

**Subject:** Re: Plan. Thoughts?

**From:** Mark Cao <mark.cao@gmail.com>

**Date:** 4/11/2023, 1:55 PM

**To:** Thanh Huynh <thanhxhuynh2003@yahoo.com>

**CC:** Hanh Cao Yu <hanh.cao.yu@stanfordalumni.org>

Mom/Hanh,

I still have not called the APS hotline number yet, but I did talk to Ken's APS worker, Liz. She just called me with some follow-up questions.

The talk with her was informal, since she didn't want to expand Ken's case. After I answered her questions, I told her the following, to see how severe she thought they were.

\* Dad has one MD's diagnosis of moderate dementia. Additionally he shows many classic symptoms of dementia, such as getting lost.

\* We're concerned that he is driving with an invalid driver license.

Lastly, Liz already knows all about the landlord-tenant problems, some of which sound criminal. My basic question to her was whether APS is willing to push toward taking away personal rights (conservatorship) in a case like this. Her response was:

\* We can try to open up a new APS case focusing on Dad. She gave me the APS hotline number.

\* She also suggested calling the DMV to report Dad; and to call the "Office of the Public Guardian OC" for help getting a conservatorship started.

\* I thought I told her enough "severe circumstances", but she strongly implied that something bad needs to happen before he'll lose his rights. She didn't think any of the above is severe enough. She said several times that "We are always very reluctant to take away someone's rights," by which she meant not just judges but also other authorities like the courts.

Huy

On Mon, Apr 10, 2023 at 6:07 PM Thanh Huynh <[thanhxhuynh2003@yahoo.com](mailto:thanhxhuynh2003@yahoo.com)> wrote:

Well , i would leave everything to you

Onething we should keep in mind is that we do no go ahead and show them our knowledge

They are professional and more up to date

Nobody wants to be pushed

Over the social workersv there are layers of people on top of them

We can call again and again gor following up

We can request to talk to their supervisor .,.

Somebody even sent letter to the governor or make a noise. On the newspapers

[Sent from Yahoo Mail for iPhone](#)

On Monday, April 10, 2023, 2:25 PM, Mark Cao <[mark.cao@gmail.com](mailto:mark.cao@gmail.com)> wrote:

Regarding taking full responsibility: I agree, but the risk windows will hopefully be small slices.

1. From now until Dad is declared incompetent: He could incur criminal/civil liabilities, but that will work against his assets, nobody else's.
2. Once Dad is declared incompetent, it should be quick to gain temporary conservatorship, until that is converted into permanent. Once we have conservatorship, we should get him into an assisting living situation ASAP. There, he won't have access to a car, which is the biggest liability.
3. Eventually, we should transfer the conservatorship to Alameda County (probably). This will make it easier to monitor what is happening with him, making sure he has a very competent person helping him. This further reduces risk and liability.

Rather than taking full responsibility, the alternative is for the situation to deteriorate until he either dies or is forced into a state mandated assisted-living situation, which will be paid for by his own assets. This is not terrible, but the conservatorship situation will be easier for us to monitor.

No, I have not talked to APS yet. I am letting thoughts settle before I do so.

In my opinion, we can't expect APS to force a mental evaluation unless we make a strong case. APS is there to do the absolute minimum they have to do to resolve the situation. I'd think of it this way: The APS worker hears a report, and asks herself, "What's the worst that could happen?" If the answer is not catastrophic, they will do the minimum they need to do to close the case.

Example: We report that he has been driving around without a driver license, and that he is harassing his tenant (taking away the frig). The case worker gets there. They don't even see his car (or they find out that maybe it has been impounded). They see the frig was put back, and they don't know whether to believe Ken or Dad. Case closed.

The charter for them is to find the "least restrictive means" of resolving a given situation. But I think that, if the worker feels personally threatened (because they could lose their job if they do nothing and something bad happens), they will take the case a lot more seriously.

Huy

On Mon, Apr 10, 2023 at 1:26 PM Hanh Cao Yu <[hanh.cao.yu@stanfordalumni.org](mailto:hanh.cao.yu@stanfordalumni.org)>

wrote:

Huy,

Remember that doing the conservatorship means we're fully taking in Dad's problems. Whatever you share, well Jane to deal with down the line.

The tenants will readily talk about issues they have with Dad as a landlord. The facts will be revealed through their investigation.

The important thing is for you to make the case for them to send someone over to start the investigation.

Did you talk to APS?

Btw, I got an interesting voicemail from Analise. She said she was interested in getting out of the house into a good assisted living situation. I could hear him in the background advising her to block my number but it's been she who has been calling me, not the other way around.

Finally, Hien said that Dad is taking steps to change his passwords. He won't remember anything to access good critical accounts.

H.

On Mon, Apr 10, 2023, 10:11 AM Mark Cao <[mark.cao@gmail.com](mailto:mark.cao@gmail.com)> wrote:

Some thoughts.

\* Regarding Hien's involvement (long-term): I view this as a negative because of his lack of empathy toward people without money, elderly, troubled, cognitively impaired, etc. In the shorter term, he is a poor choice to provide the info to APS because it's all third-hand info to him. And he does not trust Ken, Dad nor Annalise and cannot judge the truth of their accounts. So when APS comes back with questions, I don't think he can answer them.

The more important point is that, long-term, his lack of empathy really comes across. I think it could only end badly if he and Dad interact, once we get into the conservatorship phase.

\* Heating in the home: It's illegal for landlords not to provide working heating to their tenants. So that info is about the landlord relationship.

\* Regarding whether the report should be detailed (which is needed to stress it is an emergency): I think we cannot submit a weak report. The time is over for Dad's games. This must be a strong report that launches some action. And again, the timing is such that Dad will blame Ken for this report.

And we must mention Dad's bad actions because (1) even though the actions could be considered criminal, they aren't, after a mental evaluation is ordered, finding he is incapable. (2) The APS case worker might be a lazy one who does no real investigation, and just wants to do only the minimum. We have to submit enough facts to force a mental evaluation.

\* Regarding whether we need a "good cop" for managing Dad's affairs. My thinking has changed about this, the reason being, that he will always resent whoever is closest to him who is trying to genuinely help him. That person will try to prevent him from making very bad decisions. He resents that because he is the one trying to make (bad!) decisions and hates losing control.

The proper first step is conservatorship because it leads to beneficial next steps: (1) We then can control where he lives. (2) This is the best way of getting rid of Annalise. (3) We will then be a united team (no good cops or bad cops), and he can't have an "escape" to Annalise or to a "good cop."

\* Regarding Dad resenting the person reporting: (1) The identity of the reporter is kept confidential. (2) Even if Dad knows the contents of the report, he will suspect his tenants (especially Ken). (3) Even if he suspects me, what's much more important is the way each person deals with him (the way they talk to him). So, I'm not too concerned. (4) Even if he suspects we talked to APS, he will \*still\* resent us for the conservatorship proceedings later on.

So, Mom might be right about this, but I think we need to take the strongest steps toward initiating the conservatorship (via APS intervention). And this means giving them full details about the bad stuff happening in the house.

\* If Mom is worried about consequences, you don't have to be involved in any talks with APS. We talked about you being available on Monday, 4/17, but actually this shouldn't be necessary.

\* Lastly, please remember, Dad has a "bad conscience" about stuff we don't even know about. There are dozens of bad incidents with tenants, relatives and others throughout the years that we can't image. His being forced to sell the house later will put those memories behind him. He might feel a lot of relief about that after he starts a new chapter of life.

Huy

On Mon, Apr 10, 2023 at 5:33 AM Thanh Huynh <[thanhxhuynh2003@yahoo.com](mailto:thanhxhuynh2003@yahoo.com)> wrote:

You can try to call at 7 am for less waiting time  
remember to mention the time that dad got lost,  
Disoriented , could not find his car and his drivers licence...

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On Monday, April 10, 2023, 5:27 AM, Thanh Huynh <[thanhxhuynh2003@yahoo.com](mailto:thanhxhuynh2003@yahoo.com)> wrote:

Huy,

This is the way the system worked when i was working for social services over 10 years ago

-The social worker on duty of the day takes phone calls of the day and makes separate referrals for each case

You do not need to go into details, but you manage to get more immediate attention and prompt action to our case

When the assigned worker call back for more detail you will refer to me or hanh

-Emergency referral can go immediately to the supervisor. All referrals will be submitted to the supervisor who prioritizes the level of urgency and assigns the case to workers of the unit

-Assigned worker then contacts with the caller for more details of the case.

-He might request to make a home call with nurses, county Physician, policeman...for immediate action or interagency referral (mental health , financial assistances, housing assistance, fire department, home shelter assistance...)

-You will be ask for your name and phone number for more questions

- you can mention about my name as ex wife, hanh's name for More information and send back ground information status

- you should mention about dad's social status to get more attention or better treatment ,and for more experienced or better knowledgeable worker

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On Sunday, April 9, 2023, 6:47 PM, Mark Cao <[mark.cao@gmail.com](mailto:mark.cao@gmail.com)> wrote:

Also, heating is not provided to tenants during for more attention winter.

On Sun, Apr 9, 2023 at 6:44 PM Mark Cao  
<[mark.cao@gmail.com](mailto:mark.cao@gmail.com)> wrote:

**On Monday:**

I'll call Adult Protective Services and tell them my

concerns about Dad.

*Immediate concerns:*

- \* He regularly drives without a valid driver license.
  - Recently he has been in several car accidents. His car is possibly impounded now, following his last accident.
- \* Threats and plots against one of the tenants (Ken).
  - Unsubstantiated allegations of rape against that tenant, which were part of an eviction attempt that was eventually dropped.
- \* Illegal harassment of one of the tenants, for which Adult Protective Services was called around 4/6. The harassment included physical assault (grabbing clothes and spitting) and removal of the tenant's refrigerator.
- \* Health hazards: House and kitchen are very dirty. Feces all over at least one of the bathrooms. Bio odor throughout the house.
- \* Fire hazards: blocked access ways. Some smoke alarms are not working.
- \* Tenants have not been informed of his mental diagnosis. Thus they are exposed to a danger of which they are unaware.

*Other concerns:*

- \* He is not taking his meds. He has a diagnosis of dementia and diabetes, but often skips his prescription meds.
- \* Public indecency. He walks around with his pants dropped below his buttocks. He has incontinence issues but does not wear adult diapers.
- \* Many police calls to the house (eight in the last three months), some of which are against him for complaints of assault.
- \* Two pet cats in the home, possibly inhumane treatment of them.

**Long-term desire, for County to assist with:**

- \* Declare incapacitance.
  - All tenants should be informed, and sign an informed consent form.
- \* Give the family some guidance for how to be granted full conservatorship.

Huy