

CLAIM AGAINST THE CITY AND COUNTY OF SAN FRANCISCO

Before completing this form please read the instructions on the back. Untimely claims will be returned. Please submit this form and supporting documentation to the Controller's Office, Claims Division, 1390 Market Street, 7th Floor, San Francisco, CA 94102 in person or by mail.

23-01425

* = REQUIRED ** = REQUIRED IF KNOWN

DRUGEN

<p>1. Claimant's Name and Home Address (Please Print Clearly) * Timothy Obler [Redacted] City [Redacted] State [Redacted] Zip [Redacted] Telephone Daytime [Redacted] Evening [Redacted] Cellular [Redacted]</p>	<p>2. Send Official Notices and Correspondence to: * 280 Turk St City San Francisco State CA Zip 94102 Telephone Daytime 415-346-3740 Evening [Redacted] Cellular [Redacted]</p>
<p>3. Date of Birth [Redacted]</p>	<p>4. Social Security Number [Redacted]</p>
<p>7. Location of Incident or Accident ** Taylor and Eddy St 1000 California St</p>	<p>5. Date of Incident * 12/27/2022</p> <p>6. Time of Incident (AM or PM) ** morning</p>
<p>8. Claimant Vehicle License Plate #, Type, Mileage, and Year **</p>	

9. Basis of Claim. State in detail all facts and circumstances of the incident. Identify all persons, entities, property and City departments involved. State why you believe the City is responsible for the alleged injury, property damage or loss.

* See attachment A

Name, I.D. Number and City Department of City Employee who allegedly caused injury or loss	Type of City Vehicle	Vehicle License Number and Bus or Train Number
**	**	**

<p>10. Description of Claimant's injury, property damage or loss</p> <p>* See attachment A</p>	<p>11. Amount of Claimant's property damage or loss and method of computation. Attach supporting documentation. (See Instructions)</p> <table style="width:100%;"> <tr> <th style="text-align: center;">ITEMS</th> <th style="text-align: right;">\$</th> </tr> <tr> <td>* See attachment A</td> <td style="text-align: right;">\$</td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>TOTAL AMOUNT</td> <td style="text-align: right;">\$ 10,000</td> </tr> </table> <p>Court Jurisdiction: Limited (up to \$25,000) <input type="checkbox"/> Unlimited (over \$25,000) <input type="checkbox"/></p>	ITEMS	\$	* See attachment A	\$		\$		\$		\$	TOTAL AMOUNT	\$ 10,000
ITEMS	\$												
* See attachment A	\$												
	\$												
	\$												
	\$												
TOTAL AMOUNT	\$ 10,000												

12. Witnesses (if any) Name	Address	Telephone
1. _____	_____	_____
2. _____	_____	_____

<p>13. Signature of Claimant or Representative * Timothy Obler</p>	<p>Date 1/21/23</p>	<p>Relationship to Claimant</p>
<p>Print Name</p>		

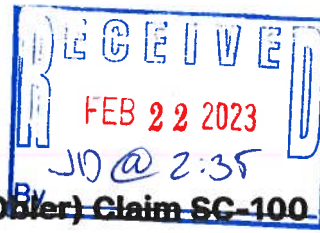
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CRIMINAL PENALTY FOR PRESENTING A FALSE OR FRAUDULENT CLAIM IS IMPRISONMENT OR FINE OR BOTH. (PENAL CODE §72)

CA/FORM 02/14

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Attachment A to Plaintiff's (Timothy Obler) Claim SC-100

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3a. Why does the defendant owe the plaintiff money?

On the morning of December 27th, 2022, I was outside my tent, on Taylor and Eddy Street when the SF DPW, SFPD, and the HOT team arrived. A DPW worker told me I had to leave so I started to pack my things. A couple minutes later, a police officer told me to drop everything and threatened to arrest me if I tried to gather anything else. I looked around to see if anyone from the DPW or HOT team could help me, but no-one was paying any attention to me. I was scared of getting arrested so I dropped my tent which I was trying to break down and I grabbed my backpack. There were no notices posted that the city was going to clear my encampment. They didn't bag and tag any of my belongings. I just watched them throw my stuff into the back of a truck along with everyone else's stuff. I asked a HOT team worker if I could retrieve my belongings someplace and he said he didn't know. I asked him about housing too and he said that I could wait near the area and someone would return to provide shelter. A police officer then told me I needed to get out of the way. I didn't want to get arrested, so I backed away a little and just watched them throw all my stuff away. I stayed close to wait for someone from the HOT Team to return and provide shelter, but I waited several hours and no-one returned. I finally left the area with just my backpack.

I lost everything I own in that sweep and I lost all my tools I need for work. Since the sweep, I have had to pass on several carpet laying jobs because I don't have the tools I need.

Being homeless is challenging enough in today's society, so when the city seems to work against me by sweeping away my home and belongings abruptly and constantly, rather than help me, it's very discouraging. I've been feeling hopeless and I've found myself wanting to give up when I face my losses and I feel the impact of inhumane treatment by my city government. I believe the city violated my 8th amendment that I shall not have to endure cruel and unusual punishment. The city also violated my 14th amendment right to due process when they took all my belongings without notice and by not bagging and tagging my property so I could retrieve it later.

3c. How did you calculate the money owed to you?

I have compiled a list of my property that I lost and the cost to replace those items. I assessed the value of my losses by searching the internet for the current market value. My loss of work is included and I calculated that amount based on what I would have made doing 2 jobs because there were 2 jobs I missed that I know for sure I would have gotten if I had my tools. As for emotional and psychological damage, I can not easily put a price on that so I calculated that number by coming up with a number to even out my claim to give me the maximum of \$10,000.

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Attachment A to Plaintiff's (Timothy O'Connell) Exhibit 100

32. Why does the defendant owe the plaintiff money?

On the morning of December 27th, 2022, I was outside my tent, on Taylor and Eddy Street when the SF DPW, SFPD, and the HOT team arrived. A DPW worker told me I had to leave so I started to pack my things. A couple minutes later, a police officer told me to drop everything and threatened to arrest me if I tried to gather anything else. I looked around to see if anyone from the DPW or HOT team could help me, but no one was paying any attention to me. I was scared of getting arrested so I dropped my tent which I was trying to break down and I grabbed my backpack. There were no notices posted that the city was going to clear my encampment. They didn't pad and tag any of my belongings. Just watched them throw my stuff into the back of a truck along with everyone else's stuff. I asked a HOT team worker if I could retrieve my belongings someplace and he said he didn't know. I asked him about housing too and he said that I could wait near the area and someone would return to provide shelter. A police officer then told me I needed to get out of the way. I didn't want to get arrested, so I backed away a little and just watched them throw all my stuff away. I stayed close to wait for someone from the HOT team to return and provide shelter, but I waited several hours and no one returned. I finally left the area with just my backpack. I lost everything I own in that sweep and I lost all my tools I need for work. Since the sweep, I have had to pass on several carpel laying jobs because I don't have the tools I need.

Being homeless is challenging enough in today's society, so when the city seems to work against me by sweeping away my home and belongings suddenly and constantly rather than help me, it's very discouraging. I've been feeling hopeless and I've found myself wanting to give up when I face my losses and I feel the impact of inhumane treatment by my city government. I believe the city violated my 8th amendment that I shall not have to endure cruel and unusual punishment. The city also violated my 14th amendment right to due process when they took all my belongings without notice and by not padding and tagging my property so I could retrieve it later.

33. How did you calculate the money owed to you?

I have compiled a list of my property that I lost and the cost to replace those items. I assessed the value of my losses by searching the internet for the current market value. My loss of work is included and I calculated that amount based on what I would have made doing 2 jobs because there were 2 jobs I missed that I know for sure I would have gotten. As for emotional and psychological damage, I can not easily put a price on that so I calculated that number by coming up with a number to even out my claim to give me the maximum of \$10,000.

Tent	\$200
Air mattress	\$65
Sleeping bag and blankets	\$200
6 pairs of jeans	\$500
2 sweaters	\$60
2 hooded sweatshirts	\$110
2 49er jersey's	\$170
Warriors jersey	\$70
Giants jersey	\$70
Warriors cap	\$35
49er's cap	\$40
20 pairs of socks	\$50
7 pairs of boxer briefs	\$60
Redwing boots	\$250
Leather motorcycle riding jacket	\$540
Solaris motorcycle helmet	\$149
Bell motorcycle helmet	\$119
Down jacket	\$180
Motorcycle boots	\$230
Leather motorcycle gloves	\$45
6 t-shirts	\$120
2 long sleeve flannel shirts	\$115
Coleman camp stove	\$70
Propane fuel	\$35
Predator 9000 generator	\$700
12 piece power-lock carpet stretcher kit	\$850
Tool box w misc. tools	\$480
Hygiene products	\$80
Bluetooth speaker	\$180
Yamaha acoustic guitar	\$250
Lost work (2 jobs)	\$1800
Jar of change	\$150

\$200	Tent
\$85	Air mattress
\$200	Sleeping bag and blankets
\$600	6 pairs of jeans
\$80	3 sweaters
\$110	3 hooded sweatshirts
\$170	3 Abernethy's
\$70	Warrior's jersey
\$70	Claris jersey
\$35	Warrior's cap
\$40	Agar's cap
\$50	20 pairs of socks
\$60	3 pairs of boxer shorts
\$250	Bedding bags
\$240	Leather motorcycle riding jacket
\$140	Solara motorcycle helmet
\$110	Ball motorcycle helmet
\$180	Down jacket
\$230	Motorcycle boots
\$45	Leather motorcycle gloves
\$170	6 t-shirts
\$115	2 long sleeve flannel shirts
\$70	Colman camp stove
\$35	Propane fuel
\$700	Predator 3000 generator
\$650	12 piece power lock carter stretcher
\$480	Tool box w misc tools
\$50	Hygiene products
\$180	Bluetooth speaker
\$250	Yamaha acoustic guitar
\$1500	Lost work (2 jobs)
\$150	Lot of change

Psychological and emotional damage	\$2,027
Total amount	\$10,000

\$2,027

Psychological and emotional

damage

\$10,000

Total amount



ADMIN CLAIM QUESTIONNAIRE

This form is intended to assist you in filling out an admin claim form.
After transferring this information to an admin claim form, please send
both to organizing@cohshf.org.

FILER INFORMATION

Filer Name: _____ Filer Phone Number: _____ Filer Email: _____

CLAIMANT INFORMATION

Timothy Obler

Claimant Name: _____ Claimant Mailing Address: _____

Claimant Phone Number: _____ Claimant Birthday: _____

Claimant SSN: _____

Other ways to get in contact with claimant (ex - location staying, friends or family contact info): _____

BASIS OF CLAIMS

Date of Sweep: ~~01/04/23~~ ^{12/27/23} Time of Sweep: _____ AM PM

Location of Sweep: ~~Erte St.~~ ^{S. Van Ness}

What Agencies from the City were involved: ~~DPW, SFPD, SFFD, MDT~~

Were there notices of the sweep posted? YES ☒ NO

If there were notices posted, did the City arrive on the stated day/at the stated time? YES NO

When the City arrived, did they give you time to pack and move any of your belongings? YES ☒ NO

Did the City bag and tag any belongings? YES NO

Bagging and tagging refers to when the City puts property into bags or storage containers and brings it to the DPW yard.

Did the City give information about how to retrieve belongings? YES NO

Did the City load your belongings into flatbed trucks? Dump trucks? Dumpsters? YES NO

Was there a bulldozer? YES NO

Were you present when the sweep occurred? YES NO

Did you make an attempt to take your belongings? What happened?

If you were not present, what happened when you returned? How do you know the City took your things?

Were you offered shelter or any other services by the City? If so, what services?



NO

NO

NO

YES

DESCRIPTION OF INJURY, PROPERTY DAMAGE OR LOSS

What is the impact of the sweep? (Questions to ask: how does it make you feel when the City sweeps your encampment? Is there a lasting emotional impact? Has this happened before? Details on how long they've been homeless and repetitive sweeps)

It's hard for me to describe my feelings
But standing there looking at where my
tent was the day before, All I can say
is I felt lost. Very sad. Everything gone
but the dirty clothes on my back. I felt very helpless.

Did the City take any property that will impact your ability to do your job? (Ex – Did the City take any tools you use for work?)

Yes. I had worked lined up and all my carpet laying tools were ~~g~~ taken.

Did the sweep cause any physical injury? If so, what injuries?

PROPERTY DAMAGE/LOSS AND METHOD OF COMPUTATION

What did the City take? How much would it cost to replace the items taken? *Specific details help, such as brand names and quantities of items*

[illegible]

What sentimental/irreplaceable items did the City take?

ITEM

EXPLANATION OF VALUE

my sculpture art pieces - priceless

DOCUMENTATION

Are there any witnesses to the sweep you want to list?

WITNESS NAME

WITNESS ADDRESS

WITNESS PHONE NUMBER

Do you have any pictures or videos of the sweep?

YES

NO

(If so, please attach to the claim)

Do you have any receipts of your belongings that were taken?

YES

NO

(If so, please attach to the claim)

Do you have any pictures of your belongings that were taken?

YES

NO

(If so, please attach to the claim)