

(BOS)

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**From:** Board of Supervisors (BOS)  
**Sent:** Monday, January 26, 2015 1:45 PM  
**To:** BOS-Supervisors; Lamug, Joy; Carroll, John (BOS); Caldeira, Rick (BOS)  
**Subject:** File 141018 FW: Bradley v. Dolmen Property Group LLC, et al. ; File No. 141018  
**Attachments:** DOC176.pdf  
  
**Categories:** 141018

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**From:** Monik Bonilla [<mailto:MBonilla@wynlaw.com>]  
**Sent:** Monday, January 26, 2015 1:28 PM  
**To:** Board of Supervisors (BOS)  
**Cc:** [dmyers@wolkincurran.com](mailto:dmyers@wolkincurran.com); Ronen, Hillary; Johnston, Conor (BOS)  
**Subject:** Bradley v. Dolmen Property Group LLC, et al. ; File No. 141018

Dear Clerk of the Board of Supervisors,  
Please find today's correspondence from Alexander M. Weyand, counsel for Appellant William Bradley regarding the upcoming hearing on January 27, 2015 in the above-referenced action.

Respectfully submitted,

Monik Bonilla  
Assistant to Alexander M. Weyand

Weyand Law Firm  
Professional Corporation  
531 Howard St., First Floor  
San Francisco, CA 94105  
Direct: 415-536-2800  
Fax: 415-536-2818  
[mbonilla@wynlaw.com](mailto:mbonilla@wynlaw.com)

**WEYAND LAW FIRM**  
A PROFESSIONAL CORPORATION

Email: [aweyand@wynlaw.com](mailto:aweyand@wynlaw.com)

January 26, 2015

**VIA E-MAIL & HAND DELIVERY**

Clerk of Board of Supervisors  
City Hall of San Francisco  
1 Dr. Carlton B. Goodlett Place, Rm. 244  
San Francisco, CA 94102  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

Re: Your File No. 141018  
Appeal of DPW Decision to Approve Tentative Map - 639 Peralta Avenue  
Assessor's Block No.5634, Lot No. 014  
2 Units New Construction Condominium Project  
Appellant: William H. Bradley  
Respondent: Dolmen Property Group, LLC  
Current Hearing Date: January 27, 2015 at 3:00 p.m.

Dear Clerk of the Board of Supervisors:

By this letter, our client, appellant William Bradley, Ph. D, hereby respectfully requests that the Board of Supervisors either grant his appeal (and disapprove respondent's tentative map for the above-referenced property) or continue the hearing on this appeal until notified by the appellant and respondent that Mr. Bradley's pending Quiet Title lawsuit (*William Bradley v. Dolmen Property Group, LLC, et al.*, San Francisco Superior Court No. 14-541905) has resolved.

Appellant, William Bradley, Ph. D, now known as Oba T'Shaka, is a 75 year old Professor Emeritus at San Francisco State University where he taught for 38 years. He is a noted Civil Rights Movement activist scholar, author and organizer.  
<http://www.obatshaka.com/biography>

Ella Hill Hutch, the first African American women elected to the Board of Supervisors in the history of San Francisco, the Mother of the San Francisco Civil Rights Movement, influenced him to join the Movement.  
[https://wcmdemo7.sfsu.edu/sites/wcmdemo7.sfsu.edu.afrs/files/journals/Part2\\_SF%20Civil%20Rights%20Movement.pdf](https://wcmdemo7.sfsu.edu/sites/wcmdemo7.sfsu.edu.afrs/files/journals/Part2_SF%20Civil%20Rights%20Movement.pdf)

When our client was invited to be the keynote speaker by the San Francisco Public Library for the 2013 Black Literary Festival, he was presented as the person who "led the San Francisco Civil Rights Movement and addressed such issues as economic apartheid and job discrimination within San Francisco and as well as California as a whole."  
<http://sfpl.org/index.php?pg=1012911301>

Mr. Bradley appealed the Department of Public Work's decision to approve the tentative map for the above-referenced property on September 29, 2014 because he is the true owner of the 639 Peralta Avenue property, not respondent; respondent therefore has no right to seek a tentative map.

When his appeal originally came on for hearing on October 28, 2014, the Board of Supervisors after hearing argument from both counsel for appellant and respondent continued the hearing to December 16, 2014 at the request of Supervisor Campos. Thereafter, the parties jointly requested a continuance as they had agreed to proceed to mediation. The Board granted the continuance, setting the matter for Tuesday, January 26, 2015 as referenced above.

Unfortunately, despite agreeing to mediate, respondent Dolmen Property Group, LLC has failed to cooperate in the scheduling of the mediation and now appears unwilling to mediate. The parties are thus actively litigating their dispute. There is a hearing set on February 19, 2015 on non-dispositive motions by Dolmen and a Court Case Management Conference set for March 4, 2015 at which time Mr. Bradley, who is 75 years of age, will request that a preferential trial date be set for within 120 days.

Mr. Bradley's Quiet Title lawsuit seeks to extinguish respondent's claims to any right, title or interest in that property. To support his appeal, Mr. Bradley previously provided a copy of his complaint for the pending Quiet Title lawsuit, which sets forth his factual allegations. In summary:

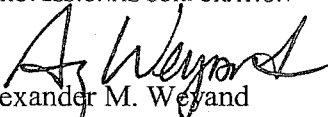
- Mr. Bradley's family owned the two properties at 637 and 639 Peralta since the 1940s;
- The property at 637 Peralta has long consisted of land with a structure upon it (a single family residence; Lot 15, Block 5634):
- Until recently, the 639 Peralta property was a vacant lot (Lot 14, Block 5634):
- In 2006, Mr. Bradley bought out his other family members' interest in 637 and 639 Peralta;
- In 2007, our client obtained a loan from IndyMac bank to be secured solely by "637 Peralta... Lot 15...Block 5364" as reflected by the loan documents;
- In 2010, during the "Great Recession," our client ultimately decided to let 637 Peralta go to foreclosure because the monthly rents no longer could support the mortgage payments;
- After deciding to let 637 Peralta go to foreclosure, the Notices of Default sent on behalf of the foreclosing lender only referenced that property;
- In March 2011, when the successor to IndyMac loan foreclosed upon 637 Peralta, the foreclosure trustee, at a minimum, erred by purporting to convey both 637 and 639 Peralta to the successor of IndyMac, Deutsche Bank National Trust Company, etc.;

- In October 2011 when IndyMac's successor, Deutsche Bank, sold the foreclosed property to Dolmen, its Grant Deed states on its face that it pertains only to convey "637 Peralta...AP# 5634-015";
- Although respondent has to date failed to produce its Deutsche Bank acquisition file despite formal request by our client in the lawsuit, what we have obtained from other parties to the litigation, third parties and public records indicates that Dolmen paid approximately \$362,000 for what the bank thought it was selling, 637 Peralta;
- Based upon 2011 market and valuation information obtained to date, it appears that respondent paid under market at the time for 637 Peralta;
- Consistent with Deutsche Bank believing it was only selling and conveying 637 Peralta to respondent, the records we have obtained in the lawsuit to date demonstrate Dolmen paid *nothing* for 639 Peralta;
- Respondent Dolmen (and its lender) appear to have discovered the title error relative to 639 Peralta at the time Dolmen was obtaining a construction loan to build on the site as respondent had to convey the property to itself by grant deed (SF Recorder DOC 2014-J874316-00) immediately before recording the construction loan deed of trust (SF Recorder DOC 2014-J874317-00) recorded (both on May 6, 2014; Copies attached to appellant's previously provided Complaint at Exhibits G & H); and,
- At all material times to this day, the City and County of San Francisco recognizes Mr. Bradley to be the true owner of 639 Peralta Avenue as demonstrated by the CCSF Property Tax statements previously provided and attached here as Exhibit 1, and Mr. Bradley has paid those taxes at all material times to the present.

In sum, based upon the facts that have come to light to date it appears that respondent is attempting to work a serious injustice—a "too good to be true, land grab"—upon appellant William Bradley, Ph.D, and that appellant's claims are meritorious. Accordingly, we respectfully request that the Board of Supervisors either deny respondent's tentative map outright or alternatively defer considering of this matter until Mr. Bradley's Quiet Title lawsuit can be duly resolved by the Court.

Respectfully submitted,

WEYAND LAW FIRM  
A PROFESSIONAL CORPORATION

by   
Alexander M. Weyand  
Attorneys for Appellant  
William H. Bradley

Clerk of Board of Supervisors  
January 26, 2014  
Page 4

Enc.

Cc: President of the Board, Hon. London Breed (c/o [Conor.Johnston@sfgov.org](mailto:Conor.Johnston@sfgov.org))  
District 9 Supervisor, Hon. David Campos (c/o [Hillary.Ronen@sfgov.org](mailto:Hillary.Ronen@sfgov.org))  
Client  
David Myers, Esq., respondent's counsel  
(E-Mail w/Enc.)

# **EXHIBIT 1**



**NOTIFICATION OF 2012-2013 ASSESSED VALUE**

July 18, 2012

BRADLEY WILLIAM H  
  
11015 MONAN ST  
OAKLAND, CA 94605

LtrA122397

**ANNUAL NOTICE ONLY  
THIS IS NOT A TAX BILL**

Dear San Francisco Property Owner:

I am writing to inform you of the assessed value for your property as of January 1, 2012. The assessed value is the basis for your 2012-2013 property tax bill that will be mailed to you by November 1, 2012. If you believe the current market value is less than the factored base year value, you may file a formal assessment appeal with the Assessment Appeals Board from July 2, 2012 through September 17, 2012 (see reverse side for additional information).

Attached are Frequently Asked Questions. If you have further questions, please contact us through the City & County of San Francisco's one-stop 3-1-1 Customer Service Center by dialing 3-1-1 (within San Francisco's 415 area code) or calling 415-701-2311 (outside San Francisco). Please visit our website at [www.sfassessor.org](http://www.sfassessor.org) for additional information.

639V PERALTA AVE	
BLOCK 1101	
5634 014	
Assessed Value	\$ 25,660
Proposed Value	\$ 25,660
Change in Value	0
Factored Base Year Value	\$ 25,660

**Homeowner's Exemption Notice**  
If you own and occupy this property as your primary residence, you may be eligible for a homeowner's exemption. You are allowed only one homeowner's exemption in the state of California. If you are eligible and do not see an exemption amount listed in the exemption box to the left, please complete and file a Homeowner's Exemption Claim with our office. The Homeowner's Exemption Claim Form can be downloaded from our website at [www.sfassessor.org](http://www.sfassessor.org).

For last year's Assessed Value, go to: [www.sftreasurer.org](http://www.sftreasurer.org)

Your assessed value may have changed from the previous year due to the following reasons:

1. Inflationary increase of up to 2% allowed under Proposition 13.
2. Change in ownership of your entire property or portion of property.
3. New construction, including remodeling, addition, etc.
4. Restoration of factored base year value from prior year temporary reductions due to economic conditions, fire damage, or other calamity.

Sincerely,

Phil Ting  
Assessor-Recorder

**NOTE:** The assessed value shown may reflect an assessment that is not up to date. Please pay the regular property tax bills as issued and at a later date you will be sent a supplemental tax bill(s) for the difference. The assessed value is determined as of January 1, 2012. The 2012-2013 net assessed value shown above will be the basis of your 2012-2013 property tax bill. The Proposition 13 factored base year value shown above reflects your original assessment, plus adjustments for inflation, with annual increases limited to not more than 2%.

CARMEN CHU  
ASSESSOR-RECORDER



SAN FRANCISCO  
OFFICE OF THE ASSESSOR-RECORDER

**NOTIFICATION OF 2014-2015 ASSESSED VALUE**

July 8, 2014

LibAE125372

**THIS IS NOT A TAX BILL  
ANNUAL NOTICE ONLY**

BRADLEY WILLIAM H

11015 MONAN ST  
OAKLAND, CA 94605

Dear San Francisco Property Owner:

I am writing to inform you of the assessed value for your property as of January 1, 2014. The net assessed value is the basis for your 2014-2015 property tax bill that will be mailed to you before November 1.

<b>PROPERTY LOCATION</b>
639V PERALTA AVE
<b>BLOCK and LOT</b>
5634 014

**Homeowner's Exemption Notice**

If you own and occupy this property as your primary residence, you may be eligible for a homeowner's exemption. You are allowed only one homeowner's exemption in the state of California. If you are eligible and do not see an exemption amount listed in the exemption box to the left, please submit a completed Homeowner's Exemption Claim Form (available for download at [www.sfassessor.org](http://www.sfassessor.org)).

2014-2015 Assessed Base Year Value (Proposition 13)	\$ 26,291.00
2014-2015 Intangible Value	\$ 0.00
2014-2015 Personal Property/Fixtures	\$ 0.00
2014-2015 Exemption	\$ 0.00
<b>2014-2015 Net Assessed Value</b>	<b>\$ 26,291.00</b>

Your assessed value may have changed from the previous year due to the following reasons:

1. Inflationary increase of up to 2% allowed under Proposition 13.
2. Change in ownership of your entire property or portion of property.
3. New construction, including remodeling, addition, etc.
4. Restoration of factored base year value from prior year temporary reductions due to economic conditions, fire damage, or other calamity.

If you believe the current market value is less than the 2014-2015 Taxable Value shown above, you may file a formal appeal with the Assessment Appeals Board beginning July 2, 2014 through September 15, 2014 (see reverse side).

Attached are Frequently Asked Questions and a Fact Sheet. If you have further questions, please contact us through the City & County of San Francisco's one-stop 311 Customer Service Center by dialing 3-1-1 (within San Francisco's 415 area code) or by calling 415-701-2311 (outside San Francisco). Additional information can be found on our website at [www.sfassessor.org](http://www.sfassessor.org).

Sincerely,

Carmen Chu  
Assessor-Recorder

City Hall Office: 1 Dr. Carlton B. Goodlett Place  
Room 190, San Francisco, CA 94102-4698  
[www.sfassessor.org](http://www.sfassessor.org) | [assessor@sfco.gov](mailto:assessor@sfco.gov)





City & County of San Francisco  
 José Cisneros, Treasurer  
 David Augustine, Tax Collector  
 Secured Property Tax Bill

1 Dr. Carlton B. Goodlett Place  
 City Hall, Room 140  
 San Francisco, CA 94102  
 www.sftreasurer.org

For Fiscal Year July 1, 2013 through June 30, 2014

Vol	Block	Lot	Account Number	Tax Rate	Statement Date	Property Location
33	5634	014	563400140	1.1880%	10/02/2013	639V PERALTA AV

Assessed on January 1, 2013

To: BRADLEY WILLIAM H

**BRADLEY WILLIAM H**  
**11015 MONAN ST**  
**OAKLAND CA 94605-5553**

Assessed Value		
Description	Full Value	Tax Amount
Land	26,173	310.93
Structure		
Fixtures		
Personal Property		
Gross Taxable Value	26,173	310.93
Less HO Exemption		
Less Other Exemption		
<b>Net Taxable Value</b>	<b>26,173</b>	<b>\$310.93</b>

Direct Charges and Special Assessments			
Code	Type	Telephone	Amount Due
89	SFUSD FACILITY DIST	(415) 355-2203	33.96
91	SFCCD PARCEL TAX	(415) 487-2400	79.00
98	SF - TEACHER SUPPORT	(415) 355-2203	219.64
<b>Total Direct Charges and Special Assessments</b>			<b>\$332.60</b>

<b>► TOTAL DUE</b>		<b>\$643.52</b>
1st Installment	2nd Installment	
\$321.76	\$321.76	
Due: November 1, 2013	Due: February 1, 2014	
Delinquent after Dec 10, 2013	Delinquent after April 10, 2014	

188864

Keep this portion for your records. See back of bill for payment options and additional information.



City & County of San Francisco  
 Secured Property Tax Bill  
 For Fiscal Year July 1, 2014 through June 30, 2015

1 Dr. Carlton B. Goodlett Place  
 City Hall, Room 140  
 San Francisco, CA 94102

Vol	Block	Lot	Account Number	Tax Rate	Statement Date	Property Location
33	5634	014	563400140	1.1743%	09/26/2014	639V PERALTA AV

Check if contribution to Arts Fund is enclosed.  
 For other donation opportunities go to [www.Give2SF.org](http://www.Give2SF.org)

Delinquent after December 10, 2014

Detach stub and return with your payment.  
 Write your block and lot on your check.  
 If property has been sold, please forward bill to new owner.

**1st Installment Due**  
**\$323.46**

San Francisco Tax Collector  
 Secured Property Tax  
 P.O. Box 7426  
 San Francisco, CA 94120-7426

**SECURED 1**

If paid or postmarked after December 10, 2014  
 the amount due (includes delinquent penalty of  
 10%) is: **\$355.80**

3356340001400 158056 000032346 000003234 0000 1003

