

Case #23-009185

# Case #23-009185: The Anatomy of Constructive Denial

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A Forensic Analysis of Code Enforcement and CPRA Compliance  
City of Sacramento vs. Baritell Trust Property (4880 T St)

# The Bureaucratic Illusion

## The Official Record



**590-Page**  
Case File

Over **\$30,000+**  
in Fines, Fees, and Liens

**2.5 Years**  
of "Monitoring"

**165,487**  
Total Words Logged

## The Forensic Reality

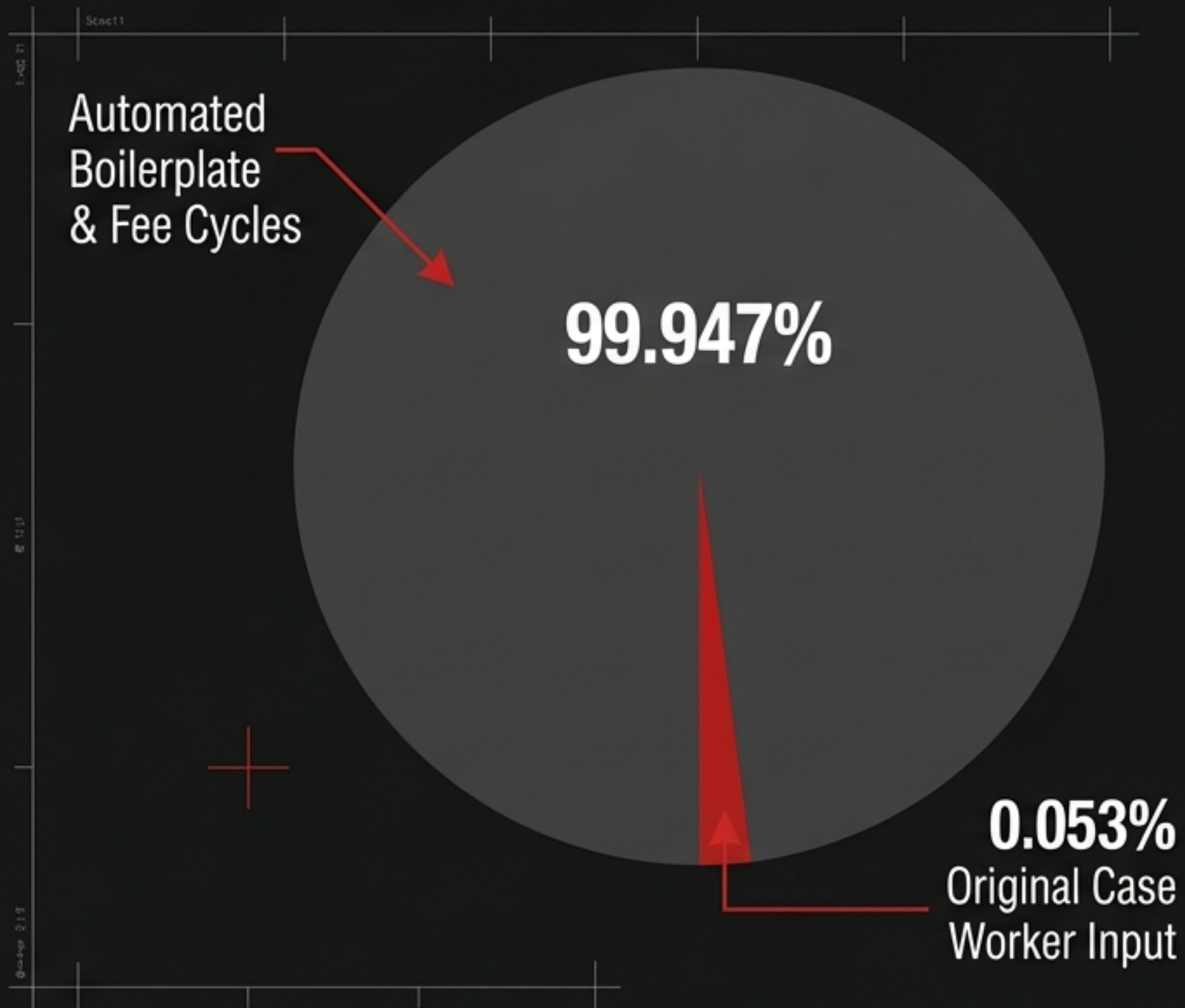
**99.947%**  
Automated System  
Boilerplate

**88**  
Words of Original  
Human Input

**Zero**  
Verified "Monitoring"  
Field Notes

An empty field note was logged.  
The system updated the case  
status automatically.

# Billing \$30,000 for 88 Words of Work



A line-by-line forensic analysis isolates the original, case-specific work performed by Inspector Paul Lovato between March 2023 and October 2025.

- \* Total unique written output: 88 words.
- \* Less time to type than a standard text message.
- \* Sacramento City Code dictates code compliance monitoring fees require "each additional inspection."
- \* The backend data proves the fees were generated automatically, with no verifiable physical inspections to legally trigger them.

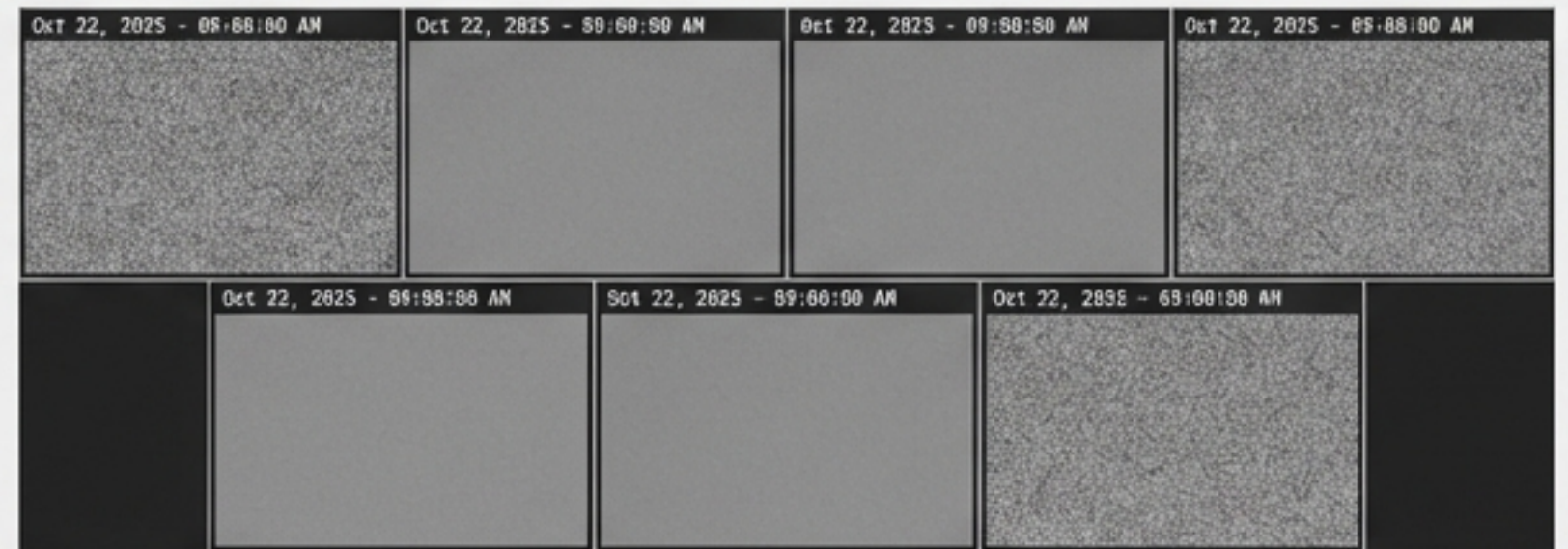
# Falsified Government Logs: The October 22 “Drive-By”

Official Citizenserve/Accela Case Log

10/22/2025 - Paul Lovato: I happened to be driving by the property and saw work was being performed so I stopped to talk with someone and no one would answer me. I then called their attorney...



## The Hard Fact

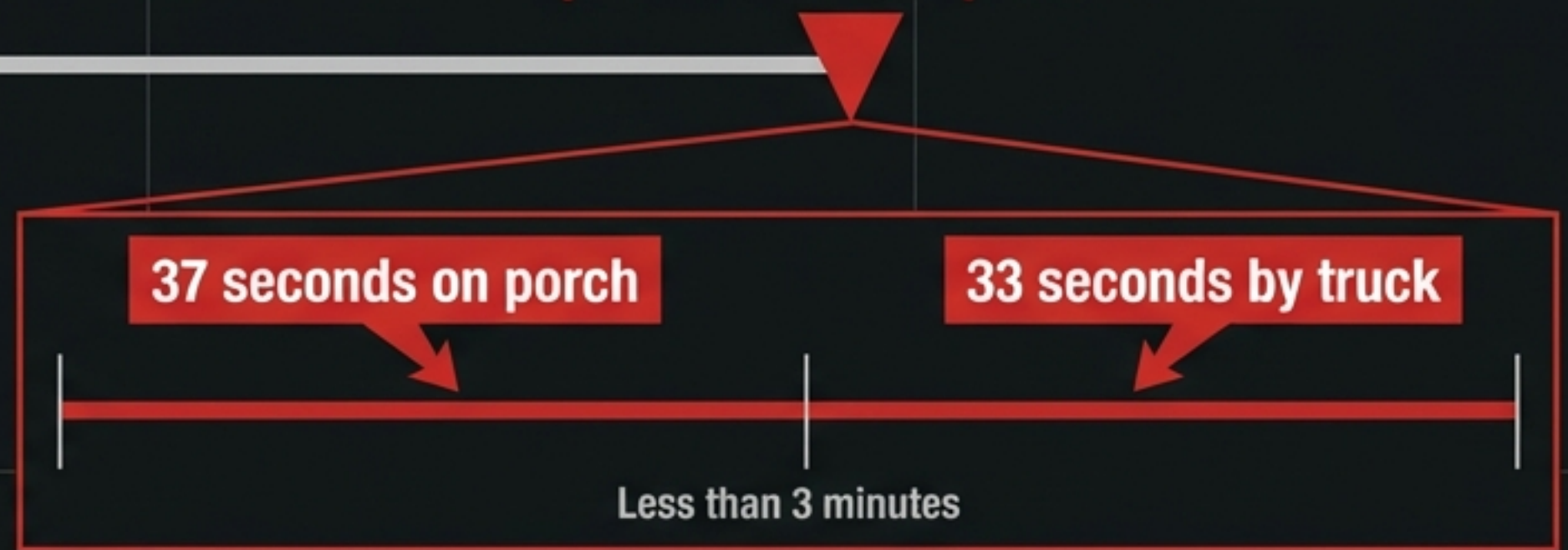


- \* **Evidence:** 7 synchronized CCTV cameras.
- \* **Result:** Zero physical presence.
- \* Falsifying an official code enforcement log to justify ongoing harassment or fees constitutes **severe legal liability** for the City.

# FALSIFIED TIMELINES: THE 37-SECOND RESPONSE

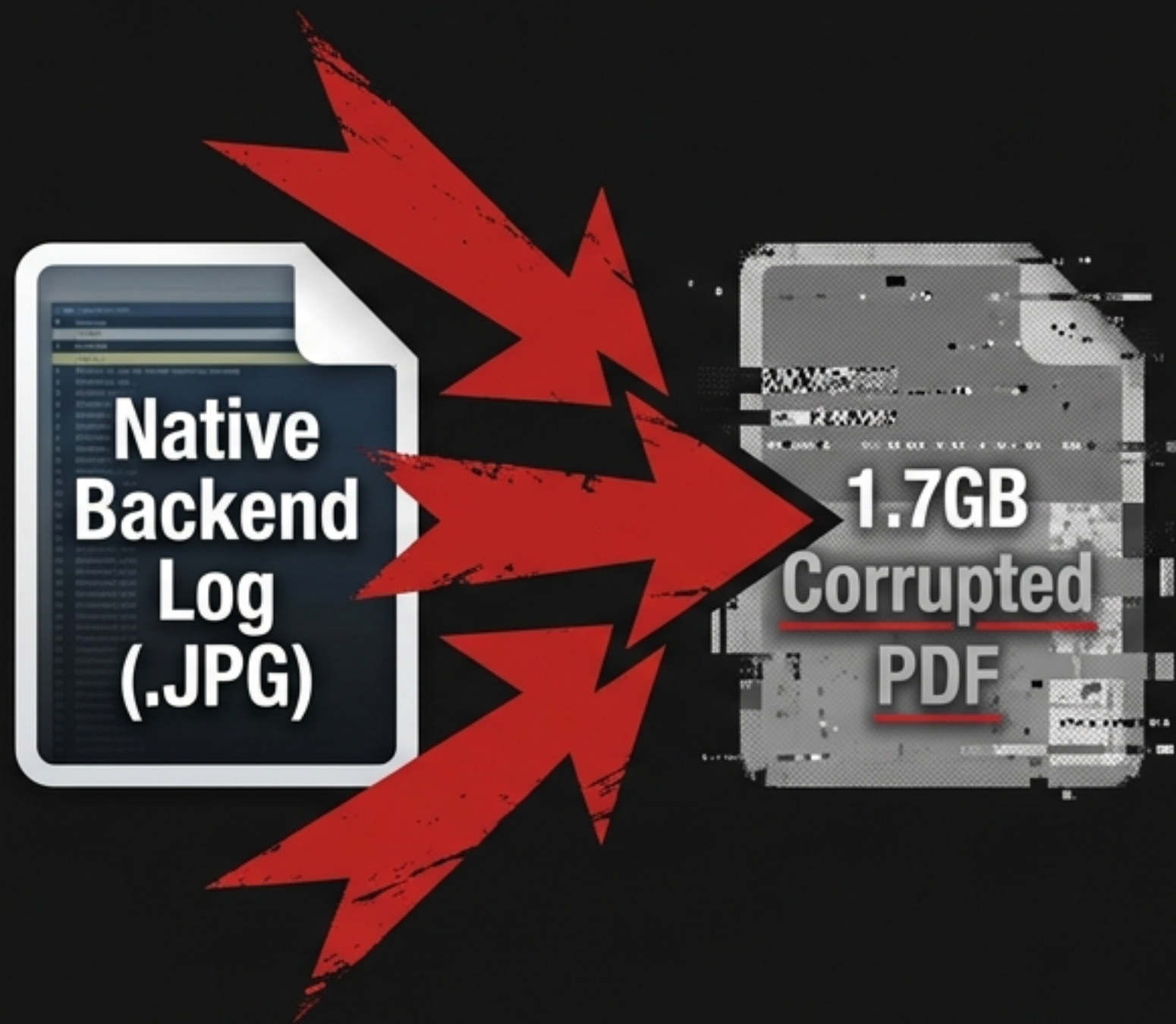
April 25: Medical Notification

April 26: The "Inspection"



- \* **April 25:** Inspector explicitly notified of the property owner's fragile medical state (returning from a 4th hospital visit) requiring coordinated timing.
- \* **April 26:** Inspector arrives uncoordinated.
- \* **CCTV Verification:** 37 seconds on the porch. 33 seconds by the truck. Departs in under 3 minutes total.
- \* **The Log:** Falsely records a narrative of knocking twice, announcing twice, and applying a punitive 'Response Fee' despite physically denying a disabled resident the time to reach the door (8m 42s required).

# Spoliation of Evidence and CPRA Abuse

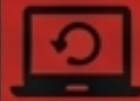


The City employed systematic procedural obstruction to hide the lack of physical evidence.

- \* **Corrupted Deliverables:** Flattened 1.7GB PDFs provided in response to requests, intentionally failing to render critical photographs past page 74.
- \* **The Reality:** The City's own backend case inventory log proves the native .JPG image files (e.g., IMG\_1492 (1).jpg) exist securely in the database.
- \* **The Violation:** Refusal to provide working electronic files constitutes a deliberate breach of CPRA formatting mandates.

# THE MISSING "LAPTOP SPIN" PHOTOGRAPH

**A KNOWN, OMITTED  
RECORD LEGALLY  
INVALIDATES THE  
CITY'S CLAIM OF A  
"COMPLETE" FILE.**



- \* **THE EVENT:** April 2023 in-person meeting.
- \* **THE ACTORS:** Inspector Paul Lovato and Doug Pierson.
- \* **THE ACTION:** Inspector Lovato physically spun his laptop to display a specific, localized photograph of a tarped structure on the property.
- \* **THE FINDING:** This specific photograph is entirely absent from both the 590-page official case file and the backend inventory log.
- \* **THE IMPLICATION:** Active destruction of evidence or an intentionally inadequate CPRA search.

# Data Manipulation: Filtering the 311 Origin

| Field            | Value               |   |                 |  |
|------------------|---------------------|---|-----------------|--|
| Lained           |                     |   |                 |  |
| Date/Time Opened | <del>March 17</del> | → | <b>March 20</b> |  |
|                  |                     |   |                 |  |

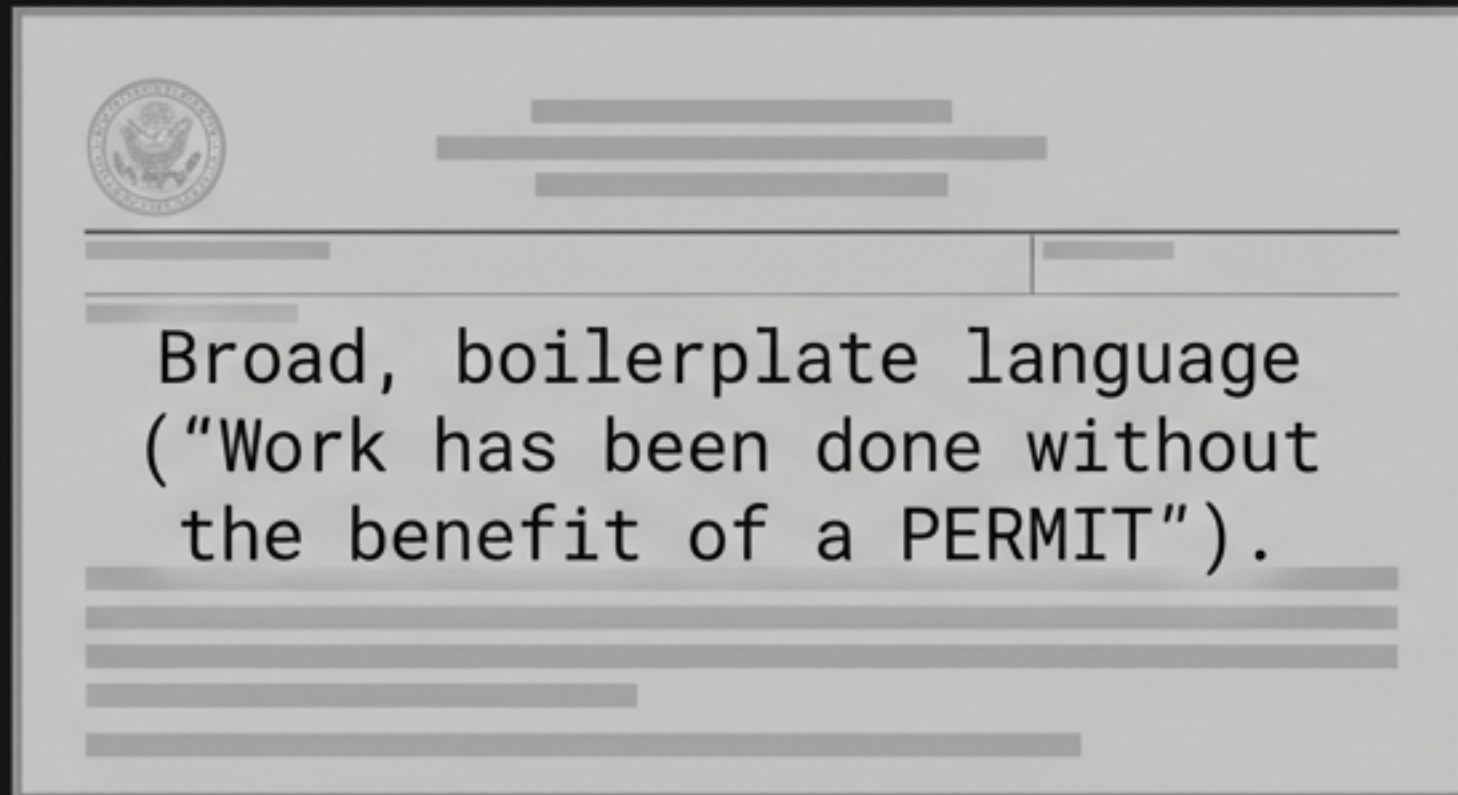
To mask procedural errors at the initiation of the case, the City manipulated the public data export.

- \* **The Action:** The Records Department provided three different 311 export documents.
- \* **The Manipulation:** The "Date/Time Opened" field was intentionally filtered to begin on March 20, 2023.
- \* **The Hidden Record:** This filter explicitly cuts off the actual originating complaint from March 17 (Ticket #230317-1609966).
- \* **The Violation:** Directly violates the statutory duty to assist the public in identifying records under Gov. Code § 7922.600.

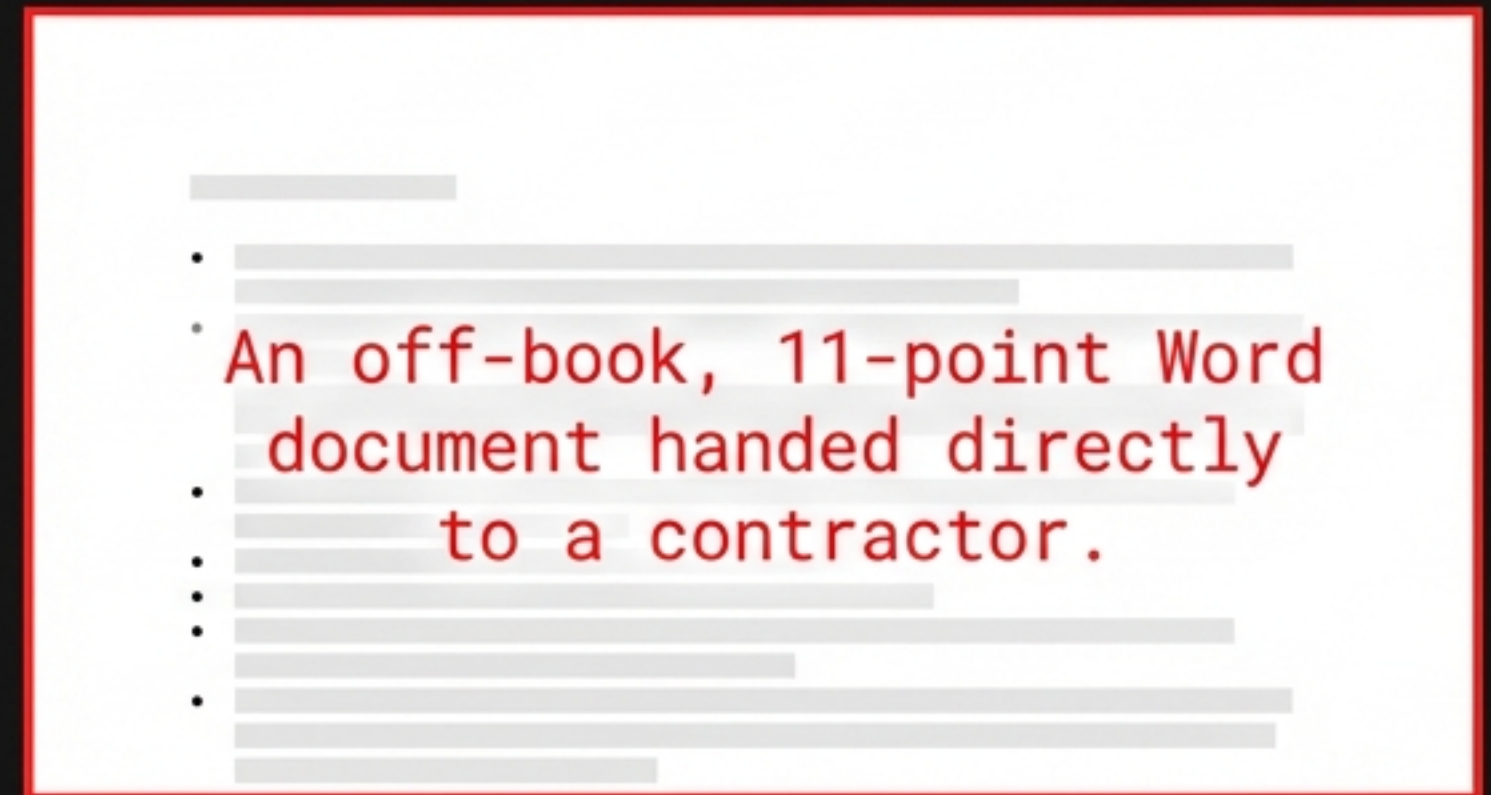
# THE ROGUE SEPTEMBER 16 CORRECTION NOTICE

Bypassing formal legal processes to initiate illegal scope creep and harassment.

## THE ORIGINAL NOTICE (MARCH 2023)



## THE ROGUE NOTICE (SEPT 2025)



- \* **The Demands:** Includes hyper-specific structural demands never formally noticed (e.g., "Fence at Southwest corner to be a maximum height of 7'", "Workshop... reduced to 120 Sq Ft").
- \* **The Impact:** Denies the property owner their legal right to a proper appeal window while weaponizing the threat of enforcement.

# Off-Book Communications & Hidden Attachments



The official log references external communications, but the City has actively withheld the native attachments and texts.

- \* **August 25, 2025:** Inspector Lovato logs a reply to Karen Owens "with pictures and explanations". Pictures are omitted from the file.
- \* **October 22-23, 2025:** Inspector Lovato logs emailing attorney Mark Saakian. These emails and their attached photos are entirely missing from the central case file.
- \* **The Reality:** The Inspector is operating off-book, sending demands and photos directly to representatives while keeping them out of the official public record.

# LEGAL MANDATE 1: CITY OF SAN JOSE V. SUPERIOR COURT

## THE CITY CANNOT HIDE PUBLIC BUSINESS ON PERSONAL DEVICES OR OFF-SYSTEM ACCOUNTS.

- \* **The Precedent:** City of San Jose v. Superior Court (2017) 2 Cal.5th 608.
- \* **The Law:** Communications regarding public business—including text messages and emails sent on city-issued or personal devices—are public records.
- \* **The Trap:** The City must formally certify a forensic search of Inspector Lovato's personal/city-issued mobile devices, or admit to failing its CPRA obligations.

# Legal Mandate 2: The Native Format Requirement



LOCKED & FLATTENED PDF

**Providing a corrupted, flattened file is a constructive denial of access.**



UNLOCKED NATIVE .JPG

- \* **The Statute:** California Government Code § 7922.570(b)(1).
- \* **The Law:** An agency must make electronic records available “in any electronic format in which it holds the information.”
- \* **The Trap:** The City's own backend inventory explicitly lists native .JPG files. The City cannot legally substitute a broken 1.7GB PDF for the original, metadata-intact image files.

# LEGAL MANDATE 3: LIABILITY FOR PROCESSING VIOLATIONS

## ENDLESS 14-DAY ROLLING EXTENSIONS AND VOLUME EXCUSES ARE ACTIONABLE OFFENSES.

- \* **The Precedent:** City of Gilroy v. Superior Court (2026).
- \* **The Law:** A public agency can be held liable for declaratory relief and mandatory attorney's fees based purely on how they process requests.
- \* **The Trap:** Inadequate searches, filtering data, substituting corrupted files, and utilizing rolling extensions trigger CPRA liability and attorney's fees—even if the records are eventually disclosed.

# THE CHECKMATE: PRODUCE OR ADMIT

By leveraging the City's own logs against them, we force an inescapable legal binary. The City must issue a line-by-item response to the withheld records:

## PATH A: PRODUCE THE RECORDS

Providing the native photos, 311 logs, and text messages **exposes the off-book scope creep** and the **fee fraud**.

## PATH B: CLAIM "NO RECORDS EXIST"

Failure to produce the records requires a **formal, named declaration** of an inadequate search ~~remain~~ search or the **active destruction** of public evidence. (Gov. Code § 7922.540).

# THE INESCAPABLE REALITY

The paper trail is secured. The fraud is documented.

\* **Fee Fraud Exposed:** \$30,000+ extracted via 99.947% automated boilerplate.

\* **Evidence Tampered:** Proven falsification of October 22 logs and missing April 2023 photographs.

\* **CPRA Abused:** Procedural stalling, corrupted deliverables, and hidden 311 data.

The City of Sacramento is cornered by its own metadata. The only remaining question is how the City Auditor and the Courts will address the liability.