

CITY OF SACRAMENTO
1231 I Street, Sacramento, CA 95814

Permit No: 0008014

Insp Area: 1

Site Address: 1608 22ND ST SAC

Parcel No: 007-0321-010

Sub-Type: RES

Housing (Y/N): N

CONTRACTOR
KLM ROOFING

OWNER
CLEAR DENNIS J/LINDA
6940 HAVENHURST DR
SACRAMENTO CA 95831

ARCHITECT

Nature of Work: REROOF OVERLAY WITH 25 YR DIM LAM COMP(JOB COMPLETED BY PREVIOUS OWNER)

CONSTRUCTION LENDING AGENCY : I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C).

Lender's Name _____ Lender's Address _____

LICENSED CONTRACTORS DECLARATION: I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with section 7000) of Division 3 of the Business and Professions Code and my license is in full force and effect.

License Class 73 License Number 614370 Date 7-17-03 Contractor Signature [Signature]

OWNER-BUILDER DECLARATION: I hereby affirm under penalty of perjury that I am exempt from the contractors License Law for the following reason (Sec. 7031.5, Business and Professions Code; any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 8 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500.00);

____ I, as a owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professional Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his/her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he/she did not build or improve for the purpose of sale.)

____ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law).

____ I am exempt under Sec. _____ B & PC for this reason: _____

Date _____ Owner Signature _____

IN ISSUING THIS BUILDING PERMIT, the applicant represents, and the city relies on the representation of the applicant, that the applicant verified all measurements and locations shown on the application or accompanying drawings and that the improvement to be constructed does not violate any law or private agreement relating to permissible or prohibited locations for such improvements. This building permit does not authorize any illegal location of any improvement or the violation of any private agreement relating to location of improvements.

I certify that I have read this application and state that all information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representative(s) of this city to enter upon the abovementioned property for inspection purposes.

Date 7-17-03 Applicant/Agent Signature [Signature]

WORKER'S COMPENSATION DECLARATION: I hereby affirm under penalty of perjury one of the following declarations:
____ I have and will maintain a certificate of consent to self-insure for workers' compensation as provided for by Section 3700 of the Labor Code, for the performance of work for which the permit is issued.

____ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier _____ Policy Number 2000 Exp Date _____

____ (This section need not be completed by the applicant.) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any trade or business subject to the workers' compensation laws of California and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date 7-17-03 Applicant Signature [Signature]

WARNING: FAILURE TO SECURE WORKER'S COMPENSATION COVERAGE IS UNLAWFUL AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000) IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST AND ATTORNEY'S FEE.

THIS PERMIT SHALL EXPIRE BY LIMITATION IF WORK IS NOT COMMENCED WITHIN 180 DAYS.

August 4, 2000

K L M ROOFING
2471 EL PAVO WAY
RANCHO CORDOVA, CA

Re: 1608 22nd Street – code section violations.

Mr. Ken Matson:

I appreciate your desire to begin doing everything “by the book.” It comes as a relief to myself, my husband and realtor, as you might imagine.

As per your request, I have obtained the Uniform Building Code violations for the items listed on the Correction Notice.

Mr. David M. Hay, a supervisor at the city’s building department, said however, that the city is not required to list those code sections. He also said you, as a contractor, should be familiar enough with the Uniform Building Code to recognize which violations correlate with the Correction Notice.

Regardless, I have obtained them to be respectful of your request.

It turns out that you **are** required to fix the dry-rot, not the termite contractor. That’s what it says under **Section 1516.2.3**. (I’m faxing the codes as well so you may peruse in case none of this rings a bell.)

The code also defers to the manufacturer’s instructions. Therefore, if something is not done according to manufacturer’s instructions, you are violating the code. That’s in **Section 1514 – general**.

Section 1520 also refers to flashings and counter-flashings that were noted on the Correction Notice.

I’ve also gone ahead and written the code sections next to the items on the Correction Notice.

I hope this will help expedite the process. Mr. Hay of the building department also said that if you have any questions, don’t hesitate to call him. You’ll find his business card among the information as well.

Again, thanks for your concern with completing this process according to code.

Regards,

Hanh Kim Quach, owner of 1608 22nd Street

P.S. One last question, your assistant told us the permit was issued with the “Date Issued” line blank. The one I pulled says 7/14/00. Do you know why that is? I thought your assistant told us the permit was left on the job site, and then taken. Please explain this discrepancy.

August 3, 2000

KLM Roofing

Dear Ken,

This letter is to document our conversation of tonight. This is simply a summary of what was said. To explain, however, why this conversation was necessary, I would like to outline the series of events that occurred prior to tonight's conversation.

When my clients took possession of the house at 1608 22nd Street, some painting by the pest company had not been completed, and some wood had not been removed. When the pest company came to do the work, their own employee pointed out that several items that were supposed to have been corrected, had not been. This raised a concern that an item in the pest report regarding dry rot under the roof might also have not been addressed. We felt the best way to know if this had been replaced was to ask for the signed off permit from your company. If it had been signed off, then we would know that the dry rot had been replaced.

We first called your company to ask for a copy of the permit (as was promised in your bid dated May 4th - "all permits, licenses and insurances required by law"). This was on July 14th. We were told that you would contact the permit office the following Monday or Tuesday to discuss with them the permit. When I called your office on July 17th to ask for a copy of the permit, I was assured that a signed permit was available, and I was faxed a Permit Summary Document. When I explained to you that I wasn't sure what this told me, or if the permit had been signed off, I was told that it had been.

On July 17th, we contacted the permit office who informed us that the permit had not been signed off, so we asked for a reinspection. Again, this was only to be sure that there was no dry rot under the roof. We had not suspected any problem, unless the dry rot had not been replaced, which we believed was the pest company's issue - not yours.

In our conversation tonight, you said that we didn't give you a chance to take care of the situation. We never thought that the roof would not get signed off, or that there was a "situation" to take care of. As you had pulled the permit, and the job was done, why would we not call for an inspection? Why didn't you call for an inspection when you got the permit, since the job was complete? What did we "rush" into? You never informed us that after you pulled the permit, it was your intention to return to the house to make some changes.

The city inspector reinspected the house on July 28th. You said that the inspector informed you that my client "badgered" him into making the comments he did on the Correction Notice. Knowing how strictly the permit office is run, particularly of late, I have a hard time believing that he was "badgered" into anything. You also said that my client continually pointed things out to him. My client did not go on the roof with the inspector, so I am not sure how this would have happened. You also said the inspector was not a roofing contractor so he didn't know what codes he was to be using. It is my understanding that a city inspector is capable of inspecting all aspects of a building, even if he or she does have a specialty.

July 28th, when I received a copy of the Correction Notice, I called your office to ask if you had received a copy of it. When your receptionist said you had not, I offered to FAX you a copy. She accepted and it was faxed Friday, the 28th. I then called on July 31st and left a message to find out what your intention was to correct the errors made on the roof. When I did not receive a return call, I called again on August 2nd. Again, I did not receive a return call. Tonight I received a call from Ms. Quach (after 4 messages left with you not being returned) saying that she had just spoken with you and was concerned with the tone of the conversation. I told her I would give you a call. Again, the only reason for our calls was to learn your intention to correct the situation. You said that we "bugged" you so much that our calls got put on the back burner. Response to any one of these calls would have eliminated the ensuing calls.

It is disappointing that a situation which could have been handled so easily and professionally, has become so difficult. A simple statement that "we made a mistake and we will correct it immediately" is all we were asking for. Instead, you have tried to turn this around to make it our fault. Please remember, it is your company that assured us, in writing that you pull all appropriate permits. It is your company that did the work. It is your company that did not do the work correctly (even in our conversation tonight, you admitted that at least one item was not done correctly). To turn this around to be indignant that we called you for a response, that we "rushed" you, or that we had no business calling the permit office for a reinspection and sign off is, to say the least, frustrating.

If we had not called to get a copy of the signed off permit, would one ever have been completed? You informed me that you have only pulled a permit 2 or 3 times prior to a job being started - otherwise you have always pulled them after the job was complete. When were you planning to pull a permit on this job? You can understand why we are somewhat skeptical that one would ever have been pulled, since you only pulled one after we called, and on the same day we called.

You informed me that the reason that a permit was not pulled was that it would slow down the process and possibly delay the close of escrow on the property. It was not your place to get involved in the negotiations of this escrow. If there was to be a delay, the agents involved should be informed and allowed to negotiate whatever was necessary to make the escrow work for all involved. You informed me that it might have delayed the agents getting paid. Again, this was not an issue you should have taken into account in dealing with the correct steps necessary to install a roof.

I will not go into the personal attacks made regarding myself and my clients, nor the fact that you hung up on me. Your sarcasm and accusations are evidence of your defensive posture and inability to admit that your company made a mistake.

At this point, we would request that you correct the mistakes made on the roof immediately. If we do not get prompt and satisfactory action, we will hire another company to correct the situation and take whatever action is necessary to be reimbursed for all additional costs. We look forward to a response from you by August 15th.


Paula Swayne
Dunnigan Realtors

cc:
Corey Rich & Hanh Quach
Sacramento Permit Office
James Walker
Dennis and Linda Clear