

Item 27 re: Jon Elberling

12/11/17
4:30 pm

Dear Supervisors,

During the December 12th, 2017 Board of Supervisors meeting, you will be asked to vote to re-appoint John Henry Elberling to the *Inclusionary Housing Technical Advisory Committee* (Item #171272).

We want to bring your attention to the following facts before this vote.

With evidence presented below, it is obvious that John Elberling's primary residence is not in San Francisco; his *pied-à-terre* was built as BMR housing intended to be rented to a low income senior; and that he is entirely unqualified to represent affordable housing developers, as TODCO has not built new affordable housing in decades.

Elberling is unqualified for the position to which he has been nominated.

1) John Elberling's primary residence is not in San Francisco

7141 Gwendolyn Place, Sebastopol, CA 95472 is a single-family home in Sonoma County that was last sold on November 7th, 2013. Its assessor's parcel number (APN) is 004-141-034-000:

General Information		Open Map	
APN:	004-141-034-000		
Situs Address:	7141 GWENDOLYN PL SEBASTOPOL CA 95472-4448		
Mailing Address:	7141 GWENDOLYN PL SEBASTOPOL CA 95472		
Legal Description:	2008 PM PTN 004-141-015 LITCHFIELD AVE SUB LOT 4		
Use Type:	RESID. SINGLE FAMILY		
Tax Rate Area:	005-001		
Assessment			
Year Assd:	2017		
Land:	\$274,622		
Structure(s):	\$464,694		
Other:			
Total Land and Improv:	\$739,316		
HO Exempt?:	Y		
Exemption Amt:	\$7,000		
Property Characteristics		Natural Hazard Package Full Property Detail Property Reports	
Bedrooms:	4		
Baths (Full):	3		
Baths (Half):	1	Learn more	Learn more
Bldg/Liv Area:	2,938	Add to Cart \$ 19.95	Add to Cart \$ 4.95
Year Built:	2013	View Sample	View Sample
Lot Acres:	0.179		
Lot SqFt:	7,812		
Recent Sale History			
Recording Date:	11/07/2013		
Document #:	2013R107756		
Transfer Amount:	\$700,000		
	View More History		

**The information provided here is deemed reliable, but is not guaranteed.

(source: <https://assr.parcelquest.com/Home/Details/0>)

JUST Asking the Question.

On November 7th, 2013 John Henry Elberling and his wife Jo Ann Locke purchased this property (APN 004-141-034-000):



County of Sonoma, California
Clerk • Recorder • Assessor • Registrar of Voters

Return to Search Previous document 2011095531 Next document 2013107757 Document Images Official Record images available at the County Recorder's office. Fictitious Business Name and Environmental Images available at the County Clerk's office. Related Documents No related documents found	DEED - 2013107756 Document Number 2013107756 Recording Date 11/07/2013 08:50:00 AM Recording Fee \$0.00 Names GRANTOR RYDER LITCHFIELD LLC GRANTEE ELBERLING JOHN H LOCKE JO ANN Legal 004-141-034-000 Related <table border="1"> <thead> <tr> <th>Document Number</th> <th>Book</th> <th>Page</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Document Number	Book	Page			
Document Number	Book	Page					

(source: <https://crarecords.sonomacounty.ca.gov/recorder/eagleweb/viewDoc.jsp?node=DOCCOPR100022160>)

According to the 2015, 2016, and 2017 property tax bills and current assessment, the homeowners exemption was claimed on this property for at least 3 years:

PROPERTY INFORMATION				IMPORTANT MESSAGES
ASMT NUMBER:	004-141-034-000	TAX RATE AREA:	005001	Original bill date 09/17/2015 Escape year: 2015
ORIG ASMT:	004-141-034-000	ACRES:	0.00	
FEE NUMBER:	004-141-034-000			
LOCATION:	7141 GWENDOLYN PL			

7141 GWENDOLYN PL
SEBASTOPOL CA 95472

2015 - 2016

COUNTY VALUES, EXEMPTIONS, AND TAXES				
PHONE #	DESCRIPTION	PRIOR	CURRENT	BILLED
TAX COLLECTOR	LAND	0	265194	265194
PAYMENTS (707) 565-2281		0	0	0
24 HOUR INFO (707) 565-3010		0	0	0
CREDIT CARD 1-888-636-8418	STRUCTURAL IMPROVEMENTS	0	448740	448740
ASSESSOR		0	0	0
REAL PROPERTY VALUATION (707)		0	0	0
EXEMPTIONS (707) 565-1888	H HOMEOWNERS EXEMPTION	0	-7000	-7000
BUSINESS EQUIPMENT (707) 565-1		0	0	0
	NET TAXABLE VALUE			706,934
	VALUES X TAX RATE PER \$100 1.000000			7,069.34

(source: <https://apps.mptisweb.com/TaxBill/Default.aspx?County=sonoma&Asmt=004141034000&TaxYear=2015&RollCat=CS&RollYr=2015&RollType=S>)

PROPERTY INFORMATION		IMPORTANT MESSAGES	
ASMT NUMBER:	004-141-034-000	TAX RATE AREA:	005001
ORIG ASMT:	004-141-034-000	ACRES:	0.00
FEE NUMBER:	004-141-034-000		
LOCATION:	7141 GWENDOLYN PL		

Original bill date 09/21/2016

7141 GWENDOLYN PL
SEBASTOPOL CA 95472

2016 - 2017

COUNTY VALUES, EXEMPTIONS, AND TAXES				
PHONE #	DESCRIPTION	PRIOR	CURRENT	BILLED
TAX COLLECTOR	LAND	0	269238	269238
PAYMENTS (707) 565-2281		0	0	0
24 HOUR INFO (707) 565-3010		0	0	0
CREDIT CARD 1-888-636-8418	STRUCTURAL IMPROVEMENTS	0	455583	455583
ASSESSOR		0	0	0
REAL PROPERTY VALUATION (707)		0	0	0
EXEMPTIONS (707) 565-1888	H HOMEOWNERS EXEMPTION	0	-7000	-7000
BUSINESS EQUIPMENT (707) 565-1		0	0	0
	NET TAXABLE VALUE			717,821
	VALUES X TAX RATE PER \$100 1.000000			7,178.22

(source:

<https://apps.mptsweb.com/TaxBill/Default.aspx?County=sonoma&Asmt=004141034000&TaxYear=2016&RollCat=CS&RollYr=2016&RollType=S>)

PROPERTY INFORMATION		IMPORTANT MESSAGES	
ASMT NUMBER:	004-141-034-000	TAX RATE AREA:	005001
ORIG ASMT:	004-141-034-000	ACRES:	0.00
FEE NUMBER:	004-141-034-000		
LOCATION:	7141 GWENDOLYN PL		

Original bill date 09/15/2017

7141 GWENDOLYN PL
SEBASTOPOL CA 95472

2017 - 2018

COUNTY VALUES, EXEMPTIONS, AND TAXES				
PHONE #	DESCRIPTION	PRIOR	CURRENT	BILLED
TAX COLLECTOR	LAND	0	274622	274622
PAYMENTS (707) 565-2281		0	0	0
24 HOUR INFO (707) 565-3010		0	0	0
CREDIT CARD 1-888-636-8418	STRUCTURAL IMPROVEMENTS	0	464694	464694
ASSESSOR		0	0	0
REAL PROPERTY VALUATION (707)		0	0	0
EXEMPTIONS (707) 565-1888	H HOMEOWNERS EXEMPTION	0	-7000	-7000
BUSINESS EQUIPMENT (707) 565-1		0	0	0
	NET TAXABLE VALUE			732,316
	VALUES X TAX RATE PER \$100 1.000000			7,323.16

(source:

<https://apps.mptsweb.com/TaxBill/Default.aspx?County=sonoma&Asmt=004141034000&TaxYear=2017&RollCat=CS&RollYr=&RollType=S>)



COUNTY CLERK-RECORDER-ASSESSOR
Public Assessor Services

Information as of Lien Date

January 1st 2017

Navigation

New Search

Print

View Maps

View/Print Value Notice

Property Information

Assessor Parcel Number (APN)	004-141-034-000
Assessment Number	004-141-034-000
Tax Rate Area (TRA)	005001
Current Document Number	2013R107756
Current Document Date	11/7/2013
Lot Size(Acres)	0.00
Lot Size(SqFt)	7812.00

Roll Values

Land	274,622
Structural Imprv	464,694
Fixtures Real Property	
Growing Imprv	
Total Land and Improvements	739,316
Fixtures Personal Property	
Personal Property	
Manufactured Homes	
Homeowners Exemption (HOX)	7,000
Other Exemptions	
Net Assessed Value	732,316

Navigation

New Search

(source:

[https://common1.mptsweb.com/megabytecommonsite/\(S\(qsqr2lxi5arikfraiktliw5x\)\)/PublicInquiry/Inquiry.aspx?CN=sonoma&SITE=Public&DEPT=Asr&PG=AsrMain&Asmt=004-141-034-000](https://common1.mptsweb.com/megabytecommonsite/(S(qsqr2lxi5arikfraiktliw5x))/PublicInquiry/Inquiry.aspx?CN=sonoma&SITE=Public&DEPT=Asr&PG=AsrMain&Asmt=004-141-034-000))

The homeowners exemption can only be claimed on someone's primary residence. Therefore, John Elberling's primary residence is located in **Sebastopol**, not in **San Francisco**.

John Elberling and Jo Ann Locke have not owned property in San Francisco since they sold their condo located at 255 Berry St #315 (APN: 8708-040) in December 2009 for \$1,005,000.

There is a San Francisco residency requirement for appointed members of the *Inclusionary Housing Technical Advisory Committee*. This residency requirement can only be waived by the Board of Supervisors per Charter, Section 4.101(a)(2).

2) John Elberling's San Francisco address is in a **100% Below Market Rate building**

In his application form for the *Inclusionary Housing TAC*, John Elberling claims to be a San Francisco resident, and has provided an address in the 94107 zip code:

Application for Boards, Commissions, Committees, & Task Forces

Name of Board, Commission, Committee, or Task Force: INCLUSIONARY HOUSING TECHNICAL ADVISORY COMMITTEE

Seat # or Category (If applicable): n/a District: n/a

Name: JOHN ELBERLING

Home Address: [REDACTED] Zip: 94107

Home Phone: [REDACTED] Occupation: PRESIDENT

Work Phone: 415-896-1882 Employer: TENANTS AND OWNERS DEVELOPMENT CORP.

Business Address: 230 FOURTH STREET SAN FRANCISCO CA Zip: 94103

Business E-Mail: JOHNE@TODCO.ORG Home E-Mail: [REDACTED]

Pursuant to Charter, Section 4.101(a)(2), Boards and Commissions established by the Charter must consist of electors (registered voters) of the City and County of San Francisco. For certain other bodies, the Board of Supervisors can waive the residency requirement.

Check All That Apply:

Resident of San Francisco: Yes No If No, place of residence: _____

Registered Voter in San Francisco: Yes No If No, where registered: _____

(source: <https://sfgov.legistar.com/View.ashx?M=F&ID=5672399&GUID=027B054A-55E0-4FB2-90E0-D5D71F7BE118>)

John Elberling has previously stated his address as 737 Folsom Street, San Francisco, CA 94107. This address corresponds to the Mendelsohn House, a SFHA Section 8, **100% below-market rate senior housing** owned by TODCO/YBC 3, CA N. P. P. B. CORP.

TODCO/YBC3 (EIN #94-2901051) is a non-profit corporation and its President and CEO is John Elberling. Per its most recent 990 forms, John Elberling earned up to \$278,020/year in total compensation:

2012:

(A) Name and Title		(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation reported as deferred in prior Form 990
		(i) Base compensation	(ii) Bonus and incentive compensation	(iii) Other reportable compensation				
1 JOHN ELBERLING PRESIDENT & CEO	(i)	0	0	10,344	0	0	10,344	0
	(ii)	185,656	0	0	11,250	36,341	233,247	0

(source: http://990s.foundationcenter.org/990_pdf_archive/942/942901051/942901051_201306_990.pdf)

2013:

(A) Name and Title		(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation reported as deferred in prior Form 990
		(i) Base compensation	(ii) Bonus and incentive compensation	(iii) Other reportable compensation				
1 JOHN ELBERLING PRESIDENT & CEO	(i)	0	0	10,344	0	0	10,344	0
	(ii)	185,179	0	0	11,500	42,610	239,289	0

(source: http://990s.foundationcenter.org/990_pdf_archive/942/942901051/942901051_201406_990.pdf)

2014:

(A) Name and Title		(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation in column (B) reported as deferred in prior Form 990
		(i) Base compensation	(ii) Bonus & incentive compensation	(iii) Other reportable compensation				
1 HECTOR BURGOS, ASSISTANT SECRE	(i) (ii)	126,061			1,000	43,513	170,574	
2 JOHN ELBERLING, President & CEO	(i) (ii)	211,979	9,732		11,500	44,809	268,288	

(source: http://990s.foundationcenter.org/990_pdf_archive/942/942901051/942901051_201506_990.pdf)

This compensation clearly makes John Elberling ineligible for below-market rate housing at the "Mendelsohn House" (income limit for 2 people: \$79,950). Furthermore, the maximum monthly rent for a studio at the "Mendelsohn House" (737 Folsom St) is \$862. This makes the annual rent \$10,344 (12 x \$862), which is the exact amount in John Elberling's "Other reportable compensation" column of TODCO/YBC3 2013 and 2014 990 forms.

Mendelsohn House (SFHA Section 8)	Studio	1 person \$62,200 2 people \$79,950	\$862 (flat maximum amount) or 30% of income with Section 8 Flat amount increases in July
Mendelsohn House (SFHA Section 8)	1 Bedroom	1 person \$62,200 2 people \$71,050	\$990 (flat maximum amount) or 30% of income with Section 8 Flat amount increases in July

(source: <http://www.todco.org/our-housing/>)

It is clear that TODCO/YBC3 non-profit corporation is providing free accommodation at the "Mendelsohn House" (737 Folsom St) to John Elberling as part of his CEO and President compensation package, and in addition to his rather large salary and benefits. This building is a **SFHA Section 8, 100% BMR senior housing**, and John Elberling does not qualify for BMR housing based on his income.

This means that a much needed BMR unit is made unavailable to a low-income senior household so that John Elberling can have a *pied-à-terre* in the city when not in Sonoma, as well as an address to register as a voter despite having his primary residence in Sebastopol. If he is in fact registered to vote at this address, as has been previously suggested, he is committing voter fraud.

Adding insult to injury, it seems that this additional income is reported at the "flat" below-market rate rent level, even though John Elberling does not qualify for BMR. If the non-profit TODCO did want to provide housing to a staff member, it seems logical that this should be calculated at the fair market value of said *pied-à-terre*.

This additional compensation should be reported either at 30% of Elberling's salary or at the market rate rent for a comparable apartment in the neighborhood. "Mendelsohn House" was built in 1988, so it would not be subject to rent control. We estimate the current fair market value would fetch between **\$2,500 and \$3,500/month**.

Finally, this compensation is significantly higher than that of Presidents, CEOs, or EDs of other San Francisco non-profit affordable housing developers who do not get corporate accommodation.

Chinatown Community Development Center

(A) Name and Title		(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)-(D)	(F) Compensation in column (B) reported as deferred on prior Form 990
		(i) Base compensation	(ii) Bonus & incentive compensation	(iii) Other reportable compensation				
1. NORMAN FONGS EXECUTIVE DIRECTOR	(i)	159,259	0	0	4,840	12,808	175,907	0
	(ii)	0	0	0	0	0	0	0

(source: http://990s.foundationcenter.org/990_pdf_archive/942/942514053/942514053_201512_990.pdf)

Mission Economic Development Agency

(A) Name and Title		(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)-(D)	(F) Compensation in column (B) reported as deferred on prior Form 990
		(i) Base compensation	(ii) Bonus and incentive compensation	(iii) Other reportable compensation				
Luis Granados 1 Executive Director	(i)	199,206	0	0	6,014	0	205,220	0
	(ii)	0	0	0	0	0	0	0

(source: http://990s.foundationcenter.org/990_pdf_archive/510/510187791/510187791_201512_990.pdf)

Mission Housing Development Corporation

(7) SAM MOSS Executive Dir	39 00		X			104,913	0	13,772
	1 00							

(source: http://990s.foundationcenter.org/990_pdf_archive/941/941753722/941753722_201512_990.pdf)

Tenderloin Neighborhood Development Corporation

(A) Name and Title	(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)-(D)	(F) Compensation in column (B) reported as deferred on prior Form 990
	Base (i) compensation	Bonus & incentive compensation (ii)	Other reportable compensation (iii)				
1 DONALD FALKCEO	(i) 235,644	0	0	10,314	0,780	255,738	0
	(ii) 0	0	0	0	0	0	0

(source: http://990s.foundationcenter.org/990_pdf_archive/942/942761808/942761808_201512_990.pdf)

It is also worth noting that an Executive Director of a city non-profit affordable housing developer, Jose Wheelock, was subject to a similar scandal for his rather exorbitant salary and “creative” use of non-profit resources. Mr. Wheelock, then CEO of Mission Housing, was living at Rondel Place, among his other mishandling of non-profit resources. The similarities are striking.

3) TODCO no longer builds Affordable Housing.

Unlike the non-profit affordable housing developers listed above, TODCO has not built any additional units of BMR housing in nearly **two decades**. Instead, he has used revenue generated from existing properties to pay himself a large salary and to play politics—funneling money into local elections, and taking to Facebook to create numerous paid ads expressing his various opinions.

This is a gross mismanagement of funds meant for low income San Franciscans.

Elberling could have taken those funds and reinvested them into his properties and improved the lives of his residents, like most do. He could have taken those funds and created more services and programming for the surrounding community, like most do. He could have taken those funds and leveraged the assets into building more desperately needed affordable housing, like many do.

During the last election cycle, Elberling funneled \$375,000 into local elections. And there have been no consequences for that. Instead, you are poised to re-appoint this man who funnels money away from affordable housing.

CONCLUSION:

Mr. Elberling does not qualify as a legitimate resident of San Francisco. He does not qualify as someone with relevant experience in the construction, financing, or permitting of Inclusionary Housing. He does not qualify as someone who should be appointed to such a critical position as the *Inclusionary Housing Technical Advisory Committee*, which affects every development in the city.

With this information at your disposal, we hope you act in the best interest of the city and reject his nomination to the Technical Advisory Committee.

Concerned Residents,
Laura Foote Clark & Sonja Trauss