



VALLEJO FIRE DEPARTMENT

FIRE PREVENTION DIVISION

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FIRE INVESTIGATION REPORT

LOCATION:	1825 Sonoma Blvd. (Casa de Vallejo)	NFIR#:	08-0007391
DATE & TIME:	August 15, 2008 @ 1025 hours	INVESTIGATOR:	G. White, 2112
		VPD Case #:	08-13567

SUMMARY

This particular fire took place at the Casa de Vallejo, which is an approximately 99,460 square-foot complex of 136 residential living units of independent living for the elderly. In addition, approximately 2,999 of the 99,460 square foot complex is commercial leased space. It appears that the Casa de Vallejo building construction type is what I would consider Type III construction.

The Casa de Vallejo complex itself can be divided up into three main sections:

(1) The Front Section

The Front Section [which fronts Sonoma Boulevard] consists of the lobby, Resident Lounge Room, front desk, and some 11 units on the first floor (British System); the Dining Room, Kitchen, Multi-Purpose Room, Employee Lounge, Boiler Room, and some 4 units on the ground floor (British System); 19 units of the 300s room series (2nd Floor British System, 3rd Floor American System); and 5 units of the 400s room series (4th Floor American System).

(2) The Tower Structure

The Tower Structure is a six-story structure with two penthouses on the roof, with a total of some 61 individual units of living space.

(3) The Courtyard Area

The Courtyard Area consists of two-stories with some 36 units of living space (eighteen units per story).

In addition, Casa de Vallejo also has a basement floor area, which is divided into a Maintenance Office, various storage rooms, a Maid's Room, the House Laundry, House Storage, old Bomb Shelter, some 20 individual parking spaces in the basement's parking garage area, an electrical cage, and a storage area room in the parking garage area.

The roof of the Tower Structure, which [Tower Structure] is where this particular fire originated, is a flat tar-and-gravel roof, which also consists of a heavy old style tile veneer assembly running along, as it were, the entire edge of the roof facing Capitol Street, and approximately two-thirds of the roof line facing Marin Street, and approximately one-half of the roof line facing Sonoma Boulevard. The remainder of the roof line (such as the roof line facing Virginia Street) is just a finished parapet with what appears to be a decorative brown-colored stripe.

In addition to the two living units on the roof (Rooms 714 and 716), the Elevator room was also located on the roof. This elevator room is of the type that contains the cables and pulleys that hoist and lower an elevator (the Tower elevator). There's an additional elevator that's located in the Front Section Lobby area that provides transport down below to the Kitchen area and/or back up to the Lobby area (this elevator's mechanical room is located on the [ground] floor of the kitchen).

The Casa de Vallejo complex also has a fire sprinkler system and a fire alarm system, as well as interior hose cabinets and standpipe systems. The coverage of the sprinkler system is for the most part limited to the hallway/corridors leading to the individual leased tenant living spaces as well as [corridors] to other areas of the complex. The only tenant living spaces (18 of 136) that have sprinkler coverage within them are the following room numbers: 101, 102, 103, 104, 105, 106, 108, 110, 112, 118, 201, 202, 203, 204, 205, 206, 208, and 216. In addition, the Boiler Room, kitchen and its accompanying pantry rooms, Main Lobby area, Trash/Rubbish Rooms (all floors), Multipurpose Room, the ground-floor Elevator Mechanical Room and Card Room contiguous to it, the TV Lounge Room [off of the Lobby], the House Laundry Room, the Woodworking Shop, Basement main corridor, old Timeclock Room, Resident Storage Locker (1 of 2), also have sprinkler coverage in them.

The fire alarm system is essentially a manual fire alarm system, which presumably met code at the time of installation. The fire alarm system was in the process of being upgraded to add strobe devices, replace the fire alarm control panel, to monitor kitchen hood and duct fire extinguishing system, to monitor the main [OS&Y] control valve, maintain off-site monitoring, etc. at the time of the fire. Unbeknownst to the Vallejo Fire Department until after this fire, and without neither permission nor prior notification, since approximately June 2008 and up to and including this fire incident of August 15, 2008, the fire alarm contractor (SimplexGrinnell) had disabled the onsite horn and/or horn strobe devices. At the time of this fire, no fire alarm system devices sounded (except a beep at the fire alarm panel itself) to enable building occupants to be alerted, when the fire alarm system was activated. However, the fire alarm system was being off-site monitored at the time of the fire.

There were three fatalities that can be directly attributed to this fire: Robert Bennett of Room 606, John Argente of Room 608, and Harold Fortune of Room 617.

After carefully considering the evidence available to me, the point of origin, fire spread, witness statements, et cetera, the preponderance of the evidence is such that this fire was caused by an individual smoking a cigar in the presence of combustible materials and oxygen. It was this negligent act in combination with a probable medical event of the victim that provided the source of ignition for this fire, and its resulting consequences.

Engine 21, Truck 21, Engine 28, Engine 23, and the Incident Commander were the first responding fire engine companies for this structure fire. For further information on suppression activities for this fire, see the corresponding NFIRS report.

NOTIFICATION

I was part of Truck 21 at the time of initial dispatch for this fire at approximately 0342 hours on August 15, 2008. After initially battling this fire along with other crew members, I subsequently initiated an investigation of this fire with assistance from five members of the Solano/Napa County Fire Investigation Unit at approximately 1025 hours on August 15, 2008.

ON-SCENE INVESTIGATION

As I was one of the initial fire department eyewitnesses as to the location and spread of the fire from the vantage point of Capitol Street with a clear view of the Tower Structure facing this street, it was clear to me that (1) the fire started in the Tower Structure portion of the Casa de Vallejo complex; (2) the fire was emanating from the sixth floor (American System) of the Tower Structure; and (3) that upon our arrival (approximately 0345 hours) the fire had already vented itself out of the window of what turned out to be Room 606, and was lapping up underneath the eave of the Tower Structure just above the window. As a result, the presumption at the time (and subsequently confirmed) was that the fire was, in this way, spreading into the attic space and to the roof of the Tower Structure (the 6th Floor [which contains Room 606] is the top most floor of the Tower Structure facing Capitol Street).

Upon entering the Tower Structure, at the time of my attempt to make my way to the roof of the structure along with the Captain of the Truck Company, I clearly observed and subsequently confirmed that the fire did not start inside of any of the corridors of the Tower Structure. I also observed [from outside] that aside from Room 606 being fully involved with fire, the bulk of the fire was concentrated at the attic/roof level of the Tower Structure. Once the Captain of the Truck Company, myself, and other firefighters made our way to the roof of the Tower Structure --after having helped evacuate numerous residents along with other crew members and VPD-- we clearly observed practically the entire roof top involved in fire (except for the immediate area of the Tower roof top west

-side stairwell opening where we ascended to the roof). At about the same time, the Incident Commander on the ground, ordered all crews to be evacuated due to his observation that the roof component of the Tower Structure was failing.

After the fire was knocked down via aerial ladders in the defensive position, I ascended the VFD aerial ladder to peer into Room 606 to see if I could determine whether the unaccounted for tenant of this room could be seen at first glance. I clearly observed that Room 606 was covered several feet deep in roofing material, which had fallen into this room. Other rooms on the sixth floor also had roofing material fall into them, which in some cases caused fire and/or scorching in these rooms as a result of this fall-down roofing material. However, it was not until later, after I along with my team of investigators began digging out the debris out of Room 606, that we were able to discover a victim in the rubble.

Subsequently, at approximately 1025 hours, after having met on site with the other five members of the investigation team for this fire, and discussing the strategy and division of labor for this investigation, we proceeded to examine the fire scene starting from the area of least involvement to the area of most involvement by fire.

We discovered that the fire started in Room 606 and then spread up and into the attic space of the Tower Structure via the window and eave area outside of Room 606. The fire then burned off the roof covering, the two penthouse living units, the Elevator Room, and several units on the sixth floor via drop-down debris into the units.

More specifically, the fire started at the location of the fire victim found in Room 606. The most likely explanation is that the victim in Room 606 was lying back in his recliner and smoking a cigar during or after the consumption of an alcoholic beverage[s] (see coroner's report which reported a blood alcohol level of 0.28), while most likely receiving oxygen via a nasal cannula, as was reportedly the custom of the tenant of Room 606. At some point, the victim either fell asleep, became inebriated and loss consciousness, and/or had an incapacitating medical event, and then died in the act. Then, at the precise moment when all pertinent factors --ignition source, oxygen saturation, atmosphere at the ignition source within the flammability/explosive range-- were aligned and combined, a fire occurred at or near the victim.

The fire would have then commenced to burn and grow to the point of burning the victim and the combustibles on and surrounding the victim. Subsequently, the fire then progressed to the point of engulfing the major portion of the living space of Room 606, being confined therein due to the substantial nature of the building components. Soon thereafter, the fire flashed over in the bedroom/living room area with the help of additional oxygen present via numerous stored oxygen cylinders in Room 606. The fire then vented itself out the bedroom/living room window of Room 606. The act of the fire breaching the living/bedroom window of Room 606 could have occurred either as a result of flashover, or as a result of an exploding portable oxygen cylinder in Room 606.

Meanwhile, the fire also vented itself outside the top of the front door of Room 606, but was held in check by means of the sprinkler head in the corridor just outside of Room 606.

Once the fire vented itself out of the bedroom/living room window of Room 606, it traveled upwards and outwards underneath the eave portion of the structure, and then found its way into the attic space and ran the common attic space, breaching the underside of the tar and gravel roof structure. During this process, practically all materials attached to and upon the roof were burned, causing debris to fall down into most of the units of the sixth floor, before being extinguished by fire personnel.

POINT OF ORIGIN

The burn pattern indicates that the point of origin was inside Room 606 approximately at or near floor level along the east wall of the main living room/bedroom at or about the location where the fire victim's head was located.

NEGATIVE CORPUS

The concept of a negative corpus for an accidental fire, in order to conclude that the fire was intentionally set, did not come into play for this fire. Evidence exists [a corpus] that this fire was an accident.

EVIDENCE

The following evidence was seized in relation to this fire, and is in storage at the VPD evidence storage facility:

E-1 A butane-type refill container for lighters

(found August 16, 2008 at approximately 1045 hours at the location of the hydraulic cylinders of the Murphy bed in Room 606)

E-2 A piece of melted aluminum [most likely that of an oxygen cylinder]

(found August 16, 2008 at approximately 1107 hours as one of many pieces of melted aluminum throughout Room 606)

E-3 Miscellaneous fire debris

(collected on August 16, 2008 at approximately 1702 hours at floor level at and underneath the wooden piece of carpet strip contiguous to the east wall proximate to the fire victim's head location)

INTERVIEW(S)

The following interviews were conducted in relation to this fire:

I-1 F/F/P John Barbuzano
(August 22, 2008 at approximately 1550 hours [REDACTED])

Firefighter/Paramedic John Barbuzano stated that he was the Acting Captain on Engine 24 at the time of the fire. His crew consisted of Engineer Charles Ford and Firefighter/Paramedic Cliff Campbell. F/F/P Barbuzano stated that he was the fifth engine in due to the striking of a second alarm. F/F/P Barbuzano further stated that F/F/P Arthur Gonzalez discovered a body in Room 608, which is the room next to the room of origin, but that Captain Mark Sharpe and himself (F/F/P Barbuzano) carried the victim of Room 608 down to the third floor of the Tower section of Casa de Vallejo, and that VPD took the victim down to waiting ambulance paramedics. This victim was later determined to be the tenant: John Argente. F/F/P Barbuzano also stated that he was assigned to tie into the standpipe system on the C-side of the complex, and that they were then assigned to search and rescue. Hence, they went to the sixth floor of the Tower via the Capitol Street stairwell (not the first stairwell closest to Sonoma Blvd.), turned left, and then reached Room 608 [without having crossed over the room of origin]. F/F/P Barbuzano described the method used in their search and rescue as that of Capt. Sharpe, Engineer Maynard Catiis, and F/F/P Arthur Gonzalez and others performing the function of forcible entry and/or ventilation of the rooms on the sixth floor, while Acting Captain Barbuzano and his crew followed behind them and searched the rooms that were forced open. It was during the time that F/F/P Gonzalez was in Room 608 and was heading towards the window to ventilate the room [and discovered the victim on the floor] that Acting Captain Barbuzano was summoned to retrieve the victim. Acting Captain Barbuzano stated that he noticed that the victim was on the floor face-up underneath the window sill (the victim's head was facing the bedroom and the victim's feet were toward the window at an angle), and that the roof was caving into the bedroom [to the left of him], and that the bed itself [in the bedroom] was full of debris and was on fire. F/F/P Barbuzano finished his statement by saying that at the moment he retrieved the victim, he thought that the victim was deceased (the weight of the victim was as if dead-weight, as it were). After delivering the victim to VPD on the third floor, he returned to the sixth floor to continue operations, but then heard the evacuation order for all personnel [to leave the building].

I-2 Shannon Hash, Designer of Simplex Grinnell
(August 26, 2008 at approximately 0836 hours via telephone)

Mr. Hash of Simplex Grinnell stated via telephone that during the time that the pull stations had been installed and while they were in the process of installing wiring and strobes, they were waiting for the owners of the Casa de Vallejo complex to sign off on the off-site monitoring agreement for the fire alarm system. This off-site monitoring agreement had been presented to the owners on or about July 14, 2008. Mr. Hash stated that the monitoring agreement was signed on or about July 27, 2008, and that the agreement was received by Simplex Grinnell on August 4, 2008.

Mr. Hash further stated that at the time of the fire, the fire alarm pull stations were 'live', but not the horn and strobe devices. Hence, Mr. Hash stated that no one locally would hear (or see) anything except a beep at the fire alarm panel itself, but that the central monitoring station would be notified. Mr. Hash also stated that at the time of the fire, he and/or his company was notified of a pull station activation on the 5th floor of the Casa de Vallejo at around 0352-0354 hours.

Mr. Hash also stated that on the day of the fire, Brian Borishch along with Chris Hyman (Ops manager), Nancy Velasquez (of Damage Control), and Jeff Beren (Safety) visited the Casa de Vallejo facility to assess the fire alarm system.

I-3 Firefighter/Paramedic Art Gonzales
(August 26, 2008 at approximately 1024 hours at Station 26)

Firefighter/Paramedic Gonzales stated that as part of the second alarm, Engine 26 was assigned to fire attack. Hence, upon arrival at the Casa de Vallejo, F/F/P Gonzales along with his Captain Mark Sharpe and Engineer Maynard Catiis took the appropriate firefighting equipment and proceeded via the stairwell from Capital Street closest to Sonoma Blvd. to the fifth floor to connect fire hose, and then proceed to the sixth floor. F/F/P Gonzales further stated that he does not recall ever hearing any fire alarm devices nor seeing any strobe activation. F/F/P Gonzales also stated that it was Engineer Catiis who was on the nozzle and sprayed water into Room 606 while he (F/F/P Gonzales) proceeded to search the rooms in front of and adjacent to Room 606. Upon entering Room 608 (the door was already ajar approximately one foot) in a standing position (since there was sufficient visibility to do so) he noticed to the left, fire in the bedroom area. With his flashlight, F/F/P Gonzales searched the bedroom with his flashlight for any possible victim(s). Then, as soon as he exited the bedroom, plaster from the ceiling fell down into the bedroom, and F/F/P Gonzales noticed fire up above in the attic space. F/F/P Gonzales stated that at that point he knelt down and rotated away from the bedroom and in doing so, rotated into someone (adult male) lying supine unconscious on the floor. F/F/P Gonzales' left knee [the inside portion of the knee] had touched the left side of the head of the unconscious male subject on the floor. The feet of the unconscious male subject were facing toward the window where this unconscious male subject was found. F/F/P Gonzales stated that the male subject was clothed with a T-shirt and what

appeared to be jeans. F/F/P Gonzales stated that he then summoned help from F/F/P Barbuzano and Captain Sharpe to retrieve the male subject and carry him to safety outside of the building. Once the male subject was removed from Room 608 by the other two aforementioned fire personnel, F/F/P Gonzales then went to Room 606 to alert other firefighters that there was fire up above them in the attic space. As a result, water was directed up into the attic space until such time as which F/F/P Gonzales and all other fire personnel were ordered to evacuate the building by the Incident Commander.

I-4 Mark Watson, District Manager of Simplex Grinnell
(August 26, 2008 at approximately 1103 hours via telephone)

Mr. Watson stated that [during the fire alarm upgrade work] they (Simplex Grinnell) were replacing device by device on the audio visual circuit, but that once all of the devices were changed out, there were open loops in the system. Hence, according to Mr. Watson, a change order was needed and was submitted to the owners of the Casa de Vallejo at some time in June 2008 for them to approve. Mr. Watson stated that the owners subsequently signed the change order, but that Simplex Grinnell hadn't had the opportunity to do the work [prior to the time of this fire of August 15, 2008].

Mr. Watson further stated to me that he would research and fax to me the exact date of the change order and discovery of non-working fire alarm system, as well as all fire alarms received by their monitoring company (I never received this promised information).

I-5 Fire Engineer Maynard Catiis
(August 26, 2008 at approximately 1125 hours at Station 26)

Engineer Catiis stated that upon arrival at the Casa de Vallejo, he spotted the Engine on Sonoma Boulevard, facing north, at Capitol Street [without crossing over the Sonoma/Capitol Street intersection]. Engineer Catiis stated that once he was on the sixth floor, he asked Captain Lionel to give him the nozzle of the uncharged hose line that Captain Lionel had in his possession. Engineer Catiis then proceeded to the fire room being guided by the glow of fire that he saw. However, the fire hose was not long enough to reach the room of origin. The nozzle was some six inches short of reaching to the edge of fire room door. Engineer Catiis stated that he then called for more line, and was given another hotel pack to extend the line. Engineer Catiis then proceeded to attack the fire, and knock it down. At the time of knockdown, Engineer Catiis stated that the ceiling in the fire room was still intact. Engineer Catiis also stated that he didn't see a body in the room of origin at the time he knocked down the fire. Engineer Catiis said that he did notice that the water that he was spraying on the fire was also going out the window of Room 606. Then, Captain Robertson of Engine 28 told Engineer Catiis to back out of the room and to hold the fire in check, since there were still some residual flames. Engineer Catiis stated that he was soaked with water, so that the sprinkler head just outside of Room 606 could have been activated, but he doesn't remember specifically if it did or not. Engineer Catiis stated that at this point he started to run out of air. So, he went down

to the fifth floor where he had left some spare air bottles, to change out his air bottle for a spare one. While Engineer Catiis was changing his air bottle, he noticed two firefighters that he could not identify, carrying out what appeared to be a body covered with a white sheet or blanket. After changing out his air bottle, Engineer Catiis went back up to the sixth floor, and noticed that F/F/P Gonzales had the nozzle and was spraying water into the fire room of origin. After some five to ten minutes, Captain Robertson told them to evacuate the building. Engineer Catiis proceeded to the fourth floor, and helped to force open some doors in the evacuation process. Captain Sharpe then repeated that it was time to evacuate, so Engineer Catiis evacuated the building.

I-6 Jerrie Morgan ([REDACTED]), Employee of Casa de Vallejo
(August 26, 2008 at approximately 1553 hours [REDACTED]
[REDACTED])

Ms. Morgan stated that she resided in Room 205 in the Casa de Vallejo as an employee, and that she was the only employee at the Casa de Vallejo at the time of the fire. Ms. Morgan stated that she was on-call from midnight to 0800 hours on the night of the fire. Ms. Morgan further stated that on the night of the fire, she had insomnia and had just looked at her clock when Diane Long of Room 502 called her. It was from about 3:30 – 3:35 AM. Ms. Morgan then stated that Diane Long had told her that she [Diane] heard an explosion, and that Diane had told her [Jerrie] that she [Diane] had stepped outside of her unit, had smelled smoke, and had seen smoke coming from the sixth floor. Ms. Morgan also stated that at first, Diane thought that what was happening was as a result of a previously evicted tenant from Room 607 (vacant at the time of the fire). According to Ms. Morgan, some 3 – 4 weeks prior to the fire, a Mr. Jerry Lee was evicted from Room 607 due to nonpayment of rent for the some seven months, and due to ‘trashing’ the apartment. Ms. Morgan stated that Mr. Lee had threatened to ‘get even’, but that he didn’t say how. Ms. Morgan stated that she then told Ms. Long that she was ‘on her way’. Ms. Morgan stated that she went directly to the sixth floor of the Tower Structure via the elevator, and that she noticed that the emergency fire door was closed. Ms. Morgan opened the fire door, and saw black smoke from floor to ceiling in the sixth floor hallway.

Ms. Morgan stated that she then ran back downstairs (she doesn’t remember how [either by elevator or running down the stairs]) to the Lobby area, slid on the carpet, and was attempting to get to the phone to dial 911. But she first had to open the desk [enclosure]. At that moment, she saw a police officer on Capital Street. She then went out to go catch him (she thought that he was there making a traffic stop). But upon opening the side door, she then noticed many police officers cordoning off the streets. She then gave pass keys to the officer(s) and then proceeded to announce on the PA system that there was a fire. Ms. Morgan stated that she was able to make the announcement some four times before power to the building rendered the PA system unusable. Ms. Morgan also stated that the emergency generator did not ‘kick in’. Ms. Morgan further stated that she then went to Rooms 240-256 as well as Rooms 348-356 in an attempt to further notify the residents to leave due to the fire. Afterwards, Ms. Morgan stated that she left the building and did a

head count of the people outside so as to be able to let emergency responders know who might still be in the building. She also stated that she had given a list of residents to the Vallejo Police Department.

Concerning Mr. Bennett of Room 606, Ms. Morgan stated that he was a cigar smoker, and that he had not come out of his room since approximately January of 2008. Ms. Morgan further stated that Mr. Bennett had kidney and water retention problems, for which he had gone to 'rehab'. Ms. Morgan also stated that Mr. Bennett was an 'extreme alcoholic' and that he drank hard liquor such as vodka and gin. She further stated that Mr. Bennett's friends would buy the alcohol for him. Ms. Morgan also stated that Mr. Bennett was a recluse and was the only tenant on the sixth floor to have oxygen cylinders (Ms. Morgan stated that the only other tenant in the Tower structure having oxygen cylinders was in Room 404. [In the rest of the complex, Rooms 162 and 176 also had oxygen cylinders]). Ms. Morgan further stated that Mr. Bennett had an oxygen generating machine to be used for sleeping at night. However, Ms. Morgan stated that Mr. Bennett did not like to use the oxygen generating machine for sleeping at night due to its excessive noise, and the fact that he would have to wear a mask along with it. Instead, according to Ms. Morgan, Mr. Bennett preferred to use the oxygen 'tanks', since they didn't make noise, and since he could use them with a nasal cannula, which would not prevent him from drinking alcohol like the mask would. Ms. Morgan further stated that at around the first of each month, Mr. Bennett would receive a delivery of some six to eight bottles of oxygen, and that one bottle would last him about two days. Ms. Morgan also stated that Mr. Bennett sometimes would go to bed, but most of the time he just sat in his [non-motorized] recliner with his oxygen bottles nearby, and would typically fall asleep in his recliner during the night, get the urge [to drink], wake up, drink, and then fall back to sleep. Ms. Morgan also stated that when Mr. Bennett couldn't get other people to buy cigars for him, that she would at times buy cigars for him.

Ms. Morgan also stated that some seven or eight years ago, a previous tenant (June Miller) that stayed in Room 138 and also in Room 220, was also a smoker in the presence of oxygen cylinders, and that this tenant had burned her face and hair twice as a result of doing so.

Ms. Morgan also stated that she has been working for the Casa de Vallejo for the past ten years (since January 14, 1998).

I-7 Fire Captain Mike Lionel
(August 26, 2008 approx. 1418 hours [REDACTED])

With regards to finding the third fatality on August 20, 2008 (Room 617) at the Casa de Vallejo, Captain Lionel stated that the door to Room 617 was partially open and that the whole room was 'full of debris'. Upon walking towards the bed of Room 617, Captain Lionel stated that he could see what turned out to be the male subject's right shoulder sticking out from amongst the debris [at the location of the bed of Room 617]. At first, Captain Lionel upon seeing a lighter color material amongst the debris thought that it

might have been the subject's hip bone. But, after other fire personnel (the Fire Truck Company) dug out the male subject's face from the debris, Captain Lionel realized that it was the subject's shoulder. Captain Lionel then notified A/C Dandridge of his findings. Vallejo Police Department, the Coroner's office, etc. were also notified, and the male subject (Harold Fortune) was retrieved by the Coroner's Office.

I-8 Fire Captain Mark Sharpe
(September 10, 2008 approx. 1601 hours [REDACTED])

Captain Sharpe stated that as part of the second alarm assignment assisting in fire attack, he along with his crew took a hotel pack and other equipment into the building. The hotel pack was carried all the way up to the sixth floor, with spare air bottles left on the fifth floor. Captain Sharpe stated that on the sixth floor, he first tried to determine who wanted the hotel pack, and then he commenced search and rescue operations. Captain Sharpe also stated that he kicked in the door of the first room he encountered, but that no one was in that room. As Captain Sharpe was exiting this room that he first searched, he heard F/F/P Gonzales say, "I got one". So, Captain Sharpe went to where F/F/P Gonzales was located. Captain Sharpe first noticed that fire had come through the ceiling of this room [608], and he noticed flames in the bedroom. Captain Sharpe also noticed a male subject on the floor, face-up, and unconscious. Captain Sharpe grabbed the subject's legs, while Acting Captain Barbuzano grabbed the victim's upper body. Captain Sharpe also stated that after carrying the subject down to what he believes was the third floor, Vallejo Police officers took over from there and carried the fire victim the rest of the way out of the building.

Captain Sharpe stated that he then went back up to the sixth floor to continue search and rescue operations. Shortly after arriving again at the sixth floor, Captain Sharpe received word to evacuate the building, so he proceeded to evacuate the building.

Captain Sharpe also stated that once the fire was extinguished, he along with his crew did a secondary search of floors four and five, and gave an all clear report to the Fire Chief.

I-9 Willie Horton ([REDACTED]) Delivery Person for Nor Cal Produce
(September 12, 2008 approx. 1239 hours [REDACTED])

Mr. Horton stated that he was the first person of the two delivery people, who noticed the fire at the Casa de Vallejo. Mr. Horton stated that he saw Tony Gonzalez [the other delivery person] arrive after he (Mr. Horton) did. Mr. Horton stated that he had just left Food 4 Less at 5184 Sonoma Blvd. Vallejo, CA, and was going southbound, as it were, on Sonoma Blvd. At approximately 0340 hours, as Mr. Horton crossed over Capitol Street on Sonoma Blvd., he smelled a 'whiff' of smoke through his slightly open window. Mr. Horton further stated that the smoke smelled to him like rubber burning. Hence, Mr. Horton stated that he pulled his rig over to the right on the next block just after passing the Casa de Vallejo complex. Mr. Horton stated that he put on his hazard

lights, got out of his rig, ran back up Sonoma Blvd toward Capitol Street to investigate the source of the smell of smoke. Once he turned the corner and proceeded down (westward) Capitol Street, at first, he did not see the source of the fire. However, Mr. Horton stated that he did hear a 'crackling' sound. Mr. Horton then looked up and saw fire 'blowing' out the window (Room 606) of the Casa de Vallejo. At this time, Mr. Horton said, no one was around (no police, no fire, and no pedestrians). Mr. Horton then turned around and started walking back up Capitol Street (eastward) toward his rig (Sonoma Blvd.). At that point, Mr. Horton saw Tony Gonzalez pull up in his truck, and Mr. Horton told him that there was a fire. At the same time, Mr. Horton was dialing 911 on his cell phone, and he was first routed to CHP and then to Vallejo Dispatch. Mr. Horton stated that he relayed to Vallejo Dispatch that there was a fire on the top floor of a building (Casa de Vallejo). Mr. Horton also stated that he heard two explosions about one minute apart just after calling 911.

After dialing 911, Mr. Horton stated that he then proceeded to ring all of the bells that he could find, and banging on the doors on the Capitol Street side of the Casa de Vallejo complex. Finally, a Caucasian lady in her 50s opened the door (Jerrie Morgan). Mr. Horton thinks that the lady must have been the manager of Casa de Vallejo since she had keys to all of the doors. Mr. Horton asked her if she knew that there was a fire. Mr. Horton said that the lady said to him that they (he and her) had to 'get the people out' At this point, Mr. Horton was not sure if she already knew about the fire or not. So, the both of them, according to Mr. Horton, started knocking on all of the tenant doors on the ground floor. Mr. Horton stated that Tony Gonzalez was also helping them knock on the tenant doors (Mr. Gonzalez had followed Mr. Horton into the building). Mr. Horton stated that he himself got as high as the third or fourth floor in his attempt to notify the building occupants. Mr. Horton stated that people (the tenants) were responding and coming out of their units. Mr. Horton stated that he also carried a lady out (Eddie Rowland) to safety. Even after the arrival and assistance of the Vallejo Police Department, Mr. Horton continued to help and evacuate the building occupants. Mr. Horton noticed the arrival of VPD (Vallejo Police Department) during the time that he was carrying out the aforementioned lady (she was handed off to two VPD officers that met up with Mr. Horton as he was carrying the lay across Capitol Street to a parking lot on the other side of the street). Mr. Horton continued his evacuation efforts and also retrieved numerous chairs from the Dining area for the elderly occupants to sit in [outside of the building]. Mr. Horton stated that he left the fire scene at approximately 0500 hours. At the time of departing the scene, Mr. Horton stated that the evacuation process had been completed, and that all of the evacuees were staged across the street. Despite breathing in some smoke and smelling of smoke, Mr. Horton stated that he continued on his delivery route. Mr. Horton was scheduled to be at Andronicos on Telegraph Avenue in Berkeley, CA at 0630 hours.

I-10 Gary Zalesky ([REDACTED]), Casa de Vallejo Room 615
(September 16, 2008 approx. 1401 hrs. [REDACTED])

Mr. Zalesky stated that after going to bed on the night of the fire, he as awakened by what

he described as a 'one slap' like sound on his door (explosion?). Mr. Zalesky stated that he did not know at what time the slapping sound woke him up. Mr. Zalesky was not sure if this one slap was someone knocking on his door, someone falling down, or what. Mr. Zalesky stated that he then went to his door to look out the peep hole, but that he could not see anything. Hence, Mr. Zalesky stated that he opened his door, and immediately black/grey smoke came rushing into his room as well as a lot of heat, and that his smoke detector starting sounding. At that point, Mr. Zalesky said that he thought that he was going to die. Mr. Zalesky stated that he immediately slammed the door shut, grabbed a towel from his bathroom that he wet with water. He then wrapped the towel around his head and face, dropped to the ground, and exited his unit (crawling) to the right (east). Mr. Zalesky further stated that upon exiting his unit and turning right [into the corridor], he then bumped his head into the closed fire doors (normally held open). Once past the fire doors, Mr. Zalesky stated that he was able to stand up and that there was no smoke on the other side (stairwell side) of the fire doors. Mr. Zalesky stated that after standing up, he then proceeded to yell that there was a fire, while banging on Roger Sandoval's door (Room 612), the one which opens to the stairwell area. Mr. Zalesky stated that he forgot about banging on the door of Room 617 (room of Harold Fortune).

Mr. Zalesky stated that he then proceeded to re-enter the smoked corridor area in an attempt to notify his good friend, John Argente of Room 608, that there was a fire. Mr. Zalesky stated that he got about two feet into the corridor past the fire door, but turned back due to the intense heat and smoke. As a result, Mr. Zalesky then went back into the stairwell area, yelled "Fire!" some more, and banged on Roger Sandoval's door again. Mr. Zalesky stated that just before he saw two firefighters rushing up the stairwell, after having yelled "Fire!" some more, he heard the PA announcement by Jerrie Morgan that there was a fire. Mr. Zalesky stated that he then saw the two firefighters coming up the stairwell, and told them that John Argente was 'still in there'. Mr. Zalesky then went down the stairwell and exited the building on the Capitol Street side.

Mr. Zalesky also stated that he heard no fire alarms in the hallway during the time of this fire incident. He also stated that the fire doors were normally in the open position and would not close even when there was a power outage (indicative of a fusible link vs. magnetic holders for this particular door). Mr. Zalesky also stated that there was no smoke inside his unit prior to him opening up his door, and that what appears to be vents in the tenants front doors, had all been previously sealed off (hence smoke not able to enter into the units via the vents). Mr. Zalesky stated that he did not know the tenant of Room 606 (Robert Bennett, the first fatality), since this tenant never left his room. Mr. Zalesky did not know what the tenant of Room 606 looked like. Upon exiting the building Mr. Zalesky stated that he saw about three pieces of fire equipment and firefighters setting up, deploying hose, helping people evacuate, as well as Vallejo Police helping to evacuate the occupants. Mr. Zalesky estimates that from the time he heard the one and only 'slap' on his door to the time he exited the building, that some seven or eight minutes elapsed [but no more than ten minutes].

I-11 Robert DeCrooy ([REDACTED]), Casa de Vallejo Room 427 and Tenant's Association President of Casa de Vallejo (September 16, 2008 approx. 1521 hours [REDACTED])

Mr. DeCrooy stated that the night of the fire he went to bed around 11:00 PM – midnight. Mr. DeCrooy stated that at about 3:45 AM – 3:50 AM he heard someone banging on his door. When he opened his door, he saw a Vallejo Police Officer standing at his door. The police officer told him that there was a fire and that he (Mr. DeCrooy) had to leave. While his door was open, Mr. DeCrooy said that he smelled smoke and saw an uncharged fire hose line in the hallway. Mr. DeCrooy stated that the hallway was clear and that he did not hear any fire alarm sounding in the hallway. Mr. DeCrooy stated that he then went back into his room to put some pants, shirt, and shoes on, as well as his wallet and car keys in his pocket. After grabbing his cigarettes, Mr. DeCrooy stepped outside his door and looked at his watch: it was 3:55 AM. He looked west and saw that the fire door [on the fourth floor] was still open. Mr. DeCrooy described the fire door on the fourth floor as a sliding door that would close whenever there was a power outage. Mr. DeCrooy's impression was that in ten or fifteen minutes he would be allowed back into the building since the fire alarm was not sounding, and the fire door was still open. Mr. DeCrooy exited via the stairwell next to his unit, and exited out of the door facing Sonoma Blvd. Police and fire personnel were already on the scene when Mr. DeCrooy exited the building. Mr. DeCrooy further stated that upon seeing the fire from the Capitol Street side, Mr. DeCrooy then knew that he was not going to re-enter the building any time soon.

During this interview, Mr. DeCrooy listed some four different issues that he has with the Casa de Vallejo management/ownership: (1) Since the facility is independent living, Mr. Bennett (Room 606) should not have been allowed to live at the facility due to not being independent. Mr. DeCrooy stated that Mr. Argente (Room 608) had related to him (Mr. DeCrooy) that Mr. Bennett smoked cigars, drank [alcohol], and had his meals brought up to him, and that if Mr. Bennett's emergency cord did not work, that Mr. Bennett would kick the wall [separating Room 606 from Room 608] and that Mr. Argente would then go and see what Mr. Bennett needed. Mr. DeCrooy further stated that he told Zee (the Manager) that Mr. Bennett needed to be in a convalescent hospital and that if one day Mr. Argente didn't hear Mr. Bennett [kicking for help] that he (Mr. Bennett) might die. Mr. DeCrooy stated that Zee's response was that Casa de Vallejo was independent living, and that Mr. Bennett had a right to live there too. Mr. DeCrooy also stated that he did not know what Mr. Bennett looked like, and that once or twice a month, paramedics would come and take Mr. Bennett to the hospital; (2) Mr. DeCrooy also did not understand why Casa de Vallejo management/ownership allowed sick and frail people on the sixth floor, when these same people could 'barely get into the elevator'. Mr. DeCrooy stated that he did not state this particular concern to management; (3) Mr. DeCrooy was also concerned that management had never conducted any fire evacuation training; and (4) that he (Mr. DeCrooy) saw people working on the fire alarm system prior to the fire, but yet at the time of the fire, the fire alarm system was not working and there was no monitoring of

the building during the time of the fire.

I-12 Darlene Diane Long ([REDACTED]), Casa de Vallejo Room 502
(September 17, 2008 approx. 1625 hours [REDACTED]
[REDACTED])

Ms. Long stated that she went to bed between 9:00 PM – 9:30 PM on the night of the fire. She was then awakened due to a beeping sound that she heard (she is not sure at what time this occurred). At first, Ms. Long thought that the beeping noise was due to a garbage truck backing up. However, since the beeping noise continued, Ms. Long stated that she finally got up to investigate the source of the beep. At this point, she imagined that the beeping could be the smoke detector due to someone burning paper in a sink, cooking, etc. She followed the beeping sound up to the sixth floor [via the stairs closest to her unit] all the way to Room 606, from whence it came (it turned out to be the smoke detector in Room 606). Ms. Long stated that she pushed the door open to Room 606 (She stated that she wasn't sure if the door to Room 606 was all the way closed, but that she did open the door without turning the knob [several residents do not lock their doors]). Ms. Long recalls that she was not able to push the door to Room 606 open completely since it seemed to her that carpeting, or a rug in the unit may have prevented its full opening. Ms. Long also stated that while she was walking in the hallway to Room 606 she noticed the 'haze' of smoke [like a 'mist'] in the hallway (she doesn't remember if she smelled smoke). Ms. Long also stated that there was no one else in the hallway during the time that she was investigating the beeping sound. At the moment of pushing open the door to Room 606 (Ms. Long is again not sure what time it was, she guesses that it was between 3:30 AM – 4:00 AM), Ms. Long stated she saw "hell". Ms. Long stated that she felt the heat [of fire] and tried to call out to him (Mr. Bennett). Ms. Long stated that she saw a lot of flame around the area of the foot of the bed. Ms. Long also stated that she could not see Mr. Bennett due to the volume and thickness of smoke obscuring her vision. After the first look, Ms. Long stated that she went back down to her unit to retrieve a flashlight to see if she could, in this way, get better visibility into Room 606. Ms. Long also stated that she was calling out to 'Charles' (she called Mr. Robert Bennett Charles by mistake). Ms. Long also stated that her second look with the flashlight showed the bed on fire, but it was overall still too dark [with smoke] to see anything or anyone. At some point (Ms. Long is not sure if she called Jerrie Morgan after returning the first time to her unit, or after returning the second time [after looking into Room 606 with her flashlight]), Ms. Long heard an explosion, a "boom", while she was standing at the door of Room 606. She thought that it was one of the oxygen bottles exploding since she was aware that Mr. Bennett used oxygen. Also, at some point (she is not sure if after first or second look into Room 606) Ms. Long called Jerrie Morgan using the emergency phone number to tell Ms. Morgan that there was a fire.

Ms. Long also vaguely remembers a sprinkler head activation and water on the floor. After having returned back a second time to her unit, Ms. Long then remembered her friend in Room 601 (Ms. Eddie Rowland) and went back up to the sixth floor to go get her. While getting Ms. Rowland out, Ms. Long runs into Mr. Horton (she's not sure if she

ran into Mr. Horton on the fifth or sixth floor), who takes Ms. Rowland from her and carries Ms. Rowland out of the building. Mr. Long stated that she then proceeded to go back to Room 601 to get Ms. Rowland's shoes for her, since Ms. Rowland had left her unit without any shoes on. By the time Ms. Long first went to get Ms. Rowland, she noticed firefighters and other people knocking on doors to evacuate people. After getting Ms. Rowland's shoes, Ms. Long left the building following Mr. Horton and Ms. Rowland, and at that time heard Jerrie over the PA system announcing that there was a fire. Upon further reflection, Ms. Long thinks that she must have called Jerrie Morgan after the second time going to Room 606 since she feels that at that time she realized that she wasn't going to be able to do anything to mitigate the situation. After exiting the building, Ms. Long waited across the street in a car in the parking lot with Ms. Rowland.

I-13 Roger Sandoval, Casa de Vallejo Room 612
(September 19, 2008 approx. 1014 hrs. [REDACTED])

Mr. Sandoval stated that on the night of the fire, he went to bed between 9:00 PM - 10:00 PM. Sometime during the night (he's not sure at what time), Mr. Sandoval stated that he woke up in order to go to the bathroom as a result of his blood pressure medication. He noticed black smoke at floor level in his bathroom, and Mr. Sandoval stated that he could hardly see the toilet. Mr. Sandoval further stated that he could also smell smoke. So, after using the restroom, Mr. Sandoval got over to his bed, put on his left leg brace, and some clothes, with the intent of leaving the building. While putting on his leg brace, Mr. Sandoval heard someone pounding on his door (the one at the location of the elevator). Upon opening his normal ingress/egress door (the one that opens to the corridor), Mr. Sandoval stated that he immediately got a lot of smoke in his face, and that it was dark (no corridor lights were on), and that the black smoke was down to his waist. Mr. Sandoval stated that at that moment, he started to cough; he went to the nearest stairwell, which at this point was filled with smoke and the fire doors were open. Hence, Mr. Sandoval descended to the fifth floor, at which time he ran into a firefighter breaking in a door with his (the firefighter's) shoulder (Room 517, which was a vacant unit). At that moment, Mr. Sandoval asked the firefighter for help getting out, and Mr. Sandoval was guided by the firefighter down to the fourth floor where he (Mr. Sandoval) could breathe better. Mr. Sandoval then proceeded to exit the building via Capitol Street exit. After exiting the building, Mr. Sandoval received some medical attention by paramedics at the scene. An ambulance then took Mr. Sandoval to Kaiser Hospital and he was treated for smoke inhalation. Mr. Sandoval was released from Kaiser Hospital on Saturday at around 4:00 PM.

Mr. Sandoval also stated that management never performed any fire drills, and that current management would not test his smoke detectors to make sure that they would work. Mr. Sandoval stated that his smoke detectors did not activate despite the smoke that he smelled in his unit. Mr. Sandoval stated that he could not reach his own smoke detectors to test them. Mr. Sandoval stated that all of the tenants' units that he has visited in the Casa de Vallejo, as well as his own, have two smoke detectors: one hardwired

only, and one battery operated only.

I-14 Eddie Roland ([REDACTED]), Casa de Vallejo Room 603
(September 19, 2008 approx, 1327 hrs. [REDACTED])

Ms. Roland stated that on the night of the fire, she got up at about 3:00 AM to get her clothes together in preparation for a doctor's appointment at Kaiser Hospital for 9:30 AM. At some point after this, she heard a 'boom' and then a second 'boom'. She went to her door to look out of it, but then she closed the door when she saw white smoke. Ms. Roland stated that she then called her friend (Charlotte Straub of Room 601 who past away shortly after the fire), to see if she (Charlotte Straub) had heard the 'boom'. But Ms. Roland could not get in contact with Ms. Straub. As soon as Ms. Roland put the phone down, she saw Ms. Long entering her (Ms. Roland's) unit. Ms. Roland stated that she keeps her door unlocked. Ms. Roland further stated that Ms. Long grabbed her by the hand and said that they needed to leave. Ms. Roland was led by Ms. Long down the dark hallway that they couldn't see in, due to no lights and due to the smoke. Ms. Roland also stated that she noticed water on the hallway floor, since she was barefoot. Ms. Roland stated that the two of them felt their way out, and could not see the first set of stairs (in front of Room 604, so she thinks (not sure) that they ended up going all the way down the hall to the other set of stairs (east). Ms. Roland stated that she was coughing and breathing in smoke. Ms. Roland stated that once they descended two steps a big man said "let me have her" and took her (Ms. Roland) all of the way out of the building. Ms. Roland noticed firefighters on the way down, and once out of the building, she was taken to a car across the street with Ms. Long to wait therein. Afterwards they were transferred to a church and then she was taken to Kaiser Hospital.

I-15 William Olsen ([REDACTED]), Casa de Vallejo Room 604
(September 26, 2008 approx. 1041 hrs. [REDACTED])

Mr. Olsen stated that he went to bed on the night of the fire sometime between 10:30 PM – midnight. Mr. Olsen stated that he woke up at the time he heard the fire engines arrive at 3:45 AM. Mr. Olsen stated that he saw flashing lights and heard the sirens of the fire engines. At that point, Mr. Olsen said that he knew that there was a fire, so he put his clothes on over his pajamas, and then he immediately heard two explosions next door. He assumed that it was the oxygen cylinders next door (Room 606). Mr. Olsen also heard pounding on someone else's door just after he got dressed and right after the explosions, and then dark smoke began to fill up his room, from the area just under his window at the location of the steam radiator heater. Mr. Olsen also stated that just before he left his room, the electrical power went out. Upon leaving his room, Mr. Olsen stated that he immediately turned right (he didn't look in the opposite direction toward Room 606) to the exterior fire escape, and proceeded to descend the exterior fire escape. Once Mr. Olsen descended to either the third or second floor, he encountered Vallejo police who directed him into the building so that he could then exit the building from the interior of it. Mr. Olsen then exited the building from its interior on the Capitol Street side and went across the street where other residents of the building were waiting.

Mr. Olsen also stated that he personally observed Mr. Bennett smoking cigars, although Mr. Bennett once told him (Mr. Olsen) that he (Mr. Bennett) didn't inhale when he smoked cigars. Mr. Olsen was also under the understanding that Mr. Bennett was on oxygen 24 hours a day, seven days a week. Mr. Olsen also stated that whenever Mr. Bennett's door was open, he (Mr. Olsen) noticed that Mr. Bennett would be either lying in bed or sitting in his recliner chair next to his bed.

PROPERTY INFORMATION

The property where the fire started is reportedly owned by the following:

- O-1 Vallejo Housing Partners, L.P.
P.O. Box 880367
San Diego, CA 92168
- O-2 Pacific Housing, Inc
1801 L Street, Suite 245
Sacramento, CA 95811
- O-3 Amerland/Vallejo, LLC
P.O. Box 880367
San Diego, CA 92168

INSURANCE INFORMATION

The following company is reportedly the insurance carrier for the Casa de Vallejo project:

- I-1 Insurance Claim Services, Inc
Contact: Steve R. Johnson, Executive General Adjuster
5433-K Clayton Road, #344
Clayton, CA 94517
925-673-0481, © 925-787-9968

LOSS

By my estimation, the loss for this fire is approximately \$6 million. The majority of the loss is concentrated in the Tower structure of the Casa de Vallejo complex.

OPINIONS AND CONCLUSIONS

It is my professional opinion that the cause of this fire was accidental due to the

combination of an incapacitating medical event, and careless and negligent act(s) of the tenant of Room 606 which included, but was not limited to, smoking in the vicinity of compressed oxygen cylinder(s) while in use.

RECOMMENDATIONS

In order to best prevent a recurrence of a fire of this type at this facility, the following recommendations are major issues that must be implemented:

- R-1: Automatic fire sprinkler coverage in all areas for maximum coverage: individual tenant room living spaces, etc.

- R-2: A full coverage automatic and manual fire alarm system which includes the tying in of the individual smoke detectors in each tenant living space to the fire alarm system, smoke detectors in all corridors, heat detectors in public access rest rooms and the laundry rooms, the monitoring of the fire sprinkler system, the monitoring of the hood and duct fire extinguishing system, etc.

SKETCH

- S-1 See Sketch Attachment of Room of Origin

PHOTOGRAPHS

- P-1 Refer to CD Photographs that are a part of this report.

ATTACHMENTS

- A-1 Casa de Vallejo in-house building floor plan.