevated walkway connecting the two portions of the unit.
- One bedroom has been constructed under the central mezzanine level.
- Sleeping area does not have access to an egress window.
- Light is provided from the skylight above.
- No apparent means of ventilation is present.
- A gas meter is present inside the unit

#### **Unit 17:**

1,087.5 sf

This unit fronts onto Myrtle Street. From the exterior it appears there is a large warehouse style window, but it has been covered with a corrugated plastic sheathing. Also, an interior wall has been built inside the exterior wall assembly. 2 windows have been installed in the partition wall, which provide access to the exterior warehouse window.

- The bathroom and kitchen are installed in a way that blocks access to the exterior window.
- Approximately 4 bedrooms have been built in the space; none of the sleeping rooms have egress windows.
- A second story was constructed in the space with a wood stair to the second level. The stair has open edges with no guardrails. The rise/run appears to conform, but needs to be verified.
- One of the second floor sleeping rooms is not accessed by the stair, but only by a movable ladder.
- Light and ventilation are provided from the skylight and visible portions of the Myrtle facing windows above.
- A long sheet metal flue for the water heater has been installed at the ceiling; venting to the exterior. The length of the duct is not compliant.

#### **Unit J:**

949.5 sf

This unit fronts onto Myrtle Street; from the exterior it appears there is a window and perhaps a previous door. The door has been closed off with corrugated sheet metal. The windows are present inside the unit, but do not appear to have operable panels.

- The front windows are blocked by mezzanine floor framing.
- Two sleeping areas are noted. Both face onto Myrtle and have access to the window assemblies, however the window assemblies do not have operable panels, so compliant egress is not present.
- An additional mezzanine level has been constructed above the entrance to the unit. This area does not have access to an egress window.
- No apparent means of ventilation is present.

**Unit I:**

978.9 sf

This unit fronts onto Myrtle Street. It has a large warehouse style window along the entire end of the unit; with 3 operable panels. This unit is currently vacant.

- A mezzanine level was constructed at the rear portion of the unit; over the main entry of the unit.
- It appears the mezzanine was used for sleeping rooms. No egress window is present at this area.
- The interior stairs are not compliant for rise or run.

**Unit H:**

1,670 sf

This unit fronts onto Myrtle Street. It has a large warehouse style window along the entire end of the unit; with operable panels.

- Approximately 3 sleeping rooms have been constructed at the ground floor. None have egress windows.
- A second story platform has been installed over the rear portion of the unit; above the entry and adjacent to the interior building corridor. The stair to the second level is compliant for rise/run, but does not have a guardrail.
- An additional 3<sup>rd</sup> level platform has also been installed with a fixed wood ladder to access the platform. This platform has been hung off the existing wood joists.
- A main fire sprinkler riser and shut-off valve assembly is present inside this unit.

**Unit 16:**

887.5 sf

This unit fronts onto Myrtle Street; from the exterior it appears the warehouse style window was removed and infilled with framing and stucco. Only a small glass block window area is visible from the exterior.

- This unit has a bathroom and kitchen, but has not constructed sleeping rooms or mezzanines of any kind.
- Light appears to be provided by the small glass/block window and the skylight above.
- No visible means of ventilation is apparent.

**Unit G:**

846.25 sf

This unit fronts onto Myrtle Street; from the exterior it appears there is a large warehouse style window. It appears portion of these windows are operable.

- A second story platform has been installed above a portion of the unit. It appears this area is used for sleeping purposes, but does not have access to an egress window of any kind.
- The stairs to the mezzanine do not conform to rise or run and do not have a compliant guardrail.

**Unit F:**

1,143.5 sf

This unit fronts onto Myrtle Street. It has a large warehouse style window along the entire end of the unit; but the operable portions have been blocked by interior framing and a new mezzanine level. It's unclear if any portion of the operable panes is accessible from the interior of the unit.

Additionally, this unit faces the parking lot and has a roll-up garage door at the sidewall as well.

- Approximately 4 sleeping rooms have been constructed. Two front Myrtle and have access to the windows. The other 2 sleeping rooms are on the second story of the unit.
- A second story platform has been installed over the majority of the unit. The stair to the second level appears quite steep and does not appear to have compliant rise/run. Also, a guardrail was not installed.
- An additional 3<sup>rd</sup> level platform has also been installed with a fixed wood ladder to access the platform.

- A mechanical ventilation fan and duct have been installed at the top level of the space as well.
- The ceiling heights at each level do not appear compliant.

**"Mechanical":**

868.9 sf

- This unit is in the central corridor of the building.
- This unit does not have a kitchen or a bathroom.
- This unit does not have windows, natural light, or ventilation of any kind.
- One sleeping room has been constructed in the space. The other 2 rooms appear to have storage use only and are not occupied.

**Unit 15:**

1,710 sf

This unit is in the central corridor of the building.

- There is a bathroom, kitchen, and water heater.
- No visible sleeping rooms have been constructed, however 2 levels of mezzanine space have been built in the unit. Each mezzanine is constructed with TJI's that appear to have appropriate spacing. The top mezzanine level has been hung from the side walls and the central roof truss.
- Currently, there is no stair to the 2<sup>nd</sup> story; this space is accessed via a free-standing ladder. A stair has been installed to the 3<sup>rd</sup> level from the 2<sup>nd</sup> story platform. Guardrails have not been installed and rise/run could not be confirmed.
- These central units have no egress and rely on light/ventilation from the clerestory windows above.

**Unit 14:**

1,686 sf

This unit is in the central corridor of the building.

- These central units have no egress and rely on light/ventilation from the clerestory windows above.
- A main fire sprinkler riser and shut-off valve assembly is present inside this unit.
- A second and third floor mezzanine level have been constructed. These areas do not have access to egress windows of any kind.
- A second bathroom has been installed at the top mezzanine level.
- Private, enclosed sleeping rooms were not visible

**Unit 13:**

1,117.9 sf

We had limited access in this unit. We were able to access the ground floor common areas, but could not obtain access to the upper level mezzanine space.

This unit is in the central corridor of the building. There is a bathroom, kitchen, and water heater.

- It appears that 4 or more sleeping rooms have been installed in the unit. A stair to the mezzanine level has private access inside the unit with a locked door for a separate tenant.
- These central units have no egress and rely on light/ventilation from the clerestory windows above.

**Unit 12:**

1,130.8 sf

This unit is in the central corridor of the building.

- These central units have no egress and rely on light/ventilation from the clerestory windows above.
- 3 sleeping rooms have been constructed in the unit. 2 are on a second story platform.
- None of the sleeping rooms have access to egress windows of any kind.
- The stairs leading to the second floor level are not compliant for rise or run and do not have compliant guardrails.

**Unit 11:**

1,621.8 sf

This unit is in the central corridor of the building. There is a bathroom, kitchen, and water heater.

- No sleeping rooms have been installed in the unit. A privacy partition separates the sleeping area from the main space, but it has not been closed off with doors.
- No mezzanine levels have been constructed.
- This unit has one window facing the parking lot, which provides light and ventilation to the space.

- The ground floor window has a sill height of 5'-8", which does not comply with egress requirements.
- Additional light/ventilation comes from the clerestory windows above.

**Unit 10:**

1,708.7 sf

This unit is in the central corridor of the building. There is a bathroom, kitchen, stackable laundry unit and water heater which appears to be vented to the roof above.

- The duct run for the water heater and dryer may exceed the maximum requirement; additional research will be required.
- Three sleeping rooms have been installed in the unit. One bedroom is located on a mezzanine level.
- The stair to the mezzanine level appears compliant for rise/run, but does not have a guardrail on the open edge.
- According to the tenant, none of the framing is anchored to the concrete floor, but is attached to the sidewalls and held by gravity.
- This unit abuts the adjacent public bathroom (recently sealed off by the Owner). Openings in the wall permit the odors and sounds to penetrate from the bathroom into Unit 10.
- These central units have no egress and rely on light/ventilation from the clerestory windows above.

**Unit 9:**

1,630.5 sf

This unit is in the central corridor of the building. There is a bathroom, kitchen, laundry fixtures and electric water heater.

- The dryer ductwork is not compliant, extending well over 30' in distance to the exterior wall.
- Two sleeping rooms have been installed in the unit. One bedroom is located on a mezzanine level. Neither sleeping room has access to egress windows.
- The stair to the mezzanine level is not compliant for rise/run and also does not have a guardrail on the open edge.
- The spacing and joist size for the mezzanine floor is far below what would be required for human occupancy.
- This tenant has also installed a wall mounted ladder to the clerestory level for access to open the windows.
- These central units have no egress and rely on light/ventilation from the clerestory windows above.
- A main fire sprinkler riser and shut-off valve assembly is present inside this unit

**Unit 8:**

2,120.8 sf

This unit is in the central corridor of the building. There is a bathroom, kitchen, and electric water heater.

- Seven sleeping rooms have been installed in the unit.
- Three separate floor levels have been constructed at the corridor side of the unit.
- The stairs between sleeping rooms appear compliant for rise/run and are bounded by walls on each side so no open side is present.
- The stair on the opposite side of the unit from the living room to the mezzanine level is not code compliant for width, rise, run, and has a hazardous open edge.
- The walkway at the second mezzanine level extends under the main roof joist assembly; the ceiling height at that area is 6'-4".
- These central units have no egress and rely on light/ventilation from the clerestory windows above.

**Unit 7:**

1,930 sf

This unit is in the central corridor of the building. There is a bathroom, kitchen, and electric water heater.

- Three sleeping rooms have been installed in the unit. Two of the sleeping rooms are installed at the mezzanine level.
- Another room which may be used for sleeping is occupied by a music studio.
- None of the sleeping room spaces have an egress window or window of any kind.
- One window to the exterior parking lot is present in the unit, but has a sill height of 5'-6".
- Both stairs to the mezzanine level is not code compliant for width, rise, run, and has a hazardous open edge.
- These central units have no egress and rely on light/ventilation from the clerestory windows above.

**Unit 5:**

1,796 sf

This unit is located on the outside face of the building facing Market Street. From the exterior it appears there is a large roll-up garage door at a portion of the unit. At the other area of the space, it appears the door has been infilled with framing and stucco.

- Above the doors, clerestory glass block openings provide some natural light, but ventilation is not apparent.
- There is a bathroom, kitchen, and electric water heater located on the upper level of the unit.
- Five sleeping rooms have been installed in the unit. Also, a lofted bed has been installed in an additional open room. The mezzanine level includes the kitchen and bathroom spaces.
- The ceiling height below the mezzanine is not compliant.
- None of the sleeping room spaces have an egress window or window of any kind.
- The rise and run on the stair does not appear to be compliant.
- Clerestory windows and skylights provide additional light, but have been covered by the tenants with fabric and plastic sheeting.

**Unit 6:**

1,100 sf

This unit is located on the outside face of the building facing Market Street. From the exterior it appears there is a large roll-up garage door at one side of the unit.

- Above the doors, clerestory glass block openings provide some natural light, but ventilation is not apparent.
- There is a bathroom, kitchen, and water heater.
- Two sleeping rooms have been installed in the unit. There are 3 floor levels in this unit; the top most level has a minimal ceiling height of approximately 5'.
- None of the sleeping room spaces have an egress window or window of any kind.
- The rise and run on the stair is not compliant. A guardrail is present, but is not compliant.
- Clerestory windows and skylights provide additional light.
- The tenant currently parks 2 cars in the front of the unit. The garage/carpark area is not separated from the living space or sleeping quarters in any way.

**Unit M:**

1,071.5 sf

This unit is located on the outside face of the building facing Market Street. From the exterior it appears there was once a large roll-up garage door at one side of the unit. The door is no longer visible at the exterior. The wall has been infilled with framing and stucco.

- Above the doors, clerestory glass block openings provide some natural light, but ventilation is not apparent.
- 2 sleeping rooms have been constructed at the interior of the unit.
- None of the sleeping rooms have an egress window or window of any kind.
- A second level platform has been constructed
- No apparent means of ventilation is present; however a mechanical ventilation system has been installed.
- It appears a portion of the main sprinkler system is inside this unit; but the full riser assembly was not visible in the areas we were permitted access to.

**Unit L:**

1,133.5 sf

This unit is located on the outside face of the building facing Market Street. A roll-up garage door is present at the exterior wall. (This unit is currently vacant)

- Above the doors, clerestory glass block openings provide some natural light, but ventilation is not apparent.
- There is a bathroom, kitchen, and water heater.
- A sleeping loft has been installed in the unit at a mezzanine level. The sleeping space is open to the level below.
- The sleeping space does not have an egress window, but is directly below a large skylight assembly.
- The rise and run on the stair appears to be compliant. A guardrail is present, but is not compliant.



- A large skylight at the mezzanine level provide additional light.
- The tenant currently parks 2 cars in the front of the unit. The garage/carpark area is not separated from the living space or sleeping quarters in any way.

**Unit K:**

997 sf

This unit is located on the outside face of the building facing Market Street. From the exterior it appears there was once a large roll-up garage door at one side of the unit. The door is no longer visible at the exterior. The wall has been infilled with framing and stucco.

- Above the doors, clerestory glass block openings provide some natural light, but ventilation is not apparent.
- There is a bathroom, kitchen, and electric water heater.
- No mezzanine spaces have been installed in this unit.
- The sleeping space is not in an enclosed room but does not have access to an egress window.
- A large skylight above the entrance to the unit provides additional light.

**Unit O:**

1106.5 sf

This unit is located on the outside face of the building facing Market Street (adjacent to the current lobby). From the exterior it appears there was once a large roll-up garage door at one side of the unit. The door is no longer visible at the exterior. The wall has been infilled with framing and stucco.

- This unit has only one story of ceiling height throughout. It is unclear what is above the dropped ceiling framing.
- The unit is fully sprinklered and appears to have been part of an office
- Some of the sprinkler heads have been concealed by the tenant and covered with plastic cups.
- The bathroom is located abutting the exterior wall; preventing access to any light/ventilation.
- 3 sleeping rooms have been constructed in the unit, but it appears only the living room space in the center of the unit is used for sleeping purposes.
- None of the sleeping rooms have access to egress windows or windows of any kind.
- A mechanical system has been installed at the interior of the unit.
- Some security and telecommunication panels are present inside the unit and appear to feed larger portions of the building.

**Unit N: (Formerly the "bathroom" adjacent to the lobby.)**

301.5 sf

- This unit has no light, ventilation, or windows of any kind.
- It includes a sleeping room, kitchenette and full bathroom.

**Unit 4: (only partial access to the unit was provided)**

2,501 sf

This unit is located on the outside face of the building abutting the property line.

- All light and ventilation is obtained via clerestory windows and skylights.
- There are 2 existing lot line windows which appear original to the building. The sill heights are 5'-8" on these windows.
- Approximately 4 stories of sleeping rooms have been installed in parts of this unit. It is difficult to gauge, but it appears there are 9 sleeping rooms in this unit, constructed over 4 stories.
- A portion of this unit extends over top of the common hallway and rests above what was formerly the "Mechanical" space.
- There is a bathroom, kitchen, and electric water heater on the second floor above the former mechanical room.
- Only 1 door provides access into and out of this space.
- There are no operable egress windows in this unit.

**Unit 3: (only partial access to the unit was provided)**

7,902.5 sf

This unit is located on the outside face of the building abutting the property line. A portion of this unit also fronts onto Market Street. The Market street façade has a roll-up door which opens into a parking garage (access not provided).

- The remaining exterior wall does not have any window openings and does not appear to originally have had windows at these two bays.
- No light or ventilation was visible at any spaces.
- Two stories have been built at portions of this unit. A large portion of the unit was screened off from our view. We were not able to determine how many sleeping rooms were present. It is difficult to gauge, but it appears there were 7 sleeping rooms visible in the spaces we were provided access to.
- The unit has a large kitchen, and 2 bathrooms (built on a raised section).
- Only 1 door provides access into and out of this space.
- There are no egress windows or windows of any kind in this unit.

### **Second Floor Units**

**Note: Architect has completed a detailed survey of each unit and produced accurate floor plans for the purpose of this report. Square footages noted herein do not include any constructed mezzanine or second/third story spaces within units.**

**Architect has made every effort to evaluate violations within each unit, however, due to framing installed by tenants, including multiple stories of platforms within units, some violations may not have been visible and may not be noted herein.**

#### **Unit E:**

1,142.5 sf

This unit fronts onto Myrtle Street. It is provided with 2 large warehouse style windows that provide natural light and ventilation to the space.

- Two sleeping rooms have been constructed in the space. One has direct access to the windows. The other is in the back corner of the unit and does not have an egress window.
- The window does not expressly conform to egress requirements. The sill height on the windows is 46" and the operable portion of the window assembly is above that.
- The unit is equipped with a kitchen, open living room, and bathroom.

#### **Unit D: (currently vacant)**

1,246.5 sf

This unit fronts onto Myrtle Street. It is provided with 2 large warehouse style windows that provide natural light and ventilation to the space.

- The unit does not have any permanent partitions installed except at the bathroom.
- The window does not expressly conform to egress requirements. The sill height on the windows is 46" and the operable portion of the window assembly is above that.
- The unit is equipped with a kitchen, open living room, and bathroom.

#### **Unit C: (We were not able to gain access to this unit prior to our meeting.)**

1,245.25 sf (estimated)

This unit fronts onto Myrtle Street. It is provided with 2 large warehouse style windows that provide natural light and ventilation to the space.

- The windows do not expressly conform to egress requirements. The sill height on the windows is 46" and the operable portion of the window assembly is above that.

#### **Unit B:**

1,563.5 sf

This unit fronts onto Myrtle Street. It is provided with large warehouse style windows that provide natural light and ventilation to the space.

- The windows do not expressly conform to egress requirements. The sill height on the windows is 46" and the operable portion of the window assembly is above that.
- Two stories have been constructed inside the unit. The lower level does not have compliant ceiling height.
- Approximately 4 sleeping rooms have been constructed in the space. None of the sleeping rooms have access to an egress window.

#### **Unit A: (only partial access to the unit was provided)**

1,069 sf

This unit fronts onto Myrtle Street. It is provided with large warehouse style windows that provide natural light and ventilation to the space.

- The windows do not expressly conform to egress requirements. The sill height on the windows is 46" and the operable portion of the window assembly is above that.
- Due to limited access it is difficult to gauge if multiple bedrooms have been constructed in the space.
- The unit is equipped with a bathroom and kitchen area.

**Unit 101:**

4,466.5 sf

This unit fronts onto Market Street. This unit is on the second level of the building in a space which was formerly built out as a commercial office. The sprinklers and dropped ceilings are installed throughout.

- The unit has 3 bathrooms, and approximately 8 bedrooms.
- Only 1 means of egress is present in this unit. A stair to the lower level corridor was blocked off and access is no longer provided to the second exit.
- The 4 bedrooms facing Market Street appear to have compliant egress windows, with compliant sill heights. The 4 bedrooms facing the rear of the building all have windows, but have 4' window sills.

**Unit X:**

1,545.8 sf

This unit fronts onto Market Street. A bathroom is on the ground floor, but the majority of the unit is up on the second level. This space was formerly a commercial office and is fully sprinklered with drop ceilings throughout.

- The windows facing Market Street are compliant heights and sizes for egress, but only 1 bedroom faces this side of the building. The second bedroom (abutting the parking lot) does not have windows of any kind. The third bedroom faces the rear of the unit and has operable windows, however, the sill height is 48" at these windows.
- The bathroom is located on the lower level entry to the unit.

**Unit 200: (only partial access to the unit was provided)**

6,520.6 sf

This abuts the property line. There are no windows of any kind due to its location in the building. Light and ventilation is provided via large skylights above.

- The unit has 2 dedicated means of egress and is constructed with only 1 level.
- Approximately 12 sleeping rooms have been constructed in the space. None of the sleeping rooms have egress windows or access to windows of any kind.
- The unit is equipped with at least 2 bathrooms and 1 kitchen
- A variety of electrical violations are apparent including a large number of J-boxes ganged together at multiple locations in the unit.

**Unit 300:**

1,821.9 sf

This unit abuts Market Street. (3) large windows face onto Market Street.

- The unit has a bathroom and kitchen at the rear of the unit.
- 1 bedroom faces Market Street and has a window to the street. The sill height is compliant for egress at 41".
- Another bedroom has been framed at the interior of the unit and does not have access to an egress window or window of any kind.
- A mezzanine level with a steep ladder has been constructed over a portion of the unit. It is unclear if this area is used for sleeping purposes. It does not have access to an egress window or window of any kind.



**Assessment:**

Upon completion of our preliminary review of the units, we are considering different solutions for different portions of the building. We've submitted proposed plans for the entire building to Planning on October 13<sup>th</sup>.

Additional steps have been taken to notify the tenants of the conditions. We provided a detailed assessment of the safety hazards to the Owner and Property Manager on July 8<sup>th</sup>. Additionally, we've submitted 2 compliance plan schedules for all the work in the building to the City. The first report was submitted on July 9<sup>th</sup> and the second was submitted on September 17<sup>th</sup> for City review.

We continue to work with City staff to reach a resolution for how best to resolve the violations present in this building.

Based on the conditions observed during our walk-throughs, we noted a series of violations to be corrected in every unit. Following is a brief summary of items to be addressed in all units as well as additional work required in areas requiring more extensive remediation.

**Unit Renovations include but are not limited to the following:**

- Removal of all framing installed without permits, including all mezzanine levels constructed within units.
- Modifications to sprinkler system throughout.
- Installation of fire rated door assemblies at corridors.
- Installation of fire rated separations between dwelling units.
- Installation of insulation throughout wall and ceiling/roof assemblies in compliance with Title 24.
- Installation of new exterior windows and doors throughout to comply with egress requirements
- Installation of heating systems throughout.
- Reconfigure units with fire sprinkler risers and shut-off valves to be accessed from public areas of the building, rather than within individual dwelling units.

**Additional work:**

For the units abutting the property line (Units 3, 4, 200), the tenant improvements can easily be parceled off as a separate project. Our goal for this area is to have a permit submittal ready in January of 2016, with an anticipated completion of October 2016 at these areas. Construction of these units will help provide additional units to move existing tenants into during the ongoing construction in the building.

Due to the large interior spaces, more extensive work will be required in the central corridor of the building and at the units abutting the adjacent property line. We have created designs for installation of interior courtyard spaces to provide light/ventilation at these areas of the building. The work will include a major reconstruction of these interior spaces. Plans were submitted to Planning on October 13<sup>th</sup> identifying the work at these areas.

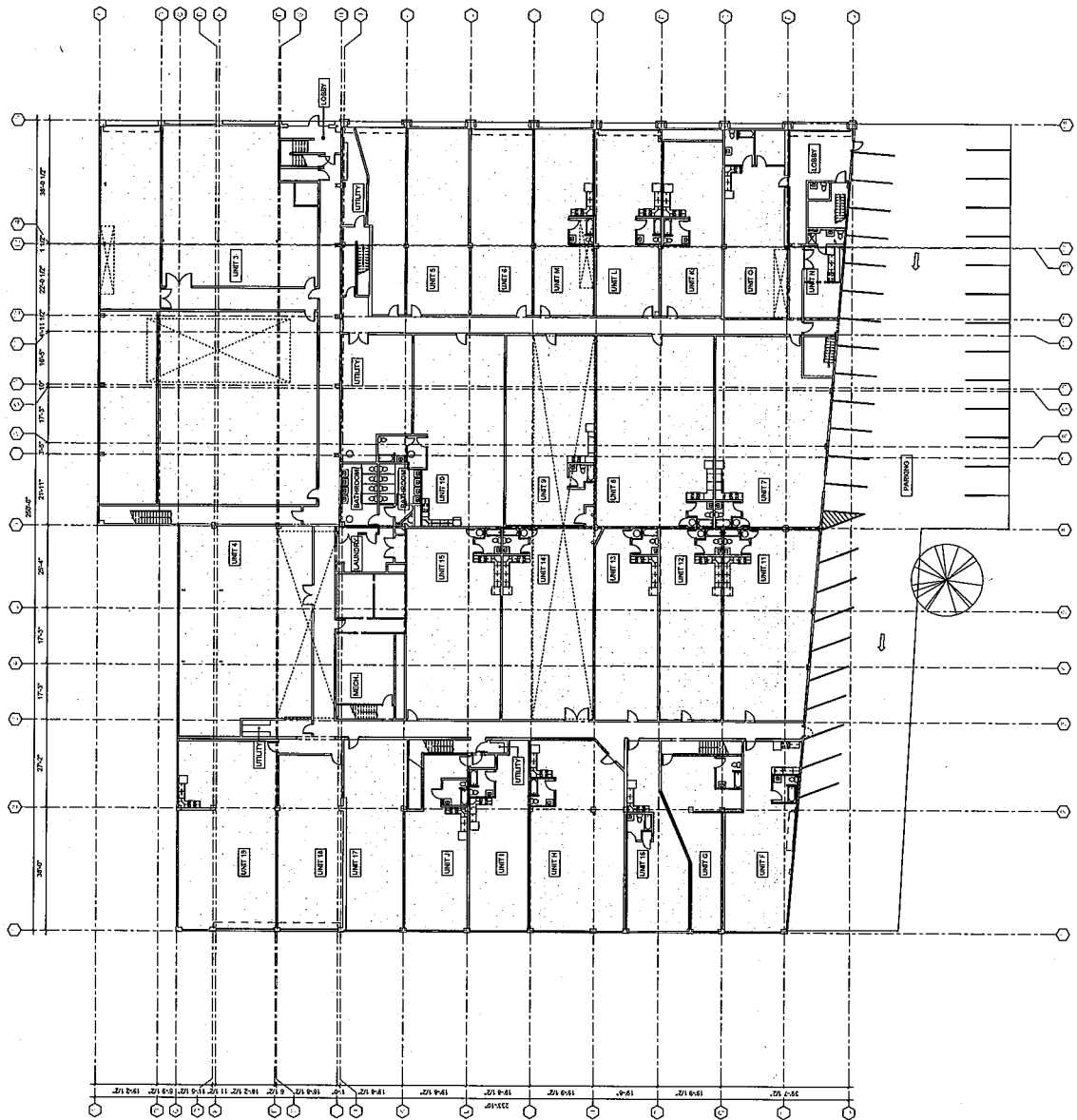
Our goal is to have a complete permit submittal ready for the middle spaces (units 7-15, and "mechanical") by April, 2016. We anticipate approximately a year for construction, with an anticipated completion of April 2017 at that area.

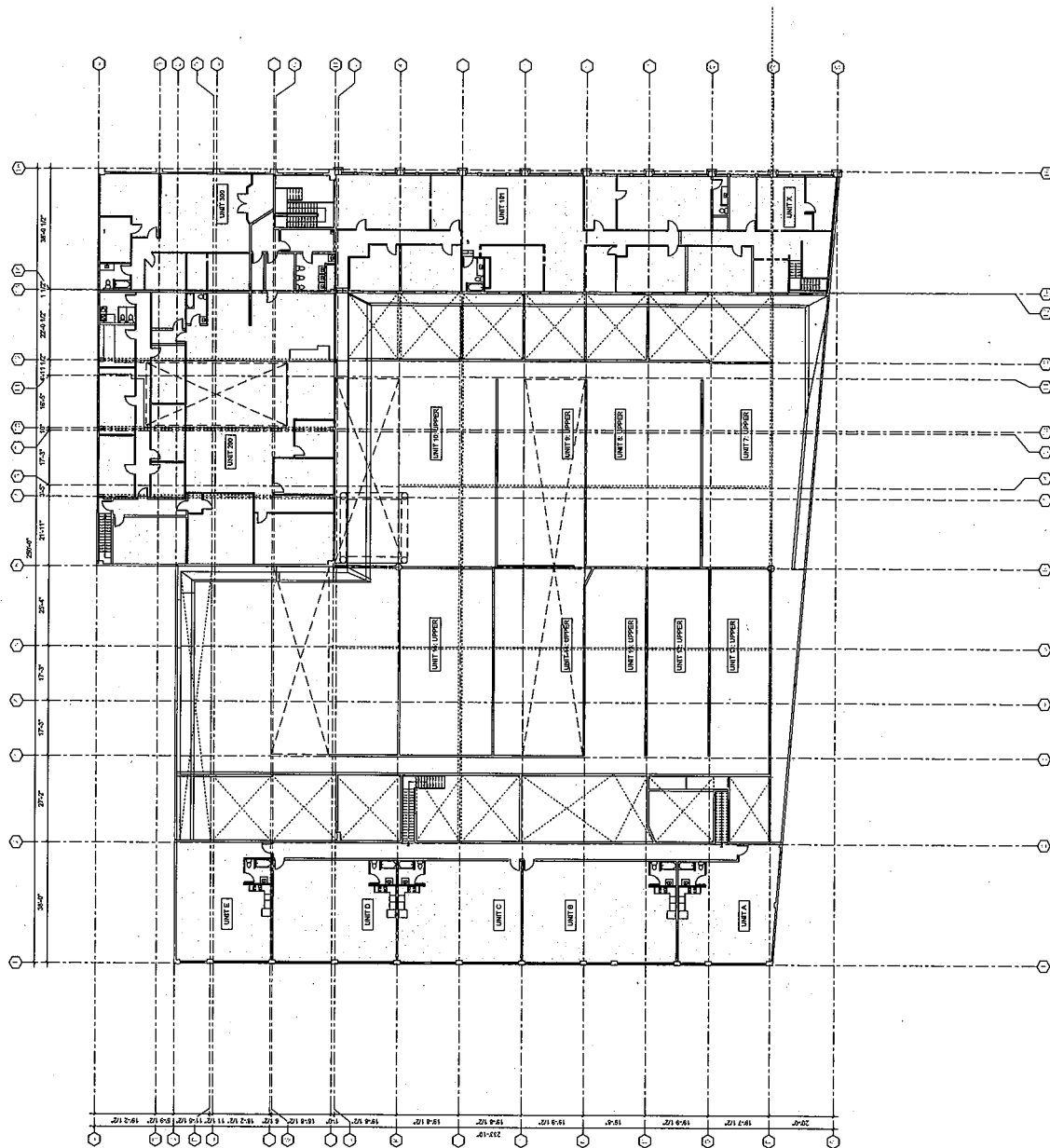
We look forward to meeting with you to discuss these items. Also, it would be of great benefit to us if you would make us aware of any other approvals, code implications, or additional requirements that may be necessary for our project upon completion of our Inspection tour scheduled for October 15<sup>th</sup>.

Sincerely,

Serina Calhoun  
*Principal Architect*  
syncopatedarchitecture

415.558.9843  
[serina@sync-arch.com](mailto:serina@sync-arch.com)





**Todd, Amber**

---

**From:** Serina Calhoun <serina@sync-arch.com>  
**Sent:** Tuesday, October 06, 2015 6:23 PM  
**To:** Fielding, Rich; Labayog, Edward; Low, Tim  
**Cc:** 'Danny Haber'  
**Subject:** RE: Compliance Meeting

Hi Rich,

I'm so sorry. Apparently I misunderstood the outcome of our meeting. I sincerely apologize if I presumed too much about the scheduling or the intent of our conversation.

We are very hopeful that your manager can dedicate the resources for a detailed tour through the building with your Inspection team so that we can all move forward together in reaching a solution that works for all parties involved.

Further, we understand your position that it's within your power to require the building to be vacated and demolished. We sincerely hope it doesn't come to such an extreme solution and hope that we can work together to find a solution. As we mentioned, many of these people have lived in the building for 10-15 years and have truly make them into their homes. They are all very anxious about having to leave and we are trying everything possible to work with them while we improve the building to make it safe for everyone.

As it currently stands, our proposed phasing plan for improvements has the last 7 units moving out in October of next year for the final unit improvements. We saved 7 of the perimeter units for last because they at least have access to light/ventilation with the windows fronting onto the streets, but I realize this is a long time for the overall project and may not meet the City requirements for an expeditious resolution.

As we discussed, we've made every effort to keep the existing tenants in the building and move them into the renovated units as they become available. There is, of course, the possibility that some tenants will choose to leave, or accept buy-outs to move out, but the plan we submitted assumed that everyone would be staying. This plan will continue to evolve as we receive feedback from tenants, but we will also continue to evaluate more creative solutions as you have requested, such as renting space off site to move people into as well if we can find spaces that will accept their pets and business needs.

We will wait to hear from you about next steps. Please don't hesitate to let us know if you need anything further.

Best Regards,

Serina Calhoun  
*Principal Architect*  
**syncopated architecture**

**Check out our website at:** [www.sync-arch.com](http://www.sync-arch.com)  
415-558-9843

**From:** Fielding, Rich [mailto:RFielding@oaklandnet.com]  
**Sent:** Tuesday, October 6, 2015 8:03 AM  
**To:** Serina Calhoun <serina@sync-arch.com>; Labayog, Edward <ELabayog@oaklandnet.com>; Low, Tim <TLow@oaklandnet.com>  
**Cc:** 'Danny Haber' <dannyjhaber@gmail.com>  
**Subject:** RE: Compliance Meeting

This tour will need prior approval from our manager. If it is to happen, the arrangements for the handling of our normal workload will have to be reviewed and accommodated by others. I had indicated that I would be apprising you as soon as I knew more. I did not state that it was to take place the week starting 10/12.

If it is to happen, I will attempt to provide you with enough advance notice to accommodate the tenants.

---

**From:** Serina Calhoun [mailto:serina@sync-arch.com]  
**Sent:** Monday, October 05, 2015 12:07 PM  
**To:** Labayog, Edward  
**Cc:** Fielding, Rich; 'Danny Haber'  
**Subject:** RE: Compliance Meeting

Hi Rich / Ed,

Thank you so much for taking time to meet with us last week to discuss our project at 1919 Market Street.

As we discussed, we continue to make every effort to work with your team to resolve the violation issues in the building. We are still on target to submit the full Planning set to convert the building to live/work use this week.

We appreciate the offer to bring through a team of your senior inspectors to go through the units. As you know, the tenants are very mistrustful and a document from the City identifying the violations will help them understand the seriousness of the conditions in which they live.

We look forward to touring your senior inspectors through the property in the week of October 12<sup>th</sup>. We had a meeting with the tenants over the weekend and notified them that you would be coming through during that week.

The tenants are very anxious about their schedules. Many would like to be present when you come through, and we'd like to provide them with adequate notice so they can make arrangements with their employers and other schedule constraints.

As discussed, I will update the document I prepared in July citing the violations I noted in each of the units prior to your tour. I will email you a copy of the report this week, along with plans of the existing units for reference for your use in the tour through the building.

Please let us know what day you would like to tour the property so we can make arrangements.

Best Regards,

Serina Calhoun  
*Principal Architect*  
syncopated architecture

Check out our website at: [www.sync-arch.com](http://www.sync-arch.com)



**From:** Labayog, Edward [<mailto:ELabayog@oaklandnet.com>]  
**Sent:** Thursday, October 1, 2015 1:01 PM  
**To:** Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)>  
**Cc:** Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)>; Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>  
**Subject:** RE: Compliance Meeting

Got it.

Ed

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**From:** Serina Calhoun [<mailto:serina@sync-arch.com>]  
**Sent:** Thursday, October 01, 2015 12:55 PM  
**To:** Fielding, Rich; Danny Haber; Labayog, Edward  
**Subject:** RE: Compliance Meeting

My apologies. We are in ballpark traffic and running 15 min behind.

Serina

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** "Fielding, Rich" <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)>  
**Date:** 09/30/2015 1:46 PM (GMT-08:00)  
**To:** Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>, "Labayog, Edward" <[ELabayog@oaklandnet.com](mailto:ELabayog@oaklandnet.com)>  
**Cc:** Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)>  
**Subject:** RE: Compliance Meeting

Good afternoon Mr. Haber and Ms. Calhoun,

I'd like to introduce myself to you. I am a Principal Inspection Supervisor with the Bureau of Building (the division that is handling the code enforcement issues at 1919 Market St.). On 8/17/15, Marie and I traded disciplines that we had jurisdiction over, prior to that date.

Ed and Marie have brought me up to speed on the matters involved at the site in question. I will be assuming a position of responsibility for the direction towards corrective actions that will be necessary. I will be part of the upcoming meeting at our offices (tomorrow?).

From the e-mail exchanges with Dave Valesca and your team, there are two issues I would like to speak to.

1. The proposal is for a change of Occupancy. For the plan check from the building division (pending the prior approvals necessary from the Planning Dep't.) you will need to provide an engineer's seismic analysis.
2. Your prediction of the time frames to have a Planning determination and Building Plan check to the point of permit issuance is extremely optimistic.

**Todd, Amber**

---

**From:** Serina Calhoun <serina@sync-arch.com>  
**Sent:** Tuesday, September 29, 2015 12:20 PM  
**To:** Labayog, Edward; 'Danny Haber'  
**Cc:** Fielding, Rich; Low, Tim  
**Subject:** RE: Compliance Meeting

Hi All,

I just wanted to check in. I am still available Wednesday and Thursday to meet, but would love to pin down a time as soon as possible so I can coordinate the rest of my schedule.

Thanks so much,

Serina Calhoun  
*Principal Architect*  
**syncopated architecture**

**Check out our website at:** [www.sync-arch.com](http://www.sync-arch.com)  
415-558-9843

**From:** Labayog, Edward [<mailto:ELabayog@oaklandnet.com>]  
**Sent:** Monday, September 28, 2015 12:29 PM  
**To:** Serina Calhoun <serina@sync-arch.com>; 'Danny Haber' <dannyjhaber@gmail.com>  
**Cc:** Fielding, Rich <RFielding@oaklandnet.com>  
**Subject:** RE: Compliance Meeting

I am talking to Tim And Rich this afternoon, we will get back to you shortly.

Edward J. Labayog  
Sr. Specialty Combination Inspector  
Planning and Building Department  
Building Bureau  
(510) 238-4793  
[elabayog@oaklandnet.com](mailto:elabayog@oaklandnet.com)

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**From:** Serina Calhoun [<mailto:serina@sync-arch.com>]  
**Sent:** Monday, September 28, 2015 9:14 AM  
**To:** 'Danny Haber'; Labayog, Edward  
**Cc:** Low, Tim; Fielding, Rich  
**Subject:** RE: Compliance Meeting

I am available all day Wednesday if there is a time that works for you.

All the best,

Serina Calhoun  
*Principal Architect*  
**syncopated** architecture

Check out our website at: [www.sync-arch.com](http://www.sync-arch.com)  
415-558-9843

**From:** Danny Haber [<mailto:dannyjhaber@gmail.com>]  
**Sent:** Friday, September 25, 2015 11:48 PM  
**To:** Labayog, Edward <[ELabayog@oaklandnet.com](mailto:ELabayog@oaklandnet.com)>  
**Cc:** Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)>; Low, Tim <[TLow@oaklandnet.com](mailto:TLow@oaklandnet.com)>; Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)>  
**Subject:** Re: Compliance Meeting

Wednesday?

On Fri, Sep 25, 2015 at 6:51 PM, Labayog, Edward <[ELabayog@oaklandnet.com](mailto:ELabayog@oaklandnet.com)> wrote:

Let's do it later next week not Monday

Sent from my iPhone

On Sep 25, 2015, at 5:38 PM, Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)> wrote:

Hi everyone,

My Tuesday is pretty full of meetings, but Monday is open. Is there a time in the afternoon on Monday we could meet to discuss the compliance plan?

Thanks so much,

Serina Calhoun

*Principal Architect*

**syncopated** architecture

Check out our website at: [www.sync-arch.com](http://www.sync-arch.com)

415-558-9843

**From:** Danny Haber [<mailto:dannyjhaber@gmail.com>]

**Sent:** Friday, September 25, 2015 11:25 AM

**To:** [tlow@oaklandnet.com](mailto:tlow@oaklandnet.com); [rfielding@oaklandnet.com](mailto:rfielding@oaklandnet.com); Labayog, Edward  
<[elabayog@oaklandnet.com](mailto:elabayog@oaklandnet.com)>; Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)>

**Subject:** Compliance Meeting

Hi guys,

Would like to setup a meeting for Monday or Tuesday regarding the compliance plan for 1919 Market street that Serina cc'd has submitted . Please let me know what works.

Danny

**Todd, Amber**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Friday, September 25, 2015 11:25 AM  
**To:** Low, Tim; Fielding, Rich; Labayog, Edward; Serina Calhoun  
**Subject:** Compliance Meeting

Hi guys,

Would like to setup a meeting for Monday or Tuesday regarding the compliance plan for 1919 Market street that Serina cc'd has submitted . Please let me know what works.

Danny

**Todd, Amber**

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**From:** Carlos Plazola <cplazola@buildzig.com>  
**Sent:** Tuesday, April 07, 2015 11:18 AM  
**To:** Martinelli, Gene  
**Cc:** Danny Haber; Low, Tim  
**Subject:** 1919 Market

Gino, on behalf of Danny Haber, I am writing to see if you could coordinate a meeting with yourself and anyone from your division or department you think should attend.

Danny Haber is interested in ultimately acquiring certificates of occupancy for the build out at 1919 Market and would like to sit and meet with whomever he needs to in order to develop a comprehensive compliance plan. Please advise.

Carlos Plazola

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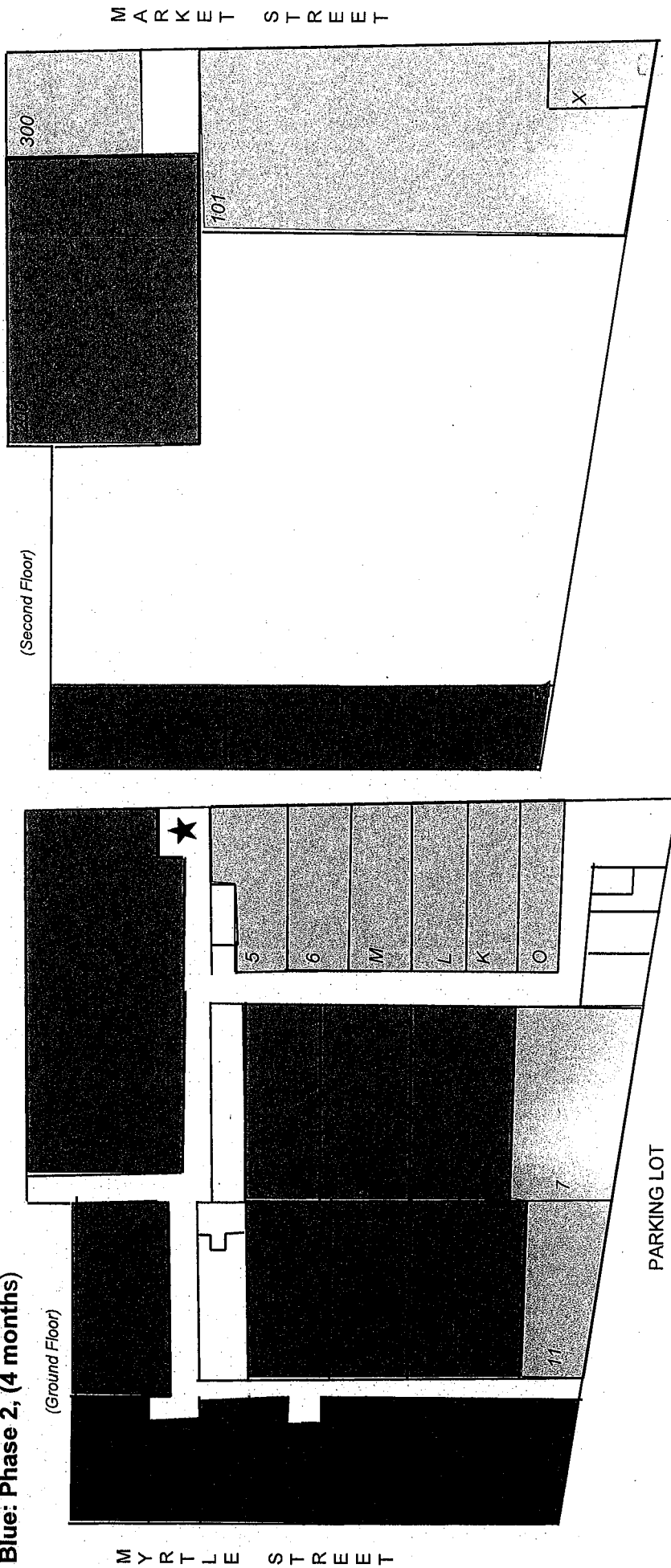
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**Carlos Plazola**  
Head Zigmeister/CEO  
Direct: 510.207.7238

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1211 Embarcadero Way, Suite D  
Oakland, CA 94606  
o: 800.380.0180 f: 866.703.5150  
[www.buildzig.com](http://www.buildzig.com)

Red: ASAP  
Yellow: Phase 1 (4 months)  
Blue: Phase 2, (4 months)



## Fielding, Rich

From: Danny Haber <dannyhaber@gmail.com>  
 Sent: Tuesday, January 26, 2016 8:44 AM  
 To: Labayog, Edward; Fielding, Rich  
 Subject: 1919 Market Tenant status

3	Jean Paul Phicosy	stipulation signed to leave January 31st Has 40 subtenants	[REDACTED]	[REDACTED]	[REDACTED]
4	Jean Paul Phicosy	stipulation signed to leave January 31st Has 40 subtenants	[REDACTED]	[REDACTED]	[REDACTED]
5	Cesar Hernandez	agreed to leave by 1/31	[REDACTED]	[REDACTED]	[REDACTED]
6	Kenneth Session	agreed to leave by January 31st	[REDACTED]	[REDACTED]	[REDACTED]
7	Brendan West & Stephen Goodwin	Relocation check agreed to leave by January 31st	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]					
9	Will Urbina	moved out	[REDACTED]	[REDACTED]	[REDACTED]
10	Steven & Mora Matinday	move out agreement signed	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]					
12	Joachim Hansen & Abdullah McLean	relocation payment on 1/26 and committed to leave on January 31st	[REDACTED]	[REDACTED]	[REDACTED]
13	Michael McGee	move out	[REDACTED]	[REDACTED]	[REDACTED]
14	Michael McGee	move out	[REDACTED]	[REDACTED]	[REDACTED]
15	Raymee Fults	lawyer said will move out by January 31st	[REDACTED]	[REDACTED]	[REDACTED]
16	Todd Wheeler	move out agreement	[REDACTED]	[REDACTED]	[REDACTED]
17	Daniel Holmes	lawyer said they will leave by January 31st	[REDACTED]	[REDACTED]	[REDACTED]
18	Devin De Armond & Victoria De Armond	committed to moving out	[REDACTED]	[REDACTED]	[REDACTED]
19	Evan Benelli & Lellani Hingada	received relocation check	[REDACTED]	[REDACTED]	[REDACTED]
100	Ronnie Rodas	move out stipulation	[REDACTED]	[REDACTED]	[REDACTED]
101	Leticia Ramirez	close to move out stipulation	[REDACTED]	[REDACTED]	[REDACTED]
200	Jean Paul Phicosy	move out stipulation Has 40 subtenants	[REDACTED]	[REDACTED]	[REDACTED]



300	Rebecca Lippert & Alexandra Lynch	mailed relocation check			
A	Polina Bakhtov / Rashad Lindsey	move out stipulation			
C	Alex Hernandez & Victoria Jarvis	received relocation check			
D	VACANT	VACANT	VACANT	VACANT	
E	Christopher Brum & Julia Langer	move out agreement			
F	Robert Ellis	committed to move out from lawyer			
G	Jane Randall	spoke with lawyer needs more time			
H	Jessalyn Aaland & Paul Morgan	said would move out on 31st but have seen no movement			
I	Micah Frazier	moved out	610-290-0919		
J	Melanie Lem & Greg Hart	relocation check committed to move out on 31st			
K	Brian Sheed & Sierra Gross	moved out			
L	Richard Baker	moved out			
M	Raymee Fults	committed to move out per lawyer			
N	Elizabeth Mattingly	moved out already			
O	Kelly Silva	received relocation payment said he's leaving on 31st			

## Fielding, Rich

---

**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Tuesday, February 02, 2016 10:31 PM  
**To:** Fielding, Rich  
**Cc:** Low, Tim; Labayog, Edward; Martinelli, Gene; Lah, Andrew  
**Subject:** Re: 1919 market

Can email you pictures if you would like.

On Tue, Feb 2, 2016 at 10:30 PM, Danny Haber <dannyjhaber@gmail.com> wrote:  
We have planned on this coming Tuesday and Wednesday from 8am-4PM, we will have construction workers to assist. We will alert everybody that these are the times.

Boarded windows, bolted all the gates, bolted from inside and locked doors from outside.

On Tue, Feb 2, 2016 at 3:58 PM, Fielding, Rich <RFielding@oaklandnet.com> wrote:

Danny,

The tenants must be given temporary access to retrieve their personal possessions. This must be provided by you, the owner. It should be well coordinated with the supervision of a knowledgeable (structural engineer?). In no way was the intent of the verbiage, "not to return without written consent of the Building Official" intended to prevent former occupants to retrieve their possessions.

What measures have you taken to ensure the securing of the building? Boarded entries, padlocks...

**From:** Danny Haber [mailto:dannyjhaber@gmail.com]  
**Sent:** Friday, January 29, 2016 12:41 PM  
**To:** Low, Tim  
**Cc:** Labayog, Edward; Fielding, Rich  
**Subject:** Re: 1919 market

Updated tenant list with move out dates for 1919 Market attached.

On Fri, Jan 29, 2016 at 6:34 AM, Low, Tim <TLow@oaklandnet.com> wrote:

Please provide us with a current list of tenants (names & # of occupants) and (anticipated/actual) moved out date.

What are your plan to remove the "left-over" tenants on 2/1/2016?

Have you submit a temporary construction power application to PG&E?

Sent from my iPad

> On Jan 28, 2016, at 6:32 PM, Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)> wrote:

>

> turbo Ted has agreed to vacate as of this Saturday .

## Fielding, Rich

---

**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Thursday, January 28, 2016 6:32 PM  
**To:** Labayog, Edward; Fielding, Rich; Low, Tim  
**Subject:** 1919 market

turbo Ted has agreed to vacate as of this Saturday .

## Fielding, Rich

---

**From:** Labayog, Edward  
**Sent:** Wednesday, January 06, 2016 11:54 AM  
**To:** Danny Haber  
**Cc:** Fielding, Rich; Low, Tim; Martinelli, Gene  
**Subject:** RE: 1919 Market

I met with Marv and your electrician along with our inspector Joel Garcia, we reviewed some of the things that can be addressed for safety and they are getting the permit necessary.

I did not tell Marv him anything new, we know you've been working hard to vacate the building. Our plan is to red tag the building on the 27<sup>th</sup>. If you cannot accomplish full vacancy by the 31<sup>st</sup>. You can let us know what's going on with your tenants that are refusing to leave beforehand so we can review the situation.

Edward J. Labayog  
Sr. Specialty Combination Inspector  
Planning and Building Department  
Building Bureau  
(510) 238-4793  
[elabayog@oaklandnet.com](mailto:elabayog@oaklandnet.com)

**From:** Danny Haber [<mailto:dannyjhaber@gmail.com>]  
**Sent:** Wednesday, January 06, 2016 10:39 AM  
**To:** Labayog, Edward; Fielding, Rich; Low, Tim; Martinelli, Gene  
**Subject:** 1919 Market

Ed, can you give me a call? I just got off the phone with Marv who you spoke with and he spoke about the 72 hour notice you guys are giving on the 27th and then your plan to remove anybody after that date.

We are making progress with tenants but their are still some living in fantasy land . I'd like to be able to tell them exactly starting on February 1st anybody staying would be removed.

We will give them ability to pick up items they could not get out the following weeks but I think its important we put apart of this new letter what will happen on the 1st.

## Fielding, Rich

---

**From:** Klein, Heather  
**Sent:** Thursday, February 04, 2016 10:17 AM  
**To:** Jeremy M Harris  
**Cc:** Rose, Aubrey; Fielding, Rich  
**Subject:** RE: 1919 Market Checklist  
**Attachments:** Commercial Checklist V3.pdf; NONRESIDENTIAL\_ADDITIONS\_and\_ALTERATIONS\_2013\_CALGreen\_Checklist.pdf

Jeremy,

Sorry it's taken so long to respond back to you. I've been out sick all this week.

I think that this project is on the fence as to whether it is a Major Alteration or not partly because a lot of it is existing and partly because you are tying into the plumbing and electrical system. Given my experience I'm not quite sure that you could meet the LEED checklist based on the points outstanding below. Projects tend to lose rather than gain points and you are barely making the checklist as is.

I'm fine with making a call that this is not a Major Alteration project based on the factors above. However, please note that bike parking is required for remodel projects that are over ten thousand (10,000) square feet and have an estimated construction cost, excluding seismic retrofit costs, greater than two hundred fifty thousand dollars (\$250,000.00) or are over fifty thousand (50,000) square feet and have an estimated construction cost, excluding seismic retrofit costs, over one million dollars (\$1,000,000.00). You need to meet both thresholds for this requirement to kick in. Double check your sq ft and construction costs and I'll provide the requirements or you could review them yourself in chapter 17.117 of the Oakland Planning Code.

Attached are the checklists you need to complete and have on the plans.

Best,  
Heather

-----Original Message-----

**From:** Jeremy M Harris [<mailto:jh@jeremyharrisdesigns.com>]  
**Sent:** Friday, January 29, 2016 4:44 PM  
**To:** Klein, Heather  
**Subject:** 1919 Market Checklist

Hi Heather-

I just got this initial assessment of the project by our LEED representative. Please take a look.

Currently we scored a 36.

These are the areas I think we could gain points, with effort and more knowledge.

1 Point - Bicycle facilities. Currently none, but it could be possible to add bikes somewhere in the future design.

4 Points - Materials and Resources. Need a contractor on board to know these numbers better. Previous project of ours scored 1 point. A lot of the materials in the project are existing, so not sure how that would affect the percentage of materials read to pass.

1 points - Possibly interior lighting

---

2 points - Leed for development location. We could locate transit and make those community relationship documents;  
Site recycling; all the other parts don't seem to apply so much.

That brings us to an initial possible score of 44.

What are your thoughts?

Thanks,

-Jeremy

8584495270

## Fielding, Rich

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Monday, November 16, 2015 11:14 PM  
**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Garrett, Flanoy; Low, Tim; <jh@jeremyharrisdesigns.com>  
**Subject:** Re: 1919 Market St

End of this week can we all get around a table and go over an exact plan. CC'ing Jeremy who took over as architect and is more well versed in live work code and I'd also like to invite Ben Tehrani from FSAC Inc, they design fire, alarm, and life safety systems.

On Mon, Nov 16, 2015 at 11:12 AM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

2 it is, thanks

**From:** Danny Haber [mailto:[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)]  
**Sent:** Monday, November 16, 2015 10:43 AM  
**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Garrett, Flanoy; Low, Tim  
**Subject:** Re: 1919 Market St

Will be at DBI today at 12 does 2pm at 1919 work or 3 could work as well.

On Monday, November 16, 2015, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

Good morning,

We would like to do a walk through with OFD. Would it be possible to meet at the site sometime today? Please call me at (510)238-6202.

Thanks



## Fielding, Rich

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**From:** jh@jeremyharrisdesigns.com  
**Sent:** Friday, January 15, 2016 1:05 AM  
**To:** Fielding, Rich; Danny Haber  
**Cc:** Labayog, Edward; Cook, Brigitte; Illgen, Richard; Harlan, David; Lah, Andrew; Taylor, Marie (Allene)  
**Subject:** RE: 1919 Market St.

Hi Rich-

Danny had already spoke to you, but I just wanted to confirm that both the Architecture and Structural end are working as fast as possible to put together a permit that combines both the previous phases into to just one set to submit for 1919 Market. Having two phases was meant to get things in and moving as fast as possible, but it has created a whole set of problems and has complicated an already difficult process to produce the work. Realistically, they should have been done together, with the appropriate time agreed upon to have a comprehensive set that meets all code requirements.

This brings us to where we are now, which is producing a permit for everything as best as we can by February 1<sup>st</sup>. All future inquiries and submittals should and will be through the Architecture team, so that there is no longer confusion and lack of communication regarding the submittal process.

Jeremy Harris | Design Artist  
Jeremy Harris Designs  
c | 858.449.5270  
e-mail | jh@jeremyharrisdesigns.com  
mail | 1155 5th Street Apt.108, Oakland, CA 94607  
web | www.jeremyharrisdesigns.com  
digital sets reel | <http://youtu.be/cE61OFX6GIU>

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**From:** Fielding, Rich  
**Sent:** Tuesday, January 12, 2016 1:48 PM  
**To:** Danny Haber  
**Cc:** Labayog, Edward; Cook, Brigitte; Illgen, Richard; Harlan, David; Lah, Andrew; Taylor, Marie (Allene); [jh@jeremyharrisdesigns.com](mailto:jh@jeremyharrisdesigns.com)  
**Subject:** RE: 1919 Market St.

The LOV seemed to bring the reality of the danger present and urgency to vacate to the tenant I met with yesterday. I hope that by making all tenants similarly aware by giving them the LOV will produce the same result. I am not given to have the meeting that you suggest.

*An important element for you to understand is that you (as owner) are entirely responsible for the conditions that exist. You are responsible to have the building vacated. I strongly urge you to consult with your attorneys to ensure that proper notice has been given to all tenants for the termination of all leases.*

I am also concerned with your failure to comprehend the submittals necessary. You do have a design team of architects and engineers. They are the professionals that know the requirements. Could you delegate the submittal process to one of these professionals (Jeremy?)? Could they come in with documents and as for guidance from the Engineer of the Day?

**From:** Danny Haber [mailto:dannyjhaber@gmail.com]

**Sent:** Tuesday, January 12, 2016 12:26 PM

**To:** Fielding, Rich

**Cc:** Labayog, Edward; Cook, Brigitte; Illgen, Richard; Harlan, David; Lah, Andrew; Taylor, Marie (Allene)

**Subject:** Re: 1919 Market St.

Can we hold a meeting in the church next door as soon as possible so we can have people in the building understand from compliance that the situation is serious and so everybody can understand the life safety concerns? We can present relocation agreements as well. We have been meeting with people individually but I think as a group would be more helpful with compliance there.

We will print the list of violations and put them under everybody door with a cover letter as well.

On Tuesday, January 12, 2016, Fielding, Rich <RFielding@oaklandnet.com> wrote:

Danny,

I had an interesting meeting with a tenant yesterday. The father of that tenant was also at this meeting and stated that he was formerly a Chief Building Official and a Fire Marshall.

I asked the tenant to show me the public information documents that the ownership had given to the tenants. What you did not provide the tenants with was the List of Violations. I attach this to this mail.

This is perhaps the most important piece of information for the tenants to be made aware of. I can now understand how Joy Newhart has kept this in the realm of a "political" issue and not understood that the most important thing for her to know is that she and the others are in harms way.

Ms. Newhart has been referred to me by David Harlan and others, but she refuses to meet with me. She has spoken with Richard Illgen and if he referred her to Tim, Tim asked me to speak with her. I would welcome a conversation with her, but I don't believe she is agreeable.

Please give her, and all tenants, the List of Violations. Also make them aware that OFD is part of this and both departments are trying to preserve Life Safety.

Rich Fielding

Principal Inspection Supervisor

Code Enforcement

Bureau of Building

Department of Planning and Building

City of Oakland

(510)238-6202

[rfielding@oaklandnet.com](mailto:rfielding@oaklandnet.com)

**From:** Danny Haber [mailto:[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)]

**Sent:** Tuesday, January 12, 2016 9:43 AM

**To:** Labayog, Edward; Fielding, Rich; Cook, Brigitte

**Subject:** Fwd: 1919 Market St.

Can we setup meeting with Joy below at code compliance and explain the situation to her? She is going to people all over the building and telling them they do not have to move out.

In addition, Brigitte would it still be possible to setup meeting at the church next door?

----- Forwarded message -----

**From:** Joy Newhart <[joynewhart@sbcglobal.net](mailto:joynewhart@sbcglobal.net)>

**Date:** Fri, Jan 8, 2016 at 10:11 AM

**Subject:** 1919 Market St.

**To:** Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>

**Cc:** [rillgen@oaklandnet.com](mailto:rillgen@oaklandnet.com), Brigitte Cook <[BCook@oaklandnet.com](mailto:BCook@oaklandnet.com)>, "Harlan, David" <[DHarlan@oaklandnet.com](mailto:DHarlan@oaklandnet.com)>

Danny,

You have been calling me and texting me. I have repeatedly requested that you put in writing what you need to talk to me about.

This morning I received a text from you stating that you would like to speak with me about a relocation agreement, but you were not sure what to write.

My response via text was asking that you provide me with any plans approved by the city. You suggested I call Code Compliance.

Yesterday I called to make an appointment with Tim Low, the author of the 3 page memo dated November 24, 2015 of

which you chose to only include the first page when you posted notices on our doors in December telling us we must vacate by Jan. 31, 2016. I called Mr. Low in December and he didn't return my call. When I called yesterday his voice mail said he was on vacation until Jan. 24, 2016 and referred David Harlan as the person to contact in his absence. Which I did and we met yesterday afternoon. Mr Harlan cited the complicated history and that this "was not his department" as the reason he provided no answers. He referred me to the City Attorney Richard Illgen.

I spoke with Mr. Illgen regarding this matter on December 22nd or 23rd. He suggested I speak with Tim Low.

So this is a very nice circular referral system. City Attorney tells me to talk to someone who is not available. You refer me to someone who is not available. In the mean time The City won't defend what you are telling me they are requiring you to do. So provide me with the plans the city has approved and an explanation of how you got from the November 24th, 3 page memo from Tim Low to the notice that was slipped under other tenant's doors, (but not mine) telling us that three days before Jan. 31 the city is going to "Red-Tag" the building.

Danny--we have a pending legal situation and you have an attorney. Any communication regarding a relocation agreement should be coming from your attorney. It is improper for plaintiffs and defendants to communicate verbally when so much can be misunderstood under these circumstances.

Additionally as is apparent with this email these issues are too complicated to be discussed via text.

Please communicate with me via email only.

Sincerely,

Joy Newhart

[joynewhart@sbcglobal.net](mailto:joynewhart@sbcglobal.net)

**Fielding, Rich**

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**From:** Serina Calhoun <serina@sync-arch.com>  
**Sent:** Wednesday, October 14, 2015 1:04 PM  
**To:** Low, Tim; Fielding, Rich; 'Danny Haber'  
**Cc:** Labayog, Edward  
**Subject:** RE: 1919 Market survey inspections  
**Attachments:** 2015-10-13 1919 Market Unit Summaries.pdf; 1919 Market City Walkthrough.pdf

Hi Ed / Rich / Tim,

Thank you so much for agreeing to the inspection tour tomorrow. We've noticed all the tenants and everything should be ready for your tour beginning at 10am.

Attached please find a document detailing our observations in all the units. We've made a preliminary pass at addressing the code violations in each unit in an effort to help expedite tomorrow. Also, for reference I've attached a copy of the existing plans for your review.

I will print 5 copies of these plans at 11x17 tomorrow for the inspectors use. Please don't hesitate to let me know if you need anything further.

All the best,

Serina Calhoun  
*Principal Architect*  
syncopated architecture

Check out our website at: [www.sync-arch.com](http://www.sync-arch.com)  
415-558-9843

---

**From:** Low, Tim [<mailto:TLow@oaklandnet.com>]  
**Sent:** Friday, October 9, 2015 4:24 PM  
**To:** Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)>; Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)>; 'Danny Haber' <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>  
**Cc:** Labayog, Edward <[ELabayog@oaklandnet.com](mailto:ELabayog@oaklandnet.com)>  
**Subject:** RE: 1919 Market survey inspections

We are there for clarifying purpose only. You are still responsible for the design for code compliance.

---

**From:** Serina Calhoun [<mailto:serina@sync-arch.com>]  
**Sent:** Friday, October 09, 2015 3:27 PM  
**To:** Fielding, Rich; 'Danny Haber'  
**Cc:** Labayog, Edward; Low, Tim  
**Subject:** RE: 1919 Market survey inspections

Hi Rich,

Thank you so much for facilitating this inspection walk through. I can't tell you how much we appreciate this opportunity for our teams to work together in resolving the issues present in the building.

We will notify the tenants today about the walk through so they have plenty of advanced notice.

I look forward to meeting your team.

All the best,

Serina Calhoun  
*Principal Architect*  
syncopated architecture

Check out our website at: [www.sync-arch.com](http://www.sync-arch.com)  
415-558-9843

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**From:** Fielding, Rich [<mailto:RFielding@oaklandnet.com>]  
**Sent:** Friday, October 9, 2015 12:33 PM  
**To:** Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>; Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)>  
**Cc:** Labayog, Edward <[ELabayog@oaklandnet.com](mailto:ELabayog@oaklandnet.com)>; Low, Tim <[TLow@oaklandnet.com](mailto:TLow@oaklandnet.com)>  
**Subject:** 1919 Market survey inspections

Hello,

I have scheduled our survey inspections for Thursday, October 15, starting at 10 a.m.. Please alert the occupants and be prepared to make all areas accessible. I expect the inspections to be finished in less than 3 hours.

Please understand that the intention of the inspections is to assemble an overall list of elements present, and not a punch list for each tenant space. For purposes of expedition, I would request that occupants refrain from an engagement of conversation with our staff. The results of this survey inspection will be documented and presented at a date following the inspections.

If there is a problem, please notify me a.s.a.p..

Thanks,

Rich

**Fielding, Rich**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Tuesday, February 02, 2016 9:08 AM  
**To:** Fielding, Rich  
**Cc:** Low, Tim; Labayog, Edward; Martinelli, Gene; Marv Winegar; <jh@jeremyharrisdesigns.com>  
**Subject:** Re: access for today

Yes . 3pm today is ok, will speak with Marv about providing access.

Yesterday with plans , they wanted Oakland green completed before they would accept at intake . We did the checklist but are awaiting Heather Klein to know if it needs to go leed silver route or not . We should hear from her today and then resubmit .

On Tuesday, February 2, 2016, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

Thank you for letting us know that 1919 Market St. is now vacant. Could you provide access to our inspectors for verification? Would 3 p.m. today work?

Please advise

**Fielding, Rich**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Thursday, October 08, 2015 12:55 PM  
**To:** Labayog, Edward; Fielding, Rich  
**Subject:** Afternoon

Hi guys,

Will be in downtown Oakland for a meeting at 2. You have time at 3 or 3:15 or 3:30 to go over 1919 Market?

Danny



## Fielding, Rich

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Tuesday, November 03, 2015 8:36 AM  
**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Low, Tim; Reyes, Jorge; Taylor, Marie (Allene); Jull, Thomas; Rodrigo Santos; Marv Winegar; <jh@jeremyharrisdesigns.com>; Valeska, David  
**Subject:** Re: Compliance

Hey Rich,

Stopped in last week to give you an update. We got the plans/zoning approved . We are in process of finishing up seismic, structural work and calculations. In addition we have cleaned up the electrical open boxes pointed out in the inspection and gave the tenant who did the illegal wiring until this Thursday and then we are sending in an electrician to remove anything not properly enclosed in conduit.

Also switched architects to Jeremy Harris cc'd who works with Madison Park Financial on their Live Work projects in Oakland and is more well versed in all the nuances related to live work.

Have got Rodrigo Santos who was former President of the Building Commission in San Francisco and founder of Santos & Urrutia <http://www.santosurrutia.com/history/our-team>, finishing up the structural and seismic work.

Danny

On Tue, Oct 20, 2015 at 4:16 PM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

Please understand your proposal is for consideration. A Compliance Plan Agreement is an instrument initiated and constructed by the City. You will be required to follow a work schedule that we will require of you.

**From:** Danny Haber [mailto:[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)]  
**Sent:** Tuesday, October 20, 2015 11:33 AM

**To:** Fielding, Rich  
**Cc:** Labayog, Edward; Low, Tim; Reyes, Jorge; Taylor, Marie (Allene); Jull, Thomas; Serina Calhoun; Rodrigo Santos; Marv Winegar  
**Subject:** Re: Compliance

I'd like to clear up any questions regarding the red units:

There are several of these red units that are already vacated and have move out agreements in place (units 9, 12, 13 and 14). We will work on the coming to an agreement with the remaining units asap. We are currently evicting the man who video taped the tour, he is in possession of units 3,4, and 200. His eviction case has been filed and is set for trial.

Additionally, I'd like to reiterate that we plan on offering relocation packages (including helping with storage expenses) which was a main concern in the tenant meeting a few weeks back.

Thanks,

Danny

On Tue, Oct 20, 2015 at 11:23 AM, Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)> wrote:

Ok to answer Rich's question regarding phasing of tenants here is a diagram of how we intend to phase the building attached. In addition we will cover the cost of storage as well as offer relocation payments for people in phase 1 and phase 2 to expedite the process and make it easier on everybody.

Structural is working on seismic, foundation, and calcs and hopefully will have by early next week.

ASAP in red: started on already currently have units or agreements on units: 9, 12, 13, 14 . Currently evicting the person with video camera from the tour on units 3,4, and 200. Eviction has been filed and case is set for trial.

Yellow Phase 1 : comprises 11 units and we should rehabbed with TCO's and inspected in a 4-6 month time span. In addition to the Red which will be vacated in that time period we should have 22 units either vacant and empty or completely rehabbed by phase 1. This will compromise 61% of the building that is either vacant or TCO. During this time we will have a plan to seal off from other part of the building and to make sure utilities are not affected for people in phase 2 units.

Blue Phase 2: Consists of 14 units. We will have these units rehabbed with inspections approved in 4-6 months and TCO in place. During this process we will close off phase 2 units from phase 1 that have now been rehabbed. We will also make sure not to affect utilities.

Above would be the plan to move current tenants in a creative way that would expedite the process from what we previously submitted down from over a year and half to in a best case scenario 8 months from start of work.

On Tue, Oct 20, 2015 at 10:28 AM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

I have spoken with the inspectors and Ed. There were no agreements made as to how to move forward. As I had indicated prior to the inspectors walk through, I did not intend for the inspectors to enter into a dialogue with you or the occupants. If you believe that a meeting was held, you are mistaken, and you had prior knowledge that a discussion regarding a directive to move forward was not to take place.

Prior to a compliance plan being entered into, a discovery of the conditions needs to take place. That discovery was made on Thursday's inspections. The next step is to issue a more fully developed directive. That is what the City is in the process of constructing. The property history is also necessary to review for accuracy of the directive.

When we met at our offices with you, Serena, Ed, Frank and I, it was clear that your request for a phasing of the corrective action was not decided.

Another element that needs to be in consideration is what the proposed work entails. Seismic upgrade, foundation work, structural improvements, and the like are still to be determined. That work will be determined by plans examination. How soon can we expect the necessary submittals? No work may be done without benefit of permit.

What should be of great concern is the relocation of occupants. Whether it is all or a percentage, those arrangements should be well on the way. You indicated that storage space will also be of great concern.

**From:** Danny Haber [mailto:[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)]

**Sent:** Tuesday, October 20, 2015 12:16 AM

**To:** Fielding, Rich

**Cc:** Labayog, Edward; Low, Tim; Reyes, Jorge; Taylor, Marie (Allene); Jull, Thomas; Serina Calhoun; Rodrigo Santos; Marv Winegar

**Subject:** Re: Compliance

Good evening crew,

In meeting we had on Thursday that I referenced above in Unit D at 1919 Market street with Ed and rest of crew we spoke about the phasing of the building into 2 phases and vacating middle and back immediately. We will move on your information requests ASAP, but I would not like it to hold back a compliance plan. Will get you exact phasing tomorrow regarding market street side rehab first, vacate middle and back ASAP then myrtle rehab 2nd .

However, it is important to move with utmost speed because in that meeting at Unit D we had the building manager present who is also a tenant . It is of great importance we are able to control information flow and clear up uncertainty with what people have to do going forward. With a compliance plan in place we can let everybody know next steps and approximate timelines which at least stops any rumor mill.

Only items that I ask is ability to pull permits to get moving on these fixes ASAP on perimeter units, TCO once we finish a phase (2 phases total), and support in dealing with the tenant who insisted on videotaping you guys.

On Mon, Oct 19, 2015 at 8:15 AM, Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)> wrote:

While I was not part of the conversation on Thursday that you refer to herein, I will comment on your overall plan after I have collected the necessary data.

I am concerned with the time frame for submittals for permits. Last week a person was able to have architectural plans approved by Planning regarding the feasibility and conceptual idea for the proposed project. In order to make a complete submittal for building permits we will need several items that we await. At the minimum they will include:

1. Site plans
2. Engineering/ structural plans
3. Structural calculations
4. Engineer's seismic analysis
5. Title 24 calculations

Where is this submittal at? How soon can we expect receipt?

**From:** Danny Haber [<mailto:dannyjhaber@gmail.com>]  
**Sent:** Friday, October 16, 2015 10:40 PM  
**To:** Fielding, Rich; Labayog, Edward; Low, Tim  
**Cc:** Rodrigo Santos; Marv Winegar  
**Subject:** Compliance

Happy Friday everybody,

Just wanted to go over what we spoke about in unit D at 1919 market on thursday.

We vacate the middle and back of the building which has the largest safety issues ASAP.

We then do construction in 2 phases. Phase 1 is the north side facing Market street and Phase 2 is the south side facing Myrtle street.

We will have plan in place to separate the building half under construction from other half that is not. We will relocate everybody in half that is under construction and then once work is completed we relocate the other half while we do work on other half.

We would like ability to get TCO on each half of the building as we get work done which will help with the banks. We estimate around 4 months for each phase which will take our total project time for the original 1.5 years down to 8 or less months.

## Fielding, Rich

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**From:** Serina Calhoun <serina@sync-arch.com>  
**Sent:** Tuesday, October 06, 2015 6:23 PM  
**To:** Fielding, Rich; Labayog, Edward; Low, Tim  
**Cc:** 'Danny Haber'  
**Subject:** RE: Compliance Meeting

Hi Rich,

I'm so sorry. Apparently I misunderstood the outcome of our meeting. I sincerely apologize if I presumed too much about the scheduling or the intent of our conversation.

We are very hopeful that your manager can dedicate the resources for a detailed tour through the building with your inspection team so that we can all move forward together in reaching a solution that works for all parties involved.

Further, we understand your position that it's within your power to require the building to be vacated and demolished. We sincerely hope it doesn't come to such an extreme solution and hope that we can work together to find a solution. As we mentioned, many of these people have lived in the building for 10-15 years and have truly make them into their homes. They are all very anxious about having to leave and we are trying everything possible to work with them while we improve the building to make it safe for everyone.

As it currently stands, our proposed phasing plan for improvements has the last 7 units moving out in October of next year for the final unit improvements. We saved 7 of the perimeter units for last because they at least have access to light/ventilation with the windows fronting onto the streets, but I realize this is a long time for the overall project and may not meet the City requirements for an expeditious resolution.

As we discussed, we've made every effort to keep the existing tenants in the building and move them into the renovated units as they become available. There is, of course, the possibility that some tenants will choose to leave, or accept buy-outs to move out, but the plan we submitted assumed that everyone would be staying. This plan will continue to evolve as we receive feedback from tenants, but we will also continue to evaluate more creative solutions as you have requested, such as renting space off site to move people into as well if we can find spaces that will accept their pets and business needs.

We will wait to hear from you about next steps. Please don't hesitate to let us know if you need anything further.

Best Regards,

Serina Calhoun  
*Principal Architect*  
syncopated architecture

Check out our website at: [www.sync-arch.com](http://www.sync-arch.com)  
415-558-9843

---

**From:** Fielding, Rich [mailto:RFielding@oaklandnet.com]  
**Sent:** Tuesday, October 6, 2015 8:03 AM

To: Serina Calhoun <serina@sync-arch.com>; Labayog, Edward <ELabayog@oaklandnet.com>; Low, Tim <TLow@oaklandnet.com>  
Cc: 'Danny Haber' <dannyjhaber@gmail.com>  
Subject: RE: Compliance Meeting

This tour will need prior approval from our manager. If it is to happen, the arrangements for the handling of our normal workload will have to be reviewed and accommodated by others. I had indicated that I would be apprising you as soon as I knew more. I did not state that it was to take place the week starting 10/12.

If it is to happen, I will attempt to provide you with enough advance notice to accommodate the tenants.

---

**From:** Serina Calhoun [<mailto:serina@sync-arch.com>]  
**Sent:** Monday, October 05, 2015 12:07 PM  
**To:** Labayog, Edward  
**Cc:** Fielding, Rich; 'Danny Haber'  
**Subject:** RE: Compliance Meeting

Hi Rich / Ed,

Thank you so much for taking time to meet with us last week to discuss our project at 1919 Market Street.

As we discussed, we continue to make every effort to work with your team to resolve the violation issues in the building. We are still on target to submit the full Planning set to convert the building to live/work use this week.

We appreciate the offer to bring through a team of your senior inspectors to go through the units. As you know, the tenants are very mistrustful and a document from the City identifying the violations will help them understand the seriousness of the conditions in which they live.

We look forward to touring your senior inspectors through the property in the week of October 12<sup>th</sup>. We had a meeting with the tenants over the weekend and notified them that you would be coming through during that week.

The tenants are very anxious about their schedules. Many would like to be present when you come through, and we'd like to provide them with adequate notice so they can make arrangements with their employers and other schedule constraints.

As discussed, I will update the document I prepared in July citing the violations I noted in each of the units prior to your tour. I will email you a copy of the report this week, along with plans of the existing units for reference for your use in the tour through the building.

Please let us know what day you would like to tour the property so we can make arrangements.

Best Regards,

Serina Calhoun  
Principal Architect  
syncopated architecture

Check out our website at: [www.sync-arch.com](http://www.sync-arch.com)  
415-558-9843

**From:** Labayog, Edward [<mailto:ELabayog@oaklandnet.com>]  
**Sent:** Thursday, October 1, 2015 1:01 PM  
**To:** Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)>  
**Cc:** Fielding, Rich <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)>; Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>  
**Subject:** RE: Compliance Meeting

Got it.

Ed

---

**From:** Serina Calhoun [<mailto:serina@sync-arch.com>]  
**Sent:** Thursday, October 01, 2015 12:55 PM  
**To:** Fielding, Rich; Danny Haber; Labayog, Edward  
**Subject:** RE: Compliance Meeting

My apologies. We are in ballpark traffic and running 15 min behind.

Serina

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** "Fielding, Rich" <[RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)>  
**Date:** 09/30/2015 1:46 PM (GMT-08:00)  
**To:** Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>, "Labayog, Edward" <[ELabayog@oaklandnet.com](mailto:ELabayog@oaklandnet.com)>  
**Cc:** Serina Calhoun <[serina@sync-arch.com](mailto:serina@sync-arch.com)>  
**Subject:** RE: Compliance Meeting

Good afternoon Mr. Haber and Ms. Calhoun,

I'd like to introduce myself to you. I am a Principal Inspection Supervisor with the Bureau of Building (the division that is handling the code enforcement issues at 1919 Market St.). On 8/17/15, Marie and I traded disciplines that we had jurisdiction over, prior to that date.

Ed and Marie have brought me up to speed on the matters involved at the site in question. I will be assuming a position of responsibility for the direction towards corrective actions that will be necessary. I will be part of the upcoming meeting at our offices (tomorrow?).

From the e-mail exchanges with Dave Valesca and your team, there are two issues I would like to speak to.

1. The proposal is for a change of Occupancy. For the plan check from the building division (pending the prior approvals necessary from the Planning Dep't.) you will need to provide an engineer's seismic analysis.
2. Your prediction of the time frames to have a Planning determination and Building Plan check to the point of permit issuance is extremely optimistic.



**Fielding, Rich**

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**From:** Labayog, Edward  
**Sent:** Tuesday, December 22, 2015 6:41 PM  
**To:** Fielding, Rich  
**Subject:** Fwd: Haber Authorization  
**Attachments:** AUTHORIZATION TO ACT AS AGENT\_Haber.pdf; ATT00001.htm

Please review.

Sent from my iPhone

Begin forwarded message:

**From:** Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>  
**Date:** December 22, 2015 at 4:07:23 PM PST  
**To:** "Labayog, Edward" <[elabayog@oaklandnet.com](mailto:elabayog@oaklandnet.com)>  
**Subject:** Fwd: Haber Authorization

Will this be ok?

----- Forwarded message -----

**From:** <[epicurasia@gmail.com](mailto:epicurasia@gmail.com)>  
**Date:** Tue, Dec 22, 2015 at 3:35 PM  
**Subject:** Fwd: Haber Authorization  
**To:** Danny Haber <[dannyjhaber@gmail.com](mailto:dannyjhaber@gmail.com)>

Will have this notarized for you by tomorrow.

Regards,

Seth Jacobson  
655 3rd Street #66  
Oakland CA 94607

Begin forwarded message:

**From:** "William A. Wasko" <[abawasko@earthlink.net](mailto:abawasko@earthlink.net)>  
**Date:** December 22, 2015 at 2:21:25 PM PST  
**To:** "Epicurasia" <[epicurasia@gmail.com](mailto:epicurasia@gmail.com)>  
**Subject:** Haber Authorization

Seth

Here you go.

Bill

William A. Wasko  
Attorney At Law  
One Kaiser Plaza, Suite 750  
Oakland, CA 94612

Telephone: 510.444.8600 x11  
Facsimile: 510.836.2595  
Email: abawasko@earthlink.net

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**Fielding, Rich**

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**From:** Moriarty, William  
**Sent:** Wednesday, October 21, 2015 8:42 AM  
**To:** Reyes, Jorge; Labayog, Edward; Fielding, Rich  
**Subject:** Partial violation list for plumbing and mechanical for 1919 Market St.  
**Attachments:** 1919 Market Street List.pdf

**1919 Market Street partial list of violations noted on inspection walk done 10/15/2015**

- 1) Gas appliance exhaust flues, combustion air, Make-up air, etc. not installed per code and may constitute life safety concerns. Require permits and inspections of all gas appliances, equipment, etc. to insure safe installations.
- 2) Gas and electric water heaters are not properly supported, secured and braced properly to prevent seismic movement.
- 3) Water heater temperature and pressure relief lines are not piped and routed to approved locations to terminate.
- 4) Water heaters are not installed in safety pans to prevent damage from tank failure.
- 5) Electrical water heaters do not have electrical disconnects within sight of the water heater and are some are not properly electrically bonded.
- 6) Evidence of altered and/or installed gas piping not permitted, approved, or inspected. Gas unions noted on altered gas piping.
- 7) Additions and/or alterations to water piping and drain, waste, and vent piping not permitted or inspected.
- 8) Inadequate ventilation for living spaces.
- 9) Dwelling spaces not provided with required and/or approved heat.
- 10) Bathroom exhaust not ducted and terminated at the exterior of the building.
- 11) Numerous living spaces have water features that may be connected to the domestic water supply and will require inspection for domestic water protection and electrical wiring.
- 12) Plumbing fixtures installed without permits and inspections and are noted to be not installed to code.
- 13) Copper water lines in direct contact with dissimilar metals noted in corridors and/or common areas.
- 14) Common area laundry rooms have not been permitted and/or inspected for plumbing and mechanical connections.
- 15) PVC piping noted on exterior of building for hose bib connections is not approved for exterior installation and had not been installed with permits and/or inspections.
- 16) Unidentified piping and ducting noted on building exterior is required to be removed or installed as required by code with permits.
- 17) Lack of corridor ventilation.
- 18) Fire rated walls and/or floor/ceiling assemblies penetrated by pipes and ducts without the required protection, fire stop, and/or restoration of rated assembly.

**\*\*NOTE\*\* Due to limited access to living units this does not constitute a complete list of violations.**

**Fielding, Rich**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Tuesday, January 05, 2016 4:48 PM  
**To:** Lim, Gary; Taylor, Marie (Allene); Labayog, Edward; Fielding, Rich; Low, Tim  
**Subject:** Plan Submittal

Hi, found signed off 1919 market planning/zoning sign off for plans in my office, working on getting lead certificate done as well.

What is status with building submittal, can I come and pay for expedited submittal ?

Thank you,  
Danny

## Fielding, Rich

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**From:** Cohen, Walter <walter.cohen@cushwake.com>  
**Sent:** Thursday, January 21, 2016 12:03 PM  
**To:** Fielding, Rich  
**Subject:** Thank you.

Great catching up. I do miss the place and working with guys like you, Tim, Bill Quesada, Don Smith (and, yes, John Stewart.....whose passion for code enforcement brought a smile to my face). It was always a high point for me to walk the second floor.

Thanks for the candor.

I will have the 1919 Market engineers and architects visit the Engineer of the Day. I will communicate to Danny how serious the situation is both with tenant communication and production of complete plans and specs. And that February 1 is a critical milestone in the Compliance Plan.

Happy New Year Rich.....to you and yours.

**Walter Cohen**  
Senior Vice President  
CA License #01958764

Direct: 510-267-6036  
Mobile: 415-810-8847  
[walter.cohen@cushwake.com](mailto:walter.cohen@cushwake.com)

**DTZ and Cushman & Wakefield have now merged**



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**Fielding, Rich**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Wednesday, January 06, 2016 3:42 PM  
**To:** Labayog, Edward; Low, Tim; Fielding, Rich  
**Subject:** Update 1919 Market

Just got the signed stipulation, the tenant with the 30 or 40 subtenants with the 4 stories of construction that was videotaping your people during inspection has just signed a stipulation to vacate by the 31st.



**Fielding, Rich**

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**From:** Danny Haber <dannyjhaber@gmail.com>  
**Sent:** Thursday, January 21, 2016 10:43 PM  
**To:** Fielding, Rich; Labayog, Edward; Low, Tim  
**Subject:** 11am monday

Does 11am monday work for me to give an update on all our efforts regarding tenants at 1919 market?

## Fielding, Rich

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**From:** Sandercock, Deborah  
**Sent:** Wednesday, January 27, 2016 10:46 AM  
**To:** Fielding, Rich  
**Subject:** FW: 1919 Market Street

Rich,

Can you please respond?

Thanks,

Deborah

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**From:** Darwin BondGraham [<mailto:Darwin.BondGraham@eastbayexpress.com>]  
**Sent:** Monday, January 25, 2016 3:29 PM  
**To:** Sandercock, Deborah  
**Subject:** 1919 Market Street

Hi Ms. Sandercock,

I'm hoping to get some information about the building at 1919 Market Street (APNs 5-410-13-1 and 5-410-14). The building is owned by Market Holdings, LLC.

Was this building recently red tagged?

Was the landlord recently informed that they need to move the existing residential tenants out of the building?

Is there a copy of any inspection or order you can send me explaining the status of the building?

I'm at 510-879-3733.

Thanks,  
Darwin