



Consultant Access and Involvement in Building Permit Process

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Government Audit & Oversight Committee, November 19, 2020

Agenda

- DBI's Role and Commitment to Safety
- Property Owners and Agents
- Role of Permit Consultants
- Permitting Process
- Code Enforcement Process
- Expanded Quality Control

About DBI

DBI provides critical building safety services to ensure safety and habitability of San Francisco's more than 200,000 commercial and residential buildings.

The Department of Building Inspection:

- Performs plan review and issues permits
- Performs building, plumbing, mechanical and electrical inspections
- Conducts housing inspections to ensure building owners are maintaining habitable housing conditions
- Provides code enforcement services to maintain safety and permit compliance

- Issue approximately **70,000 permits annually**
- Conduct approximately **155,000 inspections annually**

Our mission is to protect building and life safety.

Commitment to Safety and Code Compliance

We are **committed to protecting the integrity of the permit and construction process using an accountable and transparent system.**

We ensure that **all building code requirements are followed by applicants** for a diverse array of construction projects.

Our **role is to ensure code compliance by all applicants**, their contractors, design professionals and experts throughout the construction process.

We have **various code enforcement tools to compel** compliance by property owners and their agents.

Property Owners and Agents

Property owners are ultimately responsible for complying with all building codes and construction safety regulations.

They can **appoint agents to represent their interests before DBI and other permitting departments**, including:

- Licensed architect or engineer
- Licensed contractor
- Permit consultant

Permit Consultants

- A **permit consultant** is an individual who receives or is promised compensation to **provide permit consulting services on:**
 - construction projects with a valuation of \$1,000,000 or more; or
 - projects requiring a permit issued by the Entertainment Commission.
- **“Permit consulting services”** means any contact with the **Department of Building Inspection**, the Entertainment Commission, the Planning Department, or the Department of Public Works to help a permit applicant obtain a permit. **“Permit consulting services” do not include simple requests for information** which do not otherwise include attempts to help obtain a permit.
- **Permit consultants are required to register with the SF Ethics Commission** and report their consulting activities on a quarterly basis and are required to disclose details about their projects.

Role of Permitting Departments

The City's permitting departments, including DBI, Planning, Fire Department and others, rely on licensed design professionals to certify that their submitted applications, plans, and calculations are accurate.

Staff reviews the submitted material to verify that it is code-compliant.

Inspectors verify the work performed at job sites is according to approved permit plans and documents and in conformance with applicable codes.

Permit Process



Agent's Role in Process

- Submit permit application and ensure it is approved and issued by all permitting agencies
- Interface with the various permitting departments

Code Enforcement Process

When the Department identifies or receives a complaint regarding a potential code violation:

- If a complaint, an inspector is assigned to inspect the site.
- Notice of Violation is issued if a violation is confirmed.
- If the item is not corrected within specified amount of time, a Director's Hearing is scheduled, and the property owner is required to appear before DBI.
- The hearing officer will issue an order of abatement, if warranted.
- Matter may be referred to the Building Inspection Commission's Litigation Committee and the City Attorney's office for further action.

Our ultimate goal in the code enforcement process is to achieve code compliance and ensure the building is safe and habitable.

Property owners are responsible for addressing the violations, which are tied to the property.

Taskforce Inspections

- DBI participates in coordinated taskforce inspections of potentially dangerous property conditions with other city agencies, such as the Fire Department, Department of Public Health and others.
- These inspections are facilitated and coordinated by the City Attorney for properties in which there are suspected violations of multiple city codes.

Tools to Address Repeat Violators

In the past several years, DBI has employed various methods to address the problem of repeat violators (such as contractors and agents) for non-compliance with building code requirements:

- Increased scrutiny of projects to ensure documents received are correct and work performed is according to approved drawings and in compliance with the building code.
 - Individuals flagged in our permit tracking system for supervisor review and approval of plans
- We have referred repeat violators to outside agencies, including the City Attorney's office and to the appropriate State Licensing Board in close coordination with the City Attorney's office.
- In 2002, we developed Administrative Bulletin 40: *Referral of Design Professionals and Contractors to Regulatory Agencies*. This administrative bulletin provides guidance on Department policy to refer design professionals and contractors to regulatory agencies.

Consultants Charged with Criminal Conduct

“Hearing to review consultant access and involvement in the San Francisco building permit process, in particular situations where a consultant has been charged with criminal conduct...”

As a department that serves the public, we cannot refuse DBI’s services to a member of the public.

We cannot deny service to a valid licensed professional when he/she is performing work pursuant to a state-issued license.

Expanded Quality Control

The Department has expanded its scrutiny of repeat violators who are associated with at least three serious Notices of Violation in an 18-month span. These individuals are subject to increased scrutiny by Permit Review Services and Building Inspection Services.

The types of violations are:

1. Misrepresenting existing conditions
2. Structural work without or beyond the scope of a permit
3. Over-demolition
4. Other violations deemed egregious by the Department

This policy is found in Building Inspection Services' Office Policy and Procedures.

Expanded Quality Control

The following actions are taken when an individual is flagged for Expanded Quality Control:

1. Require all permit applications submitted by or on behalf of the individual be reviewed a second time by a senior member of Plan Review Services staff
 2. Require site inspections prior to permit issuance to confirm existing conditions
 3. Dedicate a senior inspector to perform inspections and respond to complaints at the individual's project sites
- DBI may refer an agent or licensed professional to a regulatory agency and/or to the City Attorney's Office for further action.
 - The individual would be subject to Expanded Quality Control for a period of two years.
 - If the individual receives another serious violation during that period, the two-year clock starts over.
 - The Department is implementing new procedures to identify violators early in the complaint process so that we can quickly address any issues.

Next Steps

- We will continue to review our policies and look for improvements.
- We look forward to working with you on next steps to address and implement any additional controls to ensure agents are complying with building code requirements.



QUESTIONS? THANK YOU!