

BUILDING CODE AMENDMENTS – EXPANDED COMPLIANCE CONTROL & CONSUMER PROTECTIONS

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Board File 210015



Internal Tracking of Serious Violations

- Significant NOVs recorded and tracked internally:
 - Misrepresentation of existing conditions to circumvent notification or review
 - Structural work or demolition of structural features without or beyond permit
 - Unlicensed work
 - Other substantial non-compliance with significant health and safety risk
- Three or more significant NOVs within 18 months triggers candidacy for Expanded Compliance Control List

Public-Facing Expanded Compliance Control List for Repeat Violators

- DBI Inspection Services prepares preliminary report, *including any exculpatory info from candidate*
- DBI Director makes final determination
- DBI notifies listee
- DBI maintains Expanded Compliance Control List on website
- DBI provides quarterly reports to BIC on Expanded Compliance Control List

Protocols for Expanded Compliance Control

- Report to applicable licensing board or regulatory agency
- Require Senior Plan Review staff and multi-station review at intake and after approval of the site permit
- Require multi-station site inspections by DBI and Planning prior to permit issuance
- Require that a licensed contractor be named on the permit prior to issuance
- Dedicate a Senior Inspector for inspections and any complaints
- Consult with the City Attorney about any additional enforcement actions

Ongoing Reporting / Opportunities for Appeal

- Building Inspection Commission receives quarterly updates on the Expanded Compliance Control List
- Lister remains on the Expanded Compliance Control List for five years, with extension for subsequent significant violation
- Determination can be appealed to BIC

Internal Staff Accountability Through Training & Guidance

- Written guidance and training sessions for all plan review staff to recognize and flag permits that signal potential abuse
- Guidelines for staff to escalate any applications that indicate potential abuse
- Sensitivity to the cultural differences of individuals, agents, and other entities associated with permits and/or projects

Amendments

- Tightened criteria for *significant* NOVs for tracking
- Simplified language for internal process, emphasis on steps and on roles of Director and BIC
- Revised criteria to allow for immediate implementation of Expanded Compliance Control
- Added requirement to name licensed contractor for work on Expanded Compliance Control List
- Extended date for internal training and guidance
- Called out need for sensitivity to cultural differences