

File No. 220442

Committee Item No. _____

Board Item No. 26

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: May 24, 2022

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

- Department of Public Health Lien Report - 4/22/22 _____
- _____
- _____
- _____
- _____
- _____
- _____

Prepared by: Lisa Lew

Date: May 20, 2022

Prepared by: _____

Date: _____

1 [Report of Delinquent Administrative Civil Penalties and Recovery of Costs for Violations -
2 Unauthorized Releases of Hazardous Material(s)]

3 **Resolution confirming report of delinquent charges for overdue Administrative Civil**
4 **Penalties and recovery of costs for violations of Health Code, Article 21, the**
5 **unauthorized releases of hazardous material(s), observed at Assessor’s Parcel Block**
6 **No. 0798, Lot No. 031 (930 Grove Street), submitted by the Director of Public Health, as**
7 **modified to the date of adoption of this Resolution, and creating special assessments**
8 **and liens based thereon.**

9
10 WHEREAS, The San Francisco Department of Public Health issued Administrative
11 Civil Penalties and cost recovery to the owner of Assessor’s Parcel Block No. 0798, Lot No.
12 031 (930 Grove Street) pursuant to Sections 1131, 1133, 1134(c), 1150, 1151(a), 1151(c),
13 1155(b), and 1176 of the San Francisco Health Code and Article XX of Chapter 10 of the San
14 Francisco Administrative Code; and

15 WHEREAS, On May 11, 2020, and February 22, 2022, the Department of Public
16 Health issued Notices of Non-Payment and Proposed Liens to the property owner and
17 responsible parties due to non-remittance of payment indicating that the Department of Public
18 Health would initiate lien proceedings if the delinquency on past due invoices was not timely
19 paid; and

20 WHEREAS, The Board of Supervisors held a duly-noticed public hearing on May 24,
21 2022, in which the Board considered any and all objections to the Department of Public
22 Health’s Report of Delinquent Accounts for Code Enforcement Cases with Delinquent
23 Assessment of Costs and Penalties as modified, and as shown, on file with the Clerk of Board
24 of Supervisors in File No. 220442 and by reference made a part hereof; now, therefore, be it

1 RESOLVED, That this Board does hereby confirm said report and assessment of costs
2 on file with the Clerk of Board of Supervisors in File No. 220442, which is hereby declared to
3 be a part of this Resolution as if set forth fully herein; and, be it

4 FURTHER RESOLVED, That the Clerk of the Board is hereby directed to transmit a
5 certified copy of this Resolution, and its attached report, to the Treasurer and Tax Collector
6 who shall cause the amount of said assessment to be added to the next regular bill for taxes
7 levied against the property, with a clear notation thereof on said bill.

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City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH

London N. Breed, Mayor
Grant Colfax, MD, Director of Health
Patrick Fosdahl, MS, REHS
Director of Environmental Health

April 22, 2022

Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Rm. 244
San Francisco, CA 94102-4689

RE: Department of Public Health Transmittal of Report of Delinquent Accounts for Code Enforcement Cases with Delinquent Assessment of Costs and Penalties Pursuant to Sections 1131, 1133, 1134(c), 1150, 1151(a), 1151(c), 1155(b), and 1176 of the San Francisco Health Code and Article XX of Chapter 10 of the San Francisco Administrative Code (commencing with Section 10.230)

Dear Ms. Calvillo:

Enclosed please find the referenced report for the public hearing scheduled before the Board of Supervisors on Tuesday, May 24, 2022, pursuant to Sections 10.231-10.233 of the San Francisco Administrative Code. Please note that for the convenience of the Board, some required information for the Report of Delinquent Charges has been summarized in tabular format below.

Following observations of significant violations of Article 21 of the San Francisco Health Code on August 6, 2019, and continuing thereafter (including Health Code Section 1150, which prohibits unauthorized releases of hazardous materials), the San Francisco Department of Public Health (DPH) issued administrative civil penalties to the responsible parties. In accordance with Section 1137(a)(1) of the Health Code, a Director's Hearing was held on February 20, 2020, and the resulting Director's Hearing Order was issued on March 20, 2020, further authorizing the administrative civil penalties and recovery of costs (see Attachment 1). DPH issued the invoices authorized by the Hearing Order to the responsible parties on March 26, 2020 (see Attachment 2). Because the responsible parties did not remit payment by April 26, 2020, DPH issued Notices of Non-Payment and Proposed Liens to the responsible parties on May 11, 2020 (see Attachment 3) and February 22, 2022 (see Attachment 4). To date, the responsible parties have failed to remit payment.

DPH has concluded that the lien procedure is appropriate for this delinquent account. An update to this report will be submitted prior to the hearing in the event of any changes resulting from receipt of payment for the delinquent charges.

I would like to thank you and your staff for your assistance with this matter. If you have any questions or need further information, please contact Senior Industrial Hygienist Jonathan Piakis at (415) 252-3911 or jonathan.piakis@sfdph.org.

Sincerely,

P. P.

A handwritten signature in blue ink, appearing to read 'Patrick Fosdahl', written in a cursive style.

Patrick Fosdahl, MS, REHS
SFDPH Director of Environmental Health

Department of Public Health, Environmental Health Branch
Hazardous Materials and Waste Program – Delinquent Charges (Dated April 22, 2022)
Board of Supervisors Report and Request for Hearing

Property Owner Information:

TP PHAM LLC
Phuong Thanh Pham
1738 44TH AVE
SAN FRANCISCO, CA 94122
ppham9999@yahoo.com; pham1738@yahoo.com

Purpose of the Charge(s):

Administrative Civil Complaint Penalties and cost recovery resulting from violations of San Francisco Health Code, Article 21.

Description of Parcel/Property:

930 Grove Street (Block 0798, Lot 031) is a residential property (RH-3 Zoning District) with a 5 story, 13 residential unit building originally built in 1885.

Line	Block/Lot	Sup. Dist.	Address	Fee	Penalty	Interest	Subtotal	Lien Admin. Charge	Total
1	0798/031	5	930 Grove Street	\$260,100.00	N/A	N/A	\$260,100.00	\$26,010.00	\$286,110.00
2	0798/031	5	930 Grove Street	\$18,385.50	\$1,838.55	\$4,412.40	\$24,636.45	\$2,463.64	\$27,100.09

ATTACHMENT 1



City and County of San Francisco
London N. Breed, Mayor

San Francisco Department of Public Health

Grant Colfax, MD
Director of Health

DPH USE ONLY

Decision Entry Date: 3/20/2020 Hearing Coordinator: CPT
Initial

Director's Hearing Order

DBA: TP Pham LLC, Goldman Architects, T N Construction Company
 Owner: Phuong Thanh Pham Address: 930 Grove Street, San Francisco, CA 94117
 Responsible Parties: Phuong Thanh Pham, John Goldman, Tinh Truong
 Hearing Date: February 20, 2020 Hearing Case Number: ASB-20-01
 Health Code: Article 21 Section 1150 and 1151

Dear Ms. Pham, Mr. Goldman, and Mr. Truong:

You were cited to appear at the Director of Health Hearing on the above date relevant to the above-referenced Health Code and based on the Administrative Civil Complaint No. 2019-A-001 dated December 4, 2019.

After a full and fair consideration of the evidence and testimony received at the hearing, THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:

1. That notice of the hearing has been duly given as required by law.
2. That you attended the hearing on February 20, 2020.
3. That the findings stated in paragraphs 1 and 4-46, inclusive, of the Administrative Civil Complaint No. 2019-A-001 dated December 4, 2019 are true.
4. That John Goldman is not a responsible party as defined by San Francisco Health Code section 1102(kk). SFHC section 1102(kk) provides in relevant part, "(kk) 'Responsible party' means (i) for a hazardous materials release site, a person or business that **owns, operates, occupies or controls** the hazardous materials release site..."
5. That the uncontradicted evidence proved that Ms. Pham, the property owner, sent Mr. Truong to 930 Grove Street, (hereinafter the Property) to do work. Ms. Pham did not tell Mr. Goldman, nor consult him about this decision. Mr. Truong declared under penalty of perjury that the work he did was not authorized by Mr. Goldman, nor directed by Mr. Goldman. Ms. Pham concurred in her own Declaration.

The mission of the San Francisco Department of Public Health is to protect and promote the health of all San Franciscans.
 We shall ~ Assess and research the health of the community ~ Develop and enforce health policy ~ Prevent disease and injury ~
 ~ Educate the public and train health care providers ~ Provide quality, comprehensive, culturally-proficient health services ~ Ensure equal access to all

grant.colfax@sfdph.org ♦ (415) 554-2526 ♦ 101 Grove Street, Room 308, San Francisco, CA 94102

6. That Mr. Goldman did not hold any funds for Ms. Pham to pay any contractors and had no authority to hire anyone to do work at the Property. Instead, Mr. Goldman had been paid on an hourly basis since 2004 to plan the renovation of the Property. Mr. Goldman suggested a general contractor for the project.
7. As of the date of the hearing, Ms. Pham never hired a general contractor for the project. Furthermore, Mr. Goldman described the process that would have happened once Ms. Pham hired a general contractor. That process included the requisite asbestos and lead studies *before* any interior work whatsoever was to occur. Mr. Goldman advised Ms. Pham several times as to how to properly proceed. Ms. Pham does not appear to have followed his advice. For example, Ms. Pham clearly ignored Mr. Goldman's direction to remove Mr. Truong from the Property immediately on August 1, 2019. Ms. Pham then consistently directed DPH's questions to Mr. Goldman instead of taking responsibility herself, and Mr. Goldman tried repeatedly to direct Ms. Pham and assist her through this process. Those facts do not make Mr. Goldman a responsible party as defined in section 1102(kk).
8. That Ms. Pham and Mr. Truong are both responsible parties as defined by San Francisco Health Code section 1102(kk), but for different periods of time.
9. That Ms. Pham is the owner of the Property. Ms. Pham is thus a responsible party for all relevant time periods, i.e., August 1, 2019 until February 20, 2020, the hearing date. Ms. Pham is the only party with continuous access to and control of the Property with the power to hire and pay the appropriate contractors to conduct and complete the required abatement work.
10. That Mr. Truong, a licensed general contractor for 25 years, entered and disturbed asbestos-containing material at the Property at Ms. Pham's direction. Mr. Truong thus occupied and controlled the Property during the key period of the initial release, August 1-August 6, 2019. Mr. Truong was therefore a responsible party from August 1, 2019 to August 6, 2019. This was the period that Mr. Truong was directed to work at the Property and granted access to and control over the Property. Regardless of whether he was actively working on the Property each day during that period, he alone caused the initial release of hazardous material over that time frame.
11. After August 6, 2019, all evidence showed that Mr. Truong was not qualified to conduct any work at the Property, had no access to or control over the Property, and had no ability to hire or pay contractors to conduct the required clean up.
12. That the release of friable asbestos constitutes a serious risk to human health. There is no safe level of exposure. Friable asbestos fibers may become trapped in the lungs. There is no known method of removing the fibers, which can cause major lung issues and mesothelioma, a fatal cancer.
13. Uncontradicted evidence established that Mr. Truong's work caused the disturbance of significant amounts of asbestos-containing material, resulting in an unauthorized release of friable asbestos. A preponderance of the evidence proved that up to the date of the hearing, that unauthorized release continued, having never been fully abated.
14. That each time DPH inspected the Property up to the hearing date, inspectors observed that proper plastic lining, wet methods, and proper HEPA filtration with adequate negative pressure were not in use. The Department produced testimonial evidence from a qualified industrial hygienist that containment of the hazard had not been attained. Additionally, respondents produced no evidence by any qualified person to the contrary. The totality of the evidence thus proves by a preponderance of evidence that the hazard continued up to the date of the hearing.
15. That the owner repeatedly showed either a lack of understanding, lack of caring and/or a lack of urgency as to the nature of the threat and the expediency needed in this situation.

Based on the findings set forth above, **THE DIRECTOR HEREBY ORDERS:**

1. Phuong Thanh Pham is to complete all requirements set forth on the Notice of Violation ("NOV") issued on 8/9/19 and Emergency Order issued on 8/12/19.
2. Pursuant to San Francisco Health Code ("SFHC") Article 21 section 1134(c)(1), Phuong Thanh Pham is liable to the Department of Public Health ("Department") for an administrative civil penalty in an amount not to exceed \$2,000 per day for the violations from August 1, 2019 until September 20, 2019.
3. Pursuant to San Francisco Health Code ("SFHC") Article 21 section 1134(c)(1), Tinh Truong is liable to the Department of Public Health ("Department") for an administrative civil penalty in an amount not to exceed \$2,000 per day for the violations from August 1, 2019 until August 6, 2019.
4. Pursuant to SFHC Article 21 section 1134(c)(2), Phuong Thanh Pham is liable to the Department for an administrative penalty in an amount not to exceed \$5,000 per day for the violations from September 21, 2019, and for each day in which the violation continues to occur and remains unabated.
5. Taking into consideration the factors set forth in SFHC Article 21 section 1134(d), Phuong Thanh Pham is civilly liable to the Department for an administrative civil penalty in the amount of \$260,100.00 for the violations outlined in Administrative Civil Complaint No. 2019-A-001 as calculated through February 20, 2020 (see Administrative Civil Complaint No. 2019-A-001 Attachment 13- Worksheet for Determining Administrative Civil Penalties as of 2/20/20).
6. Taking into consideration the factors set forth in SFHC Article 21 section 1134(d), Tinh Truong is civilly liable to the Department for an administrative civil penalty in the amount of \$3,600 (\$2,000 per day x 6 days x .30 multiplier) for the violations outlined in Administrative Civil Complaint No. 2019-A-001 as calculated through August 6, 2019.
7. In addition to the administrative civil penalty, the Responsible Parties (both Tinh Truong and Phuong Thanh Pham) are liable to the Department for costs incurred in cleaning up and abating the effects of the violation, or taking other remedial action, including but not limited to administrative costs, inspection costs and attorney's fees. As of January 31, 2020, these costs are \$18,385.50. All costs for which payment is not received within 30 days of the issuance of a notice to the responsible party of payment due, shall be delinquent and subject to a penalty of 10 percent, not to exceed \$2,000, and interest at the rate of one percent per month on the outstanding balance from the date payment is due. In addition, the City may impose a special assessment lien against the Property as provided in SFHC Article 21 section 1136.
8. The Department shall issue an invoice to the Responsible Parties within 10 days of issuance of this Director's Hearing Order for the total amount of penalties as of February 20, 2020 and costs as of January 31, 2020. The responsible parties shall have 30 days from the date of issuance of the invoice to submit payment.
9. In addition, the responsible parties shall be liable to the Director for administrative civil penalties and cost recovery in accordance with SFHC Article 21 section 1133 (b)(4), 1134(c)(2), and 1134(d) for the period after February 20, 2020 and after January 31, 2020 respectively until the completion of the abatement work in accordance with the Emergency Order and Approved Work Plan. The Department shall issue an invoice to the responsible parties within 10 days after confirmation that the abatement work has been completed for the total amount of penalties accrued after February 20, 2020 and costs after January 31, 2020. The responsible parties shall have 30 days from the date of issuance of the invoice to submit payment.
10. Pursuant to SFHC Article 21 section 1136, if the cost incurred by the City including administrative cost is not paid within 30 days after mailing of the notice, lien proceedings in accordance with the requirements of Article XX of Chapter 10 of the San Francisco Administrative Code will be initiated against the Property.

This Order is final however you may have the right to appeal as follows:

- Pursuant to SFHC Article 21 section 1133(c)(4), within 30 days after service of a copy of a decision issued by the Director, any person so served may file with the superior court a petition for writ of mandate for review of the decision. Any person who fails to file the petition within this 30-day period may not challenge the reasonableness or validity of a decision or order of the Director in any judicial proceedings brought to enforce the decision or order or for other remedies. Except as otherwise provided in SFHC Article 21 Section 1133, section 1094.5 of the California Code of Civil Procedure shall govern any proceedings conducted pursuant to the aforementioned code section. In all proceedings pursuant to this code section, the court shall uphold the decision of the Department if the decision is based upon substantial evidence in the whole record. The filing of a petition for writ of mandate shall not stay any accrual of any penalties assessed pursuant to SFHC Article 21. This subdivision does not prohibit the court from granting any appropriate relief within its jurisdiction.

Should you have any questions, please contact Industrial Hygienist Jonathan Piakis at (415) 252-3911 or jonathan.piakis@sfdph.org.

The aforementioned is a true copy of the orders issued in the name of the Director of Public Health in the City and County of San Francisco.



Date: 3/20/2020

(Signature)

Stephanie Wargo-Wilson

IMPORTANT: Can you read this document? If not, we can have somebody help you read it. For free help, please call Department of Public Health at 415-252-3800.

请注意: 你是否理解信件的全部内容? 如有任何问题, 我们提供免费翻译服务, 请致电三藩市公共卫生局 415-252-3800.

¿Puede leer este documento? Sí no puede, alguien lo puede ayudar. Para obtener ayuda gratis llame al Departamento de Salud Pública al (415) 252-3800.

ATTACHMENT 2



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

— INVOICE —

Statement Date: March 26, 2020

Invoice Number: ASB-20032602

Site:

930 Grove Street
San Francisco, CA 94117

Please Save For Your Records

Check No.: _____

Date: _____

Amount Paid: _____

Responsible Parties:

Phuong Thanh Pham
dba TP Pham LLC
Owner of 930 Grove Street
San Francisco, CA 94117

Contact Information/Addresses:

Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
pham1738@yahoo.com
ppham9999@yahoo.com

Account Summary	Current Charges:	
	Payment Received	\$0.00
	Administrative Civil Penalty	\$260,100.00
	BALANCE	\$260,100.00
Total Due	CHARGES DUE BY April 26, 2020	\$260,100.00

If full payment is not received by the due date, lien proceedings will be initiated against the property as described in detail below.

See Payment Details on Back

For questions about this invoice, please contact Jonathan Piakis at jonathan.piakis@sfdph.org or (415) 252-3911.

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

(Please write "930 Grove Street Invoice #ASB-20032602" on your check)

Statement Date: March 26, 2020 Payment Due By: April 26, 2020

Total Due: **\$260,100.00**

Enter Check No.: _____ Enter Amount Paid \$ _____

Make Check Payable to the San Francisco Department of Public Health

Responsible Parties:

Phuong Thanh Pham
dba: TP Pham LLC

Mail To:

San Francisco Department of Public Health
Environmental Health Branch
Attn: Jonathan Piakis, Asbestos Program
1390 Market Street, Suite 210
San Francisco, CA 94102

Back Page – Payment Details

Responsible Party:	The party named as a Responsible Party in accordance with the Director's Hearing Order dated March 20, 2020 and Administrative Civil Complaint 2019-A-001 dated December 4, 2019, the owner of the property on which the site is located, and other persons or businesses that occupied or controlled this hazardous materials release site are liable for administrative civil penalties in accordance with San Francisco Health Code Article 21, section 1134(c) and 1134(d).
Late Charge Reminder:	This invoice is payable within thirty (30) days of the date of issuance. Fees that are not paid in full may be collected by means of a special assessment lien against the property for delinquencies of payment in excess of 30 days under San Francisco Health Code, Article 21, section 1136.
Whom to Call:	For Billing Questions Contact: Jonathan Piakis, Asbestos Program jonathan.piakis@sfdph.org , (415) 252-3911 Monday – Friday from 7:30 AM –4:30 PM
How to Pay Your Bill:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub with your payment. You may mail or deliver payment in person at: San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102
Important Notes:	As detailed in the Director's Hearing Order dated March 20, 2020, the administrative civil penalties represented in this invoice totaling \$260,100.00 only represents the penalties assessed through February 20, 2020. An additional invoice shall be issued within 10 days after confirmation that the abatement work has been completed for any additional administrative civil penalties accrued after February 20, 2020.



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

— INVOICE —

Statement Date: March 26, 2020

Invoice Number: ASB-20032601

Site:

930 Grove Street
San Francisco, CA 94117

Responsible Parties:

Phuong Thanh Pham
dba TP Pham LLC
Owner of 930 Grove Street
San Francisco, CA 94117

Tinh Truong
dba T N Construction Company
Contractor for 930 Grove Street Project

Please Save For Your Records

Check No.: _____

Date: _____

Amount Paid: _____

Contact Information/Addresses:

Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
pham1738@yahoo.com
pphan9999@yahoo.com

Tinh Truong
T N Construction Company
115 S. Pastoria Avenue
Sunnyvale, CA 94086
Tinhtruong1938@gmail.com

Account Summary	Current Charges:	
	Payment Received	\$0.00
	Department Costs (See Attached Order and Summary of Charges)	\$18,385.50
	BALANCE	\$18,385.50
Total Due	CHARGES DUE BY April 26, 2020	\$18,385.50

*****If full payment is not received by the due date, a late penalty and interest will be assessed in addition to the initiation of lien proceedings as described in detail below.**

See Payment Details on Back

For questions about this invoice, please contact Jonathan Piakis at jonathan.piakis@sfdph.org or (415) 252-3911.

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

(Please write "930 Grove Street Invoice #ASB-20032601" on your check)

Statement Date: March 26, 2020 Payment Due By: April 26, 2020

Total Due: **\$18,385.50**

Enter Check No.: _____ **Enter Amount Paid** \$ _____

*****Make Check Payable to the San Francisco Department of Public Health*****

Responsible Parties:

Phuong Thanh Pham
dba: TP Pham LLC

Tinh Truong
dba: T N Construction Company

Mail To:

San Francisco Department of Public Health
Environmental Health Branch
Attn: Jonathan Piakis, Asbestos Program
1390 Market Street, Suite 210
San Francisco, CA 94102

Back Page – Payment Details

Responsible Party:	The parties named as Responsible Parties in accordance with the Director's Hearing Order dated March 20, 2020 and the Cleanup and Abatement Order dated August 12, 2019, the owner of the property on which the Site is located, and other persons or businesses that occupied or controlled this hazardous materials release site are liable for payment of costs that the City has incurred in cleaning up and abating the effects of the violation as provided in San Francisco Health Code, Article 21, Section 1133 (b)(4).
Late Charge Reminder:	This invoice is payable within thirty (30) days of the date of issuance. Fees that are not paid in full shall be subject to a penalty of ten percent (10%), not to exceed \$2,000, and interest at the rate of one percent (1%) per month on the outstanding balance from the date the payment is due. In addition, the City may impose a special assessment lien against the property for delinquencies of payment in excess of 30 days under San Francisco Health Code, Article 21, section 1136.
Whom to Call:	For Billing Questions Contact: Jonathan Piakis, Asbestos Program jonathan.piakis@sfdph.org , (415) 252-3911 Monday – Friday from 7:30 AM –4:30 PM
How to Pay Your Bill:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub with your payment. You may mail or deliver payment in person at: San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102
Important Notes:	As detailed in the Director's Hearing Order dated March 20, 2020 (findings #7-9), the Department's costs represented in this invoice totaling \$18,385.50 only represents the costs incurred as of January, 31, 2020. An additional invoice shall be issued within 10 days after confirmation that the abatement work has been completed for any additional costs incurred after January 31, 2020.

Invoice for Services - Summary of Charges

San Francisco Department of Public Health
Environmental Health Branch

Services provided to: **Responsible Parties named in:**

Director's Hearing Order dated March 20, 2020 for Hearing Case Number ASB-20-01 related to Cease and Desist Order and Notice of Violation 29422, Emergency Cleanup and Abatement Order 19-0812, and Administrative Civil Complaint 2019-A-001 for an Unauthorized Release of Hazardous Materials (Asbestos) at 930 Grove Street, San Francisco, California 94117

Statement Date: March 26, 2020

Re: Department's Cost Incurred with respect to the 930 Grove Street Unauthorized Release

Item	Date	Description	Hours	Personnel Charges	Other Charges (includes tax where applicable)
1	8/6/2019	Site Inspection by B. Slattengren and J. Piakis	2.5	545.00	
2	8/6/2019	Complete Chain of Custody and mail bulk samples to the lab by J. Piakis	1	218.00	
3	8/6/2019	Send Cease and desist via email by J. Piakis	0.5	109.00	
4	8/7/2019	Review email, prepare file, and upload and prepare photos by B. Slattengren	1	218.00	
5	8/8/2019	Lab Analysis Review by B. Slattengren and J. Piakis	0.5	109.00	
6	8/8/2019	Draft NOV Cover Letter by J. Piakis	1.5	327.00	
7	8/9/2019	Complete and issue Cease and Desist Order and NOV by B. Slattengren and J. Piakis	2.5	545.00	
8	8/12/2019	Draft Emergency Cleanup and Abatement Order by B. Slattengren	2.5	545.00	
9	8/12/2019	Finalize and issue Emergency Cleanup and Abatement Order by J. Piakis	1	218.00	
10	8/12/2019	Review email and upload to file	0.5	109.00	
11	8/14/2019	Phone call with Phuong Thanh Pham by B. Slattengren. Translation provided by Truong Dinh	0.25	54.50	
12	8/14/2019	Phone call with John Goldman by B. Slattengren	0.75	163.50	
13	8/21/2019	Workplan review by B. Slattengren and J. Piakis	1	218.00	
14	8/21/2019	Phonecall/email to CAC for workplan comments by B. Slattengren and J. Piakis	0.5	109.00	
15	8/23/2019	Revised workplan review and approval by B. Slattengren and J. Piakis	1	218.00	
16	9/10/2019	Meeting with CAT Valerie Lopez by B. Slattengren and J. Piakis to discuss enforcement case	1	218.00	
17	9/20/2019	Review deadline extension request from J. Goldman by B. Slattengren and J. Piakis with V. Lopez	1.5	327.00	
18	9/20/2019	Draft denial of deadline extension request by J. Piakis	0.5	109.00	
19	9/23/2019	Phonecall requested by J. Goldman with B. Slattengren and J. Piakis	0.5	109.00	

Billing Rates: Jonathan Piakis \$218/hour
Beronica Slattengren \$218/hour

Invoice for Services - Summary of Charges

930 GROVE STREET, CITY AND COUNTY OF SAN FRANCISCO

Printed March 26, 2020

Item	Date	Description	Hours	Personnel Charges	Other Charges (includes tax where applicable)
20	9/27/2019	Phonecall with CAT Valerie Lopez by B. Slattengren and J. Piakis to discuss enforcement case	0.5	109.00	
21	9/27/2019	Response to owner's meeting request by J. Piakis	0.5	109.00	
22	10/4/2019	Penalty Worksheet by B. Slattengren	2	436.00	
23	10/8/2019	Draft Administrative Civil Complaint by J. Piakis	4	872.00	
24	10/9/2019	Draft Administrative Civil Complaint by J. Piakis	4	872.00	
25	10/17/2019	Revise Draft Administrative Civil Complaint by J. Piakis	2	436.00	
26	10/30/2019	Site Visit and Inspection by J. Piakis and B. Slattengren	1.5	327.00	
27	11/7/2019	Revise Penalty Worksheet by B. Slattengren	0.5	109.00	
28	11/13/2019	Site Visit and Inspection by J. Piakis and B. Slattengren	1.5	327.00	
29	11/18/2019	Revise Penalty Worksheet and Draft Administrative Civil Complaint by J. Piakis	1	218.00	
30	11/22/2019	Consultant Update Log Review/Update by J. Piakis	0.5	109.00	
31	11/27/2019	Consultant Update Log Review/Update by J. Piakis	0.5	109.00	
32	12/19/2019	Consultant Update Log Review/Update by J. Piakis	0.5	109.00	
33	12/27/2019	Consultant Update Log Review/Update by J. Piakis	0.5	109.00	
34	1/3/2020	Consultant Update Log Review/Update by J. Piakis	0.5	109.00	
35	1/10/2020	Consultant Update Log Review/Update by J. Piakis	0.5	109.00	
36	1/13/2020	Director's Hearing Case Preparation by B. Slattengren	2	436.00	
37	1/14/2020	Director's Hearing Case Preparation by B. Slattengren	2	436.00	
38	1/15/2020	Director's Hearing Case Preparation by B. Slattengren	2	436.00	
39	1/16/2020	Director's Hearing Case Preparation by B. Slattengren	2	436.00	
40	1/31/2020	Update Director's Hearing Case Materials by J. Piakis	2	436.00	
Subtotal – Environmental Health Charges					\$11,118.00
Subtotal – Office of City Attorney Cost as of 1/21/2020					\$7,267.50
TOTAL CHARGES					\$18,385.50

Billing Rates: Jonathan Piakis \$218/hour
 Beronica Slattengren \$218/hour



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

— INVOICE —

Statement Date: March 26, 2020

Please Save For Your Records

Invoice Number: ASB-20032603

Check No.: _____

Date: _____

Site:

Amount Paid: _____

930 Grove Street
San Francisco, CA 94117

Responsible Parties:

Tinh Truong
dba T N Construction Company
Contractor for 930 Grove Street Project

Contact Information/Addresses:

Tinh Truong
T N Construction Company
115 S. Pastoria Avenue
Sunnyvale, CA 94086
Tinhtruong1938@gmail.com

Account Summary	Current Charges:	
	Payment Received	\$0.00
	Administrative Civil Penalty	\$3,600.00
	BALANCE	\$3,600.00
Total Due	CHARGES DUE BY April 26, 2020	\$3,600.00

*****If full payment is not received by the due date, lien proceedings will be initiated against the property as described in detail below.*****

See Payment Details on Back

For questions about this invoice, please contact Jonathan Piakis at jonathan.piakis@sfdph.org or (415) 252-3911.

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

(Please write "930 Grove Street Invoice #ASB-20032603" on your check)

Statement Date: March 26, 2020

Payment Due By:

April 26, 2020

Total Due:

\$3,600.00

Enter Check No.: _____

Enter Amount Paid

\$ _____

*****Make Check Payable to the San Francisco Department of Public Health*****

Responsible Parties:

Tinh Truong
dba: T N Construction Company

Mail To:

San Francisco Department of Public Health
Environmental Health Branch
Attn: Jonathan Piakis, Asbestos Program
1390 Market Street, Suite 210
San Francisco, CA 94102

Back Page – Payment Details

Responsible Party:	The party named as a Responsible Party in accordance with the Director's Hearing Order dated March 20, 2020 and Administrative Civil Complaint 2019-A-001 dated December 4, 2019, the owner of the property on which the site is located, and other persons or businesses that occupied or controlled this hazardous materials release site are liable for administrative civil penalties in accordance with San Francisco Health Code Article 21, section 1134(c) and 1134(d).
Late Charge Reminder:	This invoice is payable within thirty (30) days of the date of issuance. Fees that are not paid in full may be collected by means of a special assessment lien against the responsible party's property or business for delinquencies of payment in excess of 30 days under San Francisco Health Code, Article 21, section 1136.
Whom to Call:	For Billing Questions Contact: Jonathan Piakis, Asbestos Program jonathan.piakis@sfdph.org , (415) 252-3911 Monday – Friday from 7:30 AM –4:30 PM
How to Pay Your Bill:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub with your payment. You may mail or deliver payment in person at: San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102
Important Notes:	As detailed in the Director's Hearing Order dated March 20, 2020, the administrative civil penalties represented in this invoice totaling \$3,600.00 represents the penalties assessed through August 6, 2019.

ATTACHMENT 3



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

May 11, 2020

[Sent Via Certified Mail]
Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
Email: pham1738@yahoo.com

**Subject: Notice of Non-Payment and Proposed Lien for Invoice Number ASB-20032602
Pertaining 930 Grove Street, San Francisco, CA 94117**

Dear Ms. Pham,

Payment for invoice number ASB-20032602 (attached) was due by April 26, 2020 and, to date, no payment has been received. The San Francisco Department of Public Health (DPH) is providing you with this notice and the following information pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure):

Amount Due:	\$260,100.00
Instructions for Payment:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub with your payment. You may mail or deliver payment in person at: San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102
Department Official to Contact for Questions or Additional Information:	Jonathan Piakis, MPH, CIH jonathan.piakis@sfdph.org (415) 252-3911

If the amount due is not paid within 45 days, it shall be considered a delinquent account subject to a lien pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure). Before a lien may be imposed, as the property owner you have the right to appear before the Board of Supervisors for a hearing regarding the amount owed. Furthermore, if the obligation remains unpaid, administrative fees, penalties, and interest (including interest on amounts due after they have become a lien and continuing until paid) pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure) will accrue and become part of the lien.

Sincerely,

Jonathan Piakis, MPH, CIH
Industrial Hygienist
San Francisco Department of Public Health



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

— INVOICE —

Statement Date: March 26, 2020

Invoice Number: ASB-20032602

Site:

930 Grove Street
San Francisco, CA 94117

Please Save For Your Records

Check No.: _____

Date: _____

Amount Paid: _____

Responsible Parties:

Phuong Thanh Pham
dba TP Pham LLC
Owner of 930 Grove Street
San Francisco, CA 94117

Contact Information/Addresses:

Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
pham1738@yahoo.com
ppham9999@yahoo.com

Account Summary	Current Charges: Payment Received	\$0.00
	Administrative Civil Penalty	\$260,100.00
	BALANCE	\$260,100.00
Total Due	CHARGES DUE BY April 26, 2020	\$260,100.00

*****If full payment is not received by the due date, lien proceedings will be initiated against the property as described in detail below.*****

See Payment Details on Back

For questions about this invoice, please contact Jonathan Piakis at jonathan.piakis@sfdph.org or (415) 252-3911.

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

(Please write "930 Grove Street Invoice #ASB-20032602" on your check)

Statement Date: March 26, 2020 Payment Due By: April 26, 2020

Total Due: **\$260,100.00**

Enter Check No.: _____ Enter Amount Paid \$ _____

*****Make Check Payable to the San Francisco Department of Public Health*****

Responsible Parties:

Phuong Thanh Pham
dba: TP Pham LLC

Mail To:

San Francisco Department of Public Health
Environmental Health Branch
Attn: Jonathan Piakis, Asbestos Program
1390 Market Street, Suite 210
San Francisco, CA 94102

Back Page – Payment Details

Responsible Party:	The party named as a Responsible Party in accordance with the Director's Hearing Order dated March 20, 2020 and Administrative Civil Complaint 2019-A-001 dated December 4, 2019, the owner of the property on which the site is located, and other persons or businesses that occupied or controlled this hazardous materials release site are liable for administrative civil penalties in accordance with San Francisco Health Code Article 21, section 1134(c) and 1134(d).
Late Charge Reminder:	This invoice is payable within thirty (30) days of the date of issuance. Fees that are not paid in full may be collected by means of a special assessment lien against the property for delinquencies of payment in excess of 30 days under San Francisco Health Code, Article 21, section 1136.
Whom to Call:	For Billing Questions Contact: Jonathan Piakis, Asbestos Program jonathan.piakis@sfdph.org , (415) 252-3911 Monday – Friday from 7:30 AM –4:30 PM
How to Pay Your Bill:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub with your payment. You may mail or deliver payment in person at: San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102
Important Notes:	As detailed in the Director's Hearing Order dated March 20, 2020, the administrative civil penalties represented in this invoice totaling \$260,100.00 only represents the penalties assessed through February 20, 2020. An additional invoice shall be issued within 10 days after confirmation that the abatement work has been completed for any additional administrative civil penalties accrued after February 20, 2020.



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

May 11, 2020

[Sent Via Certified Mail]
Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
Email: pham1738@yahoo.com

[Sent Via Certified Mail]
Tinh Truong
T N Construction Company
115 S. Pastoria Avenue
Sunnyvale, CA 94086
Email: Tinhtruong1938@gmail.com

**Subject: Notice of Non-Payment and Proposed Lien for Invoice Number ASB-20032601
Pertaining 930 Grove Street, San Francisco, CA 94117**

Dear Ms. Pham and Mr. Truong,

Payment for invoice number ASB-20032601 (attached) was due by April 26, 2020 and, to date, no payment has been received. The San Francisco Department of Public Health (DPH) is providing you with this notice and the following information pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure):

Amount Due:	\$18,385.50
Instructions for Payment:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub with your payment. You may mail or deliver payment in person at: San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102
Department Official to Contact for Questions or Additional Information:	Jonathan Piakis, MPH, CIH jonathan.piakis@sfdph.org (415) 252-3911

If the amount due is not paid within 45 days, it shall be considered a delinquent account subject to a lien pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure). Before a lien may be imposed, as the property owner you have the right to appear before the Board of Supervisors for a hearing regarding the amount owed. Furthermore, if the obligation remains unpaid, administrative fees, penalties, and interest (including interest on amounts due after they have become a lien and continuing until paid) pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure) will accrue and become part of the lien.



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Piakis".

Jonathan Piakis, MPH, CIH
Industrial Hygienist
San Francisco Department of Public Health



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

— INVOICE —

Statement Date: March 26, 2020

Invoice Number: ASB-20032601

Site:

930 Grove Street
San Francisco, CA 94117

Responsible Parties:

Phuong Thanh Pham
dba TP Pham LLC
Owner of 930 Grove Street
San Francisco, CA 94117

Tinh Truong
dba T N Construction Company
Contractor for 930 Grove Street Project

Please Save For Your Records

Check No.: _____

Date: _____

Amount Paid: _____

Contact Information/Addresses:

Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
pham1738@yahoo.com
ppham9999@yahoo.com

Tinh Truong
T N Construction Company
115 S. Pastoria Avenue
Sunnyvale, CA 94086
Tinhtruong1938@gmail.com

Account Summary	Current Charges:	
	Payment Received	\$0.00
	Department Costs (See Attached Order and Summary of Charges)	\$18,385.50
	BALANCE	\$18,385.50
Total Due	CHARGES DUE BY April 26, 2020	\$18,385.50

***If full payment is not received by the due date, a late penalty and interest will be assessed in addition to the initiation of lien proceedings as described in detail below.

See Payment Details on Back

For questions about this invoice, please contact Jonathan Piakis at jonathan.piakis@sfdph.org or (415) 252-3911.

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

(Please write "930 Grove Street Invoice #ASB-20032601" on your check)

Statement Date: March 26, 2020 Payment Due By: April 26, 2020

Total Due: \$18,385.50

Enter Check No.: _____ Enter Amount Paid \$ _____

Make Check Payable to the San Francisco Department of Public Health

Responsible Parties:

Phuong Thanh Pham
dba: TP Pham LLC

Tinh Truong
dba: T N Construction Company

Mail To:

San Francisco Department of Public Health
Environmental Health Branch
Attn: Jonathan Piakis, Asbestos Program
1390 Market Street, Suite 210
San Francisco, CA 94102

Back Page – Payment Details

Responsible Party:	The parties named as Responsible Parties in accordance with the Director's Hearing Order dated March 20, 2020 and the Cleanup and Abatement Order dated August 12, 2019, the owner of the property on which the Site is located, and other persons or businesses that occupied or controlled this hazardous materials release site are liable for payment of costs that the City has incurred in cleaning up and abating the effects of the violation as provided in San Francisco Health Code, Article 21, Section 1133 (b)(4).
Late Charge Reminder:	This invoice is payable within thirty (30) days of the date of issuance. Fees that are not paid in full shall be subject to a penalty of ten percent (10%), not to exceed \$2,000, and interest at the rate of one percent (1%) per month on the outstanding balance from the date the payment is due. In addition, the City may impose a special assessment lien against the property for delinquencies of payment in excess of 30 days under San Francisco Health Code, Article 21, section 1136.
Whom to Call:	For Billing Questions Contact: Jonathan Piakis, Asbestos Program jonathan.piakis@sfdph.org , (415) 252-3911 Monday – Friday from 7:30 AM –4:30 PM
How to Pay Your Bill:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub with your payment. You may mail or deliver payment in person at: San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102
Important Notes:	As detailed in the Director's Hearing Order dated March 20, 2020 (findings #7-9), the Department's costs represented in this invoice totaling \$18,385.50 only represents the costs incurred as of January, 31, 2020. An additional invoice shall be issued within 10 days after confirmation that the abatement work has been completed for any additional costs incurred after January 31, 2020.

ATTACHMENT 4



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

February 22, 2022

[Sent Via Certified Mail]

Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
Email: ppham9999@yahoo.com, pham1738@yahoo.com

**Subject: Notice of Non-Payment and Proposed Lien for Invoice Number ASB-20032602
Pertaining 930 Grove Street, San Francisco, CA 94117**

Dear Ms. Pham,

Payment for invoice number ASB-20032602 (attached) was due by April 26, 2020 and, to date, no payment has been received. The San Francisco Department of Public Health (DPH) is providing you with this notice and the following information pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure):

Amount Due:	\$260,100.00
Instructions for Payment:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub of the invoice with your payment. <u>Please note our updated mailing address.</u> You may mail or deliver payment in person at: San Francisco Department of Public Health, Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 49 South Van Ness Avenue, Suite 600 San Francisco, CA 94103
Department Official to Contact for Questions or Additional Information:	Jonathan Piakis, MPH, CIH jonathan.piakis@sfdph.org (415) 252-3911

If the amount due is not paid within 45 days, it shall be considered a delinquent account subject to a lien pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure). Before a lien may be imposed, as the property owner you have the right to appear before the Board of Supervisors for a hearing regarding the amount owed. Furthermore, if the obligation remains unpaid, administrative fees, penalties, and interest (including interest on amounts due after they have become a lien and continuing until paid) pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure) will accrue and become part of the lien.

Sincerely,

Jonathan Piakis, MPH, CIH
Senior Industrial Hygienist
San Francisco Department of Public Health



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

— INVOICE —

Statement Date: March 26, 2020

Please Save For Your Records

Invoice Number: ASB-20032602

Check No.: _____

Site:

Date: _____

930 Grove Street
San Francisco, CA 94117

Amount Paid: _____

Responsible Parties:

Phuong Thanh Pham
dba TP Pham LLC
Owner of 930 Grove Street
San Francisco, CA 94117

Contact Information/Addresses:

Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
pham1738@yahoo.com
ppham9999@yahoo.com

Account Summary	Current Charges: Payment Received	\$0.00
	Administrative Civil Penalty	\$260,100.00
	BALANCE	\$260,100.00
Total Due	CHARGES DUE BY April 26, 2020	\$260,100.00

*****If full payment is not received by the due date, lien proceedings will be initiated against the property as described in detail below.*****

See Payment Details on Back

For questions about this invoice, please contact Jonathan Piakis at jonathan.piakis@sfdph.org or (415) 252-3911.

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

(Please write "930 Grove Street Invoice #ASB-20032602" on your check)

Statement Date: March 26, 2020 Payment Due By: April 26, 2020

Total Due: **\$260,100.00**

Enter Check No.: _____ Enter Amount Paid \$ _____

*****Make Check Payable to the San Francisco Department of Public Health*****

Responsible Parties:

Phuong Thanh Pham
dba: TP Pham LLC

Mail To:

San Francisco Department of Public Health
Environmental Health Branch
Attn: Jonathan Piakis, Asbestos Program
1390 Market Street, Suite 210
San Francisco, CA 94102

PLEASE NOTE NEW MAILING ADDRESS:

SFDPH Environmental Health
Attn: Jonathan Piakis
49 South Van Ness Avenue, Suite 600
San Francisco, CA 94103

Back Page – Payment Details

Responsible Party:	The party named as a Responsible Party in accordance with the Director's Hearing Order dated March 20, 2020 and Administrative Civil Complaint 2019-A-001 dated December 4, 2019, the owner of the property on which the site is located, and other persons or businesses that occupied or controlled this hazardous materials release site are liable for administrative civil penalties in accordance with San Francisco Health Code Article 21, section 1134(c) and 1134(d).		
Late Charge Reminder:	This invoice is payable within thirty (30) days of the date of issuance. Fees that are not paid in full may be collected by means of a special assessment lien against the property for delinquencies of payment in excess of 30 days under San Francisco Health Code, Article 21, section 1136.		
Whom to Call:	For Billing Questions Contact: Jonathan Piakis, Asbestos Program jonathan.piakis@sfdph.org , (415) 252-3911 Monday – Friday from 7:30 AM –4:30 PM		
How to Pay Your Bill:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion invoice stub with your payment. You may mail or deliver payment in person at: <table><tr><td>San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102</td><td>PLEASE NOTE NEW MAILING ADDRESS: SFDPH Environmental Health Attn: Jonathan Piakis 49 South Van Ness Avenue, Suite 600 San Francisco, CA 94103</td></tr></table>	San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102	PLEASE NOTE NEW MAILING ADDRESS: SFDPH Environmental Health Attn: Jonathan Piakis 49 South Van Ness Avenue, Suite 600 San Francisco, CA 94103
San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102	PLEASE NOTE NEW MAILING ADDRESS: SFDPH Environmental Health Attn: Jonathan Piakis 49 South Van Ness Avenue, Suite 600 San Francisco, CA 94103		
Important Notes:	As detailed in the Director's Hearing Order dated March 20, 2020, the administrative civil penalties represented in this invoice totaling \$260,100.00 only represents the penalties assessed through February 20, 2020. An additional invoice shall be issued within 10 days after confirmation that the abatement work has been completed for any additional administrative civil penalties accrued after February 20, 2020.		



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

February 22, 2022

[Sent Via Certified Mail]
Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
Email: ppham9999@yahoo.com, pham1738@yahoo.com

[Sent Via Certified Mail]
Tinh Truong
T N Construction Company
115 S. Pastoria Avenue
Sunnyvale, CA 94086
Email: Tinhtruong1938@gmail.com

**Subject: Notice of Non-Payment and Proposed Lien for Invoice Number ASB-20032601
Pertaining 930 Grove Street, San Francisco, CA 94117**

Dear Ms. Pham and Mr. Truong,

Payment for invoice number ASB-20032601 (attached) was due by April 26, 2020 and, to date, no payment has been received. The San Francisco Department of Public Health (DPH) is providing you with this notice and the following information pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure):

Amount Due:	\$18,385.50
Instructions for Payment:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub of the invoice with your payment. <u>Please note our updated mailing address.</u> You may mail or deliver payment in person at: San Francisco Department of Public Health, Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 49 South Van Ness Avenue, Suite 600 San Francisco, CA 94103
Department Official to Contact for Questions or Additional Information:	Jonathan Piakis, MPH, CIH jonathan.piakis@sfdph.org (415) 252-3911

If the amount due is not paid within 45 days, it shall be considered a delinquent account subject to a lien pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure). Before a lien may be imposed, as the property owner you have the right to appear before the Board of Supervisors for a hearing regarding the amount owed. Furthermore, if the obligation remains unpaid, administrative fees, penalties, and interest (including interest on amounts due after they have become a lien and continuing until paid) pursuant to San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure) will accrue and become part of the lien.



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

Sincerely,

A handwritten signature in blue ink that reads "Jonathan Piakis".

Jonathan Piakis, MPH, CIH
Senior Industrial Hygienist
San Francisco Department of Public Health



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

— INVOICE —

Statement Date: March 26, 2020

Please Save For Your Records

Invoice Number: ASB-20032601

Check No.: _____

Site:

Date: _____

930 Grove Street
San Francisco, CA 94117

Amount Paid: _____

Responsible Parties:

Phuong Thanh Pham
dba TP Pham LLC
Owner of 930 Grove Street
San Francisco, CA 94117

Contact Information/Addresses:

Phuong Thanh Pham
TP Pham LLC
1738 44th Avenue
San Francisco, CA 94122
pham1738@yahoo.com
gpham9999@yahoo.com

Tinh Truong
dba T N Construction Company
Contractor for 930 Grove Street Project

Tinh Truong
T N Construction Company
115 S. Pastoria Avenue
Sunnyvale, CA 94086
Tinhtruong1938@gmail.com

Account Summary	Current Charges:	
	Payment Received	\$0.00
	Department Costs (See Attached Order and Summary of Charges)	\$18,385.50
	BALANCE	\$18,385.50
Total Due	CHARGES DUE BY April 26, 2020	\$18,385.50

*****If full payment is not received by the due date, a late penalty and interest will be assessed in addition to the initiation of lien proceedings as described in detail below.**

See Payment Details on Back

For questions about this invoice, please contact Jonathan Piakis at jonathan.piakis@sfdph.org or (415) 252-3911.

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

(Please write "930 Grove Street Invoice #ASB-20032601" on your check)

Statement Date: March 26, 2020 Payment Due By: April 26, 2020

Total Due: **\$18,385.50**

Enter Check No.: _____ Enter Amount Paid \$ _____

*****Make Check Payable to the San Francisco Department of Public Health*****

Responsible Parties:

Phuong Thanh Pham
dba: TP Pham LLC

Mail To:

San Francisco Department of Public Health
Environmental Health Branch
Attn: Jonathan Piakis, Asbestos Program
1390 Market Street, Suite 210
San Francisco, CA 94102

Tinh Truong
dba: T N Construction Company

PLEASE NOTE NEW MAILING ADDRESS:

SFDPH Environmental Health
Attn: Jonathan Piakis
49 South Van Ness Avenue, Suite 600
San Francisco, CA 94103

Back Page – Payment Details

Responsible Party:	The parties named as Responsible Parties in accordance with the Director's Hearing Order dated March 20, 2020 and the Cleanup and Abatement Order dated August 12, 2019, the owner of the property on which the Site is located, and other persons or businesses that occupied or controlled this hazardous materials release site are liable for payment of costs that the City has incurred in cleaning up and abating the effects of the violation as provided in San Francisco Health Code, Article 21, Section 1133 (b)(4).		
Late Charge Reminder:	This invoice is payable within thirty (30) days of the date of issuance. Fees that are not paid in full shall be subject to a penalty of <i>ten percent (10%)</i>, not to exceed \$2,000, and interest at the rate of <i>one percent (1%) per month</i> on the outstanding balance from the date the payment is due. In addition, the City may impose a special assessment lien against the property for delinquencies of payment in excess of 30 days under San Francisco Health Code, Article 21, section 1136.		
Whom to Call:	For Billing Questions Contact: Jonathan Piakis, Asbestos Program jonathan.piakis@sfdph.org , (415) 252-3911 Monday – Friday from 7:30 AM –4:30 PM		
How to Pay Your Bill:	Payment can be made by Check or Money Order payable to the San Francisco Department of Public Health. Detach and return the lower portion stub with your payment. You may mail or deliver payment in person at: <table><tr><td data-bbox="472 892 979 1043">San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102</td><td data-bbox="992 877 1455 1043">PLEASE NOTE NEW MAILING ADDRESS: SFDPH Environmental Health Attn: Jonathan Piakis 49 South Van Ness Avenue, Suite 600 San Francisco, CA 94103</td></tr></table>	San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102	PLEASE NOTE NEW MAILING ADDRESS: SFDPH Environmental Health Attn: Jonathan Piakis 49 South Van Ness Avenue, Suite 600 San Francisco, CA 94103
San Francisco Department of Public Health Environmental Health Branch Attn: Jonathan Piakis, Asbestos Program 1390 Market Street, Suite 210 San Francisco, CA 94102	PLEASE NOTE NEW MAILING ADDRESS: SFDPH Environmental Health Attn: Jonathan Piakis 49 South Van Ness Avenue, Suite 600 San Francisco, CA 94103		
Important Notes:	As detailed in the Director's Hearing Order dated March 20, 2020 (findings #7-9), the Department's costs represented in this invoice totaling \$18,385.50 only represents the costs incurred as of January, 31, 2020. An additional invoice shall be issued within 10 days after confirmation that the abatement work has been completed for any additional costs incurred after January 31, 2020.		

From: [Piakis, Jonathan \(DPH\)](#)
To: [BOS Legislation, \(BOS\)](#); [Gee, Natalie \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Cc: [LOPEZ, VALERIE \(CAT\)](#); [Fosdahl, Patrick \(DPH\)](#); [LIFTON, HENRY \(CAT\)](#)
Subject: RE: Lien Hearing Date Request - SFHC Article 21 Delinquent Charges
Date: Friday, April 22, 2022 3:22:26 PM
Attachments: [image001.png](#)
[DPH BOS Lien Rpt 4-22-2022.pdf](#)
[DPH BOS Resolution 4-22-2022.docx](#)
[DPH BOS Lien Hearing Mailing List 4-22-2022.docx](#)

Hi all,

Please see the attached materials including:

- Report of delinquent charges with supporting attachments (.pdf)
- Resolution (word .docx)
- Mailing list (2 addresses, word .docx instead of spreadsheet as directed)

Feel free to reach out if there is anything else we can provide. Thanks!

Jonathan Piakis, MPH, CIH
Senior Industrial Hygienist
San Francisco Department of Public Health | Environmental Health Branch
Hazardous Materials and Waste, Emergency Response, and Asbestos Programs
49 South Van Ness Avenue, Suite 600
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From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Friday, April 8, 2022 1:35 PM
To: Gee, Natalie (BOS) <natalie.gee@sfgov.org>; Piakis, Jonathan (DPH) <Jonathan.Piakis@sfdph.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>
Cc: LOPEZ, VALERIE (CAT) <Valerie.Lopez@sfcityatty.org>; Fosdahl, Patrick (DPH) <Patrick.Fosdahl@sfdph.org>
Subject: RE: Lien Hearing Date Request - SFHC Article 21 Delinquent Charges

Thank you for confirming the date Natalie.

Hi Jonathan,

Please see attached for the schedule of deadlines for the Delinquent Charges Lien Hearing date. Deadlines have not changed for departmental submittals, as those will be due at noon on the listed date of the schedule.

I've also attached the Clerk's office on submitting legislation electronically, along with policy on electronic signatures. At the time of submission, we do request the documents in the following format:

- Resolution - word document
- Report of Delinquent Charges and any additional supporting documents in PDF format
- Mailing list (if any) – excel spreadsheet

Please let us know if you have any questions.

Best regards,

Jocelyn Wong

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services



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From: Gee, Natalie (BOS) <natalie.gee@sfgov.org>
Sent: Friday, April 8, 2022 1:20 PM
To: Piakis, Jonathan (DPH) <Jonathan.Piakis@sfdph.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>
Cc: LOPEZ, VALERIE (CAT) <Valerie.Lopez@sfcityatty.org>; Fosdahl, Patrick (DPH) <Patrick.Fosdahl@sfdph.org>
Subject: Re: Lien Hearing Date Request - SFHC Article 21 Delinquent Charges

Hi Jonathan,

Confirmed for May 24.

Natalie Gee 朱凱勤, Chief of Staff
Supervisor Shamann Walton, District 10
President, Board of Supervisors
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 282
Direct: 415.554.7672 | **Office:** 415.554.7670

From: Piakis, Jonathan (DPH) <Jonathan.Piakis@sfdph.org>
Date: Friday, April 8, 2022 at 1:09 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>, Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>, Somera, Alisa (BOS) <alisa.somera@sfgov.org>, Gee, Natalie (BOS) <natalie.gee@sfgov.org>, Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>
Cc: LOPEZ, VALERIE (CAT) <Valerie.Lopez@sfcityatty.org>, Fosdahl, Patrick (DPH) <Patrick.Fosdahl@sfdph.org>
Subject: RE: Lien Hearing Date Request - SFHC Article 21 Delinquent Charges

Hi all,

As a follow up to the below email, please see the lien hearing request and delinquent charge report attached here. Feel free to reach out with any questions or if there is anything else we can provide to help. Thanks!

Jonathan Piakis, MPH, CIH
Senior Industrial Hygienist
San Francisco Department of Public Health | Environmental Health Branch
Hazardous Materials and Waste, Emergency Response, and Asbestos Programs
49 South Van Ness Avenue, Suite 600
San Francisco, CA 94103
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From: Piakis, Jonathan (DPH)
Sent: Thursday, March 31, 2022 5:02 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Gee, Natalie (BOS) <natalie.gee@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>
Cc: Lopez, Valerie (CAT) <Valerie.Lopez@sfcityattty.org>; Fosdahl, Patrick (DPH) <Patrick.Fosdahl@sfdph.org>
Subject: Lien Hearing Date Request - SFHC Article 21 Delinquent Charges

Hi all,

We would like to submit the following lien hearing request for delinquent charges related to the enforcement of San Francisco Health Code Article 21:

Requesting Department/Branch:	Department of Public Health, Environmental Health Branch Hazardous Materials and Waste Program
Relevant Codes:	San Francisco Health Code, Article 21 (Hazardous Materials) San Francisco Administrative Code, Chapter 10, Article XX (Lien Procedure)
Subject Property:	930 Grove Street, San Francisco, CA 94117 (Block 0798, Lot 031) Supervisor District 5
Property Owner/Responsible Party:	TP Pham LLC Phuong Thanh Pham 1738 44 th Avenue San Francisco, CA 94122 pham1738@yahoo.com ; ppham9999@yahoo.com
Amount of Liens:	\$260,100.00 & \$18,385.50 (\$278,485.50 Total)
Requested Dates:	Flexible; after 4/8/2022
Hearing Notice Requirements:	San Francisco Administrative Code, Chapter 10, Article XX, Section 10.232: <i>Upon receipt of such report the Board shall fix a time, date and place for a hearing on the report and any protest or objections thereto, and shall cause notice of the hearing to be sent by certified mail to each owner of the property described in the report not less than 10 days prior to the date of hearing. Such notice shall be mailed to the owner at the address maintained by the Tax Collector for the mailing of property tax bills. In addition, where the proposed lien would be entitled to greater force, effect and priority</i>

than that provided by law for a judgment lien, a copy of the notice shall be mailed to other persons who have a recorded interest in the property.

The DPH Hazardous Materials Program has not needed to hold a lien hearing for some time (perhaps 15+ years) so please let me know if this request will suffice at this point and when you would like us to submit our formal case report. Feel free to reach out directly if there is anything else I can provide that may help. Thanks!

Jonathan Piakis, MPH, CIH
Senior Industrial Hygienist
San Francisco Department of Public Health | Environmental Health Branch
Hazardous Materials and Waste, Emergency Response, and Asbestos Programs
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