



Expanded Compliance Control Implementation

San Francisco Board of Supervisors, Land Use and Transportation Committee
November 8, 2021

Expanded Compliance Control

- The Ordinance codified and strengthened DBI's Expanded Quality Control
 - Effective April 26, 2021
- Key element of DBI's reforms initiative
 - Launched May 20, 2021
- DBI conducting internal audit of projects associated with individuals named in criminal complaints

Expanded Compliance Control Ordinance

- Under the Ordinance, DBI:
 - Tracks certain Notices of Violation (NOVs) and names of associated individuals or entities
 - Misrepresentation on plans
 - Structural work or demolition without/beyond scope of permit
 - Work performed by unlicensed contractors
 - Reviews tracking file on monthly basis to identify individuals associated with 3 or more NOVs in an 18-month period.
 - Places the repeat violators on the Expanded Compliance Control (ECC) list and apply ECC provisions to their permits

Compliance Control: Permit Review

Individuals on the list are subject to:

- Additional plan review by permit review departments
- Pre-issuance inspection by DBI and Planning
- Requirement for licensed contractor on the permit prior to issuance



Compliance Control: Notifications

DBI will also notify:

- The applicable licensing body that the repeat violator was placed on the ECC list
- All parties listed on open and future permit applications filed by the individual so they are aware of the increased oversight

People placed on the ECC list remain there for five years; additional NOVs will extend the time the repeat violator remains on the list

Other Requirements

- Post the Expanded Compliance Control list to DBI's website
- Provide quarterly reports to the Building Inspection Commission



The screenshot shows the Department of Building Inspection website. The header includes the department name and a navigation menu with links for Permit Services, Plan Review, Inspection, Resources, Key Programs, and About Us. The main content area is titled "The Expanded Compliance Control Program" and contains the following text:

Home > Key Programs > The Expanded Compliance Control Program

The Expanded Compliance Control Program

The Expanded Compliance Control Program (ECC) was created in 2021 as a way to ensure that contractors, design professionals, building owners, and their agents fully comply with the City of San Francisco's Building Code.

The Expanded Compliance Control program requires the Department of Building Inspection to track significant violations and all parties associated with such violations, review those tracking reports to identify candidates for expanded compliance control measures and, when appropriate, place them on the Expanded Compliance Control List.

San Francisco Building Code Section 103A.6 mandates that the Department perform the following Expanded Compliance Control measures for each individual placed on the Expanded Compliance Control List:

- provide the Director's final determination and findings to any applicable licensing board or regulatory agency (if any)
- require all new or existing permits or addenda submitted by, or containing reference to, a listee undergo Expanded Compliance Control by senior Plan Review Services staff and review at intake by applicable departments
- notify the listee and all other parties associated with the listee on a permit application or addenda of the Expanded Compliance Control requirements
- require a licensed contractor be named on a permit
- require site inspection by DBI and the Planning Department prior to permit issuance for projects associated with the listee
- dedicate a senior inspector to respond to complaints and conduct all inspections regarding the listee
- consult with City Attorney, if warranted, about any other enforcement options

Why is this program in place?

Significant violations of the Building Code threaten public health and safety; require DBI time and resources to identify, enforce, and abate; and often result in costly litigation and delay in repairing or constructing much needed housing throughout the City. For all parties—property owners/consumers, residents, DBI, and the public at large—it is safer, more cost-effective and efficient to adopt expanded compliance control provisions that ensure compliance throughout the permit review process, rather than address violations after the fact through enforcement proceedings.

Expanded Compliance Control List- To be updated soon

KEY PROGRAMS

- Accessible Business Entrance Program
- Accessory Dwelling Unit Program (ADU)
- All Electric New Construction Ordinance
- Code Enforcement Outreach Program
- Emergency Preparedness
- Facade Program
- Floodplain Management Ordinance
- Mandatory Soft Story Program
- Seismic Safety Outreach Program
- Unit Legalization
- Vacant Buildings and Storefronts
- The Expanded Compliance Control Program**

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Implementation Status

- Trained plan review staff to recognize and flag permits with potential violations
 - Training: September 22 and quarterly going forward; also integrated into onboarding
- Developed policies and procedures to ensure consistency and transparency
- Implemented automated flagging of permit applications in permit tracking system

Results to Date

Six months into 18-month violation window:

- 34 NOVs listed on the tracking files
- 75 individuals/entities
- First repeat violator identified

Next Steps

Process improvements:

- Improve identification of individuals associated with Notices of Violation
- Improve the tracking file database



THANK YOU