

**BUILDING STANDARDS APPEALS BOARD
CITY OF FRESNO, CALIFORNIA**

In the Matter of
Public Hearing on Administrative Citation
E25-01990.1;
3316. E. Olive Ave.
KHELA PROPERTIES, LLC., APPELLANT

**DECISION OF BUILDING STANDARDS
APPEALS BOARD
February 17, 2026**

Section 11-504 of the Fresno Municipal Code (FMC) provides that the Building Standards Appeals Board (BSAB) shall hear and decide appeals of orders, decisions or determinations made by the Building Official and/or Code Enforcement relative to the application and interpretations of the Housing Regulations (Chapter 11, Article 3) or the Dangerous Building Ordinance (Chapter 11, Article 4).

CITED VIOLATIONS FINDINGS

After review of the City's Appeal Packet and all other relevant evidence and testimony submitted to the BSAB, the BSAB has determined by preponderance of the evidence that the below violation(s) included on the appealed First Administrative Citation dated November 26, 2025 (Citation), was/were present at the time of the Citation's issuance:

- Violation #1: "The living room wall heater on the south wall is inoperable"
(Fresno Municipal Code §§ 11-319(a), 11-324; California Health and Safety Code §§ 17920.3(a)(6), 17920.3(a)(14), and 17920.3(f).)

- Violation #6: "The bedroom #2 electrical outlet on the north wall is damaged."
(Fresno Municipal Code §§ 11-319(b), 11-324; California Health and Safety Code §§ 17920.3(a)(14) and 17920.3(d).)

- Violation #10: "The kitchen tile floor covering in front of the sink is damaged."
(Fresno Municipal Code § 11-324; California Health and Safety Code §§ 17920.3(a)(14).)

If any of the above boxes are checked, Citation E25-01990.1 is **CONFIRMED**, and the associated fine of \$250 is **ALSO CONFIRMED**.

If none of the above boxes are checked, Citation E25-01990.1 is **DISMISSED**, and the associated fine of \$250 is **ALSO DISMISSED**.

REMAINING VIOLATIONS FINDINGS

- After review of the City's Appeal Packet and all other relevant evidence and testimony submitted to the BSAB, the BSAB has determined by preponderance of the evidence that the above confirmed violation(s) is currently still uncorrected.

Therefore, pursuant to FMC section 1-409(f), the BSAB **ORDERS** Appellant to repair or otherwise correct the remaining violations within 30 days of the date of this

Decision. Further, a progress hearing will be set within 30 to 60 days of the date of this Decision.

If the BSAB determines at the progress hearing that all outstanding violation(s) have been corrected, the fine assessed for Citation E25-01990.1 will remain as originally confirmed.

If the BSAB determines at the progress hearing that the Appellant has made "substantial progress" in correcting the outstanding violation(s), a final progress hearing shall be scheduled for a time to be determined at the first progress hearing for a determination at the final progress hearing as to whether those outstanding violations have been corrected.

If the BSAB determines at the progress hearing that the violations have not been corrected, or less than "substantial progress" has been made in correcting all outstanding violations on the Property, then the fine for Citation E25-01990.1 issued by the City and confirmed by the BSAB will be doubled pursuant to FMC section 1-409(f).

Additionally, if it is found that Appellants' failure to repair and/or correct all remaining violations was willful, pursuant to FMC section 1-409(f), such failure will be deemed a criminal violation and may subject Appellants to criminal misdemeanor prosecution in Fresno County Superior Court.

Pursuant to FMC §§ 1-409(f) and 1-410(e), the BSAB expressly reserves jurisdiction on all issues necessary in making any decisions or determinations at any and all Progress Hearings.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, Amy K. Aller, Interim City Clerk of the City of Fresno, certify that the foregoing decision was adopted by the Building Standards Appeals Board of the City of Fresno, at a regular meeting held on 17th day of February, 2026, upon a motion by Member _____, seconded by Member _____.

VOTING: AYES:
NOES:
RECUSED:
ABSENT:

DATED: _____

_____, Secretary
City of Fresno Building Standards Appeals
Board

APPROVED AS TO FORM:

ANDREW JANZ
City Attorney

By: _____
Name Date
Title