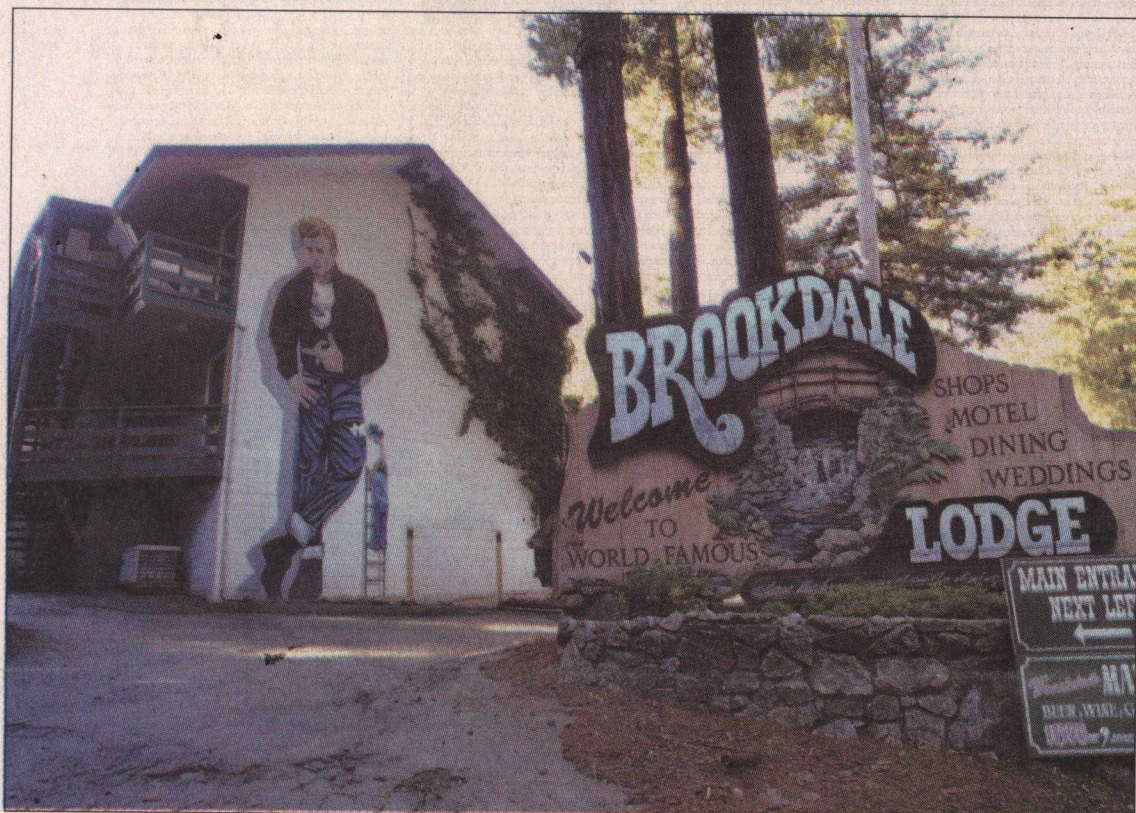


History of negligence haunts Brookdale

New owner has record of unpaid bills, mounting trash problems at currently owned San Francisco hotel



Dan Coyro/Sentinel photos

The new owner, Sanjiv Kakkar, bought the Brookdale Inn & Spa for more than \$5 million.

Hotels & Boarding Houses
By J.M. BROWN SENTINEL STAFF WRITER

BROOKDALE — The new owner of the fabled Brookdale Lodge — where the “River Runs Through It” dining room is still a marvel — says only time will judge whether he is capable of returning the fatigued \$5.3 million landmark to its former splendor by remaking it into a destination spa.

Despite his investment in new roofing and what he described as sustainable decor for the lodge's 46 guest suites, Sanjiv Kakkar has not gotten off on the right foot with county officials and the former owners. During the past month, agents from the health and building departments say they have warned Kakkar about mounting garbage and construction debris, as well as his failure to secure the proper permits for reconstruction.

A Sentinel investigation also uncovered a similar history concerning a hotel Kakkar owns in San Francisco. The San Francisco environmental health agency has recorded at least a dozen uncollected garbage violations stemming from unpaid disposal bills at the Abigail Hotel since Kakkar bought the Tenderloin District property seven years ago. The building inspector has forwarded to code enforcement officials a March 2007 permit violation that hasn't been resolved.

Kakkar said he doesn't believe the ongoing problems with the Abigail should reflect on the work he

is undertaking at the Brookdale, which he renamed the Brookdale Inn & Spa after buying it in October from a retired Bay Area police officer who had owned it for 17 years. Santa Cruz County officials said Kakkar has been responsive to the garbage and permitting problems they've documented in the past month, but said they are monitoring the property — which includes a historically significant 117-year-old original lodge — to

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Clear Creek runs through the center of the cavernous Brookdale Inn & Spa dining room.



Garbage overflowing the trash containers has been a recurring problem at the Brookdale Inn & Spa.



Dan Coyro/Sentinel

Tenants are still renting apartments at the Brookdale Inn & Spa.

Brookdale

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make sure he follows through with his promises.

In the meantime, Kakkar and the former owners agree their one-time congenial relationship has soured amid accusations of unresolved debts and other conflicts related to the transfer of ownership, such as the garbage gaffe, as well as allegations that property belonging to the former owners was stolen by one of Kakkar's workers — a charge Kakkar denies.

Jennifer Gilbert, daughter of the former owner, Bill Gilbert, said her family has long loved the lodge and feel as though they are "giving up a kid to a bad family." She said Kakkar did not properly take over the garbage contract or other utility obligations immediately after the sale, which led to uncovered trash amassing from the restaurant, bar, lodge and residential apartments that are part of the property.

Kakkar acknowledged "we don't have a good relationship," and said "they've not been very cooperative in the transition." As for the mirror history of garbage and permitting problems at the Abigail Hotel, Kakkar said, "Everything is a different situation; I have an explanation for everything."

History of neglect

San Francisco health department records show Kakkar has a history of not paying for garbage service at the Abigail Hotel he has owned there since 1999, including a complaint filed just last month.

Ed Walsh, an inspector with the Department of Environmental Health, said the agency has noted at least a dozen violations at the discount hotel, which is two blocks south of City Hall, near the Tenderloin District.

"This guy just chronically doesn't pay his [garbage] bills," Walsh said, noting one health department investigation at the Abigail went on for six months.

In December 2003, Walsh said Golden Gate Disposal reported that it had stopped providing service at the Abigail due to lack of

payment. A health department investigator who visited the site exactly a month later found garbage piled up in the hotel's basement, which he told the staff must be removed and garbage service reinstated.

But two weeks later, the investigator issued a second notice because there was still no garbage service. Two weeks after that, in early February 2004, the investigator took the next step, issuing a citation that Walsh said Kakkar never responded to.

Eventually, the garbage service was reinstated, but within two months, an inspector was at the hotel again after receiving complaints of trash in the hallways and laundry room. Walsh said the inspector found bags of trash on the fifth floor in April, and Golden Gate Disposal reported in May it had canceled service again for delinquency. All of the problems were rectified by late June, reports show.

There were no garbage complaints recorded for more than three years, until Dec. 6, when the disposal company reported service was halted again. A front-desk clerk told an inspector that "the garbage pick up had resumed," and the confusion was resolved, a health department report said, and by Dec. 12 the agency confirmed service was reinstated.

The health department isn't the only San Francisco agency that's had trouble with the hotel.

Bill Strawn, a spokesman for the Department of Building Inspection, said Kakkar has still not resolved a March 2007 code violation stemming from an advertising sign the agency warned him required a permit.

Strawn said the agency cited the Abigail for not seeking the permit, which needs to be OK'd by planning department officials. After Kakkar didn't respond, a second notice was sent in early May, and was forwarded to the code enforcement division when there was no reply.

The San Francisco City Attorney's Office reported it has not pursued any code enforcement proceedings against the Abigail, but Strawn said such cases are on backlog to be investigated.

Kakkar said each garbage violation could be explained, but did not

elaborate. He said garbage allegations like those leveled against the Abigail is "180 degrees different from what's happening here" with renovation at the Brookdale.

Letting go of a legacy

The lodge is one of the most well known sites in Santa Cruz County — certainly a landmark on Highway 9, where local folks still come for dinner and weekend brunch in the famed 1920s-era Brookdale Dining Room, where Clear Creek runs through the middle of the 200-seat eatery. The niece of a former owner drowned in the creek decades ago, and her spirit — as well as those of dead loggers and gangsters that inhabited the lodge through the years — are said to haunt the property, where paranormal investigators and psychics still visit to capture ghosts.

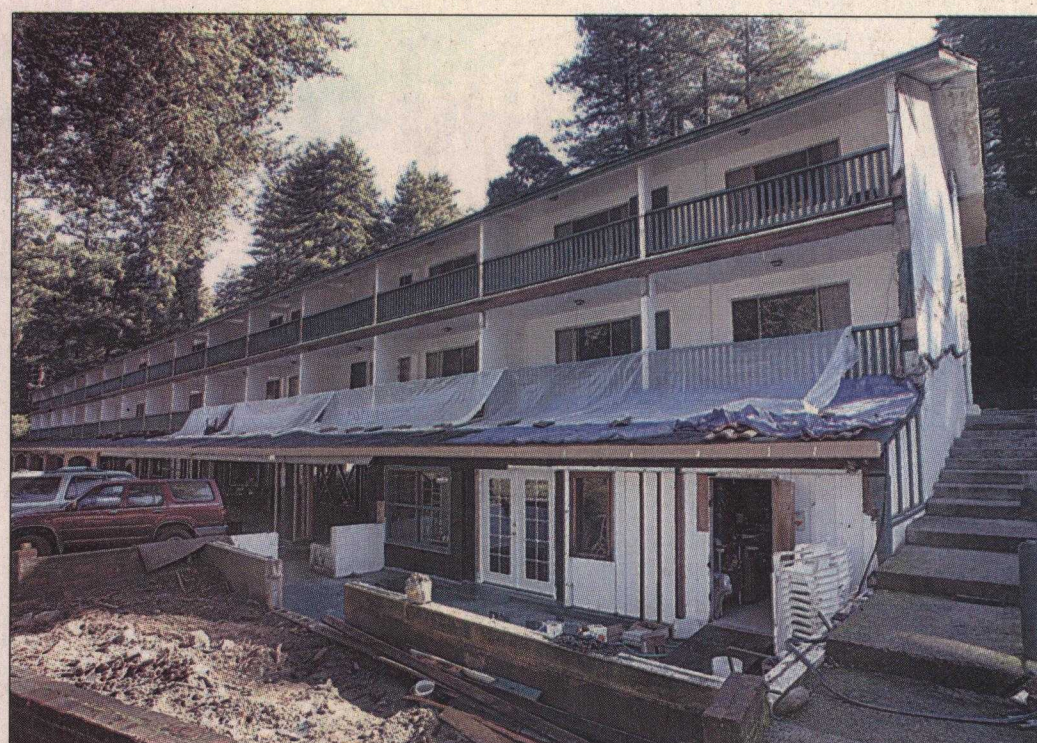
The dining room, bar, two lodges, guest suites, 68 apartments, 13 cabins, performance stage and famed Mermaid Room that make up the property meant a lot to the Gilbert family, said Jennifer, who booked musical acts for the hotel before her father sold it to Kakkar. She said her father rebuffed past offers from Kakkar, but decided to sell after the property became too much to handle.

"He wanted to sell it to somebody who could finish what he started," Jennifer Gilbert said in a recent interview, citing work the family had done to restore some of the guest rooms and one of two pools. "He seemed like a family man. He owned another hotel, told [my father] he bought distressed properties. He just seemed like he was a perfect guy."

She acknowledged the property wasn't pristine when the Gilberts sold it to Kakkar for their asking price of \$5.34 million. A 2005 fire the Gilberts believe was arson left several of the apartments damaged, which she said her family had not fixed due to slow insurance reimbursement.

Although excited about the ideas Kakkar expressed for restoring the lodge to its mystically enchanting origins, she said her family and Kakkar were not seeing eye to eye within a few weeks.

She said several financial obligations with Kakkar are still unresolved, including the trans-



Dan Coyro/Sentinel

The new owner is remodeling the former Brookdale Lodge, now called the Brookdale Inn & Spa.

fer of business accounts into his name, most notably the garbage service. Then, last month, a man she described as a chauffeur for Kakkar's children was allegedly caught by her father removing two bottles of wine from a temporary storage area she said Kakkar had agreed to let them use until June.

The sheriff's official confirmed a man was cited and released on an allegation of stealing the wine, valued at about \$20 a bottle, but the official could not be certain whether the man worked at the lodge.

Kakkar said the man was not his employee, but rather, "someone who was in the lounge." He said he didn't know anything more about the man.

As for other disagreements that have eroded the relationship with the Gilberts, Kakkar said, "I don't think they've done anything wrong, and I don't think I've done anything wrong."

On the contrary, Kakkar said he is pouring all his time into the Brookdale, hiring interior decorators and architects from San Francisco to renovate the entire property. The guests suites are the first to get attention — with new roofing and what he described as sustainable furniture, products and carpeting — but he said the lodge, restaurant, bar and apartments eventually will be redone.

With the dining room's famed history — including visits from President Herbert Hoover and Marilyn Monroe — "I want to get the restaurant back to its original glory," Kakkar said.

Garbage, permit problems arise again

Still, over the holidays, dozens of empty bottles and cardboard boxes stacked up behind the Brookdale restaurant, in addition to a mound of uncollected restaurant and residential garbage. He said the Gilberts canceled the garbage service, which they deny, and that he started it again.

Records from trash service provider Green Waste Recovery of what happened to the property's service are muddy at best. But a supervisor there confirmed garbage service was halted at the

site Dec. 24 when the company removed the Dumpster, and started again Jan. 8. The bill has not been paid.

Who was responsible for canceling the service or reinstating it is a bone of contention between Kakkar and the Gilberts, but a county official said it is definitely Kakkar's responsibility to maintain now.

Kakkar said he could "not have been more speedy" in resolving the problem, saying he ordered new service in late December, but the holidays and a Jan. 5 storm that caused widespread power outages in the county led to delays.

After the Sentinel began investigating a complaint from a resident of the Brookdale apartments about rotting trash piling up, environmental health officer Celia Brown visited the lodge Dec. 28 and warned Kakkar to take any uncovered garbage to a local dump every day and remove the refuse behind the restaurant. Brown said she has inspected the site several other times since and found it in better shape each time, though she said there is still garbage peeking out from a new Dumpster that must be addressed because it's

accessible to vermin.

She said she called Green Waste to ensure garbage would be collected at the site and warned Kakkar to monitor construction refuse. But there isn't supposed to be new construction going on at the Brookdale, according to the county's top building official.

Jennifer Hutchinson said last week her office ordered Kakkar on Dec. 14 to cease any new construction because he had not submitted plans to the building office or applied for a permit — both of which have to be OK'd within 30 days of receipt. Hutchinson said her office has yet to receive the permit application and has not reinspected the property recently to ensure Kakkar complied with the order.

"It was an agreement, a verbal agreement between the building inspector and the building owner — we prefer to handle things in that sort of friendly way," Hutchinson said. "I imagine the agreement will be kept."

Kakkar said his architect is working to secure permits.

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