



City of  
**Mountain View**

## Rent Stabilization Program

(650) 903-6149 | mvrent@mountainview.gov  
Mountainview.gov/rentstabilization

### COMMUNITY STABILIZATION AND FAIR RENT ACT (CSFRA) REQUEST FOR APPEAL OF PETITION HEARING DECISION

**Communications and submissions during the COVID-19 Pandemic:** To the extent practicable, all communications, submissions and notices shall be sent via email or other electronic means.

Any Party to a petition may appeal the Decision by *-serving a written Request for Appeal on all applicable parties and then filing a copy of the completed form with the City within ten (10) calendar days* after the mailing of the Petition Decision. If no Appeals are filed within ten (10) calendar days, the decision will be considered final.

**I hereby Appeal the Hearing Officer's Decision for the following Petition to the Rental Housing Committee:**

Petition Case Number: C22230037

Name of Hearing Officer: Duf Sundheim

Decision Date: 6/22/2023

For the following Property Address, including Unit Number(s), if applicable:

1725

Wright Avenue

#53

(Street Number)

(Street Name)

(Unit Number)

**Person Appealing the Hearing Officer Decision** (if more than one person is appealing the petition decision, attach their contact information as applicable):

Name: Shirley Ankenbauer

Phone: [REDACTED]

Mailing Address: [REDACTED]

Email: [REDACTED]

I am:  A tenant affected by this petition.



A landlord affected by this petition.

#### Reason for Appeal:

Please use the space below to clearly identify what issue and part of the Decision is the subject of the appeal (include section headings and subheadings, as necessary). Thoroughly explain the grounds for the appeal. For each issue you are appealing, provide the legal basis why the Rental Housing Committee should affirm, modify, reverse, or remand the Hearing Officer's Decision. (continue on the next page; add additional pages if needed)

I. 5. Pre-hearing zoom meeting to be held @1pm. Mr.Sundheim and tenant Mr. Walker were in meeting. Myself and the Representative (Ms Pham) were not allowed to join until 1:30pm

#### Filing Instructions:

Once you have completed this form and attached all relevant documents, **serve all parties with complete copies** before formally filing the Appeal with the City. Once served, please file a copy of the completed form with the City of Mountain View via email (preferred method) to [patricia.black@mountainview.gov](mailto:patricia.black@mountainview.gov) or by mailing to 500 Castro Street, Mountain View, CA 94041.

#### Declaration:

I (we) declare under penalty of perjury under the laws of the State of California that the foregoing and all attached pages, including documentation, are true correct and complete.

Signature: Shirley Ankenbauer

Date: 6/22/2023

Print Name: Shirley Ankenbauer

Este formulario está disponible en inglés y español. | 此表格有英文和中文版本

**DISCLAIMER:** Neither the Rental Housing Committee nor the City of Mountain View make any claims regarding the adequacy, validity, or legality of this document under State or Federal law. This document is not intended to provide legal advice. Please visit [mountainview.gov/rentstabilization](http://mountainview.gov/rentstabilization) or call 650-903-6136 for further information.

**Reason for Appeal (Continued)**

III. 2. Code 114192(exhibit P-9) this code submitted by the tenant is actually a code pertaining to the requirements for a restaurant

IV. 1. b. and c. Tenants manner of testing water temperature by a plastic container is not a true reading from faucet. Our maintenance readings from the faucet is a more accurate reading. I have submitted a Memorandum from a Board of Supervisors stating that 105 to 120 degree temperature from the tap is acceptable to California Health and Safety Code.

IV.1. d. Villa de Wright Apartments never reimbursed Tenant \$100 for the cost of a portable heater.

IV. 2.(2). a. In regards to the readings of 106 and 107 degrees, i never admitted those readings were below minimum requirements. All my findings stated that 105 to 120 degrees from faucet were at required levels. This is in regards to (OSHA), (EPA), (CPSC) and Environmental Health services along with code compliance.

VIII. 2. b. Our Hot Water Heater/Tank is set at 120 to 140 degrees and usually reads 138 degrees at all times. This high temperature kills the Pathogens and Bacteria growth and makes the water safe for the tenants.

I am inclosing addition documents to support my findings.

## Proof of Service of Request for Appeal of Petition Hearing Decision

I declare that I am over eighteen years of age, and that I served one copy of the attached Appeal of Petition Hearing Decision after Remand on the affected party(ies) listed below by:



### Personal Service

Delivering the documents in person on the 22 day of June, 2023, at the address(es) or location(s) above to the following individual(s).



### Mail

Placing the documents, enclosed in a sealed envelope with First-Class Postage fully paid, into a U.S. Postal Service Mailbox on the 22 day of June, 2023, addressed as follows to the following individual(s).



### Email

Emailing the documents on the 22 day of June, 2023, at the email address(es) as follows to the following individual(s).

### Respondents

INSERT RESPONDENT NAME  
INSERT RESPONDENT ADDRESS  
INSERT RESPONDENT EMAIL

*I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:*

Executed on this 22 day of June, 2023

Signature:

*Shirley Ankenbauer*

Print Name:

Shirley Ankenbauer

Address:





*Eric's Find law generating* (1)  
111.2

State of California

HEALTH AND SAFETY CODE

Section 114192

114192. (a) Except as provided in subdivision (d), an adequate, protected, pressurized, potable supply of hot water and cold water shall be provided. Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet, unless otherwise specified in this part. The water supply shall be from a water system approved by the health officer or the local enforcement agency.

(b) Any hose used for conveying potable water shall be constructed of nontoxic materials, shall be used for no other purpose, and shall be clearly labeled as to its use. The hose shall be stored and used so as to be kept free of contamination.

(c) The potable water supply shall be protected with a backflow or back siphonage protection device when required by applicable plumbing codes. Exposed piping of a nonpotable water system shall be identified so that it is readily distinguishable from piping that carries potable water.

(d) A food facility may provide only warm water if the water supply is used only for handwashing, as required in Section 113953.

(Amended by Stats. 2007, Ch. 96, Sec. 40 Effective July 20, 2007.)

Put out by:  
11.2

(2)

There is a newer version of the California Code



View our newest version here



## 2016 California Code

### Health and Safety Code - HSC

### DIVISION 104 - ENVIRONMENTAL HEALTH

### PART 7 - CALIFORNIA RETAIL FOOD CODE

### CHAPTER 7 - Water, Plumbing, and Waste

### ARTICLE 1 - Water

### Section 114192.

**Universal Citation:** CA Health & Safety Code § 114192 (2016)

**114192.** (a) Except as provided in subdivision (d), an adequate, protected, pressurized, potable supply of hot water and cold water shall be provided. Hot water shall be supplied at a minimum temperature of at least 120 F measured from the faucet, unless otherwise specified in this part. The water supply shall be from a water system approved by the health officer or the local enforcement agency.

(b) Any hose used for conveying potable water shall be constructed of nontoxic materials, shall be used for no other purpose, and shall be clearly labeled as to its use. The hose shall be stored and used so as to be kept free of contamination.

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*(Amended by Stats. 2007, Ch. 96, Sec. 40. Effective July 20, 2007.)*

**Disclaimer:** These codes may not be the most recent version. California may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained on this site or the information linked to on the state site. Please check official sources.

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BOARD of SUPERVISORS



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Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

③  
IV.  
B. & C

## MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection  
Sonya Harris, Secretary, Building Inspection Commission

FROM: *AS* Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

DATE: February 13, 2017

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, introduced by Supervisor Peskin on February 7, 2017:

**File No. 170159**

**Ordinance amending the Housing Code to prohibit the installation of timers or devices, other than required water conservation fixtures, that restrict or interrupt the water flow from showerheads in dwellings, apartment houses, dormitories, lodging houses, and hotels, subject to an exception for owner-occupied dwelling units; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage as required by State law.**

The proposed ordinance is being transmitted pursuant to Charter, Section D3.750-5, for public hearing and recommendation. It is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org).

1 be provided with hot and cold running water, except water closets shall be provided with cold  
2 water only.

3 (2) All plumbing fixtures shall be of an approved nonabsorbent material. No timers  
4 or devices, other than water conservation fixtures required by Chapters 12 and 12A of this Code, shall  
5 be permitted to restrict or interrupt the water flow from showerheads installed in any dwellings,  
6 apartment houses, dormitories, lodging houses, and hotels, as defined in this Code; provided, however,  
7 that the prohibition set forth in section 505(d)(2) shall not apply to owner-occupied dwelling units.

8 (3) For the purposes of this Section, water heated to a minimum temperature of  
9 105 degrees Fahrenheit (41 degrees Centigrade) and a maximum of 120 degrees Fahrenheit  
10 (49 degrees Centigrade) at the tap shall be furnished to hotels and apartment houses.

11 (4) Each building shall provide four gallons of hot water storage capacity per guest  
12 room and eight gallons of hot water storage capacity per dwelling unit.

13 (5) Shower heads with no more than a three-gallon-per-minute flow shall be  
14 required. Showerheads of the ball-joint type that cannot easily be removed from the wall  
15 without structural alteration are exempt from this requirement.

16 \* \* \* \*

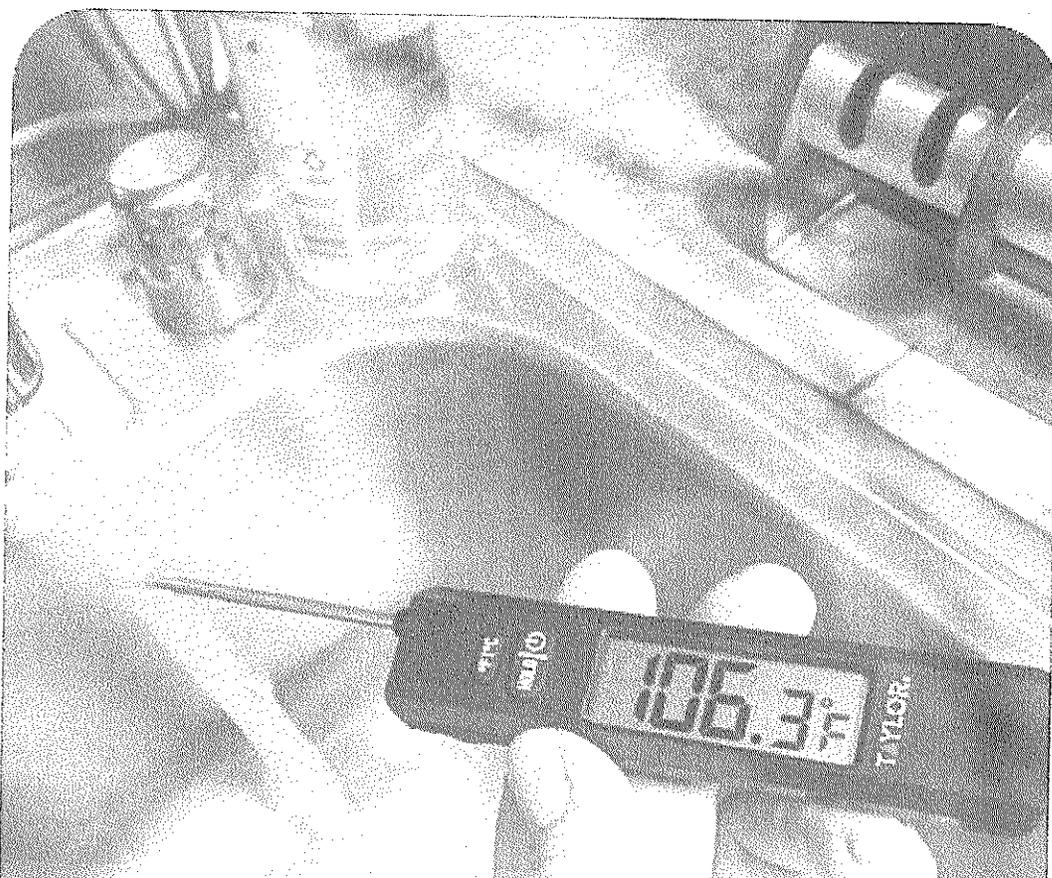
17  
18 Section 4. Effective Date. This ordinance shall become effective 30 days after  
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
21 of Supervisors overrides the Mayor's veto of the ordinance.

22  
23 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

IV. B.C.  
4



#53



#53 @ 2:31 6/22/23

Bathroom Sink



1.00  
11°

#53 @ 2:39pm  
6-22-23

TUB



#530 1:58 6/22/23

Kitchen

°F/°C

Hold/C

00.3

TAYLOR