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8  
9 Attorneys for Petitioner  
10 756 PAGE STREET, LLC,  
11 a California Limited Liability Company

**FILED**  
San Francisco County Superior Court

JUL - 8 2020

CLERK OF THE COURT

BY: JRD Deputy Clerk

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 COUNTY OF SAN FRANCISCO

14 UNLIMITED CIVIL JURISDICTION

15 756 PAGE STREET, LLC, a California  
16 Limited Liability Company,

17 Petitioner,

18 vs.

19 CITY & COUNTY OF SAN FRANCISCO;  
20 SAN FRANCISCO RESIDENTIAL RENT  
21 STABILIZATION AND ARBITRATION  
22 BOARD; and DOES 1 through 25  
23 inclusive,

24 Respondents.

25 DIZON-ROSS, LOVE, SCHWARTZ,  
26 ROSENBERG, GREGORY J. GURREN,  
27 RISE LEANN GURREN, CHELSEA  
28 ROSE FISCHBACH, JASON  
NATHANIEL HUSBY, LEAH OLSON,  
PAULINE BABCOCK, LINDSEY  
LAVONNE ANDERSON, ARTHUR  
NELSON, and CELICIA NELSON,

Real-Parties-in-Interest

Case No.: CPF-18-516334

**[PROPOSED] ORDER GRANTING  
PETITIONER'S MOTION FOR A WRIT  
OF ADMINISTRATIVE MANDAMUS**

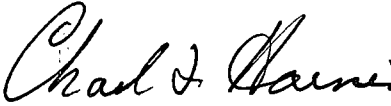
Petitioner's motion for a writ of administrative mandamus was tentatively ruled

1 upon by department 501 of the above-entitled court, the Honorable Charles F. Haines, presiding,  
2 on July 7, 2020, and neither party contested the court's tentative ruling. The court therefore  
3 having considered the motion, and the opposition thereto, and good cause appearing therefor;

4  
5 IT IS HEREBY ORDERED:

6 1. Petitioner's motion is **GRANTED**. Administrative Law Judge abused  
7 discretion by dismissing the action with prejudice. The record shows that Petitioner took  
8 reasonable steps to inform the Rent Board of his condition before the hearing by leaving a  
9 voicemail. This information was in the Rent Board's possession at the time of the dismissal, and  
10 became known to the Administrative Law Judge 5 minutes after oral dismissal and two weeks  
11 before the written order. The Order dismissing the Petition mentions the fact that the Petitioner  
12 failed to provide any verification of his illness. Nowhere in the record does it show that  
13 Petitioner was informed that verification was required or what kind of verification was required  
14 for the sudden onset of the illness to be provided on the morning of the hearing by 9:20 a.m.  
15 Administrative Law Judge had three less drastic measures to choose from and was reasonably  
16 apprised of the fact that Petitioner did not abandon the action by virtue of a representative/witness  
17 being present at the hearing.

18  
19 Dated: July 8, 2020

20   
21 Hon. Charles F. Haines  
22 Judge of the Superior Court