

CLAIM

BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF CONTRA COSTA COUNTY

BOARD ACTION: 10/25/2016

NOTICE TO CLAIMANT

Claim Against the County, or District Governed by)
the Board of Commissioners, Routing Endorsements,)
and Board Action. All Section references are to)
California Government Codes.)

The copy of this document mailed to you is your
notice of the action taken on your claim by the
Board of Commissioners (Paragraph IV below), given
Pursuant to Government Code Sections 913, 915.2,
915.4. Please note all "Warnings".

RECEIVED

SEP 26 2016

COUNTY COUNSEL
MARTINEZ, CALIF.

AMOUNT: Exceeding \$10,000.00

CLAIMANT: Constance Gutierrez

ATTORNEY: Douglas A. Pratton

ADDRESS:

Concord CA 94520

BY DELIVERY TO COB ON: 9/23/2016

BY MAIL TO COB POSTMARKED:

I. FROM: Board of Commissioners

TO: County Counsel

Attached is a copy of the above-noted claim.

DAVID TWA, Clerk

By: Deputy

Dated: 9/23/2016

II. FROM: County Counsel

TO: Board of Commissioners

✓ This claim complies substantially with Sections 910 and 910.2.

This Claim FAILS to comply substantially with Sections 910 and 910.2, and we
are so notifying claimant. The Board cannot act for 15 days (Section 910.8).

Claim is not timely filed. The Clerk should return claim on ground that it was filed late and
send warning of claimant's right to apply for leave to present a late claim (Section 911.3).

Other:

Dated: Sept. 26, 2016

By: , Deputy County Counsel

III. FROM: The Board of Commissioners

TO: County Counsel (1)

County Administrator (2)

() Claim was returned as untimely with notice to claimant (Section 911.3).

Dated: DAVID TWA, CLERK, By , Deputy Clerk

IV. BOARD ORDER: By unanimous vote of the Commissioners present:

() This Claim is rejected in full.

() Other:

I certify that this is a true and correct copy of the Board's Order entered in its minutes for this date.

Dated: David Twa, CLERK, By , Deputy Clerk

WARNING (Gov. Code section 913)

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a
court action on this claim. See Government Code Section 945.6. You may seek the advice of an attorney of your choice in connection with this
matter. If you desire to consult an attorney, you should do so immediately. *For Additional Warning See Reverse Side of This Notice.

AFFIDAVIT OF MAILING

I declare under penalty of perjury that I am now, and at all times herein mentioned, have been a citizen of the United States, over age 18; and
that today I deposited in the United States Postal Service in Martinez, California, postage fully prepaid a certified copy of this Board Order and
Notice to Claimant, addressed to the claimant or claimant's attorney as shown above.

Dated: DAVID TWA, CLERK, By , Deputy Clerk

This warning does not apply to claims which are not subject to the California Tort Claims Act, such as actions in inverse condemnation, actions for specific relief such as mandamus or injunction, or Federal Civil Rights claims. The above list is not exhaustive and legal consultation is essential to understand all the separate limitations periods that may apply. The limitations period within which suit must be filed may be shorter or longer depending on the nature of the claim. Consult the specific statutes and cases applicable to your particular claim. The County of Contra Costa does not waive any of its rights under California Tort Claims Act nor does it waive its rights under the statutes of limitations applicable to actions not subject to the California Tort Claims Act.

Claim to: **BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY**
OF THE COUNTY OF CONTRA COSTA
INSTRUCTIONS TO CLAIMANT

- A. Claims relating to causes of action for death or for injury to person or to personal property or growing crops and which accrue on or before December 31, 1987, must be presented not later than the 100th day after the accrual of the cause of action. Claims relating to causes of action for death or for injury to person or to personal property or growing crops and which accrue on or after January 1, 1988, must be presented not later than six months after the accrual of the cause of action. Claims relating to any other cause of action must be presented not later than one year after the accrual of the cause of action. (Govt. Code §911.2.)
- B. Claims must be filed with the Clerk of the Board at its office in Room 106, County Administration Building, 651 Pine Street, Martinez, CA 94553, either by mail or in person.
- C. If the claim is against more than one public entity; separate claims must be filed against each public entity.

D. Fraud. See penalty for fraudulent claims, Penal Code Sec. 72 at the end of this form.

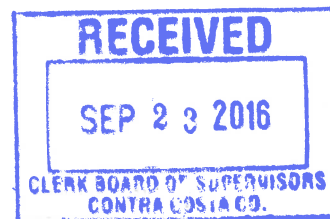
RE: Claim By:

) Reserved for Clerk's filing stamp

Constance Gutierrez

Name

)



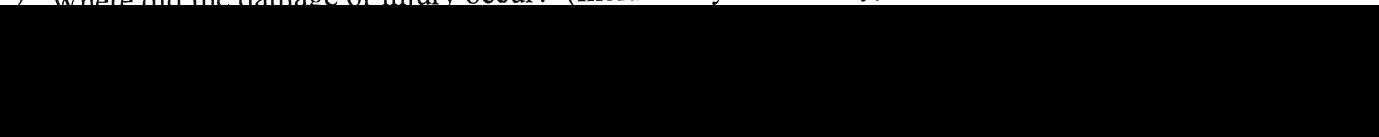
Against: The Housing Authority of the County of Contra Costa

The undersigned claimant hereby makes claim against the Housing Authority of the County of Contra Costa in the sum of exceeds \$10,000 and in support of this claim represents as follows: (unlimited jurisdiction - Superior Court)

1. When did the damage or injury occur? (Give exact date and hour)

March 23, 2016 in the evening.

2. Where did the damage or injury occur? (Include city and county)



3. How did the damage or injury occur? (Give full details, use extra paper if required)

The grab bar in the bath tub gave way.

4. What particular act or omission on the part of county or district officers, servants or employees caused the injury or damage?

Negligent maintenance, operation and ownership
- dangerous condition of public property.

5. What are the names of county or district officers, servants or employees causing the damage or injury?

Unknown.

6. What damage or injuries do you claim resulted? (Give full extent of injuries or damages claimed. Attached two estimates for auto damage.)

Right shoulder and neck injuries and teeth.

7. How was the amount claimed above computed? (Include the estimated amount of any prospective injury or damage.)

Claimant has incurred medical expenses and loss of earning capacity and pain and suffering.

8. Names and addresses of witnesses, doctors and hospitals.

Claimant has treated at Kaiser

9. List the expenditures you made on account of this accident or injury:

DATE

ITEM

AMOUNT

SEND NOTICE TO: (Attorney)

Name and Address of Attorney

Douglas A. Prutton
Law Office of Douglas
A. Prutton
1985 Bonifacio Street,
Suite 101
Concord, CA 94520

Telephone No. (925) 677-5080

Gov. Code Sec. 910.2 provides:

"The claim must be signed by the claimant or by some person on his behalf."

Connie Iltis
(Claimant's Signature)

Telephone No. 

NOTICE

Section 72 of the Penal Code provides:

"Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, city or district board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is punishable either by imprisonment in the county jail for a period of not more than one year, by a fine of not exceeding one thousand (\$1,000), or by both such imprisonment and fine, or by imprisonment in the state prison, by a fine of not exceeding ten thousand dollars (\$10,000) or by both such imprisonment and fine."