

# 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, 7<sup>th</sup> Floor, San Francisco, CA 94102 in person or by mail.

\* = REQUIRED \*\* = REQUIRED IF KNOWN

DEWGEN

23-01750

|   |   |  |  |
|---|---|--|--|
| 1. Claimant's Name and Home Address (Please Print Clearly)<br>* Devin Rachac<br>[Redacted]<br>City [Redacted] State [Redacted] Zip [Redacted]<br>Telephone [Redacted] |   | 2. Send Official Notices and Correspondence to:<br>* 280 TURK ST<br>City SF State CA Zip 94102<br>Telephone [Redacted] Daytime 415-346-3740 Evening [Redacted] Cellular [Redacted] |  |
| 3. Date of Birth<br>[Redacted]  | 4. Social Security Number<br>[Redacted] | 5. Date of Incident<br>* 12/05/2022  | 6. Time of Incident (AM or PM)<br>** morning |
| 7. Location of Incident or Accident<br>** O'Farrell and Jones St.   |   | 8. Claimant Vehicle License Plate #, Type, Mileage, and Year<br>**   |  |

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

| 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 |
|--|----------------------|--|
| **   | **                   | **   |

10. Description of Claimant's injury, property damage or loss

see attachment

11. Amount of Claimant's property damage or loss and method of computation. Attach supporting documentation. (See Instructions)

## ITEMS

|                  |    |
|------------------|----|
| * see attachment | \$ |
|                  | \$ |
|                  | \$ |
|                  | \$ |
|                  | \$ |
|                  | \$ |
| TOTAL AMOUNT     | \$ |

Court Jurisdiction: Limited (up to \$25,000) ☐  
Unlimited (over \$25,000) ☐

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

|   |  |
|---|--|
| 13. * Devin Rachac<br>Signature of Claimant or Representative<br>Kevin Rachac<br>Print Name | 12/15/22<br>Date<br>Relationship to Claimant |
|---|--|

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23 MAR 21 PM 4:25  
CITY & COUNTY OF  
SAN FRANCISCO  
CONTROLLER

CA/FORM 02/14

1850GR

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

53-01750

Washed

580 TURK ST

John R. Carter

1011 10th St

SOHP AC

72

SOHP AC

72

11-2-51

11-2-51

11/1/51

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O'Brien and Jones et

See attachment

See attachment

See attachment

TOTAL

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11/1/51

John R. Carter

## **Attachment A to Plaintiff's (Devin Rachac) Claim SC-100**

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

On the morning of December 5th (day of month is approximate), 2022, I was at my tent on O'Farrell and Jones when I woke up suddenly because someone was shaking my tent and I heard cops outside my tent telling us that we had to vacate the area. I stepped out of my tent and the DPW, SFPD, SFFD, and the HOT team were all there and DPW workers were throwing people's tents and stuff into the back of a DPW garbage truck. There were no notices posted prior to this sweep. I frantically tried to pack up but when I tried to go back into my tent to get as much stuff as I could, the cops told me to stand back and don't interfere with the city doing their job. I pleaded with them to let me pack my stuff but no one listened and the SFPD was enforcing that we leave our tents and not interfere with DPW's job of cleaning the street. I had to just watch as the city threw all my possessions and my shelter away. They didn't bag and tag anything either, so I knew I would never see my stuff again.

This sweep left me without shelter and with nothing. I felt hopeless because I would have to start over again and I didn't know where I was going to sleep. I felt so violated and I felt like the city government did not care about me and that if they could throw me away too, they would. I believe my fourth 8th and 14th amendment rights were violated so I'm filing this claim to be compensated for my losses and my suffering.

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

I composed a list of my property that was seized by the city and thrown away. I gave each item a dollar value based on the current market value for these things. I priced everything according to what would be the cost to replace what I lost.

| <b>Item</b>  | <b>Dollar Value</b> |
|--|---------------------|
| Tent   | \$270               |
| Sleeping Bag and Blankets                                    | \$250               |
| Air Mattress   | \$180               |
| Air mattress pump  | \$35                |
| Tumi Suitcase  | \$1,300             |
| Clothes: Jeans, shirts, underwear, sweats, sweaters, Jackets | \$1,600             |
| Coleman camp stove w fuel                                    | \$100               |
| Igloo Cooler   | \$90                |
| Timbuk2 backpack   | \$180               |
| Adidas Sneakers  | \$90                |

32. Why does the defendant owe the plaintiff money?

On the morning of December 8th (day of month is approximate), 2022, I was at my tent on G-Fairall and Jones when I woke up suddenly because someone was shaking my tent and I heard cops outside my tent telling us that we had to vacate the area. I stepped out of my tent and the DPW, SFPD, SFPD, and the HOT team were all there and DPW workers were throwing people's tents and stuff into the back of a DPW garbage truck. There were no notices posted prior to this sweep. I frantically tried to pack up but when I tried to go back into my tent to get as much stuff as I could, the cops told me to stand back and don't interfere with the city doing their job. I pleaded with them to let me pack my stuff but no one listened and the SFPD was enforcing that we leave our tents and not interfere with DPW's job of cleaning the street. I had to just watch as the city threw all my possessions and my shelter away. They didn't bag and tag anything either, so I knew I would never see my stuff again.

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

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| Item   | Dollar Value |
|--|--------------|
| Tent   | \$270        |
| Sleeping bag and blankets                            | \$280        |
| Air Mattress   | \$180        |
| Air mattress pump                                    | \$35         |
| Tent stakes  | \$1300       |
| Clothes, jeans, shirts, underwear, sweaters, jackets | \$1000       |
| Chairman camp stove w tent                           | \$100        |
| Radio/ Cooler  | \$90         |
| Timber 2 backpack                                    | \$180        |
| Arabic sneakers                                      | \$80         |



|                          |                 |
|--------------------------|-----------------|
| Bluetooth speaker        | \$200           |
| Microsoft Surface laptop | \$1800          |
| Nintendo Switch          | \$350           |
| Nintendo switch games X7 | \$290           |
| Electric Scooter         | \$700           |
| Tool box w/ misc tools   | \$600           |
| Hygiene products         | \$130           |
| Best Buy Gift Card       | \$400           |
| Pain and suffering       | \$1,435         |
| <b>Total</b>             | <b>\$10,000</b> |

|                          |          |
|--------------------------|----------|
| Bluetooth speaker        | \$200    |
| Microsoft Surface laptop | \$1800   |
| Nintendo Switch          | \$350    |
| Nintendo switch games X7 | \$250    |
| Electric Scooter         | \$400    |
| Tool box w/ misc tools   | \$600    |
| Hygiene products         | \$150    |
| Best Buy Gift Card       | \$400    |
| Pain and suffering       | \$1,055  |
| Total                    | \$30,000 |