



February 16, 2026

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BUILDING AND LAND USE  
ENFORCEMENT DIVISION

# CIVIL PENALTY NOTICE AND ORDER

**Location:** 3794 National Avenue, San Diego, CA 92113

**APN No.:** 550-102-17-00

**Property Owner/  
Responsible Person:  
Address:** Estrella Brisa Ruiz Zamora  
2967 Logan Avenue  
San Diego, CA 92113

**Zoning Designation:** RM-2-5

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). On January 22, 2026, the following violations were observed at the property and must be corrected:

- An existing commercial building has been converted into habitable space without City approval, permits, and inspections. The unpermitted work includes, but may not be limited to;
  - First floor - Unit A: an unpermitted 1 bedroom, 1 bathroom, a kitchen, a living area, with unpermitted laundry connections.
  - First floor - Unit B: an unpermitted 2-bedroom, 1-bathroom, a kitchen, and a living area. Unpermitted
  - Second floor - Unit C: an unpermitted 2-bedroom, 1-bathroom, and a kitchen.
- Unit A: The heater is not in a verifiable working condition, evidence of mold in the bathroom, the bathroom exhaust fan does not function, and extension cords are used as a permanent power source.
- Unit B: The heater is not in a verifiable working condition.
- A permitted, attached garage has been converted into habitable space.
- Installation of an unpermitted patio cover attached to the east side of the existing garage. and measuring approximately 392 square feet in size.
- There is a broken window on the east side of the building.

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

- | <u>Code Section</u>                      | <u>Violation Description</u>  |
|--|---|
| • 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   |
| • Health and Safety Code §17920.3(a)(13) | - Visible Mold Growth (Provide Initial Report, Abate Mold, Provide Completion Report)   |
| • CEC Section 110.12                     | - Execution of Work & Flexible Cord Use   |
| • CEC Section 400.12                     | - Uses not Permitted.   |
| • SDMC §1411.0302                        | - Maintenance   |
| • Health and Safety Code §17920.3(n)     | - Building used for living purposes not permitted   |
| • 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 **immediately** and no later than **August 11, 2026**, as follows:

- Obtain required permits to remove or keep unpermitted work; complete all required inspections.
- Obtain the required Electrical Permit and successfully complete all required inspections.
- Obtain required Plumbing/Mechanical Permits and successfully complete all required inspections.
- Obtain mold/moisture report from a Testing and/or Remediation provider; submit to this division, abate identified moisture or mold via remediation best practices. Upon completion of remediation, submit documentation or a report of abated mold/moisture to this division.
- Perform modifications and maintain structure in a safe and sanitary condition as required.
- Ensure heaters are functioning properly.
- Ensure bathroom exhaust fans are functioning properly
- Immediately cease the use of unpermitted areas as habitable space; restore to permitted use/configuration or remove.
- Immediately cease the use of temporary power cords for a permanent power supply.
- Repair the broken window on the east side of the building.

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**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. For current reinspection fees please visit the City of San Diego's User Fee Schedule at: <https://www.sandiego.gov/city-clerk/>.

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 \$150.00 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 nature and seriousness of the violation
- the impact of the violation upon the community

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 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 **February 16, 2026**, 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.

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### **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 **Travis Espinosa, Combination Building Inspector**, at **(619) 533-3957** or [TEspinosa@sandiego.gov](mailto:TEspinosa@sandiego.gov).

RMC/TSE/ao

cc: File  
Council District #4

Case No. 226255

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

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