

APPENDIX A

(California First Appellate District Ruling)

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FIVE

TERILYN CARTER-GARRETT, et
al.,

Plaintiffs and Respondents,

v.

CHANG WANG, et al.,

Defendants and Appellants.

A155643

(Solano County
Super. Ct. No. FCS048808)

In this landlord-tenant dispute, several tenants (Tenants) sued their landlords Chang Wang and Yen Wang (Landlords) for breach of the implied warranty of habitability and related claims. Following a six-day jury trial, judgment issued in favor of Tenants.

Landlords appeal the judgment, arguing multiple claims of error. The record on appeal includes a clerk's transcript of more than 600 pages and a reporter's transcript of more than 1500 pages. However, Landlords' opening brief contains only three citations to the record.

California Rule of Court, rule 8.204(a)(1)(C) requires that appellate briefs "[s]upport any reference to a matter in the record by a citation to the volume and page number of the record where the matter appears." Accordingly, "[a]ny statement in a brief concerning matters in the appellate record—whether factual or procedural and no matter where in the brief the

reference to the record occurs—*must be supported by a citation to the record.*’ ” (*Professional Collection Consultants v. Lauron* (2017) 8 Cal.App.5th 958, 970.) “ ‘The appellate court is not required to search the record on its own seeking error.’ [Citation.] Thus, ‘[i]f a party fails to support an argument with the necessary citations to the record, . . . the argument [will be] deemed to have been waived.’ ” (*Nwosu v. Uba* (2004) 122 Cal.App.4th 1229, 1246.)

In their response brief, Tenants note the opening brief’s dearth of record citations, provide legal authority that such citations are required, and argue the appeal should be affirmed “on that ground alone.” Yet Landlords’ reply brief contains no record citations. Instead, Landlords suggest their failure to provide record citations was excusable because their opening brief “was submitted prior to the record being augmented.” The record was augmented with the reporters’ transcript for one day of trial—designated as part of the appellate record but not prepared by the court reporter—and was requested by Tenants after Landlords filed their opening brief.¹ We see no reason why the absence of this reporter’s transcript, which apparently went unnoticed by Landlords, should excuse their noncompliance with the Rules of Court. Even assuming the omitted record impaired their ability to provide record citations in their opening brief, they made no attempt to remedy the situation by providing these citations in their reply brief.

Landlords are “not exempt from the foregoing rules because [they are] representing [themselves] on appeal in propria persona. Under the law, a party may choose to act as his or her own attorney. [Citations.] ‘[S]uch a party is to be treated like any other party and is entitled to the same, but no

¹ Landlords requested, and were granted in whole or in part, four extensions of time to file their opening brief.

greater consideration than other litigants and attorneys. [Citation.]’ [Citation.] Thus, as is the case with attorneys, pro. per. litigants must follow correct rules of procedure.” (*Nwosu v. Uba, supra*, 122 Cal.App.4th at pp. 1246–1247.) Landlords have “failed to comply with appellate rules of procedure” by failing to provide sufficient record citations for any of their challenges, and “[w]e therefore find that [Landlords] ha[ve] waived such challenges on appeal.” (*Id.* at p. 1247.)

DISPOSITION

The judgment is affirmed. Respondents are awarded their costs on appeal.

APPENDIX B

(California Supreme Court Docket Entry of Denial)

CALIFORNIA SUPREME COURT

Disposition

CARTER-GARRETT v. WANG

Division SF

Case Number S266064

Only the following dispositions are displayed below: Orders Denying Petitions, Orders Granting Rehearing and Opinions. Go to the Docket Entries screen for information regarding orders granting review.

Case Citation:none

Date	Description
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01/13/2021	Petition for review denied
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APPENDIX C

(Reporter's Trial Transcripts)

1 case. This prohibition extends to the use of the Internet in
2 any way including reading any blog about the case or any one
3 involved with it, or using Internet maps, or mapping
4 programs, or any other programs or device to search for or
5 review any place discussed in the testimony.

6 You must decide this case based only on the evidence
7 presented in this trial, and the instruction of law that I
8 will provide. Nothing that you see, hear, or learn outside
9 of this courtroom is evidence unless I specifically tell you
10 it is. If you receive any information about this case from
11 any source outside of the courtroom promptly report it to the
12 Court Bailiff. It is important that all jurors see and hear
13 the same evidence at the same time.

14 Do not do any research on your own or as a group.
15 Do not use the dictionary, the Internet, or other reference
16 material. Do not investigate the case or conduct any
17 experiments. Do not contact anyone to assist you such as a
18 family accountant, doctor or lawyer. Do not visit or view
19 the scene of any event involved in this case. If you happen
20 to pass by the scene do not stop or investigate. If you do
21 need to view the scene during the trial you will be taken
22 there as a group under proper supervision.

23 It is important that you keep an open mind
24 throughout this trial. Evidence can only be presented a
25 piece at a time. Do not form or express an opinion about
26 this case while the trial is going on. You must not decide
27 on a verdict until after you have heard all the evidence and
28 have discussed it thoroughly with your fellow jurors in your

1 the -- we have property under -----
2 is still -- because they only sue my wife. My wife has been
3 a house wife. They didn't put my name for the Defendant. If
4 they put my name on the Defendant, I wouldn't let the house
5 become receivership. As a matter of fact, we just turn in
6 the Appeal Court -- even the Appeal Court invite us for a --

7 THE COURT: Mr. Wang, I understand that you're
8 responding to what Mr. Kodani has said in his opening
9 statement, but again --

10 MR. WANG: But this is -- *A*

Agreed
11 THE COURT: You are -- you are, again, required to
12 provide an overview of what the evidence will show. There
13 will be no evidence of rulings from the Court of Appeal in
14 this trial. So I would admonish you to veer away from that
15 subject as it's improper opening statement.

16 MR. WANG: I'm sorry. I'm sorry. Also the Dylan
17 Brady is a new attorney at the City of Vallejo. He doesn't
18 even know who Chang Wang is. And Yen wang is a woman; Chang
19 Wang is a male. So I don't understand how you can use him as
20 an expert witness. He only been here --

21 THE COURT: Mr. Wang --

22 MR. WANG: -- one year.

23 THE COURT: I have admonished you before that this
24 is not appropriate opening statement.

25 MR. WANG: All right.

26 THE COURT: You have one more warning, sir.

27 MR. WANG: Okay, I'm sorry. I'm sorry. I have one
28 more point to point out.

Wang
B-15

1 want to be -- we just want to move on.

2 Q. Also on the line -- on the contract, Line 14,
3 property maintenance: "Residence shall have all the
4 responsibility to fix the property as it operates. Residents
5 shall be responsible for disposing of items of such size and
6 naturally are not normally acceptable by the garbage hauler."
7 Also, did I recommend you change the garbage can to smaller
8 size?

9 A. Yes.

10 Q. Why you didn't change to smaller size?

11 A. Because that Patricia, my tenant, said she prefer to
12 have the medium size, the garbage can, and um, because I
13 promise to pay the garbage for her, actually, the smaller.
14 When she said the large bigger size then I never ask her for
15 her -- for additional charge. I never ask her because she
16 still have pay rent; owed rent. And the stipulation -- so I
17 didn't ask her those many things.

18 Q. No. Actually, on line -- Line 5, "utility." Do you
19 know landlord is responsible for garbage and sewer that's why
20 I ask you --

21 THE COURT: You're testifying, Mr. Wang.

22 MR. WANG: I have a question coming up.

23 THE COURT: You have a question within your
24 testimony, I hear that. But I understand that you're not
25 actually asking a question.

26 MR. WANG: Yes.

27 THE COURT: The form is improper.

28 MR. WANG: Yes.

1 the new tenant to move in. ...

2 THE COURT: Next question, Mr. Wang.

3 MR. WANG: Thank you.

4 Q. Do you know how much, when she move the rent we
5 supposed to charge?

6 A. I wrote on the book. That book is owed book. I put
7 down \$1,050.00 for the rent because that unit is a special
8 unit and one not two-sided. That's why you can have a back
9 window to see the view and a little bit bigger than the other
10 complex.

11 So then she never paid \$1,050.00 and I give her
12 \$800.00 rent. She only paid 800, but never pay full; always
13 short. And never pay -- sometimes skip a month, but never --
14 in the whole time she still never paid the back rent.

15 Q. Do you know this Line 3, the contract, condominium
16 union lease on Line 3, condition of unit. Clearly, the
17 tenant signed that the unit was in a perfect condition?

18 A. Yes.

19 Q. Or they take the unit as it is?

20 A. Yes.

21 MR. KODANI: Objection. Leading.

22 THE COURT: Sustained. Re-ask the question, please
23 and --

24 MR. WANG: Do you know Line 9, maintenance of unit:
25 "Tenant shall maintain the unit in a neat, clean, and
26 presentable condition."

27 MR. KODANI: Objection. Leading.

28 THE COURT: Overruled. Go ahead and answer the

2 THE WITNESS: Yes.

3 MR. WANG: Q. How many times the tenant call, Yen,
4 and say there is a problem? Is it more than five times?

5 A. She complain that we left over the old TV sets in
6 the unit, and she said about the old appliances left in the
7 backyard. And she complain about the -- she wants to have,
8 um, energy safe dryer, something like that. But she never
9 complain about the heater because I put -- I wired the
10 thermostat myself. I know it works.

11 THE COURT: Next question.

12 MR. WANG: Q. Do you know on this lease we not
13 supposed to rent to her washer and dryer?

14 A. No.

15 MR. KODANI: Objection. Leading.

16 THE COURT: Sustained. Reform the question,
17 please.

18 MR. WANG: Q. Line 15 on the lease assignment or
19 subleasing: "This lease may not be assigned by tenant nor
20 shall tenant sublease the unit." Do you know Line 13?

21 A. Yes.

22 Q. So how many tenants signed on this lease, do you
23 know?

24 A. Three. She and her daughter, and the little boy.

25 Q. Line 39, on this lease tenant agreement tenant
26 states that: "Tenant has read this lease and that it fully
27 incorporates all understanding, representation, and promise
28 made to tenant by landlord, and, slash, or landlord, agent,

cor correct

2 this lease supercedes all prior representation
3 agreement and promise whether oral or written." Do you know
4 this line?

5 MR. KODANI: Objection. Leading.

6 THE COURT: Sustained.

7 MR. WANG: Q. Can I go back to the, um, the
8 Section 8 unit?

9 A. Yes, please.

10 Q. Do you have energy --

11 A. Yes. I'm fine thank you.

12 Q. Do you know all the counties for Section 8 use the
13 same contract?

14 A. Solano County use same check list for all the
15 Section 8 tenants. Before they move in have to pass all the
16 check list. So in order for them to move in -- in order to
17 they issue the check for the landlord.

18 Q. So this is the contract tenants sign. This is
19 the -- yesterday, I try to pronounce the word -- I'm sorry.
20 I didn't -- this is a US Department of Housing and Urban
21 Development, Housing Assistant payment contract called HAP
22 Contract, Section 8. Tenant base assistant housing choice
23 voucher program.

24 Line 3, maintenance, utility and other service the
25 owner has certain responsibilities. The tenant has certain
26 responsibility. If the tenant --

27 THE COURT: What's the question, Mr. Wang?

28 MR. WANG: Yes, it's coming up.

 Q. If the tenant say any part of house needs to repair

1 metal gate.

2 And -- and then she said, "this house is unsafe."
3 Then we said, "we cannot change anything because this is
4 historical house." And, um, she, um, go to the County to
5 report, um, I -- or the tenant -- the landlord give her
6 unsafe house to stay.

7 I know, Karen Carter, in your heart you like this
8 house so much --

9 THE COURT: Ms. Wang, Ms. Wang.

10 THE WITNESS: -- and you claim --

11 THE COURT: Ms. Wang, Ms. Wang. Listen to me
12 carefully. Addressing the parties from the witness stand
13 rather than listening to the testimony is improper conduct.
14 I'm admonishing you not to do that in the future. Just
15 respond to the question, please.

16 THE WITNESS: Sure. I see.

17 THE COURT: Next question, Mr. Wang.

18 MR. WANG: Thank you.

19 THE WITNESS: I didn't finish. The tenant complain
20 to the County and our safety department, and the County said,
21 yes, if you know this house unsafe why you stay? You should
22 move on your own before something dangerous happen. Then you
23 shouldn't stay. That's how she got answer.

24 Then she tell us -- then she say she has to move
25 because the county said you need to move if you know this
26 house unsafe because they have nothing to prove unsafe.
27 Then -- then she give us the date she want to move and that's
28 how it happen.

1 THE COURT: Next question, Mr. Wang.
2 MR. WANG: Okay.
3 Q. You know when the County -- on the report, how many
4 items?
5 A. How many items?
6 Q. -- needs to be fixed?
7 A. I don't think any -- I know some items need to be
8 fixed. We will fix. I don't remember that.
9 Q. Okay. Thank you. Basically, they complain they
10 said --
11 THE COURT: Mr. Wang.
12 MR. WANG: Yes.
13 THE COURT: Do not testify.
14 MR. WANG: I'm sorry.
15 THE COURT: Ask a question.
16 MR. WANG: I'm sorry.
17 Q. So you say you keep the accounting book for 68
18 Corcoran. Did she owe us the rent?
19 A. A lot of rent.
20 Q. What's "a lot of rent"?
21 A. Um, every month that she average short. Like, her
22 rent a month is \$1,050.00 but she never pay that, and she --
23 because of contract she apply for the welfare for 800. Then
24 she wants us to give her 800 to contract. Then we -- she
25 never paid 800. She -- every month her rent is 800; every
26 month. Then she pay -- owe me 200 here; 200 there, is all.
27 Sometimes skip a month -- it all add up together is
28 several-thousand-dollars, and she never pay back-rent.

1 THE COURT: You only remember two?

2 MR. WANG: Clearly. Now, I remember three because

3 the -- I'm not a professional attorney.

4 THE COURT: As I've said to you previously, and I

5 will say to you again, you have chosen to represent yourself.

6 Ms. Wang testified that you have chosen to represent yourself

7 because you think it would be a good exercise. It would be

8 something that would be educational for you. You have chosen

9 to represent yourself. You have declined to hire an

10 attorney. You are bound by the same rules as an attorney is,

11 and you are presumed to know the law as if you were an

12 attorney because that's the choice that you made.

13 So I am requiring you to do that which an attorney

14 would be required to do.

15 MR. WANG: I also understand -- I read about it last

16 few months. I also understand the Court supposed to be fair

17 place. If I represent myself, the Court supposed to have,

18 too, the patience to explain to me to fully understand.

19 THE COURT: I'm not only explaining the law to you,

20 I'm doing it outside of the presence of the jury and I am

21 reducing principles of law to very simple language. And I am

22 repeating myself as many times as is required for you to

23 understand what it is that we're doing. I have manifested

24 nothing but patience with you, Mr. Wang.

25 MR. WANG: Thank you.

26 THE COURT: Throughout these proceedings.

27 MR. WANG: Thank you.

28 THE COURT: What other subject matter, other than

1 reasonable time to correct those violations.

2 But with a lot of these properties they had a
3 long-standing history, as well as code enforcement
4 violations, building inspections that were not being
5 abated.

6 Q. And is it your office's method to notify people such
7 as Mr. or Ms. Wang about the problem before the receivership
8 is actually petitioned for?

9 A. Correct. We -- I sent a letter to Ms. Wang way back
10 on March 27, I believe. The .6 notice started being
11 addressed to the property in June, 2017.

12 Q. Ms. Wang has testified that she brought an action
13 for fraud against your office. Would you please respond to
14 that?

15 A. Sure. So I believe it was Mr. Wang that brought the
16 fraud action against our office. Ms. Wang filed another
17 action against the City for equity in relation to the
18 receivership petition. Mr. Wang's lawsuit has been stricken
19 against the City of Vallejo, or complaint has been stricken,
20 and we filed an anti-SLAPP.

21 So essentially Mr. Wang's lawsuit against the City
22 of Vallejo is over at this point.

23 MR. WANG: Objection.

24 THE COURT: What is your evidentiary objection?

25 MR. WANG: The anti-SLAPP action.

26 THE COURT: Stop talking. I told you I do not want
27 speaking objections. What's your evidentiary objection?

28 MR. WANG: Because the lawsuit is still going. I

-- I'm going to give you one more warning.

2 MR. WANG: Did I --

3 THE COURT: You cannot engage in any uncivil
4 behavior towards any witness. You cannot engage in any
5 conduct which demeans the dignity of the Court. You cannot
6 behave as if you were not in a courtroom, and if you -- if
7 you continue to engage in the conduct that you're engaging
8 in, including repeatedly violating my instructions to you,
9 then I will not allow you to ask any more questions. Do you
10 understand me, Mr. Wang?

11 MR. WANG: I understand you, your Honor.

12 THE COURT: And I don't understand the basis of your
13 continuing to argue with me about principles of law. That is
14 a fundamental principle of the law. You have to observe the
15 dignity of the Court; otherwise, you are in contempt of the
16 Court. You do not have the right to engage in any kind of
17 behavior you choose. You have to be respectful of the
18 witness and of the Court. Do you understand that, Mr. Wang?

19 MR. WANG: Yes, I'm sorry.

20 THE COURT: I will stop you from asking any
21 additional questions. If you violate my very explicit
22 direction to you, which I have given you repeatedly, you can
23 not interrupt this witness when he is giving an answer.

24 You cannot be impolite to this witness if you
25 disagree with his answer. And again, you may not raise
26 speaking objections. You don't know what an evidentiary
27 objection is, but you are required to know what the law is
28 because you have chosen to represent yourself.

1 IS THAT CLEAR, MR. WANG.
2 MR. WANG: Yes.
3 THE COURT: We're going to bring the jury back in
4 now.
5 (jury enter courtroom)
6
7
8
9
10 Mr. Wang?
11 MR. WANG: First of all, I want to apologize before
12 I speak because the way I speak. I really too loud; not
13 nice, and I apologize. May I continue with my question?
14 THE COURT: You may.
15 MR. WANG: Thank you.
16 Q. So you -- may I call you Mr. Brady?
17 A. Sure.
18 Q. Mr. Brady, you just answered -- you said you find
19 out who is Yen Ling Wang until July, mid of July?
20 MR. KODANI: Objection. Asked and answered.
21 THE COURT: Sustained. Next question.
22 MR. WANG: Also I bring out the Health and Safety
23 Code, 17980.7, it has to serve the three-day or ahead or more
24 for the pre-petition?
25 A. Correct.
26 MR. KODANI: Objection. Asked and answered.
27 THE COURT: Sustained. He said, "correct."
28 MR. WANG: You also know that your process server,

1. J. MALLORY, filed the FOS-020 on July 5?

2 MR. KODANI: Objection. Asked and answered.

3 THE COURT: Sustained. Go ahead.

4 Next question, Mr. Wang.

5 MR. WANG: Q. That paperwork said he served Yen
6 Ling Wang on July 5th, 1:30 p.m., in front of 537 Swan Way.
7 Is that correct?

8 A. I don't have that paper in front of me, but I'm --

9 Q. I have it. So it was -- it is 5 -- it is --

10 THE COURT: Mr. Wang, you're testifying.

11 MR. WANG: Also do you remember on the Declaration
12 of J.D. Mallory on July 22nd, himself said he didn't know who
13 is Yen Ling Wang until July, middle of July?

14 A. I don't recall that in his declaration, but I'm sure
15 if that's what he said I'm sure it's true. But again, I
16 don't see the relevance here of the habitability of these
17 four properties.

18 Q. Also I want to point out when you said you have to
19 give enough time --

20 THE COURT: Mr. Wang, when you say "I want to point
21 out" you're signaling to the Court that you intend to
22 testify. Do you have a question for this witness?

23 MR. WANG: Yes.

24 THE COURT: What is your question?

25 MR. WANG: My question is, you repeatedly said you
26 sent out a notice to Yen Ling Wang. Actually, you didn't
27 even know who is Yen Ling Wang. You always thought I am Yen
28 Ling --

1 Q. That's about the time.
2 THE COURT: Mr. Wang. Do you have a question for
3 this witness?
4 MR. WANG: Yes.
5 THE COURT: Ask a question.
6 MR. WANG: Q. So you didn't serve the pre-petition
7 notice on July 5th, 2017 as the Health and Safety Code
8 requirement, right? Yes or no?
9 A. Um, I believe that's attorney/client privilege as
10 well.
11 THE COURT: Next question.
12 MR. WANG: You testify against us many questions
13 you, even yourself, said that's client/attorney privilege but
14 you answer it. Why this time you don't answer it?
15 MR. KODANI: Objection. Argumentative.
16 THE COURT: Improper question.
17 Next question, Mr. Wang.
18 MR. WANG: You know, regarding 146 Calhoun, I been
19 trying to have an unlawful detainer case for three and-a-half
20 years.
21 MR. KODANI: Objection. Not a question.
22 THE COURT: Sustained. Next question.
23 MR. WANG: Do you know -- do you actually go to the
24 property; look at the problems that tenants complain about?
25 MR. KODANI: Objection. Compound; hearsay.
26 THE COURT: Overruled.
27 THE WITNESS: For 146 Calhoun, I did.
28 MR. WANG: Do you know what type of -- what they

complain is it -- a problem stay the same or new problems?

MR. KODANI: Objection. Vague and ambiguous as to the meaning of "they."

THE COURT: Sustained.

Can you rephrase your question, Mr. Wang?

MR. WANG: Yes.

Q. Do you keep a log when the tenant complain, supposed -- assume, January, then you go back February. Is it the same problem or different problem?

MR. KODANI: Objection. Improper hypothetical.

THE COURT: Sustained.

Rephrase your question, please.

MR. WANG: Thank you. I'm sorry.

Do you actually know what type of problem each house has?

MR. KODANI: Objection. "Each house" is vague and ambiguous; calls for speculation.

THE COURT: Sustained.

Are you talking about the houses subject to the Receivership?

MR. WANG: Yes. Because this is the witness for Receivership.

THE COURT: He read a list of several properties, so your specifying the four properties that were there, or three properties that were subject to the Receivership?

MR. WANG: Yes.

THE COURT: So four -- I'm sorry, 537 Swan Way, 146 Calhoun, and 229 Evelyn Circle --

2 THE COURT: -- was your question.

3 MR. WANG: Regarding -- let me make it clear.

4 Q. 146 Calhoun, the witness said -- witness said he was
5 there in person. How many times were you there?

6 A. Just one.

7 Q. Just one time? So you -- that's -- let's assume you
8 don't know what problem you had before because the tenant in
9 there four years?

10 MS. WANG: Never came in a problem --

11 THE COURT: Stop talking.

12 MR. WANG: So do you know what is the question?

13 THE COURT: What is the question?

14 THE WITNESS: I'm not sure what the question is.

15 MR. WANG: Q. The question is, you were there only
16 one time. How do you know we didn't fix any problems?

17 A. The notice that -- the 17980.6 notice, that lists
18 all the violations and, well, a lot of the violations would
19 need permits to be pulled; we check with the building
20 inspector; no permits were pulled before filing the
21 Receivership petition. As well as the 17980.6 notice says,
22 contact the building inspector, Code Officer, who issued that
23 notice.

24 Um, we talked to the building inspector and Code
25 Officer. Ms. Wang has not contacted them --

26 Q. Can I go back? This is a repeat question. You
27 just, couple minutes ago, you said Mr. Wang or Ms. Wang call
28 you; left you a message. Now you said we never contact

1 you:

2 A. I said building inspector, I believe. You didn't
3 contact them about the 17980.6 notice.

4 Q. You keep bringing up 17.80 notice, but you didn't
5 follow the three-day or more so the pre-petition notice?

6 THE COURT: Do you have a question, Mr. Wang?

7 MR. WANG: Yes.

8 THE COURT: What is the question?

9 MR. WANG: The question is, he bring out the 17980.

10 He does --

11 THE COURT: You're testifying, Mr. Wang. You're not
12 asking a question.

13 MR. WANG: Okay, I'm sorry.

14 Q. Can I go back to the 229 Evelyn Circle?

15 A. Sure.

16 Q. Mr. Brady, you said there was a fire, January 2017,
17 on 229 Evelyn Circle. Do you know after the fire they shut
18 down the electricity?

19 A. I'm not aware of that, but I believe it.

20 Q. You also testified you said there was a tenant live
21 there. In order for tenant to live there, don't you think
22 there has to be electricity on?

23 A. I believe there was a tenant because our Code
24 Officer went around in -- I want to say April --

25 Q. That's not my question --

26 THE COURT: Stop interrupting him. Stop
27 interrupting. I admonished you about that. Let him finish.

28 Go ahead, Mr. Brady.

1 Q. I don't remember. Is that?

2 A. I don't believe -- I didn't say I don't remember at

3 all, but I can look it up.

4 Q. Yes, please?

5 A. The 1790.6 notice?

6 Q. Yes, please. Please, that's very important?

7 A. I do not see how it's relevant of the habitability

8 of the other four properties.

9 Q. That's for me to decide --

10 THE COURT: Actually, no.

11 Mr. Wang, it's not. I'm the person who decides

12 what's relevant.

13 MR. WANG: I'm sorry, I'm sorry.

14 THE WITNESS: You want me to list the properties for

15 537 Swan?

16 MR. WANG: Q. Yes. Start from the beginning to the

17 end. There were six citations or five citations. So you

18 list it, please. We have enough time.

19 A. Hold on. Just the violation on the 17980.6 notice?

20 Q. From January. If you make the oldest one right

21 after the fire?

22 A. I don't have the latest from January.

23 THE COURT: Stop talking. Are we talking 229 Evelyn

24 Circle, or are we talking about 537 Swan?

25 MR. WANG: 229 Evelyn Circle is the house that had

26 the fire.

27 THE COURT: I'm asking you which one you're

28 questioning the witness about?

2 | A. I don't believe. I have may.

4 | A. I don't believe I have April.

6 A. Don't believe I have February, but I believe our
7 Code Officer had the long cases with the violations unabated.
8 If the cases continued -- and six citations, you said,
9 continued.

11 THE COURT: Mr. Wang, you're testifying. I'm going
12 to interrupt your cross-examination. I've informed you of
13 the consequences.

15 THE COURT: You're continuing to violate the Court's
16 instruction to you.

19 | FURTHER CROSS-EXAMINATION

21 Q. Mr. Brady, do you know January, when the tenant was
22 careless for the fire in the garage we got a lot of fine
23 violation at the time and --

26 MR. WANG: Yes.

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2 ... this to take a picture by herself not to pay
3 rent?

4 A. I don't know that.

5 THE COURT: Any additional questions, Ms. Wang?

6 MS. WANG: Q. Did you give her \$5,000.00 to move
7 out?

8 A. Did I give her \$5,000.00? No.

9 Q. Receivership out -- you guys all came out
10 together --

11 THE COURT: Okay. So you're not asking questions
12 anymore, Mr. Wang.

13 Any recross?

14 MR. WANG: Yes. I have many questions. *stop me asking question*

15 THE COURT: Oh, but you don't get many questions.
16 Let me explain to you the scope of cross-examination. In the
17 redirect Mr. Kodani asked only a few questions and asked
18 whether the Wang's repeatedly violated the law. So your
19 questions have to be within the scope of that redirect.

20 MR. WANG: You just mention we have -- you read out
21 many, many properties. You said we have many, many
22 complaints, but in this County who has more house than Wang's
23 does? Can you answer this question?

24 MR. KODANI: Objection. Not relevant.

25 THE COURT: Sustained. Next question.

26 MR. WANG: Q. Can you specify how many complaints
27 we received?

28 A. I'm not sure.

 Q. Then what -- why do you say "a lot of complaints?"

2 MR. WANG: Yes.
3 THE COURT: Go ahead.
4 MR. WANG: You know this new file receivership,
5 right?
6 MR. KODANI: Objection. Outside the scope.
7 THE COURT: Sustained.
8 Next question, Mr. Wang.
9 MR. WANG: You also answer a lot of questions you
10 say "you don't have it" yet you bring out a lot of
11 paperwork.
12 MR. KODANI: Objection.
13 MR. WANG: You didn't even look over --
14 MR. KODANI: Objection. Outside the scope.
15 THE COURT: Sustained; also argumentative. Next
16 question.
17 MR. WANG: Can you go through the paperwork, say if
18 you can find POS-020 from July 5th?
19 THE WITNESS: I did not. ~~4~~
20 MR. KODANI: Objection. Asked and answered; outside
21 the scope.
22 THE COURT: Sustained. Next question.
23 MR. WANG: You know this will bring out to the Court
24 many times, so please prepare this POS-020.
25 MR. KODANI: Same objection.
26 THE COURT: Improper question.
27 Next question, Mr. Wang.
28 MR. WANG: Do you know anything about why we are in
the court today?

2 MR. KODANI: Outside the scope.
3 THE COURT: Sustained. Next question.
4 MR. WANG: Do you know anything about those four
5 properties, why we are in the court?
6 MR. KODANI: Outside the scope.
7 THE COURT: Overruled.
8 THE WITNESS: I'm not -- I'm not certain what the
9 properties are?
10 MR. WANG: Q. Then why do you come to the Court?
11 A. You'll have to ask the attorney that asked me.
12 THE COURT: Hold on, Mr. Brady, he hasn't finished
13 his question.
14 And if you have, then it's argumentative. Your next
15 question.
16 MR. WANG: Q. You come to the Court to prove those
17 three properties you mention, 146 Calhoun, 229 Evelyn Circle,
18 537 Swan Way --
19 MR. KODANI: Objection. Question --
20 MR. WANG: I'm pretty sure -- can I finish the
21 question, please?
22 THE COURT: Let him finish the question, please.
23 Go ahead.
24 MR. WANG: Now, you break me --
25 THE COURT: No further questions, Mr. Wang?
26 MR. WANG: I have questions.
27 THE COURT: Okay.
28 MR. WANG: Q. So you know the history about those
three properties; is that correct?

Break
pattern

... year. I would say within the last few years.

2 Q. Last few years you only work in Vallejo start from
3 2016 or 2017?

4 MR. KODANI: Outside the scope.

5 THE COURT: Sustained. Next question.

6 MR. WANG: You just answer that you know the history
7 about those three properties. I didn't bring out the -- can
8 I ask you about 537 Swan Way?

9 THE WITNESS: I don't believe that was in the
10 redirect.

11 THE COURT: It was not.

12 MR. WANG: That is receivership property.

13 MR. KODANI: Objection. Outside the scope.

14 THE COURT: Sustained.

15 THE WITNESS: But you're correct. 537 Swan is
16 within the Receivership property.

17 MR. WANG: So can I continually ask about 537 Swan
18 Way.

19 THE COURT: It's not within the scope of the
20 redirect. You had the opportunity during your
21 cross-examination. You didn't take that opportunity.
22 Instead, you chose to testify which is why I interrupted your
23 cross-examination.

24 Redirect has a very limited scope. And recross is
25 limited by the limited scope of redirect. You're going
26 outside of that.

27 MR. WANG: I'm sorry, because this is the first time
28 I ask the witness in my life. So I cross the line. I'm

1 THE COURT: I'm going to invite you, for the last
2 time, to ask this witness questions about his professional
3 qualifications.

4 MR. WANG: Q. I'm sorry. Let me ask you, you said
5 also you work as a 23-years housing inspector. What is that
6 mean, housing inspector? For a housing authority?

7 A. I have 23 years experience as a private housing
8 inspector as an expert witness. I work -- I'm self-employed,
9 and I work throughout central to Northern California.

10 Q. Thank you. So 23 years, basically, you work as a
11 housing inspector for yourself?

12 A. Yes.

13 Q. So you qualify for yourself?

14 THE COURT: I don't -- that question is improper.
15 I'm not sure if you understand what "qualifying as an expert"
16 means.

17 MR. WANG: I totally understand. I was an engineer.
18 I know what's the qualification.

19 THE COURT: Okay. So ask another question.

20 MR. WANG: You also said you come to the Court nine
21 times as an expert witness?

22 MR. KODANI: Misstates the testimony.

23 THE COURT: Sustained.

24 MR. WANG: Do you understand what -- what's the
25 expert qualification -- expert witness is?

26 THE COURT: That's an improper question. Next
27 question.

28 MR. WANG: Q. Before 1989, what did you do, may I

1 asst.

2 A. As I testified earlier, my experience as a -- in
3 repairs and property management qualify me to apply for the
4 job of housing inspector.

5 Q. So did you work as a handyman before 1989?

6 A. Yes.

7 Q. For yourself, or for somebody, for company?

8 A. Um, yes to both questions.

9 Q. In what area?

10 A. In the greater Bay Area.

11 Q. So you -- you know what's the requirement to be an
12 expert witness?


13 A. Yes.

14 Q. But you didn't bring the document showing you're --
15 you say you work for FEMA two years. That can be easily
16 called to verify that?

17 MR. KODANI: Objection. Asked and answered.

18 THE COURT: Sustained. Next question.

19 MR. WANG: Q. Do you mind I call FEMA verify your
20 employment?

21  A. Um, I am not employed by FEMA. I've been trained
22 and certified by FEMA, but feel free to call.

23 Q. But you said you were a housing inspector for FEMA
24 from 1989 to 1991?

25 A. That's --

26 THE COURT: No. That mischaracterizes his
27 testimony.

28 MR. WANG: I did not hear.

2 ... need to be repaired as soon as possible in
3 a timely manner, and definitely a professional quality and
4 securing necessary permits.

5 And then there's another category, there's A, Letter
6 A for items that pose a direct hazard to life and safety --

7 MS. WANG: I object.

8 THE WITNESS: -- those type of things that --

9 THE COURT: Ms. Wang, you're interrupting the
10 witnessed. What is your objection? Do you have an
11 evidentiary objection?

12 MS. WANG: Because she's not there anymore and
13 the --

14 THE COURT: Stop, stop, stop, stop. You don't have
15 an evidentiary objection. Do not interrupt this witness.

16 THE WITNESS: So there are issues that will kill
17 people, code violations that either kill or maim people, such
18 as electrical hazards or gas leaks. And there are other
19 issues that, by definition by the code, are life-threatening
20 hazards such as raw sewage on exposed surfaces or a house
21 without a front door.

22 MR. WANG: Objection.

23 THE WITNESS: Those would be Type A code
24 violations.

25 MR. WANG: Objection.

26 THE COURT: What's your objection?

27 MR. WANG: This is a not the expert testimony, says
28 something is not for this house.

 THE COURT: Your objection is overruled.

2 use this, but from the report, you clearly said code use, the
3 bottom of the page, first page, you say you use Health and Safety
4 Code Section 17920 dash three?

5 A. That's not accurate. I used the 2012 International
6 Property Maintenance Code that is used by the local municipality.
7 That code is -- in some sections, are over-ridden by the state
8 code, the Health and Safety Code, that is more descriptive --

9 Q. I did not ask you --

10 THE COURT: Do not interrupt the witness before he finishes
11 his answer.

12 MR. WANG: I'm sorry, but because my --

13 THE WITNESS: Excuse me. Hello.

14 Descriptive -- the state code is more descriptive or -- now
15 I lost my train of thought. Descriptive of restorative --

16 Q. BY MR. WANG: But I'm just copy down from -- you said the
17 bottom of the page, code use. I really don't know which code you
18 use. If you are a professional house inspector for personal
19 injury, for lawyers, you should know what's the code. This is
20 very important. What code do you use?

21 MR. KODANI: Objection, compound, argumentative.

22 THE COURT: Asked and answered.

23 MR. KODANI: Asked and answered.

24 THE COURT: Sustained.

25 Next question, Mr. Wang.

26 Q. BY MR. WANG: Could you know -- this is regarding --
27 May I approach the witness?

28 THE COURT: For what purpose?

*To go help the
plaintiff*

2 THE COURT: He has the report.

3 Q. BY MR. WANG: Would you look at the bottom of the page,
4 please, where it says "code use."

5 THE COURT: Which page?

6 MR. WANG: First page. I haven't started the second page
7 yet.

8 Q. Sir, first page. The code use.

9 A. (Referring to document).

10 Yes.

11 Q. Is this your typewriting? You use Health and Safety Code
12 17920 dash three. Two times, I ask you the question. You say
13 you didn't use this. Do you understand what is Health and Safety
14 Code 17920 dash three?

15 I spent three hours to read this code, so I understand --

16 THE COURT: Excuse me, Mr. Wang --

17 Q. BY MR. WANG: So, do you understand?

18 MR. KODANI: Objection, it's not a question. He's
19 testifying, once again.

20 MR. WANG: Yes, I asked --

21 THE COURT: Sustained.

22 Next question, Mr. Wang.

23 MR. WANG: I didn't follow the ruling on this question.

24 THE COURT: I sustained the objection. So now you have to
25 ask a different question.

26 Q. BY MR. WANG: Is my 355 Parkview Terrace, apartment C-8, on
27 first floor?

28 A. It's at the top right of the structure. That's what my

2 A. Mr. Kodani referred to this unit as a condominium. That
3 refers to dwellings privately owned within a lot. And I don't
4 know if this is a legal condominium or not.

5 Q. "Yes" or "no"? So your --

6 THE COURT: His answer is "I don't know," which is a
7 legitimate answer, as well.

8 Q. BY MR. WANG: Right. So you don't know, but --

9 THE COURT: Next question, Mr. Wang?

10 Q. BY MR. WANG: On the first page, subject unit description,
11 clearly said "single family attach." What is "attach" mean?

12 A. That there is another dwelling as part of the same
13 structure.

14 Q. So it is a condo? So you know it's a condo?

15 THE COURT: You're being argumentative, Mr. Wang.

16 MR. WANG: Okay. I'm sorry.

17 THE COURT: Next question.

18 Q. BY MR. WANG: So do you know, condominium, the owner pay
19 HOA fees?

20 MR. KODANI: Objection. The question is incompetent and --

21 Q. BY MR. WANG: "Yes" or "no"?

22 MR. KODANI: -- irrelevant.

23 THE COURT: Sustained.

24 Next question.

25 Q. BY MR. WANG: Do you know -- are you aware -- I shouldn't
26 -- I'm sorry. I keep using "do you know."

27 Are you aware that the outside, like, this image six, is
28 HOA responsibility?

1 MR. KODANI: Objection, incompetent, irrelevant, calls --
2 MR. WANG: This is very important.
3 MR. KODANI: -- for speculation.
4 THE COURT: Sustained.
5 Next question, Mr. Wang.
6 Q. BY MR. WANG: Also image number seven, right below it,
7 another view, image number seven, another view. This is -- do
8 you know -- are you aware this is also outside stairway?
9 A. Yes.
10 Q. Image number eight, mailbox, are you aware this mailbox is
11 also outside?
12 A. Yes.
13 Q. So, then, it's also HOA responsibility.
14 MR. KODANI: Objection, incompetent, irrelevant, calls for
15 speculation.
16 THE COURT: Sir, Mr. Wang, you are testifying.
17 So, move to strike?
18 MR. KODANI: Move to strike.
19 THE COURT: Granted.
20 Go ahead. Next question, Mr. Wang.
21 Q. BY MR. WANG: Image number 14, please.
22 A. Yes.
23 Q. Unsanitary service -- may I ask you: Where is this
24 located?
25 A. The bathroom.
26 Q. Are you sure?
27 A. Yes.
28 Q. Do you know --

*Twope give
Help to Attorney*

2 You asked for permission to walk behind counsel table, but
3 you walked all the way up to the jury. I already gave you a
4 written instruction in that regard. It's not appropriate for you
5 to stand in front of the jury box, partially turning your back to
6 the jury, which is disrespectful, and engaging in examination of
7 the witness. I'm going to get that list, because I want to very
8 directly admonish you about the instructions that I gave you
9 previously. And I put them in writing so that you would know how
10 to behave.

11 So hold on a second. I'm going to get that list.

12 MR. WANG: So before --

13 THE COURT: Stop talking, please.

14 (Brief pause in proceedings).

15 THE COURT: All right. Here is the list that I provided to
16 you. Instruction number four is: Do not get too close to the
17 jury or you will be required to use the podium.

18 Would you like to use the podium, Mr. Wang?

19 MR. WANG: No.

20 THE COURT: Okay. Well, you can't get too close to the
21 jury. That's an instruction. And it's not proper conduct.

22 MR. WANG: But I asked you can I walk around --

23 THE COURT: You did. And I assumed you meant for the
24 length of the counsel table.

25 MR. WANG: No. I --

26 THE COURT: I do not give you permission to get too close
27 to the jury.

28 MR. WANG: I'm sorry.

2 THE COURT: It also says: Do not argue with the Court
3 about a ruling, yet you continually argue with me about the
4 rulings and you ignore my instructions.

5 MS. WANG: Sorry, Your Honor.

6 THE COURT: I don't want to hear apologies. I want you to
7 comply --

8 MS. WANG: Yes, I will follow --

9 THE COURT: -- with the Court's instructions. These are
10 orders of the Court. You are engaging in improper conduct if you
11 violate my orders. And you have repeatedly violated my orders.

12 It also says: Do not address opposing counsel in open
13 court. That's something that you have been doing. Do not engage
14 in an exchange with Mr. Kodani while the Court is -- while you
15 are before the jury. That is not proper conduct.

16 It also says: In the presence of the jury, register an
17 objection by saying "I object" and stating the legal basis. For
18 example, "I object, hearsay," "I object, not relevant." You have
19 been engaging in speaking objections repeatedly. I'm admonishing
20 you again not to do so.

21 Mr. Kodani, I have a question for you: Do you have any
22 additional exhibits that we can pre-mark, because it does cause a
23 gap in the proceedings for us to have to wait for my clerk to do
24 her work, which she can do in advance and it will not create that
25 delay. Because I believe time is of the essence in terms of
26 getting all of this evidence in. We don't have that many days
27 left. Today is Friday, and we don't have a lot of days left. We
28 have next Wednesday, Thursday, and Friday. And we've already --

2 integrity of our jury if they go past the time that we have
3 allotted.

4 MR. KODANI: I do have some exhibits that could be
5 pre-marked, Your Honor.

6 THE COURT: All right.

7 One of the instructions that I gave you in writing was: Do
8 not interrupt the Court. You, Mrs. Wang, and you, Mr. Wang,
9 continually interrupt me when I'm giving you instructions.

10 It says: Do not interrupt opposing counsel except for
11 appropriate objections; and whenever possible, do not interrupt a
12 witness. Do not interrupt a witness who is testifying. I have
13 had to admonish you all morning about that. And you've already
14 been told in writing not to engage in that conduct. And you were
15 told that a week ago, before we even started this trial.

16 It also says that you should use the microphones as
17 provided. You should stay at counsel table. You should use the
18 microphone so that everyone can hear you. But you are to -- if
19 you require the right to walk around, that's fine, but you're
20 walking away from the microphone and you are compromising your
21 ability to be heard.

22 The final thing is to act professionally and show
23 appropriate respect for the Court, opposing counsel, and
24 witnesses. The most important thing to me is the latter. You
25 have to show proper respect for our witnesses. I will not allow
26 you to be discourteous to them. I will not allow you to continue
27 to interrupt them or to try to badger them. I am admonishing you
28 outside of the presence of the jury with regard to that which

2 MS. WANG: Sorry, Your Honor.

3 THE COURT: So, we'll be in recess until five minutes to 11

4 o'clock.

5 MR. KODANI: All right. Thank you.

6 (Recess taken).

7 (The following proceedings were held in open court,

8 in the presence and hearing of the jury):

9 THE COURT: All right. The record will reflect that all

10 jurors are present and in their assigned seats. Counsel and the

11 parties are present.

12 Mr. Wang, your witness.

13 MR. WANG: May I continue?

14 THE COURT: Yes.

15 Q. BY MR. WANG: Do you still have the report for 355 Parkview

16 in front of you?

17 A. Yes.

18 Q. Thank you.

19 Can you go to image number three.

20 A. Yes.

21 Q. Your own description said "exterior over grew." You mean

22 this bushes, right?

23 A. Yes.

24 Q. But this is HOA responsibility.

25 MR. KODANI: Objection, argumentative, incompetent --

26 MR. WANG: It's very important.

27 THE COURT: Sustained.

28 Next question.

2 soffit, eaves," right above the window.

3 A. Yes.

4 Q. Do you know if this is part of roof upstairs?

5 A. Yes, it's considered part of the roof structure.

6 Q. But this is also HOA responsibility.

7 MR. KODANI: Same objections as before.

8 THE COURT: Sir, you are testifying. Sustained.

9 Next question.

10 Q. BY MR. WANG: Right below image number five, close-up, this
11 is also outside part of roof.

12 THE COURT: Are you testifying or asking a question?

13 MR. WANG: I'm asking. I'm sorry.

14 THE COURT: It doesn't sound like a question.

15 MR. WANG: Yeah.

16 Q. Are you aware this is outside roof, part of roof?

17 A. Yes, this is part of the roof structure.

18 Q. Well, this is also maintained by HOA.

19 MR. KODANI: Objection, irrelevant.

20 THE COURT: Sustained. It's also testifying. You don't
21 have a question pending, Mr. Wang. You're testifying. You need
22 to ask this witness questions. If you don't ask this witness
23 questions, I will assume that you don't have any and I will allow
24 Mr. Kodani to engage in redirect. So you're required to ask the
25 witness questions, not testify.

26 MR. WANG: Yes. I'm sorry.

27 Q. Can I go to image number nine?

28 A. Yes.

THE COURT: Let's talk about it. We have 44 images, so Exhibit 7, may I see Exhibit 7, madam Clerk? It has image 10, let me just locate that because it's attached.

MR. WANG: It's not on the report.

THE COURT: Excuse me, sir, you may be seated. And then we have Image 11. So those are different than here, but let me just see if we can locate the photographs that I -- let's see.

MR. WANG: It's not on the report. They use this technique --

THE COURT: Excuse me, Mr. Wang, I have not invited you to say anything.

MR. WANG: Oh, I'm sorry. Now, I am mad.

THE COURT: Mr. Wang, Mr. Wang.

MR. WANG: Yes.

THE COURT: Let me get your attention very clearly.

MR. WANG: Yes.

THE COURT: I don't care what your feelings are. You have to behave with respect to this Court.

MR. WANG: I respect you.

THE COURT: Be quiet and have a seat.

MR. WANG: I cannot take the --

THE COURT: Mr. Wang, I'm not inviting you to speak. I'm instructing you not to speak.

MR. WANG: I'm sorry.

THE COURT: Mr. Kodani, I don't see image 10 and

2 . I can provide you a copy with the
3 Plaintiffs' First Supplemental Trial Management Packet so you
4 can look through it and identify where these exhibits are.

5 So if we look at the Rules of Court with regard to
6 Trial Management, I'm just going to turn to it with regard to
7 Trial Management Conference, so we have failure of any
8 attorney, adjuster, or party -- let's see. I'm sorry.

9 Because the Rules of Court require lists of all
10 documents, exhibits, blow-up's, and/or photographs that the
11 parties expect to offer at trial expect for impeachment or
12 rebuttal. Documents shall be identified by page number or
13 date stamp number, and so would you like to look at the
14 Plaintiffs' supplemental to see if Exhibit 7's photographs
15 are in there?

16 MR. WANG: Your Honor.

17 THE COURT: Let me --

18 MR. WANG: It's not there.

19 THE COURT: Stop talking, sir.

20 Mr. Kodani, is it your understanding that it hasn't
21 previously been attached to a Trial Management Conference
22 Packet?

23 MR. KODANI: It was probably not attached, but it
24 was probably identified.

25 THE COURT: Okay. So let me just explain the rule.
26 "The testimony of witnesses who are not listed in the Trial
27 Management Conference report or documents, or other exhibits,
28 portions of deposition, answers to interrogatories, or
response to requests for admissions which are not listed in

moving into evidence?

MS. WANG: No.

THE COURT: Mr. Wang, do you have any objection to Exhibit 8 moving into evidence?

MR. WANG: Yes. The court time is already over,
4:20. I cannot take it anymore, yeah. I cannot take anymore
from the liar. I cannot take.

THE COURT: I beg your pardon?

MR. WANG: Because when we start this process, right? I especially mention I didn't get the picture and what the other side attorney said he enclosed on the report, so I cannot handle when I see people like this.

THE COURT: Okay. So stop talking, Mr. Wang. You don't have an evidentiary objection, so your objection is overruled and Exhibit 8 is moved into evidence.

(Plaintiffs' Exhibit No. 8 admitted in evidence)

THE COURT: Mr. Wang is correct, we are after the 4:00 hour.

MR. WANG: Yeah.

THE COURT: We're going to take care of the business, of the balance of the objections, before the jury arrives tomorrow, so please arrive tomorrow at 9:15.

MR. KODANI: I have one other matter.

MR. WANG: Objection. I cannot hear.

THE COURT: Objection? Stop talking, please, sir.

MR. KODANI: Due to the inordinate amount of time that's been consumed Mr. Bluer, I know, has another

2 kitchen. And it depicts a wall corner, outside corner. And it
3 was repaired, it was fitted with a metal corner molding that
4 protects the plaster from being damaged. It's code-required.
5 And it has not been patched with compound, with a plaster-like
6 material. It has been just painted over with regular wall paint.

7 So, this is non-conforming. And, again, plaster work
8 requires permit.

9 Q. Please continue.

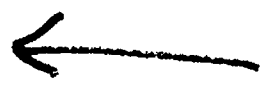
10 A. The next exhibit, Number 12 --

11 MR. WANG: Objection, evidence -- without evidence.

12 THE COURT: What is your objection, Mr. Wang?

13 MR. WANG: Because this home, we have a permit.

14 THE COURT: Stop talking if you don't have an evidentiary
15 objection. What you're doing is testifying. If you don't have
16 an evidentiary objection, do not interrupt Mr. Bluer's testimony.

17 MR. WANG: I'm sorry. 

18 THE COURT: Go ahead, Mr. Bluer.

19 THE WITNESS: Thank you.

20 So what we have is wall plaster that exhibits excessive
21 mold growth and stains. This is consistent with leakage,
22 substantial leakage, for a prolonged period of time. So this is
23 an unsanitary condition. Mold releases spores into the air. And
24 that has a direct impact on people's health.

25 Q. BY MR. KODANI: Thank you.

26 Please continue.

27 A. And this issue is long standing. And this condition
28 warrants replacement. It cannot be repaired. It has to be

2 You asked for permission to walk behind counsel table, but
3 you walked all the way up to the jury. I already gave you a
4 written instruction in that regard. It's not appropriate for you
5 to stand in front of the jury box, partially turning your back to
6 the jury, which is disrespectful, and engaging in examination of
7 the witness. I'm going to get that list, because I want to very
8 directly admonish you about the instructions that I gave you
9 previously. And I put them in writing so that you would know how
10 to behave.

11 So hold on a second. I'm going to get that list.

12 MR. WANG: So before --

13 THE COURT: Stop talking, please.

14 (Brief pause in proceedings).

15 THE COURT: All right. Here is the list that I provided to
16 you. Instruction number four is: Do not get too close to the
17 jury or you will be required to use the podium.

18 Would you like to use the podium, Mr. Wang?

19 MR. WANG: No.

20 THE COURT: Okay. Well, you can't get too close to the
21 jury. That's an instruction. And it's not proper conduct.

22 MR. WANG: But I asked you can I walk around --

23 THE COURT: You did. And I assumed you meant for the
24 length of the counsel table.

25 MR. WANG: No. I --

26 THE COURT: I do not give you permission to get too close
27 to the jury.

28 MR. WANG: I'm sorry.

2 THE COURT: Sustained.
3 Please break your question down.
4 Q. BY MR. WANG: Can I ask you what is sewage stain? Is this
5 the white thing you are talking about for the connection below
6 the drainage pipe? Is this what you mean?
7 A. Yes.
8 Q. Do you know this is not a drainage sewage -- "sewage" means
9 air -- in order for a sewage to work, has to have air and water.
10 MR. KODANI: Objection --
11 MR. WANG: That's all.
12 THE COURT: There's no question.
13 MR. WANG: I am coming with a question.
14 THE COURT: You are testifying --
15 MR. WANG: I haven't finished.
16 THE COURT: Do not argue with me. Ask this witness
17 questions.
18 MS. WANG: Just ask questions. Just ask the questions.
19 Q. BY MR. WANG: May I ask you what is caused by this white
20 things, image number 16?
21 MR. KODANI: Objection. It's unintelligible --
22 MR. WANG: I asked --
23 MR. KODANI: -- calls for speculation.
24 THE COURT: Sustained.
25 Re-ask the question, please.
26 Q. BY MR. WANG: I am just reading image number 16. "Sink
27 drain line raw sausage (sic) stain." Is this stain actually --
28 the witness can answer, just a stain (unintelligible) --

2 Q. This is call "elbow."
3 Can I go to the image number 17?
4 A. Yes.
5 Q. Are you a floor man?
6 MR. KODANI: Objection, vague and ambiguous.
7 THE COURT: Sustained.
8 Next question.
9 Q. BY MR. WANG: Image number 17, this is your own
10 description, "flooring, unprofessional installation."
11 Is this -- you wrote this because the appearance or the
12 work itself, you call unprofessional? May I ask you this?
13 A. It has been installed in a non-compliant manner, and that's
14 why it's unprofessional.
15 Q. Thank you.
16 Where does this floor locate? Do --
17 A. It's in the --
18 Q. Can you wait, because I --
19 MS. WANG: Bathroom.
20 MR. WANG: I have to think. I have to think of my
21 questions.
22 THE COURT: You said: Where is the floor located?
23 MR. WANG: Yes, that's why I didn't finish "locate."
24 THE COURT: Okay. Go ahead and finish --
25 MR. WANG: This is my second language.
26 THE COURT: Finish your question.
27 Q. BY MR. WANG: Where does this floor locate? Do you know?
28 A. I know. It is in the bathroom.

2 A. It has to be somebody who is trained in painting.

3 Q. Is this the -- may I ask you what area is this picture
4 located?

5 MR. KODANI: Asked and answered.

6 THE COURT: Sustained.

7 Next question.

8 Q. BY MR. WANG: Actually, you are a painting specialist. You
9 can attach an extension cord, then put a paint, and anybody can
10 paint.

11 MR. KODANI: Objection, vague and ambiguous as to the term
12 "painting specialist." He's testifying again. There's no
13 question.

14 MR. WANG: I'm sorry, I go --

15 THE COURT: Sustained.

16 MR. WANG: -- next.

17 Q. Image number 19, say "damaged doors." Where is this door
18 located?

19 A. The bathroom.

20 Q. In your professional opinion, what caused this damaged
21 door?

22 A. There are two areas that are damaged. The door is split at
23 the lock. That means the hole for the latch assembly has been
24 improperly drilled and the door broke. Also somebody somehow
25 dented the veneer and the wood around the lock. How it happened
26 exactly, I don't know.

27 Q. So it could -- do you think a bathroom has a lock with -- I
28 don't know how to -- you can lock it, so nobody can go in from

2 A. Code requires bathrooms to afford privacy. So, yes, it
3 should have a door with a lock.

4 Q. So if anybody inside, from outside, they can use a
5 screwdriver or anything can break this door; is it correct?

6 A. Hypothetically, yes.

7 Q. Thank you.

8 How long, in your professional estimate, how long does it
9 take to break this door with a screwdriver?

10 MR. KODANI: Objection, assumes facts not in evidence,
11 calls for speculation.

12 THE COURT: Sustained. Improper hypothetical.

13 MR. WANG: What's your ruling? I didn't hear.

14 THE COURT: Sustained. Improper hypothetical.

15 MR. WANG: Thank you.

16 Q. Image number 20, "door loose veneer and non-conforming
17 repair." Is this means the door missing the hinges?

18 A. No.

19 Q. But would you explain to me what is this mean?

20 A. It means the veneer for the door, the sheet of plywood,
21 thin plywood on the door, became detached. There is a gap.
22 Somebody drove a nail through it. It's not done right. That's
23 not a proper repair. The veneer is damaged. And the nail point
24 protrudes from the wood. There is an exposed nail point. And
25 this is evidence of non-conforming repairs.

26 Q. Where is this door located?

27 A. The bathroom.

28 Q. So you mean bathroom has two doors?

2 Court's order, that you are intending to violate the Court's
3 orders.

4 It says, "The Court, in its discretion, may exclude
5 evidence if its probative value is substantially outweighed by
6 the probability that its admission will: A, necessitate an undue
7 consumption of time; or, B, create substantial danger of undue
8 prejudice, of confusing the issues, or of misleading the jury."

9 If you engage in cross-examination where you are
10 testifying, I believe that you are attempting to mislead the
11 jury. And if that's the case, I can stop your cross-examination.
12 I have repeatedly given you warnings in this regard, sir. If you
13 continue to disobey the Court's orders, you seem to be asking me
14 to stop you from engaging in cross-examination.

15 Is that what you're asking me to do?

16 MR. WANG: No, that's not my --

17 THE COURT: You understand what a question is. Even if
18 English is not your first language, you understand what a
19 question is. You have asked questions.

20 Do you understand what a question is, sir?

21 MR. WANG: Yes. I will answer -- I will ask the question
22 very short.

23 THE COURT: I am admonishing you. I have read the statute
24 to you. You are required to comply with the law. You are
25 presumed to know the law. Even if you did not know the law, I
26 have now read you the law. You may not testify while you are
27 cross-examining a witness.

28 I am admonishing you for the last time, outside of the

2 | testifying again.

3 | THE COURT: Sustained.

4 | Next question.

5 | MS. WANG: Just ask question.

6 | Q. BY MR. WANG: Is the wire -- is the wire width and the

7 | width of this picture, is the same width wire, red wire, and the

8 | width of this picture is the same width?

9 | MR. KODANI: Objection, incomprehensible question. Calls

10 | for speculation.

11 | THE COURT: Sustained.

12 | Next question.

13 | Q. BY MR. WANG: Image number 25 says, "wiring missing

14 | fitting." Which part -- may I ask you which part is missing

15 | fitting?

16 | A. The wire, as it enters the fixture, it has to be secured.

17 | Usually there is a clamp that tightens the wire to the fixture.

18 | And there is none there.

19 | Q. Where is this fixture located?

20 | A. The living room.

21 | Q. So are you talking -- may I go back to 22, living room?

22 | Are you talking about image number 22? Because living room, is

23 | this what you are referring to?

24 | A. Yes.

25 | MR. WANG: So as Court notice, this is the same -- he

26 | mentioned --

27 | THE COURT: Do you have a question for the witness?

28 | MR. WANG: Yes.

2 THE COURT: Do you have a question for this witness?
3 MR. WANG: Yes.
4 Q. Image number 26, what is this fixture?
5 A. That's the gas wall heater we talked about earlier.
6 Q. I don't remember we talk about gas wall heater.
7 MR. KODANI: Objection, not a question. He's testifying.
8 THE COURT: Sustained.
9 Next question.
10 Q. BY MR. WANG: Where is this heater located?
11 A. The living room.
12 Q. Is this door, you mean -- it say "door loose and splatter
13 with paint."
14 Is this heater door, you mean the bottom part of this 45
15 degree?
16 A. I'm not sure what you mean by "45 degrees," but we are
17 talking about that, yes.
18 Q. It's about how many inch -- how many inch is this bottom
19 door?
20 A. There is a gap at the bottom of the door, about two to
21 three inches.
22 Q. So is it easily removable, become loose?
23 A. This door is properly designed and fabricated, and it does
24 not easily come loose. It takes effort to open it for servicing
25 the appliance.
26 Q. I am afraid to ask the next question. I don't know --
27 MR. KODANI: Objection, he's testifying. No question.
28 MR. WANG: I have one more question regarding the door.

2 A. This door is supposed to snap in place and hinge open and
3 closed and snap closed. And it's not closed.

4 Q. So you just testify yourself, you said -- previous
5 question, you say it's very hard to close. You just answered me,
6 say it's just have a snap. I don't know what is the meaning,
7 "snap on."

8 "Snap on" mean -- is it, boom, you snap on the door?

9 MR. KODANI: Objection. The question is incompetent.

10 THE COURT: Sustained.

11 Q. BY MR. WANG: Image number 27, flooring swallow -- swallow?

12 A. Yes, swollen.

13 Q. Where is this located?

14 A. The living room.

15 Q. Would you refer to the picture of my unit?

16 A. What picture?

17 Q. Picture, diagram of my -- I don't know -- this is from your
18 description. The living room, dining-room, kitchen, bathroom.
19 The description of the unit itself.

20 A. Yes.

21 Q. This is a very important question.

22 What area cover by the wood floor? Do you know?

23 A. To the best of my recollection, the entire floor had been
24 replaced at one point.

25 Q. "Entire floor" means bathroom, kitchen, bathroom, living
26 room, dining-room; is it correct?

27 A. No, that is not correct. We are talking about the living
28 room.

2 includes how the water supplies are to be connected, how the
3 appliance is to be installed and secured, how the flue has to be
4 installed, the type of venting material, how it's to be secured,
5 clearances around it, and how it's supposed to be terminated
6 above the roof line.

7 In the plumbing sections in the housing code, that's found
8 in chapter five and chapter ten, section 1001.5.

9 Q. Is it the end of the answer?

10 A. Yes.

11 Q. Thank you.

12 You mentioned chapter five, chapter -- which book chapter
13 five? May I know?

14 A. That would be the housing code, as I just stated.

15 Q. Housing code?

16 A. Yes.

17 Q. Housing municipal code or state code? Housing state code?

18 There are two codes. City code? Municipal code? State code?

19 Federal code?

20 MR. KODANI: Objection. He's testifying, once again.

21 THE COURT: Sustained.

22 Next question.

23 Q. BY MR. WANG: You also mention water heater. Does the
24 water heater needs air vent?

25 A. Needs air fan?

26 Q. Yes.

27 A. I'm not sure I understand your question, sir.

28 THE COURT: Are you saying fan, F-A-N, or vent, V-E-N-T?

2 Q. In your estimate, how long does it take to install three
3 fastener screws?

4 A. It's a very small job. It doesn't take that long.

5 Q. Does it easy to remove those fastener screws? Is it easy?

6 A. Yes, most of the time.

7 Q. Number 33, close-up, this -- is this your -- you are
8 talking about the screw again, those three screws?

9 A. That's one of the issues, yes.

10 Q. What is the other issue?

11 A. The issues I just narrated in the previous question.

12 Q. Oh. Okay.

13 Do you know what type of connection -- what we call this
14 type of connection for cold water, hot water connection? What is
15 -- what are those called?

16 MR. KODANI: Objection. The question is incompetent, calls
17 for speculation, vague, ambiguous.

18 MR. WANG: It's just a very important question.

19 MR. KODANI: He's testifying once again.

20 MR. WANG: I'm asking the question. What --

21 THE COURT: So the question is ambiguous, so the objection
22 is sustained.

23 Ask it a different way, sir.

24 Q. BY MR. WANG: Are those connection -- image 32, "needs
25 insulation" it say?

26 A. Sir, I'm afraid I don't understand your question.

27 Q. I am sorry.

28 A. What connection are you referring to?

2 Ms. Carter-Garrett and Ms. Crowder, I formed the impression
3 that when Mr. Wang walks in your direction, you are
4 uncomfortable. I'm reading your body language.

5 Am I reading it correctly?

6 MS. CROWDER: I just try to give him a little bit of room,
7 I guess. He's kind of --

8 THE COURT: Okay. Am I reading your body language
9 correctly, Ms. Carter-Garrett?

10 MS. CARTER-GARRETT: I'm not uncomfortable.

11 THE COURT: I formed the impression that when he was
12 standing over you, examining the witness, looking at his
13 exhibits, you were moving away from him or not wanting to be
14 hovered over.

15 Did I misunderstand you?

16 MS. CARTER-GARRETT: Yes, you did.

17 THE COURT: Okay. Because I would admonish Mr. Wang to
18 stay on that side of the room, to the extent that you are
19 invading the personal space of the parties who are seated in the
20 front of the courtroom.

21 MS. CARTER-GARRETT: That would be a good idea, yeah.

22 THE COURT: You would like that instruction?

23 MS. CARTER-GARRETT: Yeah.

24 THE COURT: Am I misreading your body language? I thought
25 I saw you move away from Mr. Wang.

26 MS. CARTER-GARRETT: Yeah.

27 THE COURT: And so, Mr. Wang, it's not helpful to you if
28 the plaintiffs are moving away from you while you're examining

2 Is the owner the party involved?

3 A. No, not in this case. Not for this job. It's not for me
4 to inform the owner. My duty is to the person who hired me, the
5 client.

6 Q. So you report -- on the report, said a couple of A items.
7 Would you go to the A item, please.

8 A. Page ten, entry --

9 Q. Page ten. Are you aware --

10 A. Um, I --

11 Q. -- number --

12 THE COURT: Hold on. I believe the witness is not finished
13 with his answer.

14 THE WITNESS: Thank you.

15 THE COURT: Go ahead, sir.

16 THE WITNESS: The bottom of page ten, entry line number
17 eight, at the bathroom, there is a grounded type outlet, three
18 holes, on a splash surface, not GFCI shock protected, thus
19 constituting a shock hazard.

20 That's one of them. Do you want me to list all of the A
21 conditions?

22 Q. BY MR. WANG: No. We go through -- thank you. We go
23 through one by one, because this is -- can cause a tenant shock,
24 so I want to go through, if I may.

25 A. Certainly.

26 Q. You mentioned you were a housing authority inspector, code
27 inspector; is it right?

28 MR. KODANI: Objection, asked and answered, 352.

2 Next question.

3 Q. BY MR. WANG: Do you still have my note from housing
4 quality standard I give to you before the lunch?

5 A. Yes.

6 Q. Can you read line number three, maintenance utility and
7 other service?

8 A. There's several paragraphs here. It would take me a while
9 to read it.

10 Q. Number A, B, it will take not more than one minute to read
11 it.

12 A. Subsection A --

13 THE COURT: Actually, the witness is entitled to read it to
14 himself and then answer your questions.

15 MR. WANG: Yes.

16 THE WITNESS: (Referring to document).

17 I'm ready.

18 Q. BY MR. WANG: So is that basically the owner must maintain
19 the contract unit in housing authority -- accordance with the
20 housing quality standard; is it right?

21 A. Yes.

22 Q. So you say you wrote the report -- you only report to
23 somebody who hire you. That's the plaintiff attorney; is it
24 correct?

25 MR. KODANI: Objection, 352, asked and answered.

26 THE COURT: Sustained.

27 Next question.

28 Q. BY MR. WANG: Is it require for -- write a report for my

why can not ASC

[Handwritten bracket]

2 A. I'm not sure if I understand the question, Your Honor.

3 THE COURT: Ask it a different way, sir.

4 Q. BY MR. WANG: After you write the report, do you think you
5 -- did you give to my tenant this report?

6 A. No.

7 Q. Is it you only give one person, to the attorney, sit next
8 to me, plaintiffs' attorney?

9 A. In this particular case, yes.

10 Q. Are you aware Section Eight housing quality standard for
11 bathroom, we have to put a GFI circuitry outlet in the bathroom,
12 where the water is?

13 MR. KODANI: Objection. The question is incompetent.

14 THE COURT: Sustained.

15 Ask it a different way, sir.

16 Q. BY MR. WANG: How many different kind of GFI outlet are
17 there on the market?

18 A. Basically, there is only one.

19 MR. WANG: Can I approach you?

20 THE COURT: No, sir, you cannot.

21 Q. BY MR. WANG: Are you aware there are two type of GFI
22 circuitry outlet? One is with LED, one is without LED?

23 A. The function of the GFCI is the same, irregardless of the
24 manufacturer or any other added features. The purpose of the
25 GFCI, the ground fault circuit interrupter, is to prevent shock
26 -- short circuits in the presence of water.

27 Q. In other -- may I ask you: There is a LED light. What I
28 try to point out --

Why not

2 anything out.

3 MR. WANG: I haven't finished my question, please.

4 THE COURT: I can tell the direction it's going, from the
5 hundreds of questions I've already listened to. So I'm
6 admonishing you again to not testify, and to formulate a
7 question.

8 MS. WANG: Just questions.

9 MR. WANG: Yes.

10 Q. Is there a light, LED light, on my GFI circuitry, the
11 outlet we are talking about?

12 A. The outlet we are talking about does not have a GFCI. Some
13 GFCI outlets do have LED lights.

14 Q. Thank you.

15 So what consider a GFI outlet?

16 A. It's an outlet that protects against shock in wet
17 environments.

18 Q. I mean, how many (inaudible) does it have?

19 (Interruption by the court reporter).

20 Q. BY MR. WANG: How many push buttons does it have?

21 A. It has two, a test and a re-set button.

22 Q. What colors are there?

23 A. That depends on the manufacturer. Usually they're not
24 painted any other color.

25 Q. Usually re-set are red --

26 THE COURT: Mr. Wang, did you have a question for this
27 witness?

28 MR. WANG: Yes, I do. I'm sorry.

Testimony

2 Q. BY MR. WANG: Can I go to page 11, number 15?
3 A. What page, sir?
4 Q. Number 11, please --
5 A. Yes.
6 Q. -- the bottom of the page.
7 A. This entry talks about the ceiling fan that we were talking
8 about earlier today, how it's installed in a non-conforming
9 manner.
10 Q. Thank you.
11 So we were talking about one fixture. You thought we don't
12 have it. Is it correct?
13 A. One fixture? I don't understand your question, sir.
14 MR. WANG: May I approach?
15 THE COURT: No, sir. You need to rephrase your question.
16 Q. BY MR. WANG: Because early you mention the fixture missing
17 one part where it connect to the ceiling. Is that what you
18 describe?
19 A. What I described earlier, and reading from my report
20 briefly, it doesn't have a junction box. It requires a special
21 junction box. The wire is not properly installed. The wire is a
22 plug-in cord. And there are no fittings securing the wiring.
23 Q. Is this -- you are talking about image number 22?
24 MR. KODANI: Objection. This has already been covered,
25 Your Honor, asked and answered.
26 THE COURT: Sustained.
27 MR. WANG: But this is very important --
28 THE COURT: Sustained. You've already gone over this

2 on anything you haven't already gone over?

3 MR. WANG: Yes.

4 Q. Would you go to page number 12, number 22.

5 A. Yes.

6 Q. This is -- is this for a stove?

7 A. Yes, it's for the hood above the stove, is what we talked

8 about earlier today.

9 Q. Yes. You mention about -- is it -- you mention electrical

10 wire cover was removed?

11 MR. KODANI: Objection, asked and answered.

12 THE COURT: Sustained.

13 Next question.

14 Q. BY MR. WANG: So before I go to next house, so from the --

15 from the housing assistance payment contract, HAP contract, eight

16 pages clearly state the tenants have to pass the housing quality

17 standard for them to move in; is it correct?

18 A. No, that is not correct. The dwelling has to pass

19 inspection for the tenant to move in.

20 Q. So the dwelling you are talking about is 355 Parkview

21 Terrace; is it correct?

22 A. Yes.

23 Q. So the dwelling, I also can say, at 355 Parkview Terrace,

24 it passed the housing quality standard initial inspection to have

25 tenant --

26 A. I have --

27 Q. I haven't finished my --

28 -- to have tenant move into my unit; is it correct?

2 A. I didn't know at time of inspection. I know now, from what
3 I hear.

4 Q. Thank you.

5 So you still have my housing assistance payment contract,
6 called S -- HAP contract, in front of you, so that I don't have
7 to go over it again; is it correct?

8 A. Yes.

9 Q. Thank you.

10 Do you know, when did my tenant move out from this unit?

11 A. No.

12 Q. May I ask you: How come the first unit -- first report, it
13 took you two weeks to write. This report took you 60 days to
14 write. May I know the reason?

15 A. I don't know. It varies, the time, between inspection and
16 report.

17 Q. May I ask you: Did you get paid and how much for this
18 report?

19 A. I charge a flat fee, 475 dollars, for the inspection and
20 report. And I am sure I was paid.

21 Q. So is it common for you to wait two months to get paid
22 after the inspection?

23 MR. KODANI: Objection, relevancy.

24 THE COURT: Sustained.

25 Next question.

26 Q. BY MR. WANG: Did you send a report to the property owner?

27 A. No.

28 Q. Is it common to send to a property owner the report?

*did not
tell the court*

2 THE COURT: Sustained.
3 Next question.
4 MR. WANG: This is different property.
5 THE COURT: Do not argue with the Court.
6 Q. BY MR. WANG: Can we go to page number 13, item number 20,
7 please.
8 A. Yes.
9 Q. Would you specify -- you said "room." What room is this?
10 A. The living room.
11 Q. Living room.
12 Would you read what's the item number 20 say?
13 A. There is a missing ceiling light fixture and there is
14 exposed wiring, thus constituting a shock -- constituting shock
15 and fire hazards, section 601.2.
16 Q. Would you refer the picture -- since I just got the report,
17 which picture is this for? And if I may, can I have a color
18 picture, so I can see it clearly?
19 A. That would be picture number 14 on page 24.
20 THE COURT: Bailiff, give Mr. Wang all the exhibits. He
21 can determine which one is appropriate.
22 (Brief pause in proceedings).
23 MR. WANG: I'm sorry, because I just got the picture.
24 THE WITNESS: I don't think it's in that set of exhibits.
25 THE COURT: It's attached to the report.
26 THE WITNESS: It has to be from the report.
27 MR. WANG: Because this is very important --
28 THE COURT: The witness will share with you his color

2 foundation.

3 THE COURT: Sustained.

4 Next question.

5 Q. BY MR. WANG: Can we go to page 15, item 38. It's also --
6 it's that item.

7 A. Yes.

8 Q. Would you read -- do you mind read this, please.

9 A. Yes.

10 There is a defective outlet. The grounded type outlet,
11 three holes, not original construction, is not grounded, thus
12 constituting shock and fire hazards. There is a wire, slash,
13 connector not making a positive contact, thus rendering the
14 outlet not energized. Section 601.2.

15 Q. Are you aware the housing inspector use the same type of
16 inspect device, like you show on the picture right here, image
17 number 12?

18 Would you go to that page, that image, please.

19 A. Yes.

20 Q. They use same type of device for every outlet.

21 THE COURT: You're testifying, Mr. Wang.

22 MR. WANG: I'm sorry.

23 Q. Are you aware what type of device the housing authority
24 inspector use to test the outlet?

25 MR. KODANI: Objection, calls for speculation. There's no
26 foundation.

27 THE COURT: Sustained.

28 Next question.

2 | the item, please.

3 | A. There is an electrical switch missing its cover plate thus
4 | constituting a shock hazard. Section 601.2.

5 | Q. Can I approach to -- are you meaning this kind of an outlet
6 | cover (indicating)?

7 | A. I need to go see.

8 | THE COURT: I don't know how that would be illustrative.

9 | MR. KODANI: Objection, relevancy.

10 | THE COURT: Sustained.

11 | Q. BY MR. WANG: Is it a plastic outlet, like that one, we can
12 | see?

13 | A. Yes.

14 | Q. So are you aware housing authority inspector would notice
15 | that if it's broken?

16 | MR. KODANI: Objection, lacks foundation and speculation.

17 | THE COURT: Sustained.

18 | Next question.

19 | Q. BY MR. WANG: Are you a professional housing inspector?

20 | MR. KODANI: Objection, asked and answered, 352.

21 | THE COURT: Sustained.

22 | Next question.

23 | MR. WANG: The following question is important.

24 | MR. KODANI: Objection. It's a speaking phrase; not a
25 | question.

26 | THE COURT: Ask the question, sir.

27 | Q. BY MR. WANG: Are you aware this is easily broken? This is
28 | a plastic cover?

2 And it's meant to withstand normal use. That if it breaks
3 easily, that's debatable.

4 Q. Metal is this one. Usually --

5 THE COURT: Mr. Wang, is that a question?

6 MS. WANG: Ask a question.

7 Q. BY MR. WANG: Oh, this is the most important question.

8 Go to --

9 MR. KODANI: Judge, objection. He's speaking again.

10 THE COURT: Mr. Wang, when you ask a question, you don't
11 need to give a preamble. Just ask the question.

12 MR. WANG: Yes. I'm sorry.

13 Q. Would you go to next page, page 16.

14 A. Yes.

15 Q. Number 46.

16 A. Yes.

17 Q. Would you read my violation, please?

18 A. The water heater, non-original construction unit, requires
19 proper plumbing and mechanical permits for installation. And it
20 exhibits code violations.

21 Q. Would you refer me the picture, please, since I just got
22 the picture, which one are you talking about?

23 A. Page 29, image 29, and page 30, image 30.

24 Q. Are you a professional regarding water heater?

25 A. Yes.

26 MR. KODANI: Asked and answered, Your Honor, once again.

27 THE COURT: Sustained.

28 Q. BY MR. WANG: As I recall, you made a statement, you said

2 Did you make this type of statement yesterday?

3 A. No.

4 Q. I wrote down in my book. Lucky, I'm a good student. I
5 wrote down in my book.

6 MR. KODANI: Your Honor, the defendant continuously is
7 ignoring --

8 MR. WANG: I haven't finished my question.

9 MR. KODANI: -- and not following your orders. And I feel
10 very bad for my clients, for the witness, for the jury. I don't
11 know --

Can Call Must Trial

12 THE COURT: I understand, Mr. Kodani. And I certainly
13 wouldn't want you to continue to express the sentiment that the
14 Court has expressed repeatedly with regard to the Court's
15 instructions to Mr. Wang.

16 MR. WANG: Can I go ahead with a question?

17 THE COURT: You need to ask questions.

18 MR. WANG: Yes. Yes.

19 Q. I wrote down here yesterday the witness made this
20 statement: When I checked the water heater, I can tell right
21 away the water heater doesn't have a permit.

22 What is --

23 MR. KODANI: If I could assert an objection?

24 THE COURT: The objection is?

25 MR. KODANI: He's testifying, once again.

26 THE COURT: Yes.

27 So the question is: Did he testify that the water heater
28 did not have a permit?

2 Do you know the location of this?

3 A. Not exactly, not without looking at the digital picture.

4 Q. Are you aware that when you write down it's a life-threaten
5 situation, as a owner, I'm thinking about going there, check this
6 item?

7 MR. KODANI: Objection. He's testifying, once again.

8 THE COURT: Sustained.

9 Next question.

10 MR. WANG: Can I ask the Court to ask this witness -- have
11 him bring the picture to show me.

12 THE COURT: No, sir, you cannot.

13 Next question.

14 Q. BY MR. WANG: Can I go to image number 19, please, page
15 number 26?

16 A. Yes.

17 Q. Would you read the items, "hallway" --

18 A. "Hallway bathroom, door lock missing strike plate at
19 frame."

20 Q. Are you aware door, the plate, is easily seen by anybody if
21 it's missing?

22 A. It's "easily" what?

23 Q. Is it easily seen?

24 A. Seen?

25 Q. Yes.

26 A. Yes, this is very visible.

27 Q. Thank you.

28 Can we go to image number 21?

2 Q. Would you read the items, please.

3 A. "Tub faucet handle missing hardware."

4 Q. I see the hardware is there. Which part are you talking
5 about?

6 A. It would be the handle itself. There is some hardware
7 protruding from the wall. We have a flange -- make it two
8 flanges, but the handle itself to turn the valve is just not
9 there.

10 Q. So are you aware, without the handle, then the faucet won't
11 be working; is it correct?

12 A. That is correct.

13 Q. Are you aware Section Eight check all plumbing, the faucet
14 has to be working?

15 MR. KODANI: Objection, lacks foundation, calls for
16 speculation.

17 THE COURT: Sustained. 

18 Next question.

19 Q. BY MR. WANG: Image number 22, "rear bathroom outlet not
20 grounded." Are you aware the older homes, they have two wires
21 instead of three wires?

22 A. Yes, I am aware of that.

23 Q. You are -- are you aware what year this 1729 Sutter Street
24 was built?

25 A. Exactly, I don't know.

26 Q. Can we go to image number 24?

27 A. Yes.

28 Q. "Master bathroom shower stall, caulking dilate" --

2 A. This is the exterior of the property. I don't recall
3 exactly which location.

4 Q. Actually, this isn't --

5 THE COURT: Mr. Wang, do you have a question for this
6 witness?

7 Q. BY MR. WANG: Can we go to image number 37, right below the
8 image 36?

9 A. Yes.

10 Q. "Missing door molding."

11 Where is this door located?

12 A. The exact location, I don't know. It is on the outside.

13 Q. Image number 38, "improper storage."

14 Where is this located?

15 A. Again, it's outside, probably the back or the side towards
16 the back. I can see fencing on the picture.

17 Q. Image number 39, "mold at siding."

18 Would you tell me where does this picture come from? Where
19 does it located?

20 A. The exact location, right now, I don't recall.

21 Q. May I ask: Did you actually went into my property?

22 MR. KODANI: Objection, asked and answered, 352.

23 THE COURT: Sustained.

24 Next question.

25 Q. BY MR. WANG: Are you aware that report was written by you?

26 A. Yes --

27 THE COURT: Mr. Bluer, you don't have to answer that
28 question.

2 MR. WANG: I go to next house.

3 Q. Can I go to property, 199 Volcano Court --

4 A. Yes.

5 Q. -- on page number one?

6 A. Yes.

7 Q. By "occupants," you wrote down Ms. Patricia Simmons.

8 (Brief pause in proceedings).

9 THE COURT: What's the question?

10 Q. BY MR. WANG: Is this the only person live in my unit?

11 MR. KODANI: Objection, outside the scope of direct

12 examination, calls for speculation, no foundation.

13 THE COURT: Sustained.

14 Next question.

15 Q. BY MR. WANG: Date of inspection, would you read this,

16 please?

17 A. April 14th, 2016.

18 Q. Date of report?

19 A. June 15, 2016.

20 Q. Are you aware you took two months to write this report?

21 A. Yes.

22 Q. Did you send this report to the property owner?

23 A. No.

24 Q. So who hire you, may I know, to write this report?

25 MR. KODANI: Objection. These questions have been asked

26 and answered.

27 THE COURT: Sustained.

28 MR. WANG: This is --

2 MR. WANG: This is different property.
3 THE COURT: Same witness, same enterprise.
4 (Off-the-record discussion between defendants).
5 MR. WANG: Can I approach the witness for the lease
6 agreement?
7 THE COURT: Would you like to hand the witness a copy of
8 the lease agreement?
9 MR. WANG: Yes.
10 THE COURT: You may.
11 MR. WANG: Thank you.
12 THE COURT: Do not walk through the well.
13 MR. WANG: I go this way.
14 MR. KODANI: May I see it?
15 MR. WANG: May I go through with this, because they don't
16 want me --
17 THE COURT: Do you have a copy for Mr. Kodani?
18 MR. KODANI: I don't need a copy. I just want to look at
19 it.
20 THE COURT: Please let Mr. Kodani look at it.
21 MR. KODANI: (Referring to document).
22 MR. WANG: May I?
23 THE COURT: Are you doing all right, Mr. Bluer?
24 THE WITNESS: Yes, Your Honor. Thank you.
25 MR. WANG: Thank you.
26 Q. Would you read number six, "occupants"?
27 MR. KODANI: Objection. The question is outside of the
28 direct examination.

2 MR. WANG: But I --
3 THE COURT: -- questions about the lease agreement would be
4 outside of the scope of the direct examination. They also are
5 outside the scope of this witness' expertise.
6 MR. WANG: Can I go to line number 14, page two?
7 THE COURT: Any questions about this lease agreement are
8 outside of the scope of the direct examination and outside of the
9 scope of this witness' expertise.
10 (Brief pause in proceedings).
11 THE COURT: Any other questions, Mr. Wang?
12 MR. WANG: Yes.
13 Q. Regarding the bedroom doors, image number 18, may you look
14 at that, please?
15 A. Yes.
16 Q. "Bedroom number two, door frame damage and non-conforming
17 repairs."
18 Is this what you describe?
19 A. Yes.
20 Q. Image number 19, another location -- I guess that's another
21 bedroom door.
22 MR. KODANI: Objection. Defendant is speaking again.
23 THE COURT: Do you have a question, Mr. Wang?
24 MR. WANG: Yes.
25 THE COURT: What's the question?
26 MR. WANG: Is this -- because the witness said another
27 location --
28 THE COURT: "Is this the same door?" Is that the question?

2 And it's meant to withstand normal use. That if it breaks
3 easily, that's debatable.

4 Q. Metal is this one. Usually --

5 THE COURT: Mr. Wang, is that a question?

6 MS. WANG: Ask a question.

7 Q. BY MR. WANG: Oh, this is the most important question.

8 Go to --

9 MR. KODANI: Judge, objection. He's speaking again.

10 THE COURT: Mr. Wang, when you ask a question, you don't
11 need to give a preamble. Just ask the question.

12 MR. WANG: Yes. I'm sorry.

13 Q. Would you go to next page, page 16.

14 A. Yes.

15 Q. Number 46.

16 A. Yes.

17 Q. Would you read my violation, please?

18 A. The water heater, non-original construction unit, requires
19 proper plumbing and mechanical permits for installation. And it
20 exhibits code violations.

21 Q. Would you refer me the picture, please, since I just got
22 the picture, which one are you talking about?

23 A. Page 29, image 29, and page 30, image 30.

24 Q. Are you a professional regarding water heater?

25 A. Yes.

26 MR. KODANI: Asked and answered, Your Honor, once again.

27 THE COURT: Sustained.

28 Q. BY MR. WANG: As I recall, you made a statement, you said

2 Did you make this type of statement yesterday?

3 A. No.

4 Q. I wrote down in my book. Lucky, I'm a good student. I
5 wrote down in my book.

6 MR. KODANI: Your Honor, the defendant continuously is
7 ignoring --

8 MR. WANG: I haven't finished my question.

9 MR. KODANI: -- and not following your orders. And I feel
10 very bad for my clients, for the witness, for the jury. I don't
11 know --

Can Call Mistrial

12 THE COURT: I understand, Mr. Kodani. And I certainly
13 wouldn't want you to continue to express the sentiment that the
14 Court has expressed repeatedly with regard to the Court's
15 instructions to Mr. Wang.

16 MR. WANG: Can I go ahead with a question?

17 THE COURT: You need to ask questions.

18 MR. WANG: Yes. Yes.

19 Q. I wrote down here yesterday the witness made this
20 statement: When I checked the water heater, I can tell right
21 away the water heater doesn't have a permit.

22 What is --

23 MR. KODANI: If I could assert an objection?

24 THE COURT: The objection is?

25 MR. KODANI: He's testifying, once again.

26 THE COURT: Yes.

27 So the question is: Did he testify that the water heater
28 did not have a permit?

2 Do you know the location of this?

3 A. Not exactly, not without looking at the digital picture.

4 Q. Are you aware that when you write down it's a life-threaten
5 situation, as a owner, I'm thinking about going there, check this
6 item?

7 MR. KODANI: Objection. He's testifying, once again.

8 THE COURT: Sustained.

9 Next question.

10 MR. WANG: Can I ask the Court to ask this witness -- have
11 him bring the picture to show me.

12 THE COURT: No, sir, you cannot.

13 Next question.

14 Q. BY MR. WANG: Can I go to image number 19, please, page
15 number 26?

16 A. Yes.

17 Q. Would you read the items, "hallway" --

18 A. "Hallway bathroom, door lock missing strike plate at
19 frame."

20 Q. Are you aware door, the plate, is easily seen by anybody if
21 it's missing?

22 A. It's "easily" what?

23 Q. Is it easily seen?

24 A. Seen?

25 Q. Yes.

26 A. Yes, this is very visible.

27 Q. Thank you.

28 Can we go to image number 21?

2 Q. Would you read the items, please.

3 A. "Tub faucet handle missing hardware."

4 Q. I see the hardware is there. Which part are you talking
5 about?

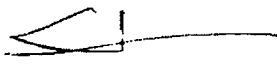
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7 protruding from the wall. We have a flange -- make it two
8 flanges, but the handle itself to turn the valve is just not
9 there.

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11 be working; is it correct?

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14 has to be working?

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16 speculation.

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20 grounded." Are you aware the older homes, they have two wires
21 instead of three wires?

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24 was built?

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26 A. Yes --

27 THE COURT: Mr. Bluer, you don't have to answer that
28 question.

2 MR. WANG: I go to next house.

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4 A. Yes.

5 Q. -- on page number one?

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12 examination, calls for speculation, no foundation.

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16 please?

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22 Q. Did you send this report to the property owner?

23 A. No..

24 Q. So who hire you, may I know, to write this report?

25 MR. KODANI: Objection. These questions have been asked
26 and answered.

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8 the lease agreement?
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16 want me --
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19 it.
20 THE COURT: Please let Mr. Kodani look at it.
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23 THE COURT: Are you doing all right, Mr. Bluer?
24 THE WITNESS: Yes, Your Honor. Thank you.
25 MR. WANG: Thank you.
26 Q. Would you read number six, "occupants"?
27 MR. KODANI: Objection. The question is outside of the
28 direct examination.

2 MR. WANG: But I --

3 THE COURT: -- questions about the lease agreement would be
4 outside of the scope of the direct examination. They also are
5 outside the scope of this witness' expertise.

6 MR. WANG: Can I go to line number 14, page two?

7 THE COURT: Any questions about this lease agreement are
8 outside of the scope of the direct examination and outside of the
9 scope of this witness' expertise.

10 (Brief pause in proceedings).

11 THE COURT: Any other questions, Mr. Wang?

12 MR. WANG: Yes.

13 Q. Regarding the bedroom doors, image number 18, may you look
14 at that, please?

15 A. Yes.

16 Q. "Bedroom number two, door frame damage and non-conforming
17 repairs."

18 Is this what you describe?

19 A. Yes.

20 Q. Image number 19, another location -- I guess that's another
21 bedroom door.

22 MR. KODANI: Objection. Defendant is speaking again.

23 THE COURT: Do you have a question, Mr. Wang?

24 MR. WANG: Yes.

25 THE COURT: What's the question?

26 MR. WANG: Is this -- because the witness said another
27 location --

28 THE COURT: "Is this the same door?" Is that the question?

2 In your professional opinion, who do you think replaced
3 those doors?

4 MR. KODANI: Objection, calls for speculation.

5 THE COURT: Sustained.

6 Next question.

7 Q. BY MR. WANG: Can we go to page number 12, line 20?

8 A. Yes.

9 Q. Would you read the line, if you don't mind?

10 A. "The smoke" -- this is at the kitchen -- no -- whatever.
11 Sorry.

12 "The smoke detector is missing, thus constituting a severe
13 fire hazard. The base exhibits non-conforming installation. It
14 has been set too low on wall."

15 That is section 704.2.

16 Q. "Too low on wall"? Can you give me a location, "too low on
17 wall"? What is that mean, "too low on wall"?

18 MR. KODANI: Objection. The question is incompetent.

19 THE COURT: Overruled.

20 Go ahead and answer, Mr. Bluer.

21 THE WITNESS: Smoke detectors must be installed within 18
22 inches of a wall -- of a ceiling.

23 Q. BY MR. WANG: But you say -- you just read that smoke
24 detector is missing. How do you know? The smoke detector is in
25 which location? It's missing?

26 A. The base for the smoke detector is still in place at the
27 wall. That is why.

28 Q. Where is this smoke detector you are talking about? May I

2 A. It's in the kitchen.
3 (Brief pause in proceedings).
4 THE COURT: Next question.
5 Q. BY MR. WANG: Do you think it's common to put a smoke
6 detector in the kitchen?
7 A. Yes. I see it all the time. Not every time, but it's
8 common.
9 Q. Are you aware -- can you go to page -- description of the
10 house. I don't know which page -- oh, page -- page number 19.
11 Do you mind?
12 A. Yes.
13 Q. The bedroom is far away from the kitchen. You draw this
14 picture. Is it correct?
15 A. My office manager did, but it's my picture.
16 Q. You --
17 A. It's my company's floor plan.
18 Q. In your expert witness, do you think people put a smoke
19 detector in the kitchen instead of in front of the bedroom?
20 A. Are you asking what people do?
21 MR. KODANI: I'll have to object. It calls for
22 speculation.
23 THE COURT: Sustained.
24 Next question, sir.
25 Q. BY MR. WANG: Do you recall -- to your recollection, is
26 there any other smoke detector in this house?
27 A. I don't recall right now. If I didn't point out a missing
28 smoke detector, it means it's there.

2 MR. KODANI: Objection, lacks foundation.
3 THE COURT: Sustained.
4 Next question.
5 (Brief pause in proceedings).
6 THE COURT: Any questions, Mr. Wang?
7 MR. WANG: Yes.
8 THE COURT: Go ahead.
9 Q. BY MR. WANG: Can we go to image number six?
10 A. Yes.
11 Q. Is this -- you talk about the kitchen counter, at the end
12 of the kitchen counter?
13 A. The end of the kitchen countertop, yes.
14 Q. Is this a plastic, just like this, very thin plastic piece,
15 where we usually glue to the end of the counter.
16 A. Yes. It's Formica.
17 Q. Thank you.
18 In your professional estimate, how long does it take to
19 remove this thin piece of end piece?
20 A. That one is hard to say. Sometimes it pop right out.
21 Sometimes it's so glued that it can take quite a while to get it
22 all out.
23 Q. Thank you.
24 Are you aware, where does this counter close to?
25 A. It appears to be close to a door leading to the garage or
26 the exterior.
27 Q. You have an excellent memory. This is close to the garage.
28 So people go through it -- I say the door is right here --

2 Q. BY MR. WANG: Are there any bedroom doors that's good?
3 A. Whatever bedroom doors I do not mention in my report,
4 implicitly they are in good working order.
5 Q. You told me two minutes ago --
6 THE COURT: Any additional questions, Mr. Wang?
7 MS. WANG: Just ask questions.
8 Q. BY MR. WANG: Image number 21.
9 A. Yes.
10 Q. "Hallway bathroom top caulking, unsanitary"; is this
11 correct?
12 A. Yes.
13 Q. This means the caulking needs to -- needs re-caulking; is
14 this correct, in your opinion?
15 A. Remove and replace. That's my opinion.
16 Q. How long does the caulking needs to be done? You told me
17 six months; is it correct?
18 A. Actually, my testimony is every six months it should be
19 checked, as part of on-going inspection and maintenance.
20 Q. I want to go back to page one. Date of inspection, April
21 14, 2016; is it correct?
22 A. Yes.
23 THE COURT: Asked and answered, Mr. Wang. You went over
24 this.
25 Q. BY MR. WANG: Can I go to the contract, page one?
26 THE COURT: The lease agreement?
27 MR. WANG: Yes.
28 THE COURT: This witness has no personal knowledge about

2 MR. KODANI: Objection. The question is incomprehensible.
3 THE COURT: Sustained.
4 Next question.
5 Q. BY MR. WANG: Image number 28.
6 A. Yes.
7 Q. "Exterior sewer line plug with apple"?
8 A. Yes.
9 Q. Is this -- where does the sewer line located?
10 A. It is on the exterior.
11 (Brief pause in proceedings).
12 Q. BY MR. WANG: Front or the back?
13 A. Specifically, I don't recall.
14 Q. Are you aware the tenant has a big dog, when you did the
15 inspection for this property?
16 A. I don't recall. I don't recall seeing a dog one way or
17 another.
18 Q. This lease agreement clearly say --
19 THE COURT: Mr. Wang, do you have a question for this
20 witness?
21 MR. WANG: Yes.
22 THE COURT: And, again, I admonish you, this witness cannot
23 be questioned about the lease agreement.
24 MR. WANG: Yes. I'm sorry.
25 Q. Image number 30, is --
26 A. Yes.
27 Q. -- this a fence gate?
28 A. Yes.

2 A. It's a very quick job.

3 Q. Thank you.

4 May we go back to the apple thing, image number 28.

5 A. Yes.

6 Q. In your professional opinion, how many inch is this
7 drainage pipe?

8 A. Based on my visual observation, it's a two-inch pipe.

9 Q. What, in your professional opinion, what is missing on this
10 picture?

11 A. Professional workmanship, repairs, maintenance. This pipe
12 needs to be plugged in, capped off, or connected onto another
13 pipe properly.

14 Q. I cannot make statements, so I'm going to hold that until
15 later on.

16 MR. KODANI: He's making a statement by saying something
17 like that, Your Honor. Once again, I ask the Court to please
18 admonish him.

19 THE COURT: Mr. Wang, we're all aware of what you are
20 doing. And it's in violation of the Court's explicit
21 instructions. So if you think that you're getting away with
22 something, you're not. You're very clearly telegraphing that
23 you're not following the Court's instructions. And there's a
24 record of it.

25 So, if you wish to question this witness, then ask
26 questions. These remarks that you're making are in violation of
27 a Court's repeated instructions to you.

28 Q. BY MR. WANG: Are you aware -- okay, go back to image

2 Are you aware it's just missing a cap, screw-on cap?
3 MR. KODANI: Objection, asked and answered.
4 THE COURT: Sustained.
5 Next question.
6 Q. BY MR. WANG: Image number 29, says "trash and debris and
7 overgrowth."
8 A. Yes.
9 THE COURT: Is there a question?
10 MR. WANG: Yes.
11 THE COURT: What's the question?
12 Q. BY MR. WANG: Who do you think, in your professional
13 opinion, left those debris over here?
14 A. In my professional opinion, I don't know.
15 Q. Where does this located? You took the picture, image 29.
16 Where does this located?
17 A. It appears to be by the garage side gate -- side door.
18 Q. Is it front or the back?
19 A. I don't recall.
20 Q. You can look at very carefully, you can see a fence right
21 here.
22 A. Exactly --
23 THE COURT: Mr. Wang, he testified he doesn't recall.
24 MR. WANG: Yes.
25 THE COURT: Next question.
26 Q. BY MR. WANG: Can we go to image number 35?
27 A. Yes.
28 Q. You said another location. Where does this you took

1 Q. Is this I can say the picture I can show you
2 the picture if you give me a minute. Is this image Number
3 25, Page 29?

4 A. It could be.

5 Q. It could be?

6 A. I'm not one-hundred-percent sure at this point.

7 Q. So I'm pretty sure --

8 MR. KODANI: Objection.

9 THE COURT: Sustained.

10 MR. KODANI: He keeps speaking.

11 MR. WANG: Q. This is outside post. So you put
12 in -- could you read image Number 25, please?

13 A. This may not be the, um, location. I'm talking
14 about in the entry is what I'm describing. But Image 25
15 reads "exterior front down-spouting improperly terminated and
16 damaged wiring."

17 Q. So this is a -- a -- let's assume, may we assume,
18 this is the outside post near the parking lot, outside?

19 A. Definitely. This is the outside parking lot post,
20 yes.

21 Q. Can we assume -- would you give me the definition?
22 What is -- can we assume this is common area?

23 A. Yes.

24 Q. Thank you. There is Page 17, Line 54?

25 A. Yes.

26 Q. Would you read Line Number 54, please?

27 A. There is an outlet, and I'm sorry this is at the,
28 um, bathroom. There is an outlet, loose, undetaching; thus,

1 A. Yes.
2 Q. Is that a -- what, in your opinion, what cause it to
3 be that condition?
4 MR. KODANI: Objection. Asked and answered.
5 THE COURT: Sustained. Next question.
6 MR. WANG: Okay. Thank you.
7 THE COURT: Any further questions, Mr. Wang?
8 MR. WANG: Yes, yes. I'm just going to -- I try to
9 cut down the questions.
10 Q. Oh, item Number 25, please?
11 A. Yes.
12 Q. Exterior front downspout damage next to parking
13 space, comma. Do you think this is a common area?
14 THE COURT: Asked and answered, Mr. Wang. Next
15 question.
16 MR. WANG: Q. Image Number 31?
17 A. Yes.
18 Q. In your estimate, what size is this hole?
19 A. It's about, I would say, four-inches by
20 two-inches.
21 Q. Four-inch by two-inch. Is this a sheetrock wall?
22 A. Yes.
23 Q. In your opinion, what cause this hole?
24 A. I cannot tell.
25 Q. You cannot tell? Thank you. Image Number 30?
26 A. Yes.
27 Q. Would you -- do you mind read this?
28 A. Upstairs hallway furnace, cold air vent, intake

grill damaged.

Q. Is this the grill in-between the stairway from downstairs to upstairs?

A. All I can tell you is the upstairs hallway, the top of the stairs.

Q. Would you think this is very important? Can I call another -- the tenant --

THE COURT: Certainly not.

MR. WANG: -- who used to live there?

THE COURT: Certainly not. Next question.

MR. WANG: Thank you.

Q. So in your opinion, what do you think caused this damage?

A. I don't know.

Q. That's why the location is very important --

THE COURT: Mr. Wang, you're testifying.

MR. WANG: Yes.

THE COURT: I'm going to give you one more warning.

MR. WANG: All right. I'm sorry.

THE COURT: Any further questions, Mr. Wang?

MR. WANG: Yes, yes.

Q. Now, Image Number 38, would you read this, please?

A. This is a left bedroom and the caption reads, another location referring to damaged door.

Q. Yes. You remember this location? Is there another location you remember, but the previous one, the rail you don't remember?

Does not allow that

1 deadbolt lock, and this requirement is retroactive.

2 Q. Thank you. Are you aware this tenant was a
3 Section 8 tenant? *Keep in context*

4 MR. KODANI: Objection. Relevance.

5 THE COURT: Sustained. Next question.

6 MR. WANG: I remember. Are -- you used to be a Home
7 Code Enforcement Officer in City of Oakland?

8 MR. KODANI: Objection. Asked and answered multiple
9 times.

10 MR. WANG: Am I right?

11 THE COURT: Sustained. Next question.

12 MR. WANG: Q. Image Number 17, please?

13 A. Yes.

14 Q. Another location, where does this locate and what is
15 this? Would you explain to me?

16 A. This is at the hallway closet and refers to
17 unfinished patching.

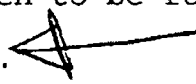
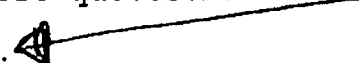
18 Q. Hallway closet? What cause this to be unfinished,
19 do you think?

20 A. Um, poor workmanship; plaster has been replaced, not
21 installed in a Code compliant manner. And after, due to some
22 rough application it was left as it was without sanding and
23 without painting.

24 Q. In your opinion, if it -- the landlord rent a place
25 to a tenant they rent place like this condition?

26 A. Again, I have seen many variations; however, a
27 dwelling should not be rented in this condition.

28 Q. Thank you. Again, image Number 19, please. Would

1 THE COURT: You're testifying, you're done.
2 MS. WANG: Yeah.
3 THE COURT: Mr. Wang, any cross-examination or
4 recross within the scope of redirect?
5 MR. WANG: Yes.
6 RECROSS-EXAMINATION
7 BY MR. WANG:
8 Q. Regarding the oven, you said it has to be
9 functional. What in your opinion is oven to be functional?
10 MR. KODANI: Outside the scope. 
11 THE COURT: Sustained. Next question. *Recross*
12 MS. WANG: I have one more question.
13 THE COURT: You're done. 
14 Mr. Wang, any further questions?
15 MR. WANG: Yes.
16 Q. You mention couple of times the tenant has to report
17 the repair item to the landlord. Did you testify like
18 that?
19 A. No, sir. I did not.
20 Q. You just -- I just heard you mention the tenant has
21 to report to the owner any item that needs to be repair?
22 MR. KODANI: Objection. Mischaracterizes his
23 testimony.
24 THE COURT: Sustained. Next question. Any other
25 questions, Mr. Wang?
26 MR. WANG: Yes.
27 THE COURT: Within the scope of the redirect?
28 MR. WANG: Yes.

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THE COURT: So what?

MR. WANG: Did you do a follow-up inspection?

MR. KODANI: Objection. Outside.

THE COURT: Sustained. Next question.

MR. WANG: You also mention Section 8 inspection is less thorough than your inspection. What qualify you to say that?

MR. KODANI: Already been qualified.

THE COURT: Sustained. Next question.

MR. WANG: In order -- did you use some type of documents or something to compare between home inspector and Housing Authority inspector?

MR. KODANI: Objection. Mischaracterizes testimony.

THE COURT: Overruled.

THE WITNESS: Again, as I testified last week, um, the Federal Government goes by the housing quality standard which is basically the Federal Housing Code. It's found in Chapter 24 of the Code of Federal regulations and it's less restrictive than the local code -- State code and the local code.

I also have experience inspecting government owned or government subleased housing both as a City Inspector and a private inspector, and I've had a chance to compare reports from the Housing Authority, City reports and private reports.

MR. WANG: I have the report right in front of me. May I present the both the report?

1 SO I CAN CONTROL THE ORDER IN WHICH THE PROCEEDINGS
2 go, and the Plaintiff goes first which I explained to you
3 before.

4 So even if you didn't anticipate needing a document,
5 you're required to have a document if you intend to question
6 a witness about that document.

7 MS. WANG: Your Honor, can I bring it after the
8 lunch?

9 THE COURT: I don't know why you would ask me a
10 question, Ms. Wang, when I'm speaking to Mr. Wang and he is
11 conducting cross-examination.

12 Do you have any additional questions for this
13 witness?

14 MR. WANG: Yes. I have many question.

15 THE COURT: Well, do they pertain to anything other
16 than the lease agreement?

17 MR. WANG: Yes.

18 THE COURT: Then go ahead and ask those questions.

19 MR. WANG: Q. So you understand what's the
20 responsibility to be a Section 8 tenant?

21 A. Yes. I know my responsibility.

22 Q. You also understand there's an initial inspection
23 for housing to pass the house for you to move in?

24 MR. KODANI: Objection.

25 MR. WANG: You understand?

26 MR. KODANI: Objection. Calls for speculation on
27 the part of this witness. She's not a housing inspector.

28 THE COURT: Overruled.

1 GO ahead, you can answer the question.
2 THE WITNESS: Yes, I do.
3 MR. WANG: Q. Would you explain to that what's the
4 procedure?
5 A. Um, they come in and they inspect the house. But
6 like I said, when I moved in there the things that, like, the
7 walls cracking, the mold, the rats, all that stuff did not
8 start until it started raining.
9 Q. So the housing inspector didn't inspect the property
10 at 1729 Sutter Street, is that what you are saying?
11 THE COURT: That's not her testimony. Next
12 question.
13 MR. WANG: Do you know the electrical has to be
14 working to be a Section 8 housing?
15 MR. KODANI: Objection. Calls for expert witness.
16 THE COURT: Sustained. Next question.
17 MR. WANG: Do you know it has to have a heater to be
18 working?
19 MR. KODANI: Objection. Same; calls for expert
20 testimony.
21 THE COURT: Sustained. Next question.
22 MR. WANG: Do you know the doors to the house, side
23 entrance door, or backyard door has to have a lock and
24 deadbolt?
25 MR. KODANI: Calls for expert testimony. *Keep*
26 THE COURT: Sustained. Next question. *interview*
27 MR. WANG: Do you know the window has to be
28 operational?

1 so then, um, they had that place on the street. -
2 took my mom to see it and my mom is, like, no. So then I
3 said, I take it because my time was running out. And I kept
4 on, um, doing the paperwork with my previous landlord. When
5 you do the paperwork -- once you do the paperwork, you have
6 to move out that unit.

7 So my previous landlord, he was nice enough to, you
8 know, work with me with the paperwork until they got the unit
9 ready for me.

10 Q. Was the previous landlord a Section 8 house also?

11 THE COURT: Not relevant.

12 MR. KODANI: Objection. Relevance.

13 THE COURT: Not relevant. Next question.

14 MR. WANG: Q. How long did you wait for my house?

15 A. Oh, um, probably almost three months, like, yeah.

16 Q. I didn't hear?

17 A. Three months. Probably, almost three months.

18 Q. Three months? Did you -- did I tell you the
19 requirement to give you a house?

20 A. Yes. You -- I already had put -- had money in the
21 account. Because when I first called them for a place he
22 said, "just put the money in my account." So that's what I
23 was doing. I already had the money in his account before I
24 even got this place.

25 Q. How much did you put in, and how much I told you is
26 required?

27 A. Totally I put \$1,700.00 in his account.

28 Q. You put in one time or by installment?

1 no tools, and you guys will always say, "I'm coming, I'm
2 coming, and I'm coming." And when you did come you was real
3 disrespectful, like, ignored everything.

4 MR. WANG: You think you are respectable?

5 THE COURT: Argumentative. Next question, Mr. Wang.
6 Any other questions, Mr. Wang?

7 MR. WANG: Yes.

8 THE COURT: Go ahead. Within the scope of the
9 redirect.

10 MR. WANG: I just want to, um, honor, you give me
11 opportunity to bring the contract?

12 THE COURT: That's not a question.

13 MR. WANG: The lunch hour I will go.

14 THE COURT: That's not a question. Stop talking.
15 This witness is excused.

16 MR. KODANI: Excuse me, your Honor, may I collect my
17 exhibits and have them moved into evidence, please?

18 THE COURT: We'll take care of that piece of
19 business. You may approach the witness stand to take your
20 exhibits.

21 MR. KODANI: Thank you. I'm handing them to the
22 Bailiff to give to the Clerk, please.

23 THE COURT: All right. And are you moving them into
24 evidence, or have they been moved into evidence?

25 THE CLERK: They have not.

26 THE COURT: Okay. So let me have them.

27 THE BAILIFF: Yes, ma'am.

28 THE COURT: Thank you. So you're moving Exhibit 23

1 A. "The dishwasher exhibits illegal wiring. The cord
2 has been patched with tape; this constituting shock and fire
3 hazard. Tenant tape" -- something, I can't understand what
4 that last word says. "Tenant tape this". I think that's
5 what it says.

6 Q. Thank you. May I get my report back?

7 THE COURT: You may.

8 MR. WANG: Thank you.

9 Q. So the dishwasher, Number 12, said the dishwasher
10 had illegal wiring, the cord has been patched with tape, and
11 that does constitute shock and fire hazard. This report was
12 done June 15, 2016. Also I have one more question?

13 THE COURT: That wasn't a question.

14 MR. WANG: Yes. Can I ask you, during the last ten
15 years, how many unlawful detainer did you have?

16 MR. KODANI: Objection. Not relevant.

17 THE COURT: Sustained. Next question.

18 MR. WANG: It's very important because --

19 THE COURT: Excuse me, sir. Excuse me, sir. I
20 sustained the objection. That it's not relevant. So you
21 have to move onto another area of inquiry.

22 MR. WANG: Did you have three misdemeanors charge
23 the last ten years?

24 MR. KODANI: Objection. Not relevant.

25 THE COURT: Sustained. Not relevant, sir.

26 MR. WANG: Can I use evidence 788 Pisco versus the
27 Salesmen society 2008, 166, 8th, 4th 1, comma, 6, comma, 82,
28 say, R3d, 139. Also there's another citation, Robins versus

WOLFF, 1954, 21 May 6, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 26

337. Your Honor, can I --

THE COURT: Can you use that?

MR. WANG: Yes.

THE COURT: Yes. You can use the law. What are you citing?

MR. WANG: Yes.

THE COURT: But that doesn't change my ruling. You are not making sense.

MR. WANG: Oh, I'm sorry.

THE COURT: It's irrelevant. What's your next area of questioning?

MR. WANG: Because I want to show.

THE COURT: Excuse me, sir. I told you, it's irrelevant.

MR. WANG: All right. I'm sorry, do you recall I file an unlawful detainer, um, case against you April 2016?

MR. KODANI: Objection. Relevancy.

THE COURT: Sustained. Next question.

MR. WANG: Q. When you move in, do you remember you clean the house for me?

A. Yes.

Q. Do you remember you paint the house for me?

A. Yes.

Q. Do you remember you fix everything in the house for me?

MR. KODANI: Objection.

MR. WANG: For a price?

1 MR. KODANI: Objection. Everything is
2 ambiguous.
3 THE COURT: Sustained. Next question.
4 MR. WANG: Do you remember you replace all the
5 doors, bedroom doors, you didn't like the old doors so you
6 replace all the doors for me?
7 MR. KODANI: Objection. Compound.
8 THE COURT: Sustained.
9 MR. WANG: Q. Do you remember you replace one
10 bedroom door for me?
11 A. Yes.
12 Q. Do you remember you replace two bedroom door for
13 me?
14 A. Yes. I remember purchasing all of the doors and you
15 replacing the doors.
16 Q. Do you remember we even argue about the bedroom door
17 price?
18 A. Maybe that could have been true. I'm not sure.
19 Q. Do you remember I told you if the doors are
20 functional I never replace the bedroom doors?
21 A. Yes, I do remember you saying that.
22 Q. Do you tell me the reason why you still purchase
23 those bedroom doors?
24 A. Do you want me to tell you why I did?
25 Q. Yes?
26 A. Yes. They were filthy; holes in them; the door jams
27 were broken off, and the doors were inches too short as the
28 bathroom door still is that I did not replace.

1 Q. Actually, there are image number 27 and image
2 29?
3 A. Mm-hmm.
4 Q. Would you tell me where are those located, please?
5 A. Okay. Number 28 is outside the garage door to the
6 right when you're going into the backyard, and Image Number
7 29, it's outside to the left of the garage, the back door.
8 Q. Is that -- are those items behind the gate?
9 A. Yes.
10 Q. May I approach the witness again, show pictures?
11 THE COURT: Yes.
12 MR. WANG: Image Number 35.
13 Q. Is this located above the water heater air vent?
14 A. Yeah. Yeah, mm-hmm.
15 Q. Would you tell me how could it be that dirty?
16 A. Spider webs; it's a garage.
17 Q. In your opinion, that's owner responsibility?
18 MR. KODANI: Objection. Calls for expertise.
19 THE COURT: Sustained. Next question.
20 MR. WANG: May I approach the witness again?
21 THE COURT: You may.
22 MR. WANG: Q. Image Number 42, would you read the
23 description, please?
24 A. It says "gap at bottom of siding."
25 Q. Is that locate in the backyard behind the side gate,
26 also?
27 A. I'm not sure where this is located. I'm not sure.
28 Q. Okay. May I ask you, do you remember how many smoke

1 detector are in the house:
2 MR. KODANI: Objection. Vague as to time.
3 THE COURT: Sustained. Next question.
4 MR. WANG: Q. Was there a smoke detector in the
5 kitchen when you move in?
6 A. No. There's a bracket for a smoke detector in the
7 kitchen, and there's a bracket for a smoke detector in the
8 hallway and neither of the two work, or never have since I
9 been there.
10 Q. You testified did you do the painting for me?
11 A. Yes.
12 Q. How do you paint the ceiling? Do you remove the
13 smoke detector?
14 A. No. I did not paint the ceiling. They are vaulted
15 ceilings and we did not have the equipment to paint the
16 ceilings, so we only did the walls. Remember?
17 Q. Are you sure the kitchen ceiling is a popcorn
18 ceiling? You just said --
19 THE COURT: Did you not hear her say "vaulted?"
20 MR. WANG: Vaulted, I don't have.
21 THE COURT: Vaulted. Do you need some of the
22 hearing assistance that we have?
23 MR. WANG: No, I don't understand.
24 THE COURT: Okay. And Ms. Simmons can speak up into
25 the microphone so you can hear her testimony, because I don't
26 want you to mischaracterize her testimony.
27 MR. WANG: Yes.
28 THE COURT: That is improper.

2 Q. Do you know you are not in the contract?

3 A. I am on the lease. I signed the lease the same day
4 my sister signed the lease. Yeah, I am on the contract.

5 MS. WANG: She is on the contract?

6 MR. WANG: She is.

7 THE COURT: Any further questions, Ms. Wang?

8 MS. WANG: I -- um, I don't have any questions, your
9 Honor.

10 THE COURT: Any cross-examination, Mr. Chang Wang?

11 MR. WANG: Yes.

12 CROSS-EXAMINATION

13 BY MR. WANG:

14 Q. Last ten years, how many misdemeanor do you have?

15 MR. KODANI: Objection.

16 THE WITNESS: None.

17 THE COURT: Go ahead, Mr. Kodani.

18 MR. KODANI: Objection. Irrelevant.

19 THE COURT: Sustained. Next question.

20 MR. WANG: The lease agreement, may I approach?

21 THE COURT: I believe there's a copy of the lease
22 agreement there.

23 MR. WANG: Can you read Line 6? "Occupant --

24 THE COURT: Paragraph 6?

25 MR. WANG: Q. Yes, Paragraph 6.

26 A. "Occupant, guest staying over fifteen days without
27 the written consent of owner shall be considered a breach of
28 this agreement. Only if the following individuals and/or

1 ... so sorry that it's not disruptive or write him a note.

2 Mr. Wang, the same goes for you. The communications
3 that you're engaging in with Ms. Wang is disruptive to the
4 Court, and I'm admonishing you to cease engaging in this
5 behavior.

6 Go ahead, Mr. Kodani.

7 MR. KODANI: Thank you.

8 THE COURT: The question was, how did you come to
9 live at 468 Corcoran Avenue?

10 MR. KODANI: Yes.

11 THE WITNESS: We were -- prior, staying in a motel,
12 I decided to move to Vallejo from Antioch, and there was a
13 gentleman that lived there that was in the motel as well and
14 he gave a referral to me of the Wang's.

15 MR. KODANI: Thank you.

16 Q. And how much was your rent when you moved into the
17 Corcoran Avenue property?

18 A. Initially, it was 1,050.

19 Q. And who lived there with you?

20 A. My daughter, Cynthia, then Tisha came probably about
21 two weeks later. And then, um, my son Estevan McCoy, he was
22 there, and my son Damien came probably several months after
23 that. And then I have other children. I have six kids and
24 they will come to visit off and on.

25 Q. Thank you. Now, with respect to problems with the
26 property, did you notice mouse droppings?

27 A. Yes. I did in the, um, kids' bedroom closet up on
28 the high shelf.

1 tenant moves out and the house needs attention to get it
2 ready for the next tenant that needs to move in.

3 You also call me when you need to make a Real Estate
4 transaction as well.

5 Q. Isn't it true I always call you when I either don't
6 have time to fix the things, or I don't have the ability to
7 fix the things?

8 A. Yes, that's true.

9 Q. Is it quite often do I call you?

10 THE COURT: Asked and answered. He said "often".
11 Next question.

12 MR. WANG: What usually are the problem when I call
13 you?

14 MR. KODANI: Objection. Vague and ambiguous.

15 THE COURT: Sustained. Next question.

16 MR. WANG: What's the reason? Do I -- what's the
17 reason did I call you?

18 THE COURT: Asked and answered. Before Section 8
19 inspection; when something needs to be brought up to Code;
20 when you need a make a Real Estate transaction.

21 You just went over that testimony. Next question.

22 MR. WANG: Did I call you lately?

23 MR. KODANI: Objection. Relevancy.

24 THE WITNESS: Yes.

25 THE COURT: Sustained. Next question.

26 MR. WANG: Q. Did you ever work with my handyman,
27 David Camacho?

28 A. Yes.

1 Q. Recently, did you install a new garbage disposal for
2 Patricia Simmons, 199 Volcano --

3 MR. KODANI: Objection. Outside the scope.

4 THE COURT: Sustained. Any other questions?

5 MS. WANG: No other questions.

6 THE COURT: Chang Wang, any other redirect?

7 MR. WANG: Yes.

8 THE COURT: Go ahead.

9 REDIRECT EXAMINATION

10 BY MR. WANG:

11 Q. How do we know we do the normal maintenance around
12 our properties?

13 MR. KODANI: Objection. Outside the scope.

14 THE COURT: Sustained. Next question.

15 MR. WANG: Q. Did I ever call you for maintenance
16 job?

17 A. Yes.

18 MR. KODANI: Objection. Outside the scope.

19 THE COURT: Sustained.

20 MR. WANG: Did I call you for Volcano --

21 MR. KODANI: Outside the scope.

22 THE COURT: Sustained. Move to strike?

23 MR. KODANI: Move to strike.

24 THE COURT: Granted.

25 Mr. Wang, I'm going to assist you in this instance,
26 the cross-examination had two questions.

27 MR. WANG: Yes.

28 THE COURT: Do the Wang's rent property that is in

1 good condition, and do they maintain their property? So two
2 questions.

3 Did you have any questions within the scope of those
4 two questions?

5 MR. WANG: Yes.

6 Q. Do I maintain the property in good condition?

7 A. Yes.

8 MR. KODANI: Objection. Asked and answered.

9 THE COURT: Sustained. Any questions that haven't
10 been asked and answered, Mr. Wang?

11 MR. WANG: What cause you said "yes"?

12 MR. KODANI: Objection. Not relevant; outside the
13 scope.

14 THE COURT: Overruled.

15 MR. WANG: Answer.

16 Q. Can you answer what cause you to say "yes" to be a
17 maintain the property?

18 A. Well, you call me when there's an issue that you
19 need to repair and we fix it.

20 Q. Regarding those four properties, did you fix any
21 items recently?

22 MR. KODANI: Objection. Outside the scope;
23 relevancy.

24 THE COURT: Sustained.

25 MS. WANG: For example, what did you do?

26 MR. KODANI: Same objection.

27 THE COURT: Sustained.

28 MR. WANG: Can you explain in detail?

1 THE COURT: What is the rest of your question? Can
2 you explain in detail "what"?
3 MR. WANG: Can you explain in detail why you say I
4 maintain in good condition?
5 THE COURT: Asked and answered. Any other
6 questions?
7 MR. WANG: Isn't it true if I cannot fix the items I
8 call you?
9 MR. KODANI: Objection. Asked and answered.
10 THE COURT: Yes.
11 MR. KODANI: Leading; outside the scope.
12 THE COURT: Move to strike?
13 MR. KODANI: Move to strike.
14 THE COURT: Granted.
15 MR. KODANI: I'm going to ask --
16 MR. WANG: In your opinion, am I good landlord?
17 MR. KODANI: Objection. Outside the scope.
18 THE COURT: Sustained.
19 MR. WANG: No more questions.
20 THE COURT: Any redirect, Mr. Kodani?
21 MR. KODANI: No.
22 THE COURT: All right. This witness is excused.
23 Thank you, Mr. Wang.
24 Ms. Wang, your next witness?
25 MS. WANG: Oh, thank you.
26 THE COURT: You're excused. Thank you.
27 MR. WANG: Can we call --
28 THE COURT: I directed the question to Ms. Wang.

1 cleaning the floors and the walls for keeping them clean.

2 walls.

3 Q. Did the back patio sliding door be able to lock?

4 A. Yeah. It was hard to close because, like, it had a
5 lot of dirt on the track, so it was, like, hard to move. But
6 it actually did lock. They both -- the, um, patio and
7 kitchen, and patio and living room.

8 Q. Did you say there's one -- a used oven -- stove.
9 I'm sorry, in the patio at the time?

10 A. There was one that was, um, against -- yeah. In the
11 back porch against the thing and also --

12 Q. Didn't I tell you I want to put it in a new burner
13 for the oven?

14 MR. KODANI: Objection. Leading.

15 THE COURT: Sustained. Next question.

16 MS. WANG: Q. Did you see the working oven inside
17 the --

18 A. Yes.

19 Q. -- the kitchen?

20 A. Yes. All the appliances inside the house work.

21 THE COURT: Ms. Camacho, let Ms. Wang finish her
22 question entirely before you give your answer. Please stop
23 interrupting by speaking over Ms. Wang. We'll have a clear
24 record of what is being said.

25 THE WITNESS: Right.

26 THE COURT: Next question, Ms. Wang.

27 MS. WANG: Q. Did I tell you the oven outside, the
28 tenant was cleaning and burn -- push the burner, so she

1 damage the stove. That's my, no, I don't know.

2 A. Yes.

3 Q. So over the ring?

4 THE COURT: Ms. Wang, is that a question?

5 MS. WANG: I want to talk about the --

6 THE COURT: You don't get to testify. You have to

7 ask this witness any questions you have.

8 MS. WANG: Okay.

9 Q. Helen, when I, um, when the tenant ask me to repair

10 or fix their unit, did I always call you first?

11 A. Yes. You call me, and you usually -- either I call

12 or give the number to my husband to call. Most of the time I

13 call, initially, to see if they would answer. Lots of time

14 they don't answer, and I make an appointment to have my

15 husband go look at them.

16 Q. Did I always tell you, if I cannot find your husband

17 I tell you what we want you --

18 MR. KODANI: Objection. Leading.

19 THE COURT: Sustained. Next question.

20 MS. WANG: When I give you job order so you respond

21 to your husband; is that correct?

22 MR. KODANI: Objection. Leading.

23 THE COURT: Sustained. Next question.

24 MS. WANG: Q. When I call you about the repair need

25 to do, what do you do?

26 A. I first see if I can, um, get ahold of my husband.

27 But a lot of the times I also have other people that would

28 either help him or help do the repairs. I have a few friends

1 THE WITNESS: NO, they won't.

2 MR. KODANI: Objection. Calls for speculation.

3 THE COURT: Sustained.

4 MS. WANG: So if it's not pass, continue fix then
5 call the second inspection?

6 MR. KODANI: Objection. Compound; leading.

7 THE COURT: And there's no question you're
8 testifying, Ms. Wang. I'm going to warn you one last time,
9 if you continue to testify during your cross-examination I'll
10 assume you have no more questions of this witness.

11 MS. WANG: I'm sorry, your Honor. I think I'm
12 finished.

13 THE COURT: I don't want an apology. I want you to
14 comply with the Court's repeated -- one of the Court's
15 repeated instruction is not to talk when I talk. So you're
16 done with your examination.

17 Mr. Wang, do you have any direct examination of
18 Ms. Camacho?

19 MR. WANG: Yes.

20 THE COURT: Go ahead.

21 DIRECT EXAMINATION

22 BY MR. WANG:

23 Q. When I receive a call or text regarding a
24 maintenance issue, who do I call?

25 A. Me.

26 Q. Then usually you will ask me what address, what
27 properties; isn't it true?

28 A. Yes.

1 Q. Then I will explain to you the address and the
2 problem; is it true?

3 A. Yes. Sometimes you just give me the -- the tenant's
4 name and number and I will call and ask what the problem is,
5 and she'll tell me.

6 Q. Usually, how long does it take for you to look at
7 the problem?

8 A. It depends on if it's Vallejo or in Sacramento, or
9 San Jose. We work on all your properties. Sometimes the
10 ones out of town, I make the initial call and we have to make
11 an appointment to go to the unit; so maybe a day or two.

12 If it's in Vallejo, it's usually that day if they'll
13 let us come to the property or if they answer the phone. A
14 lot of the times they don't answer or don't want to let
15 nobody in without making an appointment, and even then
16 sometimes they don't let us in

17 Q. Isn't it true one unit have a carpet problem, you
18 receive the call over thirty days ago?

19 MR. KODANI: Objection. Relevant.

20 THE COURT: Sustained. You need to rephrase the
21 question.

22 MR. WANG: Yes.

23 Q. Is there a carpet problem over thirty days we still
24 haven't replaced?

25 A. I actually haven't really had any call for carpet
26 except for one or two. In the one time I went they wouldn't
27 let us in to do the repairs. They had too much stuff in the
28 way, like, you know, they wanted to have time to move their

1 MS. WANG: Yes, please.

2 THE COURT: Mr. Wang.

3 MR. WANG: May I bring the water?

4 THE COURT: Yes. Mr. Wang, you're still under oath
5 that was administered, I believe, this week earlier. You're
6 still under oath, sir.

7 THE WITNESS: Yes.

8 THE COURT: You may be seated.

9 Your witness, Ms. Wang.

10 DIRECT EXAMINATION

11 BY MS. WANG:

12 Q. Yes. I like -- can I give this to Chang Wang?

13 THE COURT: You want to show it to Mr. Kodani first?
14 Go ahead.

15 MS. WANG: Yes.

16 THE COURT: You may approach the witness. Go ahead,
17 Ms. Wang.

18 MS. WANG: Q. The page -- the first page, did you
19 see paragraph third?

20 A. Yes.

21 Q. Can you please read the -- please --

22 MR. KODANI: Object to the extent the testimony is
23 cumulative.

24 THE COURT: Right. So have we gone over this lease
25 agreement, Paragraph 3, already, Ms. Wang.

26 MS. WANG: Not that I know.

27 THE COURT: What is Paragraph 3, say Mr. Wang?

28 MS. WANG: Q. Can you speak about for the date that

2 A. January 21, 2015.

3 Q. Yes?

4 MR. KODANI: I do assert the objection as
5 cumulative.

6 THE COURT: I have no idea what this witness is even
7 talking about.

8 Who moved in, Ms. Wang?

9 MS. WANG: I'm sorry. Carolyn Connor and Denzel
10 Gilmore and in 1729 Sutter Street in Vallejo.

11 THE COURT: All right. So what's your question,
12 Ms. Wang?

13 MS. WANG: Q. The day she move in?

14 A. The term of this agreement that shall commence on
15 January 21, 2015.

16 Q. Okay. On the 5th, late charge. Can you read that,
17 please?

18 A. Late charges and return checks. If rent is paid
19 after the third day of the month there will be a late charge
20 of \$50.00 assessed.

21 If any check given by tenant to landlord for the
22 payment of the rent or for any other sum deal under this
23 agreement is a return for insufficient funds a stop payment
24 or any other reason tenant shall pay landlord a return check
25 charge of certain amount.

26 Q. In your knowledge did she always pay rent on the
27 3rd?

28 MR. KODANI: Objection. Relevancy; already asked.

THE COURT: Sustained. Next question.

2 MS. WANG: Did we receive any late fees?

3 MR. KODANI: Objection. Relevancy.

4 THE COURT: Sustained.

5 MS. WANG: In your knowledge, did you see loss tile?

6 THE WITNESS: No.

7 MR. KODANI: Objection. Already asked, and
8 cumulative.

9 MS. WANG: Was the house very clean when she moved
10 in?

11 MR. KODANI: Objection. Calls for opinion;
12 speculation.

13 THE COURT: Overruled. Go ahead and answer.

14 THE WITNESS: I check the house, the whole house,
15 throughout. They -- before I call Henry Wang and before I
16 did the inspection, David Camacho go through it first. After
17 he go through it, I go through it. I mainly double-check,
18 see if any plumbing that's leak by the usage of Helen
19 Camacho. She does the cleaning, so sometimes the plumbing
20 start leaking. So I will fix it at that time.

21 I also check all the electrical again by turning off
22 all the single post switch. Also, if there is a GFI outlet I
23 press the red reset button; make sure everything function
24 well.

25 Also that time, I call David Camacho back again. I
26 ask him, press on the smoke detector; make sure the smoke
27 detector works because I don't want Housing Authority stop
28 the inspection. We have a few instances, the smoke detector

2 Q. From different house?

3 A. Yes.

4 THE COURT: Hold on, Madam Clerk, hold on. Sorry,
5 madam court reporter. Can you read back two questions ago,
6 please?

7 (court reporter read back)

8 THE COURT: Back on the record.

9 MS. WANG: Patricia said water was underneath the
10 house. When we go to fix the problem I was waiting in the
11 house. Did the -- Patricia daughter said, um, Tiralyann
12 Carter which live in Sutter street is her aunt --

13 THE COURT: Not relevant. Next question. Any other
14 questions, Ms. Wang?

15 MS. WANG: During the 2015 or '16 when you give
16 Patricia eviction, did she also team up with, um, Tiffany
17 Carter, Corcoran tenant; do you remember that?

18 MR. KODANI: Objection. Relevance.

19 THE COURT: Sustained.

20 Next question. Next question, Ms. Wang, do you have
21 any additional questions?

22 MS. WANG: What I want to --

23 THE COURT: Any additional questions, Ms. Wang?

24 MS. WANG: Do you believe they are related?

25 THE COURT: Not relevant. Next question.

26 MS. WANG: Do you know the current tenant live in
27 C-6 Park View Terrace she is her -- Tiralyann's sister.

28 THE COURT: You're testifying. You're done; you're