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Before the Board of Appeals of the City of Santa Rosa

(2) and (3)

**Appeal of Sally Steinhart,**

the tenant who has resided in apartment 806 since October 2015, on the eighth floor of 801 Tupper St., Santa Rosa, CA 95404, a 14-story apartment building for very low income elderly and disabled adults, also known as Bethlehem Tower, and which building has been infested with rats from the colony living within its walls for an extended period of time with the knowledge of, and due to the active and intentional neglect, and intentional concealment of the infestation from prospective and existing tenants by the owners and managers thereof.

(4)

Tenant Sally Steinhart does not protest the finding that Bethlehem Tower is a substandard building (CA Health & Safety Code §§17920.3 and 17920.3(a)(12) and the owner is the responsible person, because of a longstanding rat infestation due to inadequate garbage storage and removal facilities, as disclosed to me by Senior Code Enforcement Officer Cassidy G. Anderson. She told me rats climb up the garbage chute above a large open bin which is full of plastic bags full of garbage, and thereby gain access to the between-apartment air spaces which contain plumbing, electrical and communication wiring, hot and cold water pipes that provide, by gravity, heating and cooling from a boiler and chiller on the roof to each apartment and which pass through openings in the drywall into the apartment, and high voltage wiring that passes through the openings in the drywall to the electric oven/stove.

**I do protest** the factually unsupported suggestion that I, a tenant, was in any way responsible, or contributed, much less caused or substantially contributed to the rodent infestation anywhere in the building. I have lived on the 8<sup>th</sup> floor for almost 10 years, during 7 or 8 of which I did not know there were any rats in the building until my tidy neighbor told me that she had found some living in her closet, and put everything in thick plastic containers. We compared notes and realized that the sounds coming from above the ceiling every night were probably rats.

(5)

The relief I seek is the removal of any suggestion that I, a tenant who has lived in apartment 806 on the 8<sup>th</sup> floor of this 14 story apartment building since November 2015 and never had any rodent, bed bug, or cockroach infestation in my one bedroom apartment for eight years was somehow responsible for the rat infestation anywhere in the building.

I also seek the reversal of, and that the purported denial of my relocation benefits in the unsubstantiated, unattributed, and factually unsupported conclusion that "Code Enforcement staff has determined based on visual observations that the responsible party has failed to maintain the structure adequately and the tenant is ineligible," be set aside to the extent it refers to me. As the owner is the responsible party for the rat infestation of the entire building according all of the cited laws, and other provisions of California law, particularly the Health and Safety Code, no justification for denial of relocation benefits has been established. Any statements, conclusions, opinions, or other factually unsupported matters must be, by law, set aside as unjustified because only the owner is at fault, as the person responsible for extermination of any rodent or other pest infestation.

I never knew there were rats living in the building until my neighbor, who also lives on the 8<sup>th</sup> floor, told me she had found rodents in her closet and heard them moving around her kitchen at night, sometime in 2022 or 2023. She spent years getting rid of them, and cockroaches, with glue traps and roach motels she purchased until, in exasperation, she spoke to management about the rats that she continued to find and remove from her apartment. She asked manager SK if there were any openings in the walls, such as behind the stove, where they could be

entering. Without a minute of thought he denied that there were any such openings, and if there had ever been any, they had been appropriately filled so that it was impossible that any rats could be entering her apartment. Eventually she was given a snap trap baited with peanut butter and was catching several rats each week. I saw three of them dead in the trap. By the way, she was very tidy and removed recyclables, trash, and other waste from her apartment several times a week.

I believe there is some connection between the flooding in my apartment that started in October 2018, and the rats. I was out, and when I returned to my apartment, #806, I found the carpet in the hallway, adjacent to the wall between the bathroom and the hall, soaking wet. A maintenance employee came to my door and asked if there had been some water spilled, such as from the shower/tub. I said no, that I had not used the shower or tub in over 24 hours, but had just returned home after being gone for a few hours to find the carpet wet when I walked across it, the water rising up from below the carpet. Soon another employee came with a carpet shampoo machine to extract the water from the carpet. She also knew to check the closet in back of and on the other side of the shower. The carpet on the floor of the closet was also soaking wet. It was obvious to me that such a flood had happened in my apartment before. Another tenant confirmed to me that she was friends with the prior tenant who was always complaining about flooding and leaks in the apartment. I had another similar flood a month later, and again late Friday night of Memorial Day weekend in May 2019. Because of the long weekend the maintenance man who showed up with a mop and bucket said it would have to wait until Monday. I pointed out that Monday was a holiday. So I had to walk through standing water for four days, in spite of the warning attached to the lease that water standing for 72 hours would result in black mold, so any should be reported to management immediately. I was told they had done nothing to stop the flooding because they and Roto-Rooter didn't know what was causing it. A Notice of Violation was issued by Code Enforcement Officer Cassidy Anderson based on her observations of the conditions on that Tuesday, which required that the plumbing be repaired to stop the flooding, and any appropriate plumbing permit be obtained.

Although I was excluded from my apartment for a month for unidentified "repairs" the only permit issued was to a painting decorating contractor. So no plumbing repair was ever made, and another flood like the first three happened 14 months later. But my property, from the bathroom, kitchen, hallway, and closet, had been put in random boxes. Everything was stacked up or put on the balcony, with a promise by the two young people who did the packing and who demanded that I immediately leave the apartment on no notice, that they would come back and unpack. But they didn't, leaving the stacked boxes in two walls, and piles of furniture and other heavy objects turning my apartment into a virtual storage locker.

In my research into rats since my apartment became infested with them I have learned they use water pipes as highways to get from floor to floor. Several electrical outlets in the kitchen and bathroom go out in the middle of the night, and the breakers are flipped, due to the gnawing of the rats living in the walls, who leave their droppings in the utility cabinets and more gnawed wire.

I have spent well over an hour on the City of Santa Rosa website and could not find any amount of appeal fee that a tenant living in a rat-infested apartment in a substandard building must pay to appeal the wrongful denial of relocation expenses, and can only surmise that the City Council determined that a tenant under such circumstances need not pay any fee to appeal the wrongful denial of benefits. I would therefore ask that the determination of such fee, if any, be delayed and determined during the appeal or be waived as it appears the City Council intended.

I, Sally Steinhart declare under penalty of perjury, that the facts set forth above are true based on my own personal knowledge, and that I signed this declaration on Friday, June 6, 2025 at Santa Rosa, California

*Sally Steinhart*