

April 28, 2005

ORDER TO ABATE FIRE HAZARD

TO: Delaware Lakewood Apartments LLC  
c/o T & S Realty Co LLC  
900 East Hillsdale Blvd  
Foster City, CA 94404

SUBJECT: 501-695 John Muir Drive  
Assessor's Block 7282, Lot 005

This is to notify you that I have determined that the subject property is a fire hazard and is being maintained in violation of San Francisco Fire Code and that you must correct the condition(s) as listed in Attachment A in the manner and within the times set forth in the following order.

YOU ARE FURTHER NOTIFIED that I have determined that the condition(s) set forth in Attachment A increase the hazard or menace to life and property from fire, explosion or panic and that said condition(s) may obstruct, delay or hinder the saving of life from fire, explosion or panic or may become the cause of obstruction, delay or hindrance to the prevention, suppression, or extinguishment of fire on the subject property.

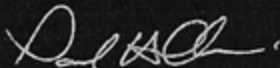
YOU ARE FURTHER NOTIFIED that, pursuant to the provisions of the San Francisco Fire Code Section 103.4.3.1.1, I hereby declare that the subject property is a fire hazard which poses a serious menace to the life and safety of the occupants and neighbors of the subject property and to the life and safety of firefighters who might be called upon to suppress or extinguish a fire upon said premises.

YOU ARE FURTHER NOTIFIED that pursuant to California Health and Safety Code, Section 17980.7, failure to comply with this notice may result in the filing of a civil action, in which the Fire Department will seek remedies including, but not limited to, the following: (1) an order that the owner not claim any deduction with respect to State taxes for the cited premises in the taxable year of this Order; (2) the appointment of a receiver; (3) an order requiring payment of all reasonable and actual costs incurred by the Fire Department, including, but not limited to, inspection costs, investigation costs, enforcement costs, attorney's fees and costs, and all costs of prosecution; and (4) an order requiring payment of benefits to the tenants of the premises for temporary relocation.

YOU ARE FURTHER NOTIFIED that a lessor is prohibited from retaliating against a lessee for the lessee's exercise of his or her rights. See Civil Code, Section 1942.5.

YOU ARE HEREBY ORDERED to correct the condition(s) listed in Attachment A within three (3) days after your receipt of this order.

If you fail or refuse to obey this order in whole or in part within the times specified herein, this matter will be referred to the appropriate authorities for immediate legal action.



Paul H. Chin  
Fire Marshal  
Bureau of Fire Prevention

PHC/TP/tp:5669P

ATTACHMENT "A"

LIST OF VIOLATIONS FOR

501-695 John Muir Drive

(Block 7282, Lot 005)

Date of Inspection: April 19, 2005

San Francisco Fire Code Section 1001.5.2 and San Francisco Fire Department Administrative Bulletin 3.3 Fire Alarm Certification: Fire alarm systems not covered under UL Certificate requirements shall have a declaration prepared by a California licensed General Electrical Contractor stating that the system is working properly. These statements are valid for a maximum of one year and must be readily available for inspection at the protected premises. Your building fire alarm system annual certification is expired. Submit to this office a copy of the new annual certification.

Buildings Requiring Underwriters Laboratories (UL) Certificated Systems. The Department requires certificates for existing fire alarm systems in all apartment houses, rental and condominium, beginning July 1, 1997. Your property is required to have an UL Certificated fire alarm system. Authorized Alarm Companies may take over responsibility for fire alarms installed by others. The Authorized Alarm Company must correct any condition requiring maintenance, repair or replacement of parts before issuing a UL Certificate. Submit a Plan of Action to this office which outlines a schedule to bring your property into compliance with this code. Your plan of action is required within thirty (30) days of receipt of this order.

NOTE: Upon completion of the above listed items, please contact Accelerated Code Enforcement Section at (415) 558-3300. Failure to comply with this Order in the allotted time frame will result in a recording against the property deed and referral to the City Attorney for legal action.

RECORDING REQUESTED BY:

SAN FRANCISCO FIRE DEPARTMENT

WHEN RECORDED MAIL TO:

NAME S.F. FIRE DEPARTMENT  
BFP/ACE  
MAILING ADDRESS 698 SECOND STREET  
SAN FRANCISCO, CA 94107  
CITY, STATE ZIP CODE

San Francisco Assessor-Recorder  
Habel S. Teng, Assessor-Recorder  
DOC- 2005-H998255-00

Acct 44-SFFD - Fire Department  
Tuesday, JUL 26, 2005 13:35:46

TEL Pd \$0.00 Nbr-0082793337  
REEL 1939 IMAGE 0641  
per/AB/1-4

SPACE ABOVE THIS LINE RESERVED FOR RECORDERS USE

TITLE (B)

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