



MAILED

7:49 am, Jun 18 2025

BUILDING AND LAND USE
ENFORCEMENT DIVISION

June 18, 2025

CIVIL PENALTY NOTICE AND ORDER

Location: 2629 Island Avenue, San Diego, CA 92102

APN No.: 535-283-0700

**Property Owner/
Responsible Person:** Lendingtips, Inc.
Agent for Service: Joshua Massieh
Address: 10531 4S Commons Dr Ste 166 437
San Diego, CA 92127

Zoning Designation: RM-1-1

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). On **August 29, 2017, September 18, 2019, March 2, 2020, and May 22, 2025**, the following violations were observed at the property and must be corrected:

Unpermitted exterior and interior modifications to a historically designated site include the following:

- Modifications and alterations to front entry concrete steps (including removing the handrail) as well as plastering over the original CMU site wall.
- Windows and doors replaced, and openings modified (this includes infill of the original door and window openings), original exterior siding and porch cover at entry replaced without the required permits, inspections, and approvals.
- Enclosing the exterior deck railing above the garage without the required permits, inspections, and approvals.
- An approximately 120 square foot deck greater than thirty inches (>30") above grade attached to the west side of building which includes a staircase with five stair risers without a handrail.
- Adding an unpermitted bathroom on the second floor which includes plumbing, mechanical and electrical modifications.
- Unpermitted remodel of the first-floor bathroom, kitchen and dining area which includes a skylight. kitchen sink lacks an approved dishwasher air gap fitting.
- Interior staircase lacks a guard on section from greater than thirty inches (> 30") to greater than sixty inches (> 60") above finish floor.

- HVAC mini-split system installed without the required permits, inspections, and approvals (one condenser serving one air handler on each floor).
- Tankless water heater installed without the required permits, inspections, and approvals.

This is a violation of the following code section(s):

<u>Code Section</u>	<u>Violation Description</u>
• SDMC §131.0430-§131.0431 -Development Regulations/Table of Residential Zones.	
• SDMC §143.0210 - When Historical Resources Regulations Apply.	
• SDMC §143.0211 - Duty to Submit Required Documentation and to Obtain Permit.	
• SDMC §143.0212 - Need for Site Specific Survey and Determination of Location of Historical Resources.	
• CRC R311.7.8 - Handrails	
• CRC R312.1 - Guards	
• CPC 807.3 - Domestic Dishwashing Machine (air gap fitting required)	
• SDMC §129.0202 - When a Building Permit Is Required	
• SDMC §129.0302 - When an Electrical Permit Is Required	
• SDMC §129.0402 - When a Plumbing/Mechanical Permit Is Required	
• SDMC §§121.0202-121.0203 provides the authority regarding enforcement of the Land Development Code.	
• SDMC §121.0302 requires compliance with the Land Development Code, specifies these violations are not permitted and provides authority for the abatement of public nuisances.	

If you correct the above violations as identified below, you will not be subject to any administrative civil penalties.

In order to avoid administrative civil penalties, you must correct the violations as follows:

By July 18, 2025:

- Submit required documentation and obtain required permits.

By December 15, 2025:

- Modify improvement(s) to comply with Development Regulations of the zone and complete all required inspections.

All applications for permits must be submitted online. Please go to <https://www.sandiego.gov/development-services> and click on apply for a permit online. Be advised that Building and Land Use Enforcement Division will be reviewing the submitted plans for enforcement compliance.

Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with the SDMC §13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between \$253 and \$267.

Please refer to the San Diego Municipal Code sections cited for additional information via <https://www.sandiego.gov/city-clerk/>.

Additional forms and documents to assist in your compliance efforts are available at: <https://www.sandiego.gov/ced/forms>.

Failure to Comply with Notice and Order

If you fail to comply with this Notice and Order in the time and manner set forth above, you are subject to civil administrative penalties pursuant to SDMC §§12.0801-12.0810. The penalty rate for the above listed violation(s) has been established in accordance with SDMC §§12.0801-12.0810 at **\$1,000.00** per violation per day and shall be an ongoing assessment of penalties at the daily rate until the violations are corrected. Administrative civil penalty amounts are established by the Development Services Director.

The following factors were used in determining the amount:

- the duration of the violation
- the nature and seriousness of the violation
- the history of the violation
- the impact of the violation upon the community
- any other factors that justice may require

Pursuant to SDMC §12.0805(a), in determining the date on which civil penalties shall begin to accrue, the Development Services Director considers the date when the Building Land Use Enforcement Division first discovered the violations as evidenced by the issuance of a Notice of Violation or any other written correspondence. The date on which the civil penalties began to accrue is **May 22, 2025**, and shall end on the date that the violation(s) has been corrected to the satisfaction of the Development Services Director or the Enforcement Hearing Officer.

Civil Penalties Hearing

If you fail to comply with the Notice and Order, written notice of the time and place of an administrative enforcement hearing will be served on you at least 10 calendar days prior to the date of the hearing in accordance with SDMC §12.0403. At the hearing, you may present evidence concerning the existence of the violation(s) and whether the amount of administrative civil penalties assessed was reasonable in accordance with SDMC §12.0808. Failure to attend an administrative enforcement hearing will constitute a waiver of your rights to an administrative hearing and administrative adjudication of the violation(s) set forth above.

Page 4
Civil Penalty Notice and Order
2629 Island Avenue
June 18, 2025

Administrative Costs

The Development Services Director or Enforcement Hearing Officer is authorized to assess administrative costs. Administrative costs may include but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; and scheduling and processing of the administrative hearing and all actions.

Failure to Comply with Administrative Enforcement Order

If you fail, neglect, or refuse to obey an order to correct the violations, administrative civil penalties will continue to accrue on a daily basis until the violation is corrected. The unpaid amount of administrative civil penalties will be referred to the City Treasurer for collection, recorded as a code enforcement lien against the property in accordance with SDMC §§13.0201-13.0204, and may be referred to the City Attorney to file a court action to recover the unpaid amount. Failure to correct the violations may also result in referral to the City Attorney for further enforcement action.

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact **Ignacio E. Parra-Gonzalez, Zoning Investigator**, at (619) 446-5385 or Iparragonzal@sandiego.gov.

ASE/IEP/DXM/ao

cc: File

CE# 236129

This information will be made available in alternative formats upon request.

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