

# City attorney to sue Post Office over mail delivery

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and Rent Board when residential hotel owners don't install "receptacles for each residential unit." SROs must comply with postal specifications for installing the receptacles, but the ordinance says "delivery will not be enforced by the Department of Building Inspection."

The standing-room-only crowd of three dozen tenants jammed into a small room at the SRO Collaborative were eager to tell their daily woes. Two-thirds indicated by a show of hands their mail had been lost. A third said government and personal checks had been lost. One man said that because he hadn't received government letters requiring a response, he lost his Medicare benefits.

Only four residents said their SROs have individually locked mailboxes, suggesting a large number are without them in the estimated 20,000 residents in the city's 503 SROs. The

collaborative staff last year "street canvassed" the TL and Sixth Street SROs, working from a Department of Building Inspection list. The staff found 31 SROs totaling 1,003 units without individual mailboxes.

Several residents said mail carriers routinely dump mail on the floor if a desk clerk isn't there to accept it. And many bemoaned certain desk clerks who hold back mail to punish people or leverage favors.

Most of the nonprofit hotels, including TND's and Tenderloin Housing Clinic's, the parent of the SRO Collaborative, have installed individual boxes in their SROs, said Jeff Buckley, SRO Collaborative director. But many privately owned SROs haven't made the change, he said. Now, according to postal authorities, it's too late and there won't be any more recently converted SROs getting individualized mail delivery.

(Ironically, the city ordinance obliges the Postal Service to provide SROs that want to

switch to individual mailboxes a list of vendors that sell them.)

"We think it's unconstitutional," Deputy City Attorney Sherri Kaiser said of the policy. "People have rights to get (mail). We'll try to get the post office to look at its regulations and a federal judge to look at what's resulted."

"(City Attorney) Dennis Herrera is pouring his interest into this," Kaiser added. "He really wants to move this forward."

A fundamental problem is that postal regulations prevail over state and local laws, just like with medical marijuana. The Postal Service is a quasi-federal agency. Its regulations entitle apartment buildings to individual box delivery; hotels get a bulk drop with the mail sorted and distributed by hotel personnel. SROs are classified as hotels. The Postal Service makes no distinction between tourist hotels like the Fairmont and the city's SROs that are homes to thousands of low-income and formerly homeless citizens.

"It's true our law is lower on the totem pole," said Kaiser. "But they (the Postal Service) are not following their own regulations. There's a section that (details) what an apartment building is, and an SRO meets all those requirements."

Chief Housing Inspector Rosemary Bosque said at the meeting that Building Inspection staff had spent "a lot of time trying to get compliance" but exacerbating the problem is that 1 in 5 of the SROs have lobbies off the main floor where carriers won't deliver. Bosque tried to involve Sen. Feinstein, she said, but her calls were not returned. Since the mailbox ordinance went into effect, Bosque said, the post office doesn't have enough staff to handle additional work.

"A residential hotel is the same as a residence," Bosque told the group. "You are residential households. Perhaps this (lawsuit) will get the attention of Feinstein, Pelosi and Boxer."

The city attorney asked SRO residents to be specific about their experiences, and they didn't lack for examples.

Ron Whitaker said at his All Star SRO in the Mission the mail carrier rings a bell, opens the door, yells "mail call" and tosses the bag of mail upstairs.

"We don't even get a 'mail call,'" said Dan Jordan who lives at the Shree Ganeshi at 68 Sixth St. "We got our individual boxes in October but the post office won't deliver unless they're on the first floor. Well, they're on the second floor, so the (carrier) just dumps the mail on the ground and leaves."

Robert Kauth, from the Alder Hotel in the next block, said he lost his medical benefits because of government mail he didn't receive. He said he has a terminal condition and missed doctor's appointments because of the shoddy mail delivery. The desk clerk has "played games" and withheld his Social Security checks, too, he said. Another man talked about a private SRO owner who opened mail indiscriminately and tossed away letters sent to people who had moved. He knew, he said, because he emptied her waste baskets.

Another Alder resident, Andrew Kaczmarshi, said his mother had sent him a \$150 money order to help on his rent so he wouldn't be evicted. But after two weeks he hadn't received it so he ran a trace.

"They told me it was cashed three days after it was sent," he said. "And I was evicted."

SRO residents say lack of individual mailboxes is "dehumanizing" and an affront to being poor that leaves them even more vulnerable. Amid the fusillade of complaints one man yelled to the officials seated at a table in front asking when a court decision could be expected on something like this.

"It's hard to predict," said Kaiser. "But one to two years after we file is an ample time."

A senior investigator, Carol Stuart, took notes on the residents' comments and planned to take statements by appointment at the SRO Collaborative office the next week. Two weeks later she told The Extra she took 12 "representative" statements from residents that are "a good overview."

If residents don't think their SROs have

complied with the law they can petition the Stabilization and Rent Board for a rent reduction. Executive Director Delene Wolf said there have been two cases.

Four tenants at a 3900 Third St. SRO got \$50 rent reductions, Wolf said. But the case is on appeal because the owner said he didn't get

a hearing notice. The owner has since installed individual mailboxes, she added, but "the post office won't deliver" because of a technicality.

The other case involves five tenants in the Crystal Hotel at 130 Eddy St., which doesn't have individual boxes. But a hearing date hasn't been set. Uravi LLC owns the Crystal. ■

The laws were meant to eliminate third-party handling of mail and cardboard caddies like this one that was supplanted at the Camelot Hotel by individually locked mailboxes.



Charles Maxwell, who got the ball rolling for SRO mailbox delivery, and Marsha Jackson, then-Bayanihan House administrator, in front of the hotel's then-new mailboxes.

## SRO mail call: The backstory

If you see Charles Maxwell anywhere, tell him that what goes around comes around. He is the formerly homeless man who began the push for individually locked mailboxes in SROs after moving into the handsome then-new Bayanihan House at Sixth and Mission streets in October 2003.

A bank of gleaming mailboxes had been installed in the Bayanihan lobby but the post office wouldn't touch them. Postal authorities said hotels got a bulk drop, according to its regulations. So desk clerks had to distribute the mail.

Maxwell was incensed. He thought it was his right to get mail delivered safely, directly and privately to his new home. He went to the Central City SRO Collaborative and began working with staffer Earl Brown. Together they got scores of other SROs involved. Eventually, 330 residents, complaining of desk clerks mishandling, losing, even stealing mail, signed a petition calling on the post office for individual mailbox delivery.

The coalition had tried for months to meet with postal authorities but got put off. But when Supervisor Chris Daly's office got involved, a meeting was set. The post office backed out of that, too, and another. Finally, in May 2004, Brown and the activists broke through the stonewalling and went to the post office's administrative offices at 1300 Evans for a confrontation.

Then Postal Service Customer Services Manager

Robert Reed relented, but without ever considering the SROs anything but hotels for transients. Reed agreed to take each SRO case by case, provided managers completed the required paperwork.

That June, Rep. Nancy Pelosi's office responded to the growing issue after her representatives met with a staffer from Supervisor Daly's office and coalition members.

"Congresswoman Pelosi will initiate a congressional inquiry to see how this problem can be solved," Dan Bernal, her deputy district director said in a statement.

With the promise of city legislation to come for SRO individual mailboxes, though, Pelosi curbed the inquiry.

Daly's legislation, effective April 2006, called for private and nonprofit SROs to have boxes installed by April 2007. But the post office had just one worker to oversee size and location compliance requirements. Hundreds of SROs had to wait for site appraisals before proceeding. By August 2007, 82 SROs had installed mailboxes, a spokesman told The Extra then.

Now, any SRO mailboxes that were installed after Sept. 24 will be ignored and those hotels will get bulk drops, just like it was when Maxwell moved into the Bayanihan. The desk clerk said Maxwell moved out three years ago. ■

—TOM CARTER



PHOTOS BY TOM CARTER 2004

Windsor Hotel resident Robert Joyner says that when the SRO switched to locked mailboxes for individual residents it made order out of chaos.

## TL now officially Uptown — next comes history museum

BY MARJORIE BEGGS

THE Uptown Tenderloin Historic District — 33 blocks north of Market Street — was officially added to the National Park Service's Register of Historic Places Feb. 13.

Next: a history museum in the Cadillac Hotel, with initial grant funding of \$35,000 from the Fifth Age of Man Foundation in the Mission District and pro bono design by architectural firm Perkins + Will.

Randy Shaw, Tenderloin Housing Clinic executive director and prime mover in pushing the historic district, says the museum will open in 2012.

Fifth Age of Man Foundation was originally the Mark Ross Foundation, founded in 1985. When Ross died in 1995, he designated the bulk of his wealth, from a San Francisco import-export business, to the creation of the new foundation, its name derived from a line in Shakespeare's As You Like It and other classical mythological and cultural references. Grantees are a varied lot, from the San Francisco Ballet to the Ayn Rand Institute and the Pacific Rowing Club.

Also planned: As many as 100 colorful flags will line the streets of the Tenderloin announcing the historic district and the neighborhood's uniqueness, courtesy of the North of Market/Tenderloin Community Benefit District. The CBD ran a contest for four banners — one touting the historic district; two more general on the themes of families, diversity and heart of the city in the neighborhood; and a fourth announcing the new Taylor Street arts district.

The Mayor's Office of Economic and Workforce Development gave the CBD \$25,000 to pay for production and installation of the first three banners, while DPW is fronting for the fourth.

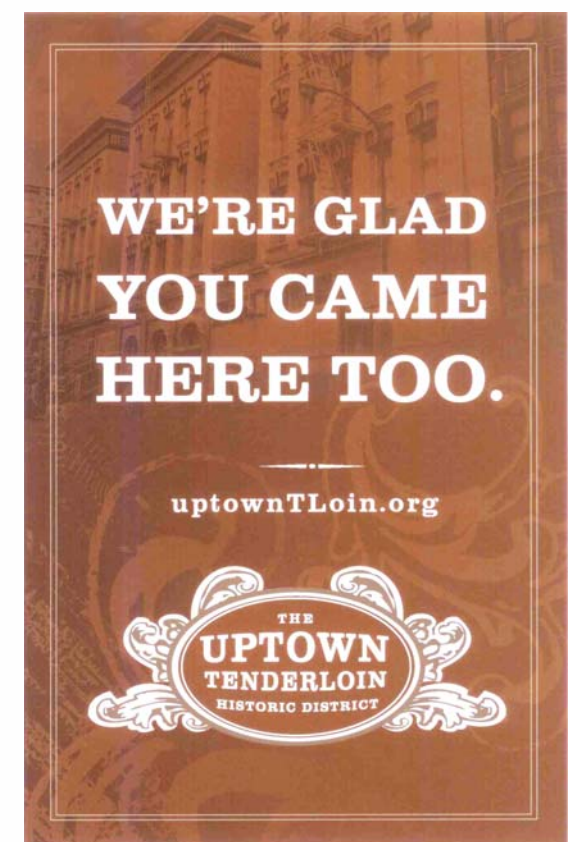
CBD General Manager Elaine Zamora says DPW took over the Taylor Street portion of the project to "accelerate the process" of getting the banners up. The CBD has approved a design with the arcane message "Art on Taylor in the Ten."

The arts district, three blocks of Taylor north of Market Street, is being planned by a coalition of the Mayor's Office of Economic and Workforce Development, San Francisco Arts Commission, Grants for the Arts, the North of Market Neighborhood Improvement Corp. and other neighborhood groups. On Feb. 21, Gray Area Foundation for the Arts broke ground at 55 Taylor for renovations on a vacant former porn theater where it will open a gallery, cafe and artists' stu-

dios and other arty spaces.

As The Extra went to press, the CBD announced the winning banner design — but not the exact message — for the historic district. Academy of Art student Kayla Jones' design was chosen by the museum's just-formed board of directors. Board members are Shaw, S.F. Hilton publicist Debbie Larkin, Evelyn & Walter Haas Jr. Fund associate Brad Paul, the Cadillac's Kathy Looper, Hastings CFO David Seward and Zamora.

Winners of designs for the two other banners will be announced in March. One banner will feature a design by a youth artist, under 18, and another by someone from the community at large. Zamora said the CBD put out a call for artists on Craigslist and to 200 on its community email list. ■



This was the winning design for the Uptown Tenderloin Historic District banner by art student Kayla Jones.