File No. 160817 Committee Item No. 7
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Government Audit and Oversight **Date** October 7, 2016

Board of Supervisors Meeting **Date** _____

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Completed by: Erica Major **Date** September 30, 2016
Completed by: _____ **Date** _____

City & County of San Francisco
Department of Technology
Powered by Innovation

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Received via email
9/23/2016
File No. 160817

September 23, 2016

Presiding Judge John K. Stewart
Department 206
400 McAllister St.
San Francisco, CA 94102-4514

Honorable Judge Stewart:

Pursuant to Penal Code Section 933 and 933.05 this letter transmits the San Francisco Department of Technology's response to the findings and recommendations in the 2015-16 San Francisco Grand Jury report, Fire Safety Inspections in San Francisco, A Tale of two Departments: Department of Building Inspection & San Francisco Fire Department issued on July 21, 2016. We would like to thank the members of the Civil Grand Jury for their interest in ensuring the fire safety of San Francisco residents in multi-residential buildings throughout the City.

Our department is also committed to supporting both the Fire Department and Department of Building Inspection technology systems that help protect the fire and life safety of San Francisco residents.

Thank you for the opportunity to comment on this Civil Grand Jury Report.

Sincerely,

Miguel A. Gamiño Jr. |葛迈魁
City Chief Information Officer (City CIO) | Office of Mayor Edwin M. Lee
Executive Director | Department of Technology
City and County of San Francisco

2015-16 Civil Grand Jury
Fire Safety Inspections in SF
MASTER LIST:FINDINGS Response Template

CGJ Year	Report Title	#	Findings	Respondent assigned by CGJ	2016 Responses (Agree/Disagree)Use the drop down menu	2016 Response Text
2015-16	Fire Safety Inspections in SF- A Tale of Two Departments: DBI & SFFD	F.I.4.	HIS cannot get an accurate list of R-2s in the City without the help of DBI Management Information Systems ("DBI MIS") because HIS does not have access to the DBI database that stores this information.	DT	disagree with it, wholly (explanation in next column)	DT does not mananage this database.
2015-16	Fire Safety Inspections in SF- A Tale of Two Departments: DBI & SFFD	R.I.4	The Information and Technology Department fort the City and County of San Francisco should grant HIS senior management access to and permission to run reports from the Oraacle database that contains the address, contacdt information and building attributes for R-2s in San Francisco.	DT	disagree with it, wholly (explanation in next column)	DT does not manage an Oracle database that contains the address, contact information and building attributes for R-2s in San Francisco. DT does manage the enterprise addressing system which DBI's Central Permit Bureau utilites to enter new addresses into DBI's existing Oracle based systems.

JOANNE HAYES-WHITE
CHIEF OF DEPARTMENT

EDWIN M. LEE
MAYOR

SAN FRANCISCO FIRE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

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September 19, 2016

The Honorable John K. Stewart
Presiding Judge
Superior Court of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102

RE: Civil Grand Jury Report – Fire Safety Inspections in San Francisco - A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department

The Honorable Judge Stewart:

Thank you for the opportunity to provide a response to the Civil Grand Jury's findings and recommendations to the 2016 Civil Grand Jury report, entitled *Fire Safety Inspections in San Francisco.*

The San Francisco Fire Department (SFFD) is continuously seeking ways to improve upon existing processes and exploring ways of adopting new best practices to serve the citizens of San Francisco and ensure their fire safety.

It is important to note a missed opportunity in the collection of information for this report. According to Ms. Alison Scott, Foreperson, Pro Tem, the Civil Grand Jury "ran out of time" and therefore was unable to interview the Fire Marshal and the Chief of Department for this report. This would have allowed the Civil Grand Jury greater opportunity to be briefed on historical practices with regard to fire safety inspections, as well as projects underway that will continue to improve and optimize our current practices. As Chief of Department, I have always been afforded the opportunity to provide context and overall perspective to all previous Civil Grand Jury reports.

There are many new and evolved fire safety inspection processes and program improvements that have been defined, developed and are being implemented. In fact, these same programs align with many of the recommendations set forth by the Civil Grand Jury in their 2016 Report as you will see in the Department's matrix responding to the Findings and Recommendations of the Civil Grand Jury.

When evaluating the recommendations of the Civil Grand Jury, it is important to understand that the Department of Building Inspection (DBI) and the Fire Department's business model are very distinct from the SFFD Fire Suppression's Truck and Engine Companies. DBI has staffing dedicated to R2 inspections, whereas the SFFD

Fire Suppression Truck and Engine Companies are first and foremost tasked with first responder duties.

In addition to the enclosed matrix and corresponding detailed commentary on process improvements, the Department believes that some of the broader findings outlined in the Grand Jury report must also be addressed so as to successfully respond to challenges being faced by the City and County of San Francisco. In particular, the Grand Jury's assessment that growth and overcrowding are having unintended consequences and an impact on fire safety.

The other foundational finding of the Civil Grand Jury that extends beyond the Fire and Building Department is the current use of IT Systems. The SFFD recognizes the need for stronger communication tools and a framework to illustrate how collaboration between SFFD and DBI can enable an increased level of transparency and an overall improved IT system. SFFD is working diligently with DBI and the Department of Technology to achieve this goal.

Thank you for the opportunity to respond to the Civil Grand Jury report. Should you have any questions, please feel free to contact me at 415-558-3401.

Sincerely,

Joanne Hayes-White
Chief of Department

Enclosures

cc: Clerk of the Board, Attn: Government Audit and Oversight Committee

2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response

CGJ Year	Report Title	Findings	Responding Dept.	2016 Responses (Agree/Disagree)Use the drop down menu	2016 Response Text
2015-2016	Fire Safety Inspections in San Francisco	**F.II.1.** Because station house Companies do not inspect all the R-2s in San Francisco every twelve months as mandated by Code, San Franciscans may be exposed to unnecessary risks.	SFFD Deputy Chief of Operations	disagree with it, partially (explanation in next column)	The Department works with Station House Companies to minimize the risk related to inspections of R-2s.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.2.** Station house Companies cannot always get into R-2s to inspect them because Company Captains rarely schedule R-2 inspections in advance.	Deputy Chief of Operations	disagree with it, partially (explanation in next column)	Generally the only reason R-2's have not been completed is because crews cannot gain access to the building. On some occasions the contact information is also obsolete.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.3.** Contact information is not included on the Inspection Worksheets that Company Captains take with them to document their R-2 inspections in advance.	SFFD MIS	agree with finding	This information is now available on the R-2 inspection form.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.4.** R-2 inspections are not conducted on the weekends.	Deputy Chief of Operations	agree with finding	We are looking into possibly changing that practice. Normally on weekends, the Department holds larger scale drills and inspect hydrants. Also, there are many special events that occur in the City on the weekends that we are responsible for covering.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.5.** Companies with the ten largest R-2 lists have most of the largest backlogs because R-2 inspections are disproportionately distributed among the Companies and not sufficiently redistributed to nearby Companies with less R-2s to inspect.	Deputy Chief of Operations	disagree with it, partially (explanation in next column)	The Battalion Chiefs monitor Station House Companies' workload, particularly Companies with large R-2 lists. At the time of this writing companies should be able to complete all R-2's assigned if access to the buildings is possible and the contact information is up to date.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.6.** Company Captains prioritize which R-2s they will inspect based on location of the R-2 rather than on the deadline for each inspection. As a result, some R-2s are not inspected by their deadline.	Deputy Chief of Operations	disagree with it, wholly (explanation in next column)	Company Officers are directed to complete all R-2's assigned by deadline. As described above, access to all buildings may not be possible by the deadline. The Inspection compliance rate was 94% in 2015.

2015-2016	Fire Safety Inspections in San Francisco	**F.II.7.** Some Battalion Chiefs' follow-up on Company inspection backlogs is insufficient because it does not hold the Company accountable for the backlog.	Deputy Chief of Operations	agree with finding	Battalion Chiefs follow up with Station House Companies regarding inspection backlogs on a regular basis.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.8.** Because firefighters' primary motivation for inspecting R-2s is to develop building awareness, they may not sufficiently give equal importance to code compliance when conducting R-2 inspections.	Deputy Chief of Operations	disagree with it, partially (explanation in next column)	Firefighters' consider both factors with equal importance.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.9.** Many Company Captains seem to know little about Fire Prevention or Code Enforcement. Since firefighters interact with the public, this is a missed opportunity to educate the public about the inspection and enforcement process.	SFFD Deputy Chief of Operations	disagree with it, partially (explanation in next column)	All Company Officers are trained in Fire Prevention and Code Enforcement, as well as identification of code violations. In addition, the Bureau of Fire Prevention is developing a module to further enhance Company Officers' understanding of Fire Code and Fire Prevention.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.10.** A significant number of fire alarm, blocked exits and sprinkler complaints took more than two months to be resolved.	The Fire Marshall	disagree with it, partially (explanation in next column)	The standard for complaint resolution is 30 to 90 days. 72% of all fire alarm complaints were resolved within two months; 83% of all blocked exit complaints were resolved within two months; 52% of all sprinkler complaints were resolved within two months. The Department is exploring opportunities to improve the rate at which complaints are resolved, including conducting weekend inspections. In addition, the Department will develop performance benchmarks for timely resolution of complaints. Currently, the Department evaluates each open case and unique circumstances that may cause a delay in resolution.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.11.** Most fire alarm, blocked exits and sprinkler violations took longer to correct than the timeframes district inspectors stated for correction.	The Fire Marshall	disagree with it, partially (explanation in next column)	The BFP is developing process improvements to reduce the timeframes for inspection corrections. While one can postulate about what these are, in the estimation of BFP, the amended processes set forth earlier in this document will address this matter moving forward.

2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response

2015-2016	Fire Safety Inspections in San Francisco	**F.11.12.** District inspectors' workload was too heavy for them to investigate all R-2 complaints in a timely manner.	The Fire Marshall	disagree with it, wholly (explanation in next column)	It has been a long standing BFP policy to prioritize fire complaints. It is the duty of the Inspector to notify his/her officer if the workload is "too heavy" to address fire complaints in a timely manner. Additionally, it is the duty of the supervising officer to monitor the progress of the Inspectors in their section. If it is determined that the volume is too high to address the fire complaints in an appropriate timeframe, the supervising officer is responsible for bringing this to the attention of the Captain of Administration. The Captain would then load balance and/or seek additional resources to respond to fire complaints.
2015-2016	Fire Safety Inspections in San Francisco	**F.11.13.** District inspectors prioritized reviewing construction projects and phone calls over inspecting R-2 complaints. As a result, some R-2 complaints and violations were not corrected in a timely manner.	The Fire Marshall	disagree with it, wholly (explanation in next column)	It has been a long standing BFP policy to prioritize fire complaints. The Department follows existing protocol to ensure that complaints are addressed in a timely manner. Additionally, it is the duty of the supervising officer to monitor the progress of the Inspectors in their section. If it is determined that the volume is too high to address the fire complaints in an appropriate timeframe, the supervising officer is responsible for bringing this to the attention of the Captain of Administration. The Captain would then load balance and/or seek additional resources to respond to fire complaints. The SFFD, Bureau of Fire Prevention has established a dedicated Fire Complaints section which will consolidate all incoming complaints (vs. the former model whereby the complaints were taken in, managed and addressed on a district by district basis). This will eliminate the need to balance fire complaint inspections with construction and referral inspections.
2015-2016	Fire Safety Inspections in San Francisco	**F.11.14.** Because some district inspectors did not document inspections and code enforcement in sufficient detail, follow up on violations was hampered.	The Fire Marshall	agree with finding	This will be addressed through the Bureau's Inbound Training Program: Fire Complaint Process, Inter-departmental referral Process and Fire Complaint Tracking and Life Cycle Management.

2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response

2015-2016	Fire Safety Inspections in San Francisco	**F.II.15.** Some Company Captains do not document inspections in enough detail for district inspectors to easily identify the violation and conduct code enforcement.	SFFD Deputy Chief of Operations	agree with finding	Company Officers will be instructed to provide more comprehensive responses via Module, which is being developed.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.16.** After the Inspection Worksheet was made longer in July 2015, some Company Captains document too many items that are not violations.	SFFD Deputy Chief of Operations	agree with finding	The Fire Marshal is developing a training module for all Chief and Company Officers, so they are clear on what is expected of them when performing inspections.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.17.** Some Company Captains do not print the Inspection Worksheet and bring it to the R-2 inspection. Without having the Inspection Worksheet they may miss something or be inclined to document less. For example, the Inspection Worksheet states that "Company Officer shall obtain and update the responsible party information."	SFFD Deputy Chief of Operations	agree with finding	BFP is developing a training module to address improvements in the Inspection process. The training module is expected to be completed January, 2017.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.18.** BFP does not have effective code enforcement tools, such as, an administrative hearing.	The Fire Marshall	disagree with it, wholly (explanation in next column)	The San Francisco Fire Code has provisions for Notices of Violation, Administrative Citations, and Administrative Hearings. This report outlines a framework which details the fire complaint process, lifecycle management, which all Inspectors shall follow. Please refer to I. Code Enforcement Process; Complaint Process Flowchart.

2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
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2015-2016	Fire Safety Inspections in San Francisco	**F.II.19.** Accelerated Code Enforcement is rarely used.	The Fire Marshall	agree with finding	ACE has been integrated into the new closed loop fire complaint process.
2015-2016	Fire Safety Inspections in San Francisco	**F.II.20.** The SFFD website does not include enough information about the annual inspection and code enforcement processes for property owners and the public to understand them. Being better informed about the process may result in better compliance by property owners and increase the publics' confidence in SFFD enforcement efforts.	SFFD Management Information Systems	agree with finding	Information about the annual inspection and code enforcement processes will be posted in the SFFD website by March 2017.
2015-2016	Fire Safety Inspections in San Francisco	**F.11.21.** Inspection records are only available in person at the Bureau of Fire Prevention after making an appointment.	Chief of SFFD	agree with finding	The Department is currently working on IT enhancements to allow the public access fire records online, in conjunction with Department of Building Inspection and City Planning.
2015-2016	Fire Safety Inspections in San Francisco	**F.11.22.** Although instructions for reviewing inspection records is available on the SFFD website, the phone number for making appointment is not included with the instructions.	SFFD Management Information Systems	agree with finding	The SFFD website includes a link to all relevant SFFD numbers. We will also add the correct number to call to this page.
2015-2016	Fire Safety Inspections in San Francisco	**F.11.23.** Safety concerns may be reported online or by calling the BFP. Although instructions for reporting a safety concern are available on the SFFD website, the BFP phone number is not included on the same page as the instructions.	SFFD Management Information Systems	agree with finding	The SFFD website includes a link to all relevant SFFD numbers. We will also add the correct number to call to this page.

2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response

CGJ Year	Report Title	Recommendations	Responding Dept.	2016 Responses (implementation) Use the drop down menu	2016 Response Text
2015-2016	Fire Safety Inspections in San Francisco	**R.II.1.** The Deputy Chief of Operations should require Battalion Chiefs to closely monitor Company R-2 inspection lists to ensure that every R-2 in San Francisco is inspected by its deadline.	SFFD Deputy Chief of Operations	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	The Department will require Battalion Chiefs to monitor R-2 lists more closely. This change will be implemented in January 2017.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.2.** The Deputy Chief of Operations should require that Company Captains make inspection appointments in advance, whenever they have the property owner's phone number, to ensure that Companies get into all R-2s. The appointments should have a three hour window.	SFFD Deputy Chief of Operations	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	The Department disagrees with the 3 hour appointment, however agrees on calling owners to set up an arrangement to meet a responsible party. This change will be implemented in January 2017.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.3.** SFFD MIS should ensure property owner contact information is included on the Inspection Worksheets.	SFFD Management Information Systems	The recommendation has been implemented (summary of how it was implemented in	This information is now available on the R-2 inspection form.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.4.** The Deputy Chief of Operations should require Companies to inspect R-2s on the weekend if that Company is going to have a backlog during a particular month.	SFFD Deputy Chief of Operations	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	This will be implemented in January 2017 as a pilot program, for which the Department has sufficient existing budgetary authority in the FY 2016-17 and FY 2017-18 budget.

2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response

2015-2016	Fire Safety Inspections in San Francisco	**R.II.5.** The Deputy Chief of Operations should redistribute R-2 inspection from Companies that have a backlog to nearby Companies that have fewer R-2 inspections so that the number of R-2 inspections is more evenly distributed among neighboring station houses and are conducted more timely.	SFFD Deputy Chief of Operations	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	The Department disagrees on this recommendation. Companies should stay in their first –in district as much as possible, otherwise it is a risk to residents in their first alarm area. The FY 2016-17 and FY 2017-18 budget provides for six additional Fire Prevention positions—four inspectors, one investigator, one captain, and one fire protection engineer—to improve fire safety outreach and education. Working closely with the Department of Building Inspection and other City and community partners, these positions proactively address fire safety concerns and complaints, as well as distribution concerns related to workloads. This is to be implemented in January 2017.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.6.** The Deputy Chief of Operations should instruct Company Captains to give priority to R-2 inspections which have exceeded or are approaching their deadlines.	SFFD Deputy Chief of Operations	The recommendation has been implemented (summary of how it was implemented in next column)	This has been the practice and will continue.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.7.** Battalion Chiefs should review progress on their Companies' R-2 lists at least once a month, and if they find a Company has not inspected all the R-2s on their list, hold that Company accountable by requiring that they inspect all the late R-2s by the end of the next month.	SFFD Deputy Chief of Operations	The recommendation has been implemented (summary of how it was implemented in next column)	Battalion Chiefs currently review progress on Station House Companies' R-2 lists monthly. Should a Company not inspect all the R-2s on their list, the Battalion Chief requires that the Company inspect all the late R-2s by the end of the following month, as has been the Department's practice.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.8.** The Deputy Chief of Operations should ensure that inspection training for firefighters includes stressing the two reasons for conducting R-2 inspections--to ensure code compliance and gain building awareness--are equally important.	SFFD Deputy Chief of Operations	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	A training module is being developed by the Fire Marshal and will be implemented in January 2017.

2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response

2015-2016	Fire Safety Inspections in San Francisco	**R.II.9.** The Deputy Chief of Operations should ensure that all firefighters receive training on the R-2 inspections process that includes a detailed module on the Bureau of Fire Prevention code enforcement process which starts with when a BFP inspector receives a complaint from a Company Captain to an NOV being issued and any additional steps. The training should occur after BFP implements the new code enforcement process. Knowing more about BFP will help firefighters better understand their role in ensuring code compliance.	SFFD Deputy Chief of Operations	The recommendation has been implemented (summary of how it was implemented in next column)	Officers have been trained on how to conduct R-2's. Their knowledge will be enhanced by new a training module being developed by the Fire Marshal. Firefighters will also be required to take the new R2 training module. This will be implemented in January 2017.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.10.** The Fire Marshall should require that complaint response time and code enforcement timeframes be more closely monitored so that resolution time is shortened.	The Fire Marshall	The recommendation has been implemented (summary of how it was implemented in next column)	The Framework has been developed (Fire Complaint Process and Fire Complaints Section). The Lieutenant will be responsible for submitting a bi-monthly report on the status of Fire Complaints. Please refer to: I. Code Enforcement Process; Complaint Process Flowchart; II Code Enforcement - Staffing Model
2015-2016	Fire Safety Inspections in San Francisco	**R.II.11.** The Fire Marshall should require that code enforcement for NOVs be more closely monitored so that NOVs are corrected more quickly.	The Fire Marshall	The recommendation has been implemented (summary of how it was implemented in next column)	Fire Complaints Section has been created, please refer to I. Code Enforcement Process. Complaint process is being consolidated under a separate Fire Complaint Section. The team's, (one Lieutenant and six Inspectors), primary responsibility is to respond to/process fire complaints. The Lieutenant will be responsible for submitting a bi-monthly report on the status of Fire Complaints.

2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response

2015-2016	Fire Safety Inspections in San Francisco	**R.II.12.** The Fire Marshall should require that BFP inspectors (that work on R-2 complaints) have reasonable workloads so they can ensure timely correction of all complaints and violations.	The Fire Marshall	The recommendation has been implemented (summary of how it was implemented in next column)	Fire Complaints Section has been created, please refer to I. Code Enforcement Process. Complaint process is being consolidated under a separate Fire Complaint Section. The team staffed with one Lieutenant and six Inspectors is primarily responsible to respond to/process fire complaints. The Lieutenant will be responsible for submitting a bi-monthly report on the status of Fire Complaints.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.13.** The Fire Marshall should ensure that BFP inspectors (that work on R-2 complaints) not prioritize other work over R-2 complaints if that means that they cannot investigate all their R-2 complaints in a timely manner.	The Fire Marshall	The recommendation has been implemented (summary of how it was implemented in next column)	Fire Complaints Section has been created, please refer to I. Code Enforcement Process. Complaint process is being consolidated under a separate Fire Complaint Section. The team, (one Lieutenant and six Inspectors), primary responsibility is to respond to/process fire complaints. The Lieutenant will be responsible for submitting a bi-monthly report on the status of Fire Complaints.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.14.** The Fire Marshall should standardize inspection and code enforcement documentation done by BFP R-2 inspectors.	The Fire Marshall	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	A strategy and framework has been developed. Please refer to IV A.(Intra Departmental) and "Fire Complaint Tracking and Lifecycle Management". Anticipated completion time of 60 to 90 days.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.15.** The Deputy Chief of Operations should standardize inspection documentation done by Company Captains so that BFP inspectors can easily identify and follow-up on complaints.	SFFD Deputy Chief of Operations	The recommendation has been implemented (summary of how it was implemented in next column)	This has been the practice, however the current documentation and procedures will be enhanced by the Fire Marshal's training module.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.16.** The Deputy Chief of Operations should ensure that Company Captains are trained to identify violations and document only items that are violations.	SFFD Deputy Chief of Operations	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	Company Captains' knowledge will be enhanced by a new training module being developed by the Fire Marshal. This will be implemented in January 2017.

2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response

2015-2016	Fire Safety Inspections in San Francisco	**R.II.17.** Battalion Chiefs should encourage their Company Captains to bring the Inspection Worksheet to the inspection site and use it to document R-2 inspections.	SFFD Deputy Chief of Operations	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	Battalion Chiefs' knowledge will be enhanced by a new training module being developed by the Fire Marshall. This will be implemented in January 2017.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.18.** The Fire Marshall should finalize the details of the new code enforcement process that is required by recently passed legislation so that it can be implemented within the next 60 days.	The Fire Marshall	The recommendation has been implemented (summary of how it was implemented in next column)	The Fire Marshal has developed a detailed framework for the new code enforcement process. The framework outlines the end to end process of enforcement and includes deadlines for each associated step/phase of a fire complaint.
2015-2016	Fire Safety Inspections in San Francisco	**R.II.19.** The new BFP Captain that oversees R-2 Company complaints should refer appropriate cases to the CA every year.	The Fire Marshall	The recommendation has been implemented (summary of how it was implemented in next column)	Two documents demonstrate case referrals to CA every year: 1) I Code Enforcement Process; and 2) Complaint Process Flowchart. The Fire Complaints Section is managed by a Captain who serves as the Accelerated Code Enforcement officer. The Accelerated Code Enforcement (ACE) officer serves as liaison between the SFFD and the City Attorney's Office for issues regarding code enforcement and will refer cases to the City Attorney's Office as prescribed in I Code Enforcement Process.

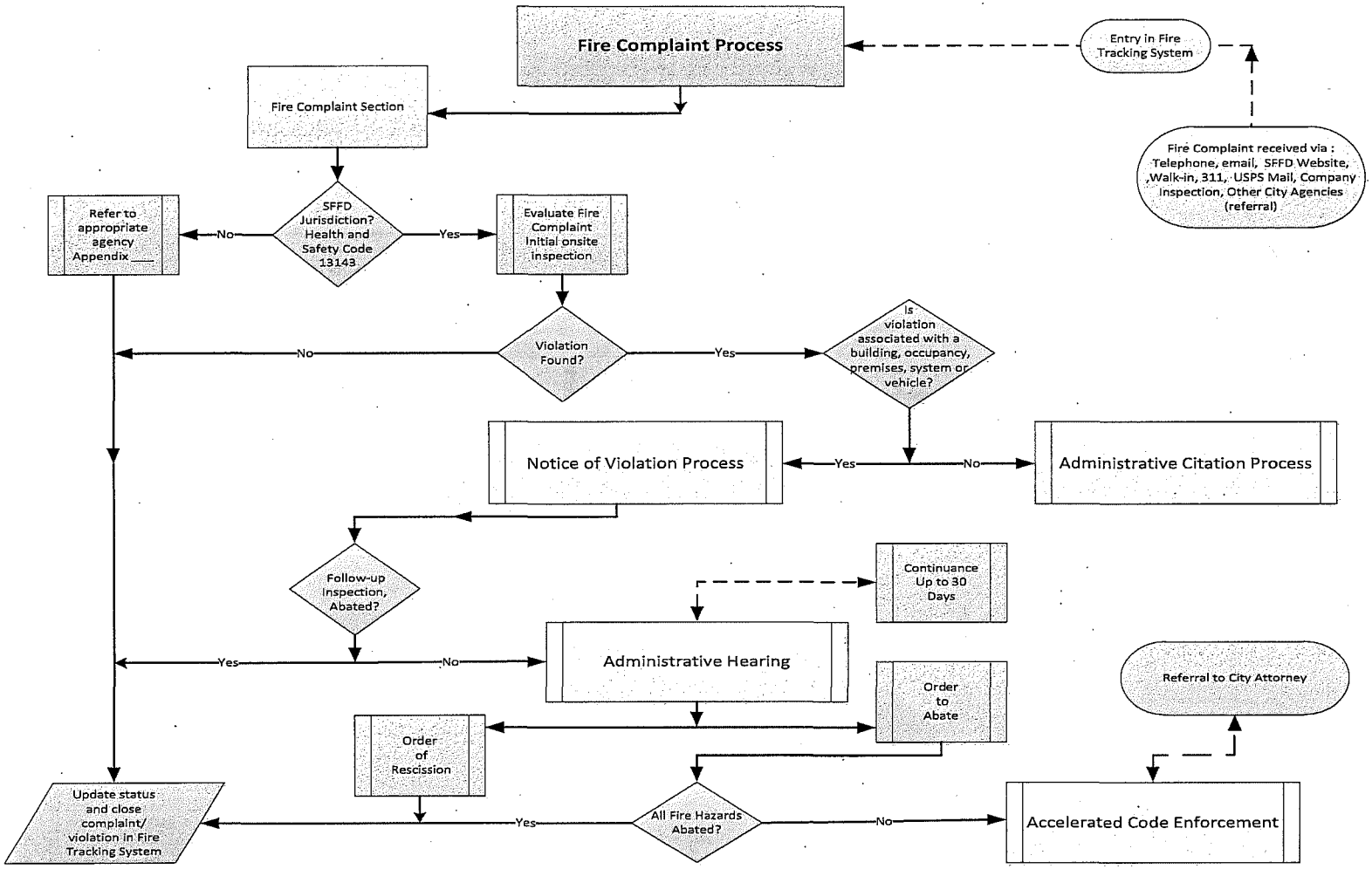
2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response

2015-2016	Fire Safety Inspections in San Francisco	**R.II.20.** SFFD MIS should revise the SFFD website to include: (1) details of the R-2 inspection process, such as: (a) the kinds of buildings inspected; (b) who inspects the buildings; (c) how often R-2s are inspected; (d) the list of items inspected; and , (e) how the inspection will be conducted; and, (2) details of the code enforcement process, including: (a) what happens when a violation is discovered; (b) what happens if a violation goes uncorrected beyond the NOV deadline; and (c) any and all fees, fines, or penalties that may be imposed for uncorrected violations. This information should be either on the inspections page or Division of Fire Prevention and Investigation homepage.	SFFD Management Information Systems	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	Information about the annual inspection and code enforcement processes will be added to the SFFD website once the new R2 procedure has been adopted. These website improvements are anticipated to be available by March 2017 .
2015-2016	Fire Safety Inspections in San Francisco	**R.11.21.** The Chief of the Fire Department should instruct SFFD MIS to make inspection records available online for greater transparency.	Chief of SFFD	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	The Department is working with new technology to provide fire records for easy online access for the public. The first phase of this project should be completed in January 2017.
2015-2016	Fire Safety Inspections in San Francisco	**R.11.22.** SFFD MIS should put the BFP phone number for record inspection requests on the same SFFD webpage as the instructions for making an appointment.	SFFD Management Information Systems	The recommendation has not been, but will be, implemented in the future timeframe for implementation noted in next column)	We will also add the correct number to this page by January 2017
2015-2016	Fire Safety Inspections in San Francisco	**R.11.23.** SFFD MIS should put the BFP phone number for reporting a safety concern on the same SFFD webpage as the instructions for reporting a safety concern.	SFFD Management Information Systems	The recommendation has been implemented (summary of how it was implemented in next column)	We will also add the correct number to this page by January 2017.

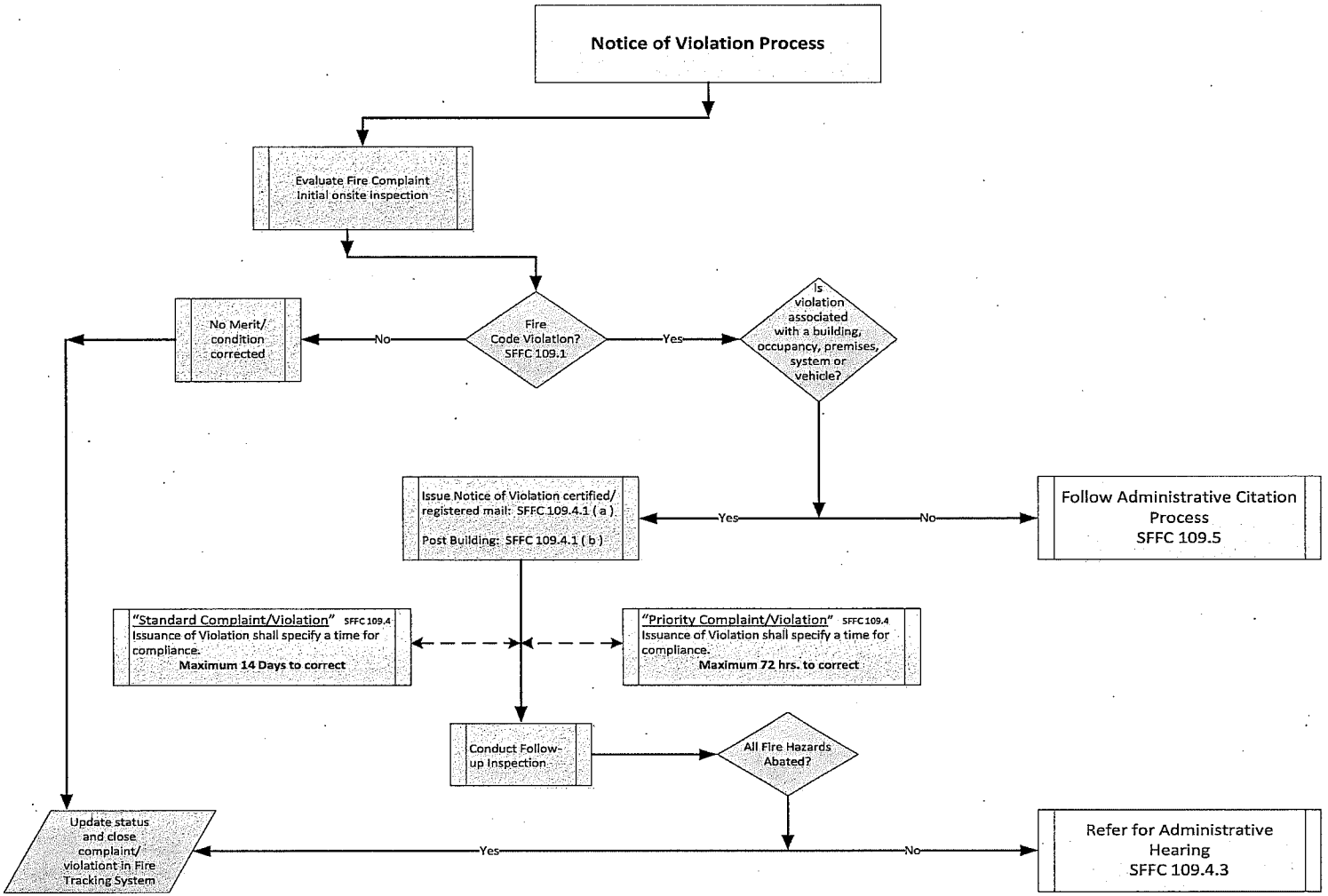
2015-16 Civil Grand Jury

Fire Safety Inspections in San Francisco, June 2016

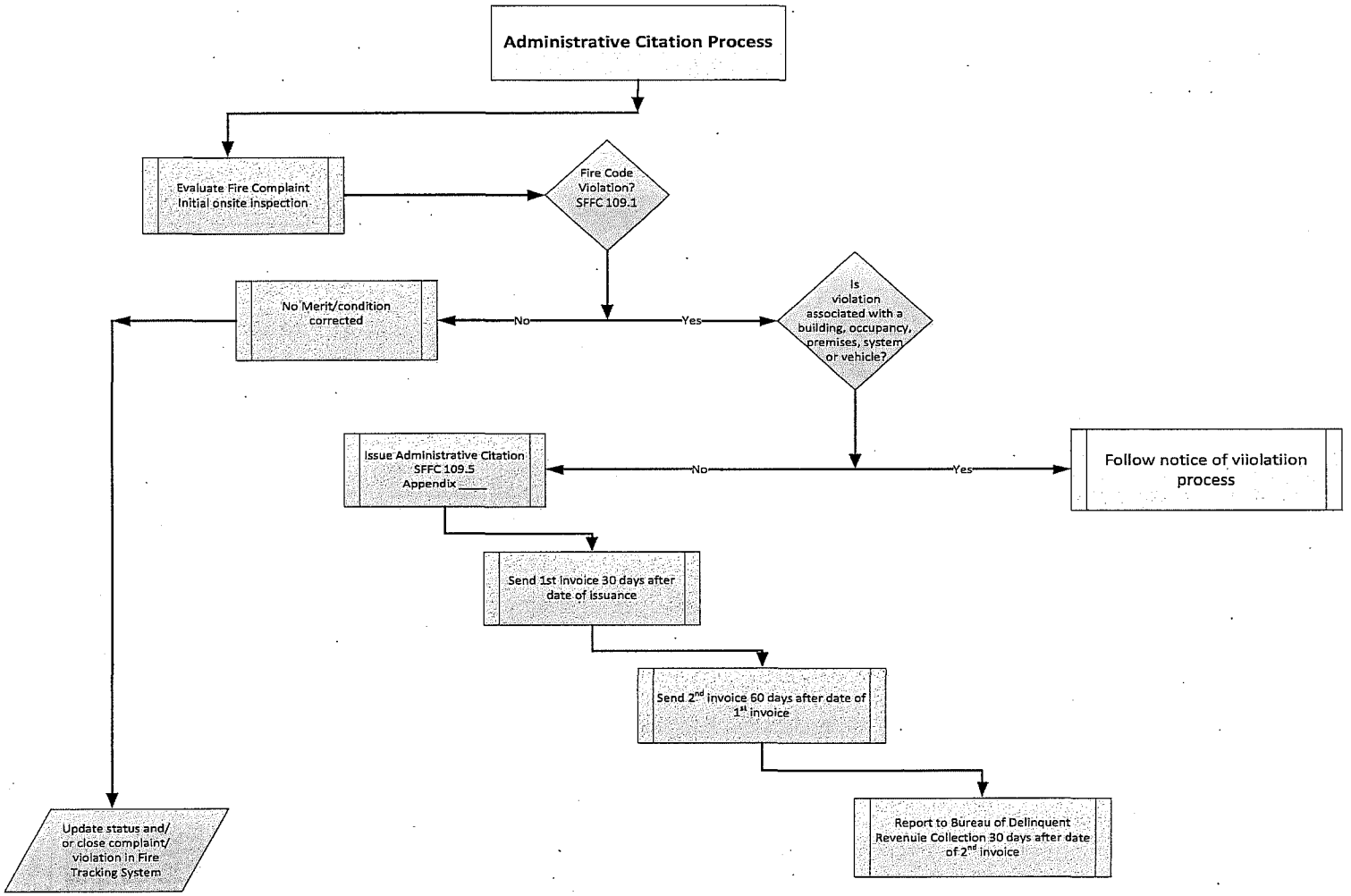
SFFD Response



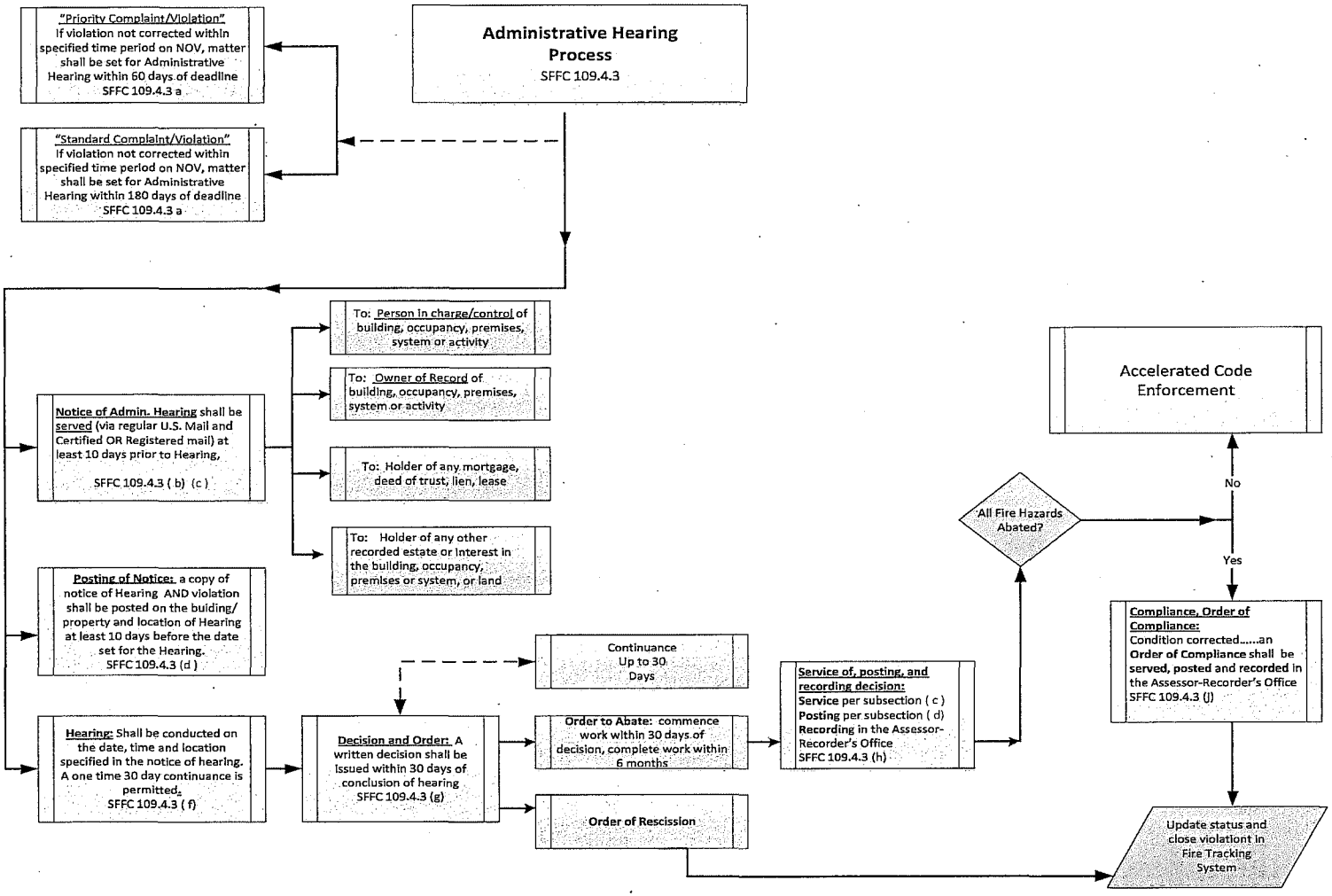
2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response



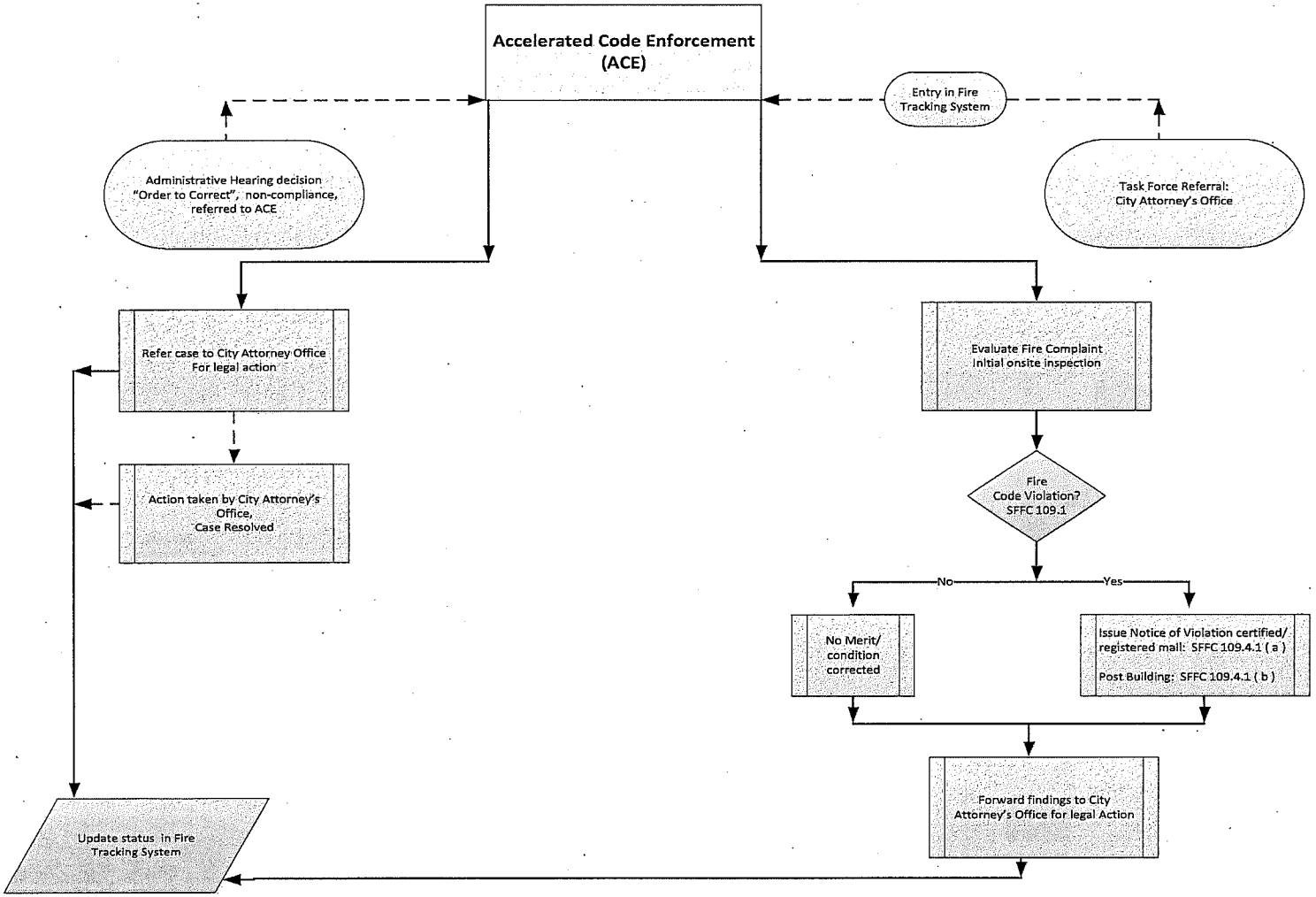
2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response



2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response



2015-16 Civil Grand Jury
Fire Safety Inspections in San Francisco, June 2016
SFFD Response



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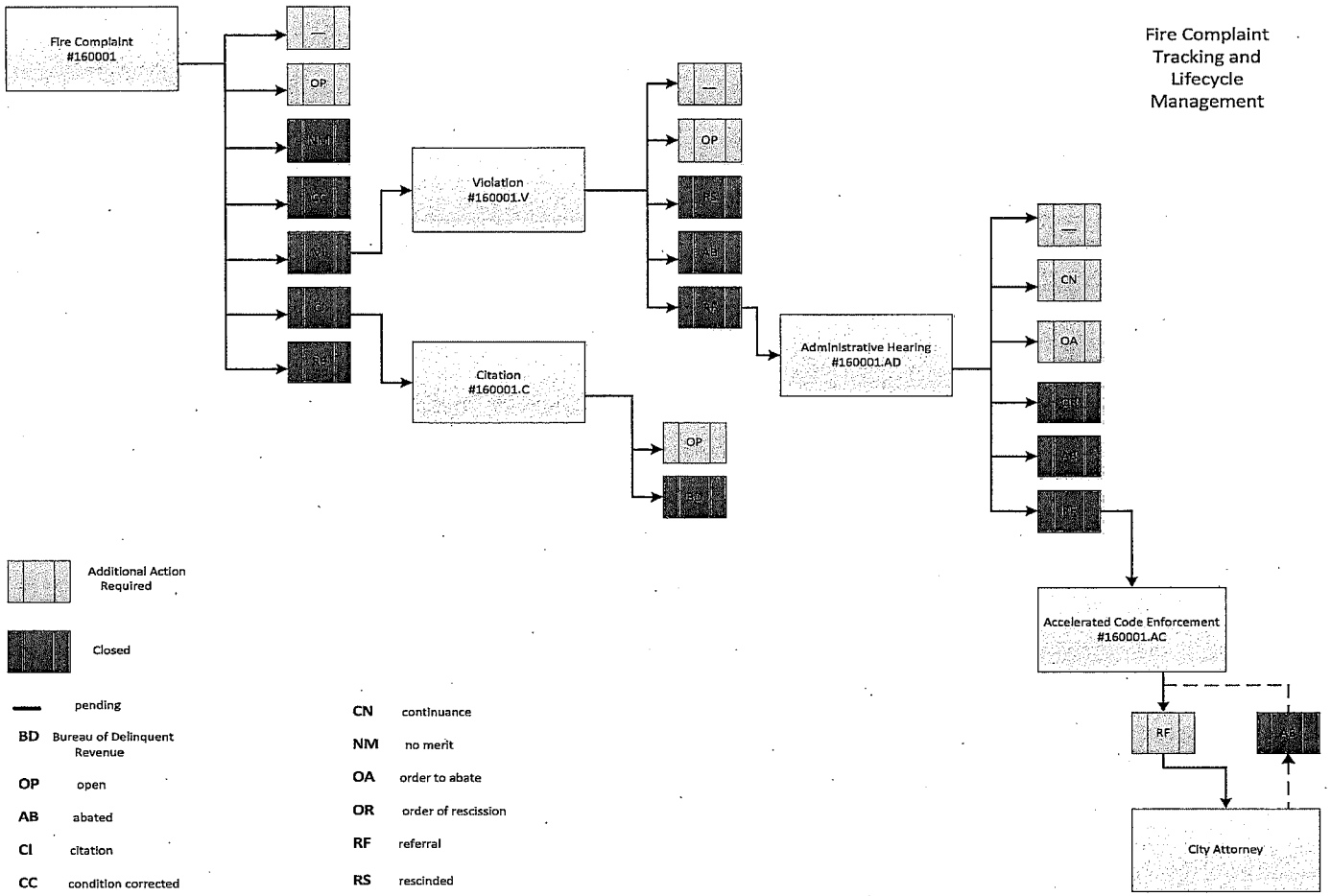

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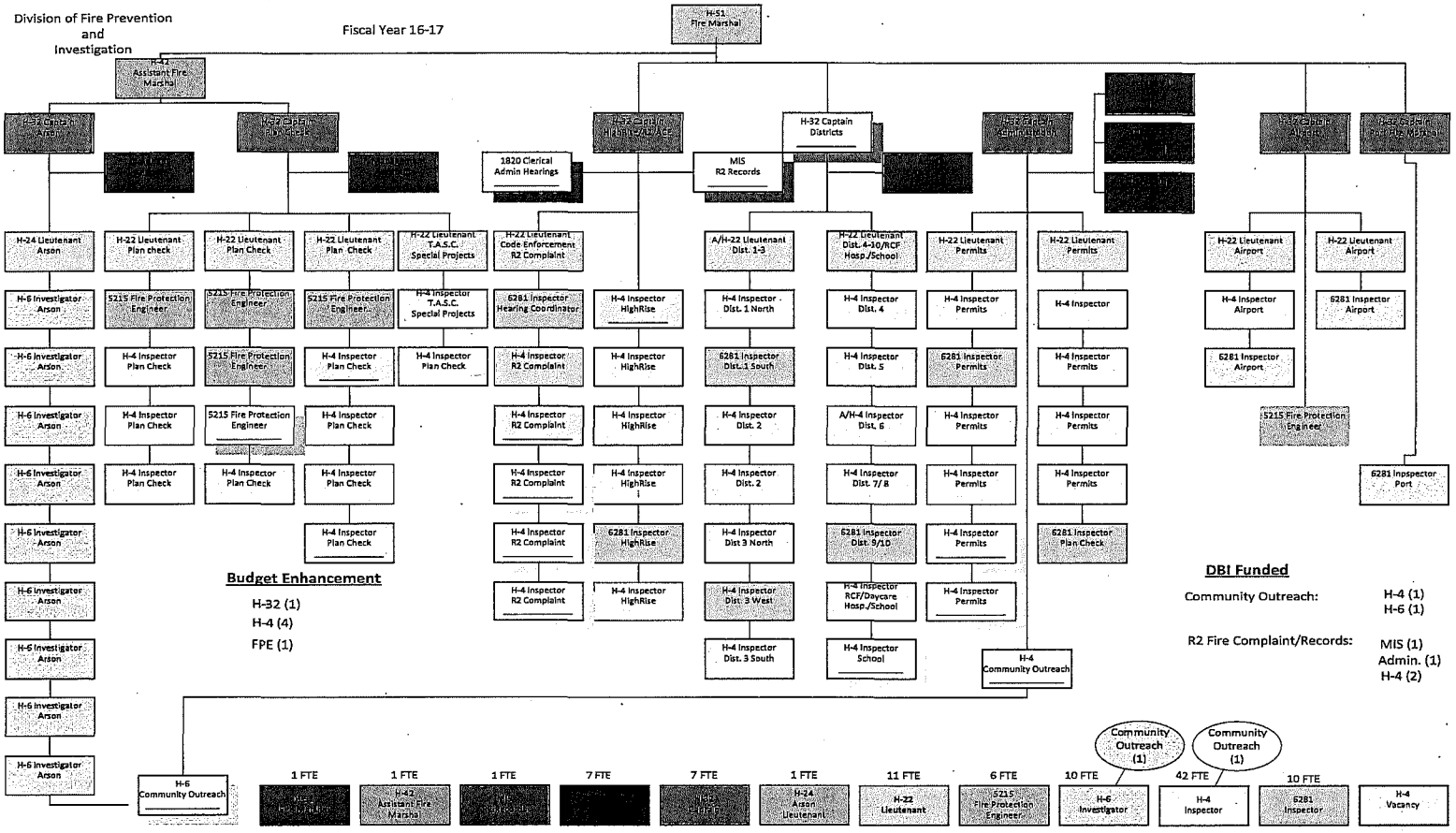

City and County of San Francisco
Department of Building Inspection
San Francisco Fire Department

Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director
Joanne Hayes-White, Fire Chief

Received via email
9/19/2016
File Nos. 160817

September 19, 2016

The Honorable John K. Stewart
Presiding Judge
Superior Court of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102

Dear Judge Stewart:

Pursuant to Penal Code Section 933 and 933.05, this letter transmits the San Francisco's Fire Department and Department of Building Inspection's joint responses to the findings and recommendations in the 2015-16 San Francisco Civil Grand Jury report, Fire Safety Inspections in San Francisco, A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department issued on July 21, 2016. We would like to thank the members of the Civil Grand Jury for their interest in ensuring the fire safety of San Francisco residents in multi-residential buildings throughout the City.

Ensuring fire safety in residential buildings has long been, and remains, an important mandate of the San Francisco Fire Department and the Department of Building Inspection's Housing Inspection Services. Over the last several years, we have been working diligently to increase coordination and information sharing between Departments, as well as conducting public outreach to educate tenants on fire safety. For the new Fiscal Year 2016-2017, DBI and the San Francisco Fire Department will continue to take an active role in addressing fire safety by partnering to provide increased tenant awareness and education on fire prevention in older, mixed-use buildings through DBI's existing Code Enforcement Outreach Program. Through our joint participation in the Emergency Fire Safety Working Group, three new ordinances related to fire safety will go into effect later this month. These new ordinances are the result of hard work and coordination by both Departments.

Our Departments are committed to ensuring fire safety in residential buildings throughout the City and will continue to work together to protect the fire and life safety of residents in these buildings.

A detailed response from the San Francisco Fire Department and the Department of Building Inspection to the findings and recommendations are being provided in separate covers.

Thank you for the opportunity to comment on this Civil Grand Jury report.

Sincerely,

Tom Hui, S.E., C.B.O.
Director, Department of Building Inspection

Joanne Hayes-White
Fire Chief, San Francisco Fire Department

City and County of San Francisco
Department of Building Inspection

Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

September 19, 2016

The Honorable John K. Stewart
Presiding Judge
Superior Court of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102

Dear Judge Stewart:

Pursuant to Penal Code Section 933 and 933.05, the San Francisco Building Inspection Commission and the Department of Building Inspection jointly transmit our responses to the findings and recommendations in the 2015-16 San Francisco Civil Grand Jury report, Fire Safety Inspections in SF, A Tale of Two Departments: DBI & SFFD issued on July 21, 2016. We would like to thank the members of the Civil Grand Jury for their interest in ensuring the fire safety of San Francisco residents in multi-residential buildings throughout the City.

Ensuring fire safety in residential buildings has long been, and remains, an important mandate of the Department of Building Inspection's Housing Inspection Services. Over the last year, we have been working diligently in collaboration with the Fire Department to increase coordination and information sharing between departments, as well as conducting public outreach to educate tenants on fire safety. For the new fiscal year 2016-2017, DBI and the Fire Department will continue to take an active role in addressing fire safety by partnering to provide increased tenant awareness and education on fire prevention in older, mixed-use buildings through DBI's existing Code Enforcement Outreach Program. Through our joint participation in the Emergency Fire Safety Working Group, three new ordinances related to fire safety will go into effect later this month. These new ordinances are the result of hard work and coordination by both departments.

The Housing Inspection Services Division of DBI is tasked with the daily implementation and enforcement of the San Francisco Housing Code, and pertinent related City Codes, which establish and maintain minimum maintenance standards for existing residential buildings. DBI Housing Inspection Services works to safeguard life, health, property, and public welfare by conducting periodic health and safety inspections and responding to tenant complaints. In fiscal year 2014-2015 alone, over 11,500 inspections were conducted, with more than 950 inspections conducted each month, or 45 inspections daily, of the more than 18,000 properties in the City, utilizing current code enforcement tools and inspection protocols and best practices. DBI Housing Inspection Services has cited over 36,000 habitability violations over the last three years, with an 88% rate of abatement.

As a result of our pro-active and collaborative role with neighborhood-based organizations and the use of our hearing, assessment and lien processes, DBI performs more follow-up enforcement than any comparable department in the United States. We utilize an extensive and intensive hands-on code enforcement process and approach, which results in the public obtaining up-to-date information on their building by visiting our Permit and Complaint Tracking System, available 24/7 online.

OFFICE OF THE DIRECTOR
1660 Mission Street – San Francisco CA 94103
Office (415) 558-6131 – FAX (415) 558-6225
Email: Tom.Hui@sfgov.org

DBI is committed to ensuring fire safety in residential buildings throughout the City. We'll continue to work to protect the fire and life safety of residents in these buildings by maintaining housing habitability and conducting the requisite inspections to ensure that property owners comply with the required codes.

Thank you, again, for the opportunity to respond to this Civil Grand Jury report. If you have any questions about this response, please contact us at (415) 558-6131.

Sincerely,

Angus McCarthy, President
Building Inspection Commission

Tom Hui, S.E., C.B.O., Director
Department of Building Inspection

Department of Building Inspection's Responses to 2015-2016 Civil Grand Jury Report
September 19, 2016

2016 Civil Grand Jury Report: San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department					
CGJ Year	**Report Title**	**Finding**	**Responding Party**	**2016 Action Plan**	**2016 Response Text**
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.1. Housing Inspection Services ("HIS") does not know which R-2s have not been inspected within the last five years because the Complaint Tracking System ("CTS") cannot generate a list of R-2s with an accurate last routine inspection date for each.	DBI Management Information Services	Disagree with it, wholly	DBI HIS knows which R-2s need to be inspected, and has been using current data tools to identify R-2 occupancies eligible for routine inspections. DBI HIS has a methodology and process in place to do this.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.2. The spreadsheet used by HIS to track key inspection statistics has not been updated to include all rounds of Focused Code Enforcement completed to date.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS tracks each round of Focused Code Enforcement inspections, which are updated regularly as part of HIS ongoing business practices.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.3. Because "Routine Inspections" that are reported to the Building Inspection Commission on a monthly basis include the number of initial routine inspections and reinspections that have been conducted, this performance measure is misleading. The total number of initial routine inspections that have been conducted is the correct statistic for determining how many R-2s have had the Code mandated routine inspection at least every five years.	Building Inspection Commission	Disagree with it, partially	This data is already being provided during the regular HIS update reports at monthly BIC meetings.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.4. HIS cannot get an accurate list of R-2s in the City without the help of DBI Management Information Systems ("DBI MIS") because HIS does not have access to the DBI database that stores this information.	DBI Management Information Services and Information and Technology Department	Agree	
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.5. DBI MIS doesn't always generate the initial list of R-2s, including the property's address and property owner's contact information, for HIS.	DBI Management Information Services and DBI Chief Housing Inspector	Disagree with it, wholly	DBI MIS can and does generate R-2 lists to HIS personnel.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.6. The final list of R-2s for routine inspections is created manually because inspectors and/or support staff must look up the date of the last routine inspection for each R-2. When inspectors do this, it takes them away from conducting inspections.	DBI Chief Housing Inspector, DBI Management Information Services and DBI Director	Disagree with it, wholly	DBI MIS can and does generate R-2 lists for HIS inspectors. Support staff already assists with the pertinent data gathering.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.7. Although the routine inspection backlog that existed in the Mission, Chinatown and Tenderloin Districts has been reduced through Focused Code Enforcement, a routine inspection backlog still exists in these areas.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS has already eliminated backlog in Focused Code Enforcement areas.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.8. Inspectors do not choose the same "Source" and "Abatement Type" when documenting routine inspections. Unless all the possible ways to document a routine inspection are known and CTS report parameters are chosen to capture all the possible alternatives, some routine inspections will not be captured by a report purported to list all routine inspections.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS has already implemented solutions to address appropriate reporting parameters as part of the division's ongoing business practices.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.9. Since CTS does not have "Complaint Generated Routine" as an option for documenting the "Source" for CG routine inspections, CTS cannot separately track and report on complaint generated routine inspections ("CG routine inspections").	DBI Management Information Services	Agree	
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.10. Inspectors do not choose the same "Source" when documenting CG routine inspections. When inspectors choose "Complaint" as the Source, the CG routine inspection will not be counted as a routine inspection in CTS, and HIS will not have an accurate last routine inspection date for those R-2s.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS has already implemented this approach as part of the division's ongoing business practices.

Department of Building Inspection's Responses to 2015-2016 Civil Grand Jury Report
September 19, 2016

2016 Civil Grand Jury Report: San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department					
CGJ Year	**Report Title**	**Finding**	**Responding Party**	**2016 Action Plan**	**2016 Response Text**
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.11. District inspectors do not always conduct a CG routine inspection while they are investigating a complaint at an R-2 even when the R-2 has not had a routine inspection for five years because they are "too busy." HIS accepts inspectors being "too busy" as an excuse for not conducting a complaint generated routine inspection.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS has already implemented this policy as part of the division's ongoing business practices associated with routine and complaint inspections.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.12. HIS' Standard Operating Procedure ("SOP") does not explicitly require inspectors to conduct a CG routine inspection while they are investigating a complaint at an R-2 when the R-2 has not had a routine inspection within the last five years.	DBI Chief Housing Inspector	Agree	
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.13. District inspectors do not always know when an R-2, at which they are investigating a complaint, is due for a complaint generated routine inspection because there is no clear requirement to "research" the last routine inspection date before investigating a complaint.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS inspectors do research properties before they go out and conduct an inspection. Inspectors are require conduct routine inspections on every complaint inspection.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.14. Inspectors cannot always get into an R-2 to perform a scheduled routine inspection because of "no shows." Since CTS cannot track "no shows," inspectors sometimes lose track of the fact that a routine inspection still needs to be conducted on the R-2s that have a "no show."	Building Inspection Commission	Disagree with it, wholly	DBI HIS keeps track of this information using CTS and through the Focused Code Enforcement process. The property owner is billed for assessment of cost for time it takes to secure access.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.15. HIS has started to manually track "no shows" on an Excel spreadsheet that tracks results of their Focused Code Enforcement. However, this spreadsheet has not been completed for all routine inspections conducted under Focused Code Enforcement.	DBI Chief Housing Inspector	Disagree with it, wholly	No shows are already captured within the current tracking system, and noted on the Complaint Data Sheet.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.16. There was a significant number of inspection "no shows" in the Chinatown (17%) and Mission (15%) Districts and in the Mission Street Corridor (16%). Oftentimes "no shows" are not followed up on because staff is "too busy" to research the property owner's correct address or phone number.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS does take additional steps to schedule subsequent inspections with property owners. The Department utilizes available property information it has access to. The current routine inspection letter encourages property owners to provide their contact details, and we utilize such information when received in processing routine inspections.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.17. Inspection packets that are sent to property owners sometimes go to an incorrect address because data provided by the Tax Assessor's Office does not have up-to-date contact information for the property owner.	DBI Chief Housing Inspector	Agree	
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.18. Inspection packets are sent to property owners only in English.	DBI Chief Housing Inspector	Agree	
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.19. The inspection packet cover letter is confusing and buries vital information in the text.	DBI Chief Housing Inspector	Disagree with it, wholly	The current inspection request package is a comprehensive product of direct customer feedback, and contains required language per Chapter 3 of the San Francisco Housing Code, and per advice from the City Attorney. DI will continue to update this package based upon code requirements and customer needs.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.20. The Property Owner Maintenance Checklist included in the inspection packet is not explained as being the list of items that will be inspected.	DBI Chief Housing Inspector	Disagree with it, wholly	The Property Owner Maintenance Checklist is not the list of the areas to be inspected. As the title indicates, this is informational material for all types of residential occupancies. The Checklist is in the current form because DBI customers have requested the Department consolidate all the information into one checklist. The areas subject to a site inspection are delineated within the content of the request letter, pursuant to the requirements of Chapter 3 of the San Francisco Housing Code and advice from the City Attorney.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.21. Instructions on what the property owner needs to do with the appendage and carbon monoxide/smoke alarm affidavits included in the inspection are not included on the affidavits or elsewhere in the inspection packet.	DBI Chief Housing Inspector	Disagree with it, wholly	The Informational Packet has detailed self-contained information for each of the subjects, including owner responsibilities for appendage and carbon monoxide-smoke alarm affidavits.

Department of Building Inspection's Responses to 2015-2016 Civil Grand Jury Report
September 19, 2016

2016 Civil Grand Jury Report: San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department					
CGJ Year	**Report Title**	**Finding**	**Responding Party**	**2016 Action Plan**	**2016 Response Text**
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.22. Including notices, ordinances and information flyers in the inspection packet without explaining their purpose is confusing.	DBI Chief Housing Inspector	Disagree with it, partially	The informational Packet changes, as necessitated by new legislation. DBI will add a clarifying sentence to the cover letter to coincide with other legislative changes.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.23. Inspection documentation is done twice (first in the field and again into CTS when the inspector returns to the office) because there is no online access to CTS.	DBI Director	Agree	
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.24. Photos cannot be uploaded into CTS because CTS does not have this functionality. Instead, they are stored on the network "P" drive which is not connected to CTS.	DBI Director	Agree	
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.25. Affidavits are not available online.	DBI Management Information Services	Disagree with it, wholly	Blank affidavits are available online through the website, and in the Maintenance Packet provided to the public.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.26. Inspectors are not able to print NOVs in the field. Therefore, they must return to the property a second time to post the NOV on the R-2. This is a waste of time and resources.	DBI Director	Agree	
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.27. CTS is not integrated with computer systems within DBI or other City departments.	DBI Director	Disagree with it, partially	CTS is already integrated with computer systems within DBI. However, DBI's system is not integrated with other City departments.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.28. CTS cannot track and report on important attributes, such as types of violations and high fire risk building characteristics.	DBI Director	Disagree with it, partially	CTS can track and report on some important attributes, such as types of violations.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.29. HIS does not measure how long NOVs take to be abated. Without tracking how long it takes for NOVs to be abated, HIS cannot determine whether it's code enforcement process is effective for correcting all violations in a timely manner.	DBI Chief Housing Inspector	Disagree with it, partially	All open code enforcement cases are tracked to determine the timeliness of follow-up and potential referral to the City Attorney.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.30. For 2013-2015, approximately twenty percent of NOVs took more than one year to correct.	DBI Chief Housing Inspector	Disagree with it, partially	In the same timeframe, nearly 50% of violations were abated within 60 days and 70% of violations within six months. Type of violations vary from every property and may be complex to address, requiring additional time. 10,000 violations a year are abated through DBI HIS' proactive innovative code enforcement process. The Deputy Director for Inspection Services, and the Chief Housing Inspector actively monitors all open NOVs, and takes pro-active steps to work with owners and/or with the City Attorney to bring open cases to closure through the stipulated code enforcement process.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.31. HIS does not have a standard against which inspectors' grant of additional time can be measured.	DBI Chief Housing Inspector	Disagree with it, wholly	This standard is set by Section 201A.3.3 of the San Francisco Building Code. The assigned Inspector has to document whether substantial progress has commenced on a case -by-case basis in keeping with the goals of DBI's Strategic Plan.

Department of Building Inspection's Responses to 2015-2016 Civil Grand Jury Report
September 19, 2016

2016 Civil Grand Jury Report: San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department					
CGJ Year	Report Title	Finding	Responding Party	2016 Action Plan	2016 Response Text
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.32. When inspectors grant additional time for property owners to correct an abatement, there is no written documentation (other than on an NOV) provided to the property owner that states when the next reinspection will occur or explains that violations must be abated by then. By not communicating this in writing, property owners make think that they can negotiate with the inspectors more easily. Also, some property owners may not understand what they are being told due to language differences or other reasons.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI already documents the abatement process after the initial reinspection, and transmits written warnings to the property owner for failure to comply with a Notice of Violation. If the property owner fails to comply with a Notice of Violation at the time of the initial reinspection, all subsequent abatement actions including reinspections, are highlighted on the DBI Complaint Data Sheet which is available online, and the case may be sent to a Director's Hearing and to the City Attorney for litigation, as stipulated in the existing code enforcement process.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.33. Although bi-monthly staff meetings are scheduled, they are regularly cancelled because inspectors are "too busy." Without a management culture that supports having scheduled times to discuss inspectors work, it will be difficult for HIS to optimize its code enforcement process for success.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS already schedules multiple staff meetings to discuss performance measures and code enforcement cases which include division wide, and team meetings. These are already scheduled on a regular basis and are highly productive. The Division will continue to hold staff meetings as indicated above. In addition division staff meeting will be scheduled so that they do not conflict with other DBI calendar items to the extent possible.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.34. Based on our investigation, we concluded that HIS does not have an adequate definition for success.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS mandates and performance measures are set by the San Francisco Housing and Building Codes, and by DBI's Strategic Plan. DBI HIS already performs what is recommended, and utilizes effective tools such as its "Standard Report" to evaluate case abatement results and the potential need to redeploy or expedite resources as violation patterns and necessity dictate.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.35. Some inspectors take too long to refer open NOVs to a DH. But, HIS does not measure how long it takes an open NOV to reach a Director's Hearing.	DBI Chief Housing Inspector	Disagree with it, wholly	DBI HIS already tracks the time frames accrued before an open code enforcement case is referred to a Director's Hearing within CTS.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.36. Inspectors take too long to refer open NOVs to a DH because the standard for referring unabated violations to a Director's Hearing is vague and leaves too much room for interpretation.	DBI Chief Housing Inspector	Disagree with it, wholly	This standard is set by Section 201A.3.3 of the SF Building Code. The assigned Inspector has to document whether substantial progress has commenced on a case -by-case basis in keeping with the goals of DBI's Strategic Plan.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.37. Not all inspectors proactively brief their seniors after three reinspections with no progress.	DBI Chief Housing Inspector	Disagree with it, wholly	Inspectors are supervised for quality control on open cases through DBI HIS' standard reporting process.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.38. Inspectors take too long to refer open NOVs to a DH because preparing a case for referral to a Director's Hearing is more labor intensive than it should be.	DBI Director	Disagree with it, wholly	The SF Building Code dictates the requirements and steps taken in this referral process for an administrative hearing. This is labor intensive because inspector needs to assess and update the case, schedule for hearing and have supervisory review.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.39. HIS lacks more effective code enforcement tools.	DBI Chief Housing Inspector and Building Inspection Commission	Disagree with it, wholly	DBI HIS has some of the most effective enforcement tools in the United States. HIS performs more follow-up enforcement than any comparable department in the United States. In addition to a collaborative partnership with tenant groups through the Code Enforcement Outreach Program, HIS requires non-compliant property owners to attend a Director's Hearing where Orders can be recorded on land records and assessments of costs can be collected and attached to the lien process, which the Board of Supervisors issues annually.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.40. HIS does not have enough inspectors to inspect every R-2 in San Francisco at least once every five years.	DBI Director	Disagree with it, partially	Since 2012, the department has undertaken an aggressive hiring plan to increase department staffing levels that were reduced during the downturn. Housing Inspector staffing has increased from 13 to 21. The department continues to review staffing needs and develop recruitment plans to meet operational needs including hiring temporary staff and developing a Housing Inspector list.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.41. Information on HIS routine inspections is buried in the DBI website.	DBI Management Information Services	Disagree with it, partially	DBI has already created a Routine Inspection informative page along with providing a direct link from HIS splash page. This page is not provided as a direct item on the homepage as other items are prioritized in its place. DBI has updated HIS website information and is continually updating content online when changes are needed.

Department of Building Inspection's Responses to 2015-2016 Civil Grand Jury Report
September 19, 2016

2016 Civil Grand Jury Report: San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department					
CGJ Year	**Report Title**	**Finding**	**Responding Party**	**2016 Action Plan**	**2016 Response Text**
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.42. Information on routine inspections on the DBI website does not provide enough information to sufficiently understand the process.	DBI Management Information Services	Disagree with it, partially	The routine inspection's page on the DBI website currenty provides an overview of the process, what is expected during the routine inspection and a copy of the maintenance packet for their reference.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.43. It is not easy to find information on R-2 violations on the DBI website because many of the links to get to inspection records are labeled with terms that may not be understandable to the public. For example, calling violations "complaints" and needing to look under "HIS" for "Div."	DBI Management Information Services	Disagree with it, partially	The link to Filing a Complaint is found throughout the website and on almost every divison page to allow the public easy access to complaint information provided throughCTS, which is available online, 24/7.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.I.44. Since the actual NOV is not available on the DBI website and rarely do the "comments" provide much detail about violations, the detail available to the public and tenants is not sufficient enough to understand the full extent or nature of a violation.	DBI Director	Agree	
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	F.III.1. DBI and SFFD inspect multi-unit residential buildings for many of the same fire safety hazards but do not coordinate any of their inspections or code enforcement efforts including not sharing information.	Building Inspection Commission and Fire Commission	Disagree with it, wholly	DBI coordinates with SFFD on fire safety hazards violations when needed. DBI & SFFD have made strides in coordinating code enforcement and outreach on fire safety made possible by the Code Enforcement Process Standardization ordinance and Fire Safety Task Force resolution. Also, both departments participate in the City Attorney's code enforcement task force and conducts join inspections with other departments, as needed.

Department of Building Inspection's Responses to 2015-2016 Civil Grand Jury Report

September 19, 2016

San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

CGJ Year	Report Title	Recommendation	Responding Party	2016 Action Plan	2016 Response Text
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.1. DBI MIS should determine why CTS cannot generate a report with correct last routine inspection dates for each R-2 and correct the problem.	DBI Management Information Services	Will not be implemented - Not warranted.	DBI MIS is focused on replacement of Permit Tracking System (PPTS). DBI HIS already has methodology and process to identify and act upon R-2 data until the new PPTS is in place.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.2. The Chief Housing Inspector should insist that the spreadsheet that tracks key statistics for routine inspections conducted as part of Focused Code Enforcement be updated to include all rounds of Focused Code Enforcement that have been completed to date.	DBI Chief Housing Inspector	Recommendation Implemented	DBI HIS already uses spreadsheets that currently tracks each round of Focused Code Enforcement inspections and are updated regularly as part of HIS ongoing business practices.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.3. The BIC should require that HIS report, as part of the HIS performance measures, the number of "Initial Routine Inspections" that are conducted to the BIC.	Building Inspection Commission	Recommendation Implemented	This data is already being provided during the regular HIS update reports at monthly BIC meetings. HIS continues to develop further reports to isolate additional information for the BIC's monthly meetings.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.4. (a) The Information and Technology Department for the City and County of San Francisco should grant HIS senior management access to and permission to run reports from the Oracle database that contains the addresses, contact information and building attributes for R-2s in San Francisco. (b) DBI MIS should train HIS personnel who will have access to the Oracle database containing the R-2 information how to use it before they have permission to run reports.	DBI Management Information Services and Information and Technology Department	(a) Will Not Be Implemented: Not Warranted (b) Will Be Implemented in the Future	(a) The Department of Technology is not involved in DBI database management and maintenance, which is managed and maintained by DBI Management Information Services. Also, the current Oracle database system does not capture the contact information and property attributes listed in recommendation I.4. and DT data does not have these attributes. (b) DBI MIS will develop a report for HIS personnel to access all R-2 information captured within DBI's Oracle system.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.5. If HIS is not granted access and permission to run the list of R-2s from the Oracle database that contains the necessary R-2 information, then DBI MIS should furnish this report to HIS within one week of the request.	DBI Management Information Services and DBI Chief Housing Inspector	Will Be Implemented in the Future	DBI MIS will develop a report for HIS personnel to access all R-2 information captured within DBI's Oracle system.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.6. (a) If DBI MIS cannot fix CTS (See R.I.1) then the Chief Housing Inspector should require support staff, rather than the inspectors, to look up last routine inspection dates. (b) If support staff is not available to look up last routine inspection dates, then the DBI Director should allocate part of the DBI budget for hiring temporary personnel to compile this information.	DBI Chief Housing Inspector, DBI Management Information Services and DBI Director	(a-b) Will Not Be Implemented: Not Warranted	(a-b) DBI MIS can and does generate R-2 lists to HIS personnel. Support staff already assists with the pertinent data gathering. DBI has been in the process of filling staffing vacancies to assist with this effort.

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San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

CGJ Year	Report Title	Recommendation	Responding Party	2016 Action Plan	2016 Response Text
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.7. The Chief Housing Inspector should make eliminating the backlog a priority in the Mission, Chinatown and Tenderloin Districts when deciding where to conduct the next round(s) of Focused Code Enforcement.	DBI Chief Housing Inspector	Recommendation Implemented	DBI HIS has already prioritized and eliminated backlog in these areas.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.8. The Chief Housing Inspector should determine exactly what "Sources" and "Abatement Types" should be used for initial routine inspections and communicate this in writing as a procedure that every HIS inspector must follow.	DBI Chief Housing Inspector	Recommendation Implemented	DBI HIS has already implemented solutions to address this as part of the division's ongoing business practices.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.9. DBI MIS should include "Complaint Generated Routine" as a Source option in CTS so that CG routine inspections can be separately tracked and reported in CTS.	DBI Management Information Services	Will Not be Implemented: Not Warranted	DBI MIS is focused on the replacement of Permit Tracking System and is limiting updates to the current system. DBI HIS already has methodology and process in place.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.10. If "Complaint Generated Routine" is not added as a Source option in CTS, then the Chief Housing Inspector should make opening a separate complaint number for the CG routine inspection and documenting "Routines" as the Source, a mandatory policy communicated to all HIS inspectors in writing.	DBI Chief Housing Inspector	Recommendation Implemented	DBI HIS has already implemented this approach as part of the division's ongoing business practices.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.11. (a) The Chief Housing Inspector should adopt a policy requiring district inspectors to conduct complaint generated routine inspections whenever the R-2 has not had a routine inspection within the last five years. (b) The Chief Housing Inspector should adopt a policy that when district inspectors are "too busy" or for other reasons cannot conduct a CG routine inspection when the R-2 is due for one, the district inspector must notify their senior inspector in writing.	DBI Chief Housing Inspector	(a) Recommendation Implemented (b) Will Not Be Implemented: Not Warranted	(a) All available inspectors are currently performing health and safety "routine" inspections. (b) DBI HIS has already implemented this approach as part of the division's ongoing business practices. Inspectors are required to conduct routine inspections on every complaint inspection.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.12. The Chief Housing Inspector should direct HIS personnel to update the SOP to include the requirement that inspectors conduct a CG routine inspection while they are investigating a complaint at an R-2 every time the R-2 has not had a routine inspection within the last five years. And, if the inspector for some legitimate reason cannot do this, the inspector must so notify their senior inspector in writing.	DBI Chief Housing Inspector	Will Be Implemented in the Future	This is already the policy of the Housing Inspection Division pursuant to written directives (other than the SOP) transmitted HIS staff. This recommendation will be implemented when the SOP is updated at the end of 2016.

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San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

CGJ Year	Report Title	Recommendation	Responding Party	2016 Action Plan	2016 Response Text
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.13. The Chief Housing Inspector should adopt a policy that district inspectors research the date a last routine inspection was performed either before going to that same R-2 to investigate a complaint or via CTS records that are available by smartphone on the DBI website.	DBI Chief Housing Inspector	Recommendation Implemented	This is already the policy of the Housing Inspection Division pursuant to written directives (other than the SOP) transmitted to HIS staff. DBI HIS inspectors do research properties before they go out and conduct an inspection. Inspectors are required to conduct routine inspections on every complaint inspection.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.14. The Building Inspection Commission ("BIC") should penalize property owners who miss their inspection appointment without good causes determined by the BIC. The notice of penalty should be mailed to the property owner and posted on the building.	Building Inspection Commission	Recommendation Implemented	The SF Building Code Chapter 1A provides a mechanism for DBI to bill the property owner through assessment of costs for additional time taken to secure property access.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.15. The Chief Housing Inspector should direct HIS personnel to complete the "no shows" information on the Excel spreadsheet that tracks results of their Focused Code enforcement for all the routine inspections conducted under Focused Code Enforcement and direct that all "no shows" are followed up on within two weeks.	DBI Chief Housing Inspector	Recommendation Implemented	No shows are already captured within the current tracking system, and noted on the Complaint Data Sheet.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.16. The Chief Housing Inspector should adopt a policy that all "no shows" must be followed up on within two weeks by researching the property owner's correct address or phone number and then contacting the property owner for a scheduled routine inspection. This policy should be communicated to all inspectors in writing.	DBI Chief Housing Inspector	Will Not Be Implemented - Not Warranted	DBI HIS already has a policy that requires follow-up on cases (on average within 30 days) where DBI has not obtained access to properties for purposes of inspection. DBI HIS does take additional steps to schedule subsequent inspections with property owners. The Department utilizes available property information to accomplish this.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.17. The Chief Housing Inspector should require that support staff verify contact information for the property owners and resend the inspection packet to the new address within two weeks from when the inspection packet was returned to HIS.	DBI Chief Housing Inspector	Will Not Be Implemented: Not Reasonable	DBI has no source to update this information if the Tax Assessor information is in error or not up to date. The San Francisco Building Code Section 102A mandates that the source be the last annual tax roll.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.18. The Chief Housing Inspector should direct that the inspection cover letter indicate how non-English speaking property owners can request inspection packets in languages other than English and that the inspection packet is made available in Chinese and Spanish.	DBI Chief Housing Inspector	Will Be Implemented in the Future	DBI has already started the process of updating documents, ar these are available online with specific documents available in Spanish and Chinese. Mailed out packets will contain a notation of available translated copies upon request. Staff also offers bilingual assistance, upon request.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.19. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten so that all vital information is available at the top of the letter and the language changed so that it is easier to understand.	DBI Chief Housing Inspector	Recommendation Implemented	The current inspection request package is a comprehensive product of direct customer feedback, and contains required language per Chapter 3 of the San Francisco Housing Code, and per advice from the City Attorney. DBI will continue to update this package based upon code requirements and customer needs.

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San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department					
CGJ Year	**Report Title**	**Recommendation**	**Responding Party**	**2016 Action Plan**	**2016 Response Text**
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.20. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten so that it explains that inspectors will be inspecting items on the Property Owner Maintenance List.	DBI Chief Housing Inspector	Will Be Implemented in the Future	The Property Owner Maintenance Checklist is not the list of the areas to be inspected. As the title indicates, this is informational material for all types of residential occupancies. The Checklist is in the current form because DBI customers have requested the Department consolidate all the information into one checklist. The areas subject to a site inspection are delineated within the content of the request letter, pursuant to the requirements of Chapter 3 of the San Francisco Housing Code and advice from the City Attorney. Refinements to the cover letter are expected as part of the Department's on-going efforts to update its materials.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.21. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten to include instructions on what the property owner needs to do with the appendage and carbon monoxide/smoke alarm affidavits.	DBI Chief Housing Inspector	Will Not be Implemented: Not Warranted	The Informational Packet has detailed self-contained information for each of the subjects, including owner responsibilities for appendage and carbon monoxide-smoke alarm affidavits.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.22. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten to include the information contained in the notices and ordinances. Notices and ordinances should be removed from the inspection packet.	DBI Chief Housing Inspector	Will Be Implemented in the Future	Refinements to cover letter will be made to coincide with future legislation.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.23. The DBI Director should ensure the replacement system for CTS includes functionality for inspectors to document inspection remotely.	DBI Director	Will Be Implemented in the Future	Remote access for all inspectors is an out of the box function of the new PPTS.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.24. The DBI Director should ensure the replacement system for CTS includes functionality to upload photos remotely.	DBI Director	Will Be Implemented in the Future	Photo attachment to a record is an out of the box function of the new PPTS.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.25. DBI MIS should make affidavits available online.	DBI Management Information Services	Recommendation Implemented	Blank affidavits are available online through the website, and in the Maintenance Packet provided to the public.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.26. The DBI Director should ensure the replacement system for CTS includes functionality for inspectors to print NOVs in the field and that inspectors are supplied with portable printers for this purpose.	DBI Director	Requires Further Analysis	DBI MIS is looking into this issue and will research the technical feasibility of this process to be applied department-wide.

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San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

CGJ Year	Report Title	Recommendation	Responding Party	2016 Action Plan	2016 Response Text
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.27. The DBI Director should ensure the replacement system for CTS can be integrated with other computer systems within DBI and other City departments.	DBI Director	Requires Further Analysis	CTS is already integrated with computer systems within DBI. DBI MIS will ensure that this remains the case for any new systems. DBI is already coordinating with SF Planning to integrate our database systems. DBI's systems currently provides access of its data to other city departments, i.e. Assessor, SF Planning, and Public Works. Integration with other city department systems will require citywide initiative and a coordinated effort.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.28. The DBI Director should ensure the replacement system for CTS includes functionality for tracking and reporting on types of violations and high fire risk building characteristics.	DBI Director	Will Be Implemented in the Future	DBI HIS has identified attributes to be captured at the Complaint Intake and Site Inspection phase as part of a future phase of the PPTS.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.29. (a) The Chief Housing Inspector should ask DBI MIS to create a standard report to track how long NOVs take to be corrected (similar to Open NOVs report we used) and modify this report to calculate the difference in days between when an NOV is issued and the date the NOV is corrected and then use this report to measure the time it takes for property owners to correct NOVs. (b) The Chief Housing Inspector should report how long NOVs take to be abated, in a format similar to Table I-3, to the BIC on a monthly basis.F40	DBI Chief Housing Inspector	(a) Recommendation Implemented (b) Requires Further Analysis	(a) DBI HIS currently tracks open NOVs through CTS and thus, already can see whether a violation is open or closed. DBI is working with DataSF to provide NOV data to the portal, which contains the information listed and requested in thIS recommendation. This data information may be made available online in 2017. (b) DBI HIS has identified this requirement in a future phase of the PPTS.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.30. The Chief Housing Inspector should actively monitor cases using the Open NOVs report to ensure that less than five percent of NOVs take no more than one year to abate.	DBI Chief Housing Inspector	Will Not Be Implemented: Not Reasonable	The Deputy Director for Inspection Services, and the Chief Housing Inspector already actively monitors all open NOVs, and takes pro-active steps to work with owners and/or with the City Attorney to bring open cases to closure through the stipulated code enforcement process. DBI is committed to following the abatement process set forth in Chapter 1A of the SF Building Code in a timely fashion and in using all available code enforcement tools efficiently and expeditiously.

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San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department					
CGJ Year	**Report Title**	**Recommendation**	**Responding Party**	**2016 Action Plan**	**2016 Response Text**
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.31. The Chief Housing Inspector should develop guidelines for inspectors to use when granting additional time for repairs or abatement. The guidelines should be based on the average additional time it takes for the top 20 types of violation under each of the following common scenarios, including: (1) filing for and obtaining an over-the-counter permit; (2) vetting and hiring a contractor; and, (3) performing the work necessary to correct the violation.	DBI Chief Housing Inspector	Will Not Be Implemented: Not Warranted	The standard is set by Section 201A.3.3 of the San Francisco Building Code. In addition, not all DBI HIS code violations require building, plumbing or electrical permits to abate or the hiring of a contract to abate.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.32. The Chief Housing Inspector should ensure a new form letter is drafted to provide property owners the date of the next reinspection and warn them that violations must be abated by that date. Inspectors can then fill in the time and date of the reinspection and hand it to the property owner at the inspection.	DBI Chief Housing Inspector	Recommendation Implemented	DBI already documents the abatement process after the initial reinspection, and transmits written warnings to the property owner for failure to comply with a Notice of Violation. If the property owner fails to comply with a Notice of Violation at the time of the initial reinspection, all subsequent abatement actions including reinspections, are highlighted on the DBI Complaint Data Sheet which is available online, and the case may be sent to a Director's Hearing and to the City Attorney for litigation, as stipulated in the existing code enforcement process.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.33. The Chief Housing Inspector should create a culture where staff and management meetings are held as scheduled and not canceled unless there is an emergency.	DBI Chief Housing Inspector	Recommendation Implemented	DBI HIS already schedules multiple staff meetings to discuss performance measures and code enforcement cases, which include division wide, and team meetings. These are already scheduled on a regular basis and are highly productive. The Division will continue to hold the staff meetings as indicated above. In addition, division staff meetings will be scheduled so that they do not conflict with other DBI calendar items to the extent possible.

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San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

CGJ Year	Report Title	Recommendation	Responding Party	2016 Action Plan	2016 Response Text
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.34. The Chief Housing Inspector should adopt a definition of success that includes inspecting all R-2s at least every five years and ensuring all violations are corrected within a "reasonable period of time." The Chief Housing Inspector should measure a "reasonable period of time" for correcting violations by first using the Open NOVs report to measure how many days have elapsed since each NOV was issued. Next, the Chief Housing Inspector should compare the number of days that an NOV has stayed open against specific timeframes. We recommend two months, six months, 12 months, and, 18 months. (Two months (60 days) is an important timeframe because it is the earliest that an NOV can be referred to a DH.) Once an NOV goes uncorrected for one day after each of these timeframes, the NOV can easily be flagged for a closer review of the facts and circumstances and steps taken to encourage the NOV be corrected.	DBI Chief Housing Inspector	Recommendation Implemented	DBI HIS mandates and performance measures are set by the San Francisco Housing and Building Codes, and by DBI's Strategic Plan. DBI HIS already performs what is recommended, and utilizes effective tools such as its "Standard Report" to evaluate case abatement results and the potential need to redeploy or expedite resources as violati+l44on patterns and necessity dictate.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.35. The Chief Housing Inspector should measure the time it takes for an open NOV to reach a Director's Hearing. We recommend using the Open NOV spreadsheet that DBI MIS created for us. Incorporating a column that calculates the days between the NOV date and the DH date, HIS can determine how many days it takes an open NOV to be heard at a Director's Hearing.	DBI Chief Housing Inspector	Recommendation Implemented	DBI HIS already tracks the time frames accrued before an open code enforcement case is referred to a Director's Hearing within CTS. This tool is available as a screen query or written report that the Inspector's Supervisor utilizes to determine if the case is ripe for referral or other enforcement action based on criteria established in Chapter 1A of the SF Building Code. DBI HIS is already utilizing effective tools to address this issue, and further enhancements will be provided through PPTS.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.36. The Chief Housing Inspector should adopt an objective standard for inspectors to use in determining when a case should be referred to a Director's Hearing.	DBI Chief Housing Inspector	Will Not Be Implemented: Not Warranted	This standard is set by Section 201A.3.3 of the SF Building Code. The assigned Inspector has to document whether substantial progress has commenced on a case -by-case basis in keeping with the goals of DBI's Strategic Plan. DBI is tracking the objective standard through the timeliness of Inspector enforcement activities related to the abatement process set for. by Chapter 1A of the SF Building Code.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.37. The Chief Housing Inspector should require that senior inspectors follow-up with inspectors when there have been three reinspections on an open NOV.	DBI Chief Housing Inspector	Recommendation Implemented	Inspectors are supervised for quality control on open cases through DBI HIS' standard reporting process.

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San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department					
CGJ Year	**Report Title**	**Recommendation**	**Responding Party**	**2016 Action Plan**	**2016 Response Text**
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.38. The DBI Director should ensure when CTS is replaced by another system that it includes functionality to help automate the Director's Hearing case preparation and digital transfer of case files.	DBI Director	Requires Further Analysis	Improvements to automating scheduling and supervisory review and approval of referral of properties to Director's Hearings have been identified as a requirement in a future phase of the PPTS.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.39. (a) The Chief Housing Inspector should determine what is required for HIS to reinstate the FTB program and then ensure that all necessary steps for making the FTB program part of the HIS code enforcement process are taken. (b) The BIC should approve that HIS use the FTB program as part of its code enforcement process. (c) The Chief Housing Inspector should determine what is required for administrative penalties to be available at the HIS administrative hearing and then ensure that all necessary steps for making this possible as part of the HIS code enforcement process are taken. (d) The BIC should approve adding the legal requirements to the HIS administrative hearing so that administrative penalties can be awarded.	DBI Chief Housing Inspector and Building Inspection Commission	(a-b) Recommendation Implemented (c-d) Requires Further Analysis	(a-b) DBI HIS' use of the FTB tool has not been terminated and it is currently being used by the division in its code enforcement process. However, this is not as effective a code enforcement tool as it once was because the State Franchise Tax Board stopped auditing the property owners that receive a Notice of Noncompliance. Their action is beyond DBI's control. (c-d) The imposition of administrative penalties would require new legislation adopted by the Board of Supervisors.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.40. The Director of DBI should request that the Controller's Office conduct a study to determine adequate staffing levels for HIS.	DBI Director	Will Not be Implemented- Not Warranted	Since 2012, the department has undertaken an aggressive hiring plan to increase department staffing levels that were reduced during the downturn. Housing Inspector staffing has increased from 13 to 21. The department continues to review staffing needs and develop recruitment plans to meet operational needs including hiring temporary staff and developing a Housing Inspector list.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.41. DBI MIS should redesign the DBI website so that information on routine inspections is easier to find from the DBI homepage.	DBI Management Information Services	Will Be Implemented in the Future	DBI is continually updating content pages when needed. The HIS splash page and its sub-pages are part of the department's website redesign plans as identified in DBI's Strategic Plan in 2019.

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CGJ Year	**Report Title**	**Recommendation**	**Responding Party**	**2016 Action Plan**	**2016 Response Text**
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.42. DBI MIS should revise the information on routine inspections on the DBI website so that the property owners and the general public understand the process; including how often routine inspections take place, what is inspected, what happens when violations are found, the time frame for correcting violations and the costs associated with code enforcement.	DBI Management Information Services	Will Be Implemented in the Future	DBI has already created a Routine Inspection informative page, along with providing a direct link from the HIS splash page. Website information is continually updated when changes are needed.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.43. DBI MIS should change the names on the links for R-2 violations so inspection records can be found more easily on the DBI website.	DBI Management Information Services	Will Not Be Implemented: Not Warranted	Acronyms and/or abbreviations used are a result of system design and configuration Thus, it is not easily changeable. DBI MIS is focused on replacing current system with PPTS.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.I.44. The DBI Director should ensure the replacement system for CTS can upload NOVs to the DBI website.	DBI Director	Requires Further Analysis	DBI MIS is looking into this issue and will require further analysis on how to incorporate this requirement into the future PPTS platform.
2015-2016	Fire Safety Inspections In San Francisco A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department	R.III.1. The Building Inspection Commission and Fire Commission should require a task force be formed to study DBI and SFFD inspection and code enforcement processes and make recommendations on how they can coordinate their efforts.	Building Inspection Commission and Fire Commission	Recommendation Implemented	DBI & SFFD have made strides in coordinating code enforcement and outreach on fire safety made possible by the Code Enforcement Process Standardization ordinance and Fire Safety Task Force resolution. The Fire Safety Task Force met over a six-month period and developed findings and recommendations, which were provided to the Board of Supervisors for their review and legislative consideration and passage.

RECEIVED VIA EMAIL
9/16/2016
FILE NO. 160817

FIRE COMMISSION
City and County of San Francisco
Edwin M. Lee, Mayor

698 Second Street
San Francisco, CA 94107
Telephone 415.558.3451
Fax 415.558.3413
Maureen Conefrey, *Secretary*

September 16, 2016

Erica Major
Assistant Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102

Attn: Government Audit and Oversight Committee

Re: Civil Grand Jury Report
2015-16 Civil Grand Jury - Fire Safety Inspections in San Francisco: A tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

Dear Ms. Major:

Pursuant to your email dated July 27, 2016, attached is the San Francisco Fire Commission's response to the 2015-16 Civil Grand Jury's Report, "Fire Safety Inspections in San Francisco: A tale of Two Departments: Department of Building Inspection and San Francisco Fire Department".

It is our understanding that this matter will be heard at the Government Audit and Oversight Committee on October 5, 2016, in City Hall, Chamber Room 250 at 9:30 a.m. Fire Commission President, Francee Covington will attend the hearing.

It is also our understanding that once this matter has been heard at that meeting, you will forward the response to Presiding Judge of the Superior Court, Hon. John K. Stewart.

Thank you for your attention to this matter.

Sincerely,

Maureen Conefrey,
San Francisco Fire Commission
Secretary

cc: Fire Commissioners
Chief Joanne Hayes-White
Jay Cunningham, Foreperson 2016-2016 Civil Grand Jury

2015-16 Civil Grand Jury

Fire Safety Inspections in San Francisco

A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

June 2016

CGJ Year	Report Title	Findings	Responding Dept.	2016 Responses (Agree/Disagree)Use the drop down menu	2016 Response Text
2015-2016	Fire Safety Inspections in San Francisco	**F.III.1.** DBI and SFFD inspect multi-unit residential buildings for many of the same fire safety hazards but do not coordinate any of their inspections or code enforcement efforts including not sharing information.	Fire Commission	Partially agree with finding (explanation in next column)	SFFD is always open and willing to foster and improve interdepartmental engagement and collaboration. In the particular case of DBI and SFFD, one must take into consideration the very different business models of DBI and SFFD: DBI has staffing dedicated to R2 inspections, whereas the SFFD Fire Suppression Truck and Engine Companies are first and foremost tasked with first responder duties. SFFD inspection of R2 occupancies is both an imperative and a responsibility that must be timed in a manner so as to not compromise health and safety emergencies. In spite of differing business models per above, there are key ways to enhance and drive greater collaboration. 1. Establish a perpetual, working committee (that meets with a regular cadence) and seeks to evaluate the Housing Code and the Fire Code *in parallel*, identify where there is a lack of overlap, and develop a referral process to support these areas in a proactive and transparent manner. 2. Implement a 21st century closed loop, digital solution that enables DBI and SFFD to seamlessly share data across departments and provide online access to interdepartmental referral tracking and reporting.

2015-16 Civil Grand Jury

Fire Safety Inspections in San Francisco

A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

June 2016

CGJ Year	Report Title	Recommendations	Responding Dept.	2016 Responses (implementation) Use the drop down menu	
2015-2016	Fire Safety Inspections in San Francisco	**R.111.1** The Building Inspection Commission and Fire Commission should require a task force be formed to study DBI and SFFD inspection and code enforcement processes and make recommendations on how they can coordinate their efforts.	Fire Commission	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	The Fire Commission will work with the DBI Commission to implement a task force. The goal is to have a task force in place by February 2017.

CITY AND COUNTY OF SAN FRANCISCO
CIVIL GRAND JURY

July 18, 2016

Angela Calvillo
Clerk of the Board
SF Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Ms. Calvillo,

The 2015 – 2016 Civil Grand Jury will release its report entitled, "San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department" to the public on Thursday, July 21, 2016. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Hon. John K. Stewart, this report **is to be kept confidential until the date of release (July 21st).**

California Penal Code §933 (c) requires a response to be submitted to the Presiding Judge no later than 90 days. California Penal Code §933.5 states that for each finding in the report, the responding person or entity shall indicate one of the following: (1) agree with the finding; or (2) disagree with it, wholly or partially, and explain why.

Further, as to each recommendation, your response must either indicate:

1) That the recommendation has been implemented, with a summary of how it was implemented;
2) That the recommendation has not been, but will be, implemented in the future, with a timeframe for implementation;
3) That the recommendation requires further analysis, with an explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report; or
4) That the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

Please provide your response to Presiding Judge Stewart at the following address:
400 McAllister Street, Room 008
San Francisco, CA 94102-4512

Respectfully,

Jay Cunningham, Foreperson
2015 – 2016 Civil Grand Jury

City Hall, Room 482
1 Dr. Carlton B. Goodlett Pl, San Francisco, CA 94102
Phone: 415-554-6630

1/nn817

Members of the Civil Grand Jury

Jay Cunningham, Foreperson

Alison Ileen Scott, Esq., Foreperson Pro Tem

Arti M. Sharma, M.S., Recording Secretary

Sheldon Bachus

Richard Baker-Lehne

Mary Lou Bartoletti, M.B.A.

Jean Bogiages

Catherine Covey, M.D.

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David Lal

Andrew Lynch

Wassim J. Nassif

Patti Schock

Michael Skahill, Ph.D.

David Stein

Charles Thompson

Eric S. Vanderpool, Esq.

THE CIVIL GRAND JURY

The Civil Grand Jury is a government oversight panel of volunteers who serve for one year. It makes findings and recommendations resulting from its investigations.

Reports of the Civil Grand Jury do not identify individuals by name.
Disclosure of information about individuals interviewed by the jury is prohibited.
California Penal Code, section 929

STATE LAW REQUIREMENT

California Penal Code, section 933.05

Each published report includes a list of those public entities that are required to respond to the Presiding Judge of the Superior Court within 60 to 90 days as specified.

A copy must be sent to the Board of Supervisors. All responses are made available to the public.

For each finding, the response must:

1) agree with the finding , or
2) disagree with it, wholly or partially, and explain why.

As to each recommendation the responding party must report that:

1) the recommendation has been implemented, with a summary explanation; or
2) the recommendation has not been implemented but will be within a set timeframe as provided; or
3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or
4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

TABLE OF CONTENTS

SUMMARY

This is a tale of two departments, the Department of Building Inspection ("DBI") and the San Francisco Fire Department ("SFFD"). These two departments are tasked with safeguarding our precious housing stock and residents from fire safety hazards. DBI and SFFD inspect our multi-unit residential buildings for compliance with minimum fire safety standards that are outlined in various City Codes (the "Codes") and ensure that property owners correct violations discovered by these inspections.

Although these two departments work towards a common goal, they do not coordinate their efforts. Between the two, they are unable to inspect all of our multi-unit residential buildings within the timeframes mandated by the Codes, nor do they ensure that all fire safety violations are corrected in a timely manner. We found that fire safety hazards that go undetected or take too long to correct unnecessarily contribute to the risk that our housing stock and its residents will suffer from catastrophic fires that take lives, damage property, and displace tenants. We have seen this over the last two years when 19 major fires and 119 smaller ones caused 10 deaths, over $40 million in property damage, and displaced nearly 500 residents. And, these figures do not include the five-alarm fire that happened on June 17, 2016, near 29th and Mission Streets just as we were finalizing this report.

We found that DBI and SFFD separately enforce minimum fire safety standards under two different City Codes, respectively, the Housing and Fire Codes. These codes have different requirements with regard to the size of buildings to be inspected and the timeframe for inspecting them. Also, DBI has a well established code enforcement system, whereas the SFFD does not. Although there is much overlap in the items these two departments inspect, there is no coordination in their efforts.

The local press has widely reported that several of the buildings in the Mission District that experienced major fires had documented fire safety hazards that allegedly went uncorrected. In this report, we discuss the reasons for the backlog in routine inspections conducted by DBI and SFFD, along with why their enforcement efforts are not leading to abatement of all fire safety hazards within a reasonable period of time. We also offer recommendations to help alleviate, if not eliminate, some of the inspection backlog and to make enforcement efforts more timely.

OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of our investigation were threefold: (1) to determine if there was a backlog in inspections of our multi-unit residential buildings conducted by DBI and SFFD, and if so, why; (2) to ascertain whether fire safety code violations were being corrected in a timely manner, and if not, why; and, (3) to determine if there was sufficient transparency in the inspection and enforcement processes used by DBI and SFFD so that property owners understand what is expected and tenants know the potential risks they face in their homes.

The scope of our investigation was limited to multi-unit apartment buildings and condominiums. We did not investigate inspections and code enforcement related to residential hotels (also known as single room occupancies or SROs). (See Lack of Coordination Between DBI and SFFD, Tables III-1 and III-2, below, for a comparison of the scope of DBI and SFFD's inspections and code enforcement.) This is because individual units in residential hotels are required to have sprinklers. We were told that sprinklers make the possibility of large fires occurring in these buildings much less of a concern. Our investigation did not look into the causes of fires in our City.

Our methodology included conducting numerous interviews with DBI, SFFD and the San Francisco City Attorney's Office. At DBI, we interviewed employees at all levels in the Housing Inspection Services and Management Information Services divisions. At SFFD, we interviewed Engine and Truck Captains, Battalion Chiefs, Bureau of Fire Prevention inspectors, clerks, and managers and Operations Division management. At the City Attorney's Office, we interviewed attorneys who litigate cases against building owners with outstanding violations that were not corrected during the DBI or SFFD code enforcement processes.

Also, we read DBI and SFFD inspection reports and analyzed data related to DBI and SFFD inspections and code enforcement processes. (DBI inspection reports are available online at http://dbiweb.sfgov.org/dbips.)

We attended Fire Safety Task Force meetings,[1] reviewed its final recommendations,[2] and analyzed related ordinances (passed[3] and proposed[4]) by the Board of Supervisors. We watched[5] Building Inspection Commission meetings and reviewed meeting minutes and supporting documents.[6] Additionally, we watched[7] Fire Commission meetings and reviewed meeting minutes and supporting documents.[8]

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[1] http://sfdbi.org/meetings/9
[2] http://sfdbi.org/sites/default/files/Fire%20Safety%20Task%20Force%20Final%20Report%2001-19-16.pdf
[3] http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances16/o0060-16.pdf
[4] http://www.sfbos.org/Modules/ShowDocument.aspx?documentid=55782
[5] http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=14
[6] http://sfdbi.org/meetings/17
[7] http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=180
[8] http://sf-fire.org/meetings/5

INTRODUCTION

Our investigation began after we read about three major fires in the Mission District that occurred over a six month period from September 2014 to March 2015. These three fires killed three people, displaced over 60 people, shuttered at least 34 businesses, and caused an estimated $11.5 million in property damage. We were concerned because local papers reported that the property owners of *all three* buildings had been repeatedly cited for City Code violations.[9] The building at 22nd and Mission Streets had documented fire safety hazards alleged to have been uncorrected prior to the four-alarm inferno that claimed a tenant's life and required firefighters to rescue several others who were stranded on fire escape ladders that could not descend to the ground.[10]

Shortly after this four-alarm fire, a high ranking member of SFFD said, "there does seem to be a lapse in our tracking. The lack of documentation for this building is now evident."[11] A spokesman for DBI told SFGate, "building inspectors say they are overworked and behind in routine safety inspections." "Because of all the construction activity—the building boom—that's been going on for a couple of years, I'm told our inspectors haven't got the ability to get there. They've been busy with other inspections."[12] As mandated by Code, DBI should inspect multi-unit residential buildings at least once every five years and SFFD should conduct annual inspections.

Recently, the Mission District experienced two more fires within a two-day period. On April 21, 2016, SFFD contained a three-alarm fire at two adjacent residential buildings on 17th Street.[13] Twenty-seven residents were displaced as a result of the fire. According to DBI records, the sixteen-unit building at 3525 17th Street had its last routine inspection more than six years ago (January 21, 2010). As a result of this inspection, a notice of violation ("NOV") was issued for missing smoke alarms. This violation was corrected six weeks later. A search of DBI's online records of the six-unit building next door at 3517 17th Street yielded no records of a routine inspection having ever been performed there. While the building at 3517 17th street falls outside SFFD's annual inspection program because it has fewer than nine units, the building at 3525 17th Street has 16 units and was last inspected by SFFD in April 2007.

The very next day, a fire in a three-unit building at 145 San Jose Avenue left 12 tenants homeless.[14] This building had its last routine inspection by DBI almost ten years ago on September 6, 2006. Since this building only had three units, it was not on the list for fire department inspections.

Approximately 65 percent of San Franciscans are renters.[15] This means most San Francisco residents control neither the overall condition of the buildings they live in nor the quality or

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[9] http://abc7news.com/news/recent-massive-mission-district-fires-raising-questions/565712/

[10] http://www.sfgate.com/bayarea/article/Years-of-safety-violations-cited-at-Mission-site-6081870.php

[11] Ibid.

[12] Ibid.

[13] http://kron4.com/2016/04/21/fire-crews-battle-two-alarm-fire-in-sfs-mission-district/

[14] http://www.sfgate.com/bayarea/article/Firefighters-battling-blaze-in-SF-s-Mission-7296134.php

[15] http://sfrb.org/sites/default/files/FileCenter/Documents/1862-sfhousingdatabook.pdf, page 8.

extent to which fire safety protections are present in the buildings they call home. Older residential buildings constructed of wood are commonplace in our City and unless they have been recently upgraded, do not include the latest in fire deterrent materials or fire safety equipment. Tenants rely on landlords and the City departments that enforce minimum fire safety standards, DBI and SFFD, to ensure their dwellings comply with City Codes. When this does not happen, tenants can lodge a complaint with these same City departments or file a lawsuit against a recalcitrant landlord. However, sometimes, it's just too late!

While San Francisco's economy has been growing by leaps and bounds, so has its population. Forty-five thousand new residents have moved to San Francisco since 2010.[16] However, during this same time period, only 7,500 new housing units have been added.[17] With too many people clamoring for too few places to live, the result for some has been skyrocketing rents. For those who are struggling to afford to live here, one way to continue to call San Francisco home is by crowding into apartments or flats that were intended to house far fewer individuals. Although some of these tenants may live in overcrowded units "illegally," there is a push in our City to make accommodations for those who want to continue to live here rather than displacing them for economic reasons. However commendable these intentions may be, increased fire safety risks (as well as other health/safety risks) have become the unintended byproduct of this overcrowding. The risks associated with overcrowding are evident when tenants resort to using extension cords to bring power to cooking appliances and consumer electronics that are being used in areas where it may not be safe to do so. These fire safety risks are exacerbated when overcrowded units do not include sufficient closet and/or storage space for the inhabitants. As a result, personal items clutter hallways and block exits.

As these incendiary factors converged, amidst growing pressure from tenant and low income advocates, the Board of Supervisors passed Ordinance 90-15 on June 9, 2015. That ordinance created the Emergency Interagency Fire Safety Task Force for Multi-Unit/Use Residential Buildings ("Fire Safety Task Force"). The Fire Safety Task Force was comprised of members from DBI, SFFD, the Public Utilities Commission and the Department of Public Health to review and make recommendations to the Board of Supervisors regarding possible legislation and other solutions that would improve fire safety in multi-residential and multi-use buildings. The Fire Safety Task Force focused on apartment houses containing three or more dwelling units. The Fire Safety Task Force held six public meetings and issued its final report with findings and recommendations on January 19, 2016.[18]

On April 19, 2016, the Board of Supervisors passed legislation aimed at improving code enforcement conducted by DBI and SFFD.[19] (See Appendix, Exhibit 1.) In response, SFFD is in the process of creating a more robust code enforcement process, modeled on the one DBI uses, and staffing a new group of R-2 inspectors, under the Bureau of Fire Prevention, to work on multi-unit residential building (R-2) complaints. (See SFFD Organizational Structure, below.)

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[16] http://sf.curbed.com/2015/2/4/9995388/sfs-population-is-growing-way-faster-than-its-housing-stock

[17] Ibid.

[18] http://sfdbi.org/sites/default/files/Fire%20Safety%20Task%20Force%20Final%20Report%2001-19-16.pdf

[19] http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances16/o0060-16.pdf

I. DEPARTMENT OF BUILDING INSPECTION

A. Organizational Structure

DBI "oversees the effective, efficient, fair and safe enforcement of the City and County of San Francisco's Building, Housing, Plumbing, Electrical, and Mechanical Codes, along with the Disability Access Regulations for San Francisco's more than 200,000 buildings."[20] DBI operates under the direction and management of the Building Inspection Commission ("BIC"). The BIC sets policy for DBI, hears appeals leading up to the issuance of permits and acts as the Abatement Appeals Board to which Orders of Abatement can be appealed. Per a voter referendum in 1994, the Mayor appoints four commissioners, and the Board of Supervisors appoints three. Each of the seven members represents a particular community interest or expertise, including residential builder, residential landlord, licensed structural engineer, architect, and representatives of non-profit housing, the general public and tenants.[21]

DBI provides three main services: (1) Permit Services; (2) Inspection Services; and (3) Administrative Services. Permit Services "review plans and issue permits to ensure safe structures, and to protect life and property through building code compliance."[22] Inspection Services "provide timely and quality inspections to meet codes, protect occupants and ensure quality of life."[23] Administrative Services provides records management, and internal finance and personnel functions. (See Appendix, Exhibit 2.)

Inspection Services has five divisions, including the focus of this report--Housing Inspection Services. The first three (Building, Plumbing/Mechanical and Electrical) inspect newly-constructed and existing buildings to ensure the scope of work performed is within the scope of permits that have been issued. The fourth division, Code Enforcement, supports Building, Plumbing/Mechanical and Electrical by investigating complaints and enforcing code compliance.

The fifth division, *Housing Inspection Services ("HIS"),* conducts health and safety inspections of residential buildings and responds to tenant complaints of code violations (primarily under the Housing Code). HIS inspectors also do their own code enforcement of health and safety violations. These periodic inspections are "routine inspections" of the common areas of residential buildings, and according to the Housing Code, must be conducted at least every five years.[24] The category of residential buildings that must be inspected every five years include residential apartment and condominium buildings and residential hotels that have three or more units. This category of buildings is called "R-2."[25] All R-2 property owners must pay a yearly license fee which is charged on their annual property tax bills to help defray the cost of health

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[20] http://sfdbi.org/annual-reports, Page 6.
[21] Ibid, Page 8.
[22] Ibid, Page 10.
[23] Ibid, Page 10.
[24] San Francisco Housing Code, Section 302 (b)
[25] California Building Code, Title 24, Part 2, Section 310.1

and safety enforcement by DBI.[26] There are approximately 21,000 multi-unit residential apartment and condominium buildings with three or more units in San Francisco.

Currently, HIS has five senior inspectors, plus three full-time inspectors and one part-time inspector who primarily conduct routine inspections ("routine inspectors") and 14 inspectors who primarily investigate tenant complaints within their districts ("district inspectors"). In accordance with census data, San Francisco is divided into 19 HIS districts. Currently, the 14 district inspectors cover these 19 districts. HIS has three vacant inspector positions (as of June 2016). Two inspectors are on leave and another retired at the end of May 2016.

HIS also has an inspector who works on inter-departmental complaints and one inspector who works on the Hotel Conversion Ordinance ("HCO"). In addition, there are the Principal Clerk and four support staff. One support staff position is vacant (on leave). (See Appendix, Exhibit 3.)

B. The Backlog in R-2 Inspections Exposes San Franciscans to Unnecessary Risks

DISCUSSION

It is not unreasonable for San Francisco residents to expect that HIS inspects ***every*** R-2 in San Francisco for fire safety hazards at least once every five years. After all, the Housing Code mandates it. However, HIS readily admits that not *every* R-2 is being inspected every five years--they have a backlog. One HIS inspector went as far as to say that they "cannot humanly get to all the R-2s."

HIS cannot measure its routine inspection backlog. Remarkably, HIS does not know the extent of its routine inspection backlog. We were told this is because the Oracle database that HIS inspectors use to document routine inspections and code enforcement efforts, the Complaint Tracking System ("CTS"), cannot generate reports that include accurate R-2 inspection dates. Unless HIS knows when all the R-2s in San Francisco were last inspected, they cannot possibly identify which R-2s are due (or past due) for an inspection. Consequently, they cannot quantify the routine inspection backlog.

With the hope of understanding this further, we asked DBI Management Information Systems ("DBI MIS") for a report listing all the R-2s in San Francisco and the date of the last routine inspection for each. (DBI MIS manages all DBI databases including CTS.) In response, we received an Excel spreadsheet that contained the information requested. However, when we compared twenty last routine inspection dates listed on the DBI MIS generated spreadsheet with inspection records available on the DBI website, we found several instances where the information did not match. (The records on the DBI website come directly from CTS.) For example, 2960 California Street had a last routine inspection date of December 18, 1996 according to the DBI MIS spreadsheet we received. However, according to inspection records

[26] San Francisco Housing Code, Section 302 (b); San Francisco Ordinance 107-09

on the DBI website, a routine inspection was performed on September 16, 2010.[27] (See Appendix, Exhibit 4.)

Another example is 682 Corbett Avenue. According to the DBI MIS spreadsheet, the last routine inspection date for this R-2 was November 1, 1995. However, buried in the comments section of the inspection records on the DBI website was a narrative describing a routine inspection that was performed on January 4, 2007.[28] We were told that this 2007 routine inspection was not captured by our DBI MIS report because CTS cannot capture routine inspection dates that are part of a narrative in the comments section. (See Appendix, Exhibit 5.)

Focused Code Enforcement R-2 lists show that a significant backlog existed in the Mission, Chinatown and Tenderloin Districts in 2015. We received copies of the R-2 lists for all 19 HIS districts in San Francisco. These lists were created for Focused Code Enforcement. (See Considerable Resources Are Wasted Creating R-2 Lists, below.) These R-2 lists included an address for every R-2 in each district. However, since they were created manually, not every R-2 had a corresponding last routine inspection date listed. Of the 19 R-2 district lists we received, only three lists (Mission, Chinatown and Marina) had last routine inspection dates for most (if not all) the R-2s listed. We sorted these three R-2 district lists by last inspection date to determine which (and how many) R-2s in these three districts had not had a routine inspection within the last five years. We provide a summary of our results for those three districts in Table I-1 below.

FOCUSED CODE ENFORCEMENT 2015

District	R-2s with documented last inspection date	R-2s with last inspection date > 5 years ago	Percent R-2s not inspected within last 5 years
Mission*	822	316	38%
Chinatown	533	167	31%
Tenderloin	531	362	68%
*Does not include Mission Street			

Table I-1

As Table I-1 clearly shows, before HIS conducted its Focused Code Enforcement in these three districts, a substantial number of R-2s were not inspected within the last five years in the Mission (38 percent), Chinatown (31 percent) and the Tenderloin (68 percent).

Since these R-2 lists were created, HIS has conducted routine inspections in at least 221 R-2s in the Mission and 139 R-2s in Chinatown as part of its Focused Code Enforcement. As a result, the backlog for these areas, as reflected in Table I-1, has since been substantially reduced. We do not know, however, how many R-2s HIS was able to inspect in the Tenderloin because HIS has not updated the results for the Tenderloin on the Excel spreadsheet that it uses for this

[27] 2960 California ://dbiweb.sfgov.org/dbipts/default.aspx?page=AddressComplaint&ComplaintNo=201068596
[28] 682 Corbett Ave.
http://dbiweb.sfgov.org/dbipts/default.aspx?page=AddressComplaint&ComplaintNo=200786911

purpose. Although documents show that HIS sent out 197 inspection appointment packets to R-2 owners in the Tenderloin, we do not know how many of these R-2s HIS inspectors were actually able to inspect. (See "No Shows" Waste Inspectors' Time, below.)

Due to the small sample size (three districts) we cannot extrapolate and assume that there is a significant inspection backlog in the other 16 districts in the City. At the very least, Table I-1 does illustrate that a significant inspections backlog did exist in three districts in which some of the most vulnerable R-2s with the highest fire safety risks in our City are located.

HIS does not know how many initial routine inspections are conducted each year. In the DBI Annual Report for 2012-2013, HIS reported that HIS inspectors conducted 243 *initial* routine inspections on apartment buildings. The subsequent DBI annual reports, however, no longer report the number of *initial* routine inspections that were conducted each year. Instead, "Housing Inspections" and "Routine Inspections" are the only performance statistics related to routine inspections that are included in the DBI annual reports.

Similarly, among the seven performance measures HIS reports to the BIC on a monthly basis, "Housing Inspections" and "Routine Inspections" are included. "Initial Routine Inspections", however, are not.

In Table I-2 below, two of the HIS performance measures, Housing Inspections Performed and Routine Inspections are aggregated for 2014 and 2015.

HIS PERFORMANCE MEASURES

HIS Performance Measures	2014	2015
Housing Inspections Performed	11,995	11,981
Routine Inspections	2,337*	2,311
* Excludes January and February 2014		

Table I-2

"Housing Inspections Performed" measures all the documented inspections that were performed in 2014 and 2015. This includes initial routine inspections, initial inter-departmental inspections, initial complaint inspections and all reinspections. "Routine Inspections" measures all initial scheduled routine inspections and initial complaint-generated routine inspections (that can be counted in CTS) and *all reinspections* conducted in 2014 and 2015.

How HIS defines *Routine Inspections* is misleading because it includes reinspections. It is the number of *initial routine inspections* that needs to be reported. This is because the *initial* routine inspection is the inspection of an R-2's common areas that must be conducted at least every five years. Reinspections are focused on violations to determine whether they have been corrected and do not include inspections of the common areas overall. This distinction is important because HIS should be performing an average of 4,200 routine inspections per year (21,000 R-2s/5 years). If, as reported in the 2012-2013 DBI Annual Report, HIS is only conducting 243

initial routine inspections, then this is further evidence of a backlog in routine inspections. The BIC and the public need to know this!

Reasons For The Routine Inspection Backlog

As a result of our investigation, we found that the following factors contributed to the routine inspection backlog:

(1) considerable resources are wasted creating R-2 lists;

(2) CTS reports do not capture the various ways routine inspections are documented;

(3) complaint-generated routine inspections are not always documented in a way that can be measured by CTS;

(4) district inspectors do not always conduct complaint-generated routine inspections;

(5) "no shows" waste inspectors' time; and,

(6) CTS is outdated.

1. Considerable Resources Are Wasted Creating R-2 Lists

Because HIS needs to know the last inspection date for R-2s in order to identify which R-2s are due for a routine inspection, and CTS cannot generate an accurate report containing this information, HIS had to create a "work around" by manually preparing R-2 lists that included accurate last inspection dates. The process for creating the R-2 lists begins with getting the list of R-2s in the City from DBI MIS.

HIS cannot get an accurate list of all the R-2s in the City without the help of DBI MIS. We were told that there is one Oracle database that stores information on all the residential buildings in our City, including the property address, property owner contact information and some building characteristics, such as the number of units in each building. This Oracle database is not integrated with any other City department database--including CTS. HIS does not have access to this database; however, DBI MIS does. Thus, HIS must ask DBI MIS to generate an initial R-2 list that includes all residential buildings with three or more units (R-2s) that are located in the specific area(s) of the City in which HIS will be conducting routine inspections. The initial R-2 list includes the property addresses and contact information for the the property owners. However, it does not list any routine inspection dates.

The list of R-2s targeted for routine inspections is created manually. After HIS receives the initial R-2 list from DBI MIS, support staff or inspectors must identify the last routine inspection date by looking up this information for each property, one property at a time, in CTS. Thereafter, the last inspection dates are added to the Excel spreadsheet, which can then be sorted by last inspection date, and the R-2s that are due for a routine inspection can be easily identified.

DBI MIS did not generate the R-2 lists for the first six rounds of Focused Code Enforcement. As a result of the series of fires that occurred in the Mission starting in late 2014 (See Introduction), the Board of Supervisors, along with other government officials, made

inquiries into the causes of these numerous fires and asked how San Franciscans could be better protected from harm, property loss and displacement as a result of fires. In response, HIS beefed up its code enforcement (including fire safety) by assembling a team of inspectors to conduct a blitz of routine inspections along major corridors in the City. This began shortly after the catastrophic fire at 22nd and Mission Streets. HIS refers to this program as "Focused Code Enforcement."

This program was a huge departure from how routine inspections had been conducted in the past when all HIS inspectors were assigned to specific districts and required to investigate R-2 complaints in those districts, in addition to conducting routine inspections throughout San Francisco. There were no inspectors dedicated to working exclusively on routine inspections during this time. Sometimes, these routine inspections were performed at opposite ends of the City from each other and nowhere near the inspectors' districts. We were told that investigating complaints was prioritized over conducting routine inspections back then. A few years ago, a couple of inspectors were taken out of districts and assigned to work strictly on routine inspections. After that, Focused Code Enforcement became the model for conducting routine inspections.

We were told that DBI MIS did not create the initial R-2 lists for HIS during the first six rounds of Focused Code Enforcement because DBI MIS was fully committed to the Accela project, a proposed new computer system. (See CTS Is Outdated, below.) Instead, during that time, an inspector volunteered to create the initial list of R-2s for focused code enforcement himself. He did this by combining an old Excel spreadsheet that listed R-2s in districts that were covered by another inspector with his own personally developed list of R-2s located in the districts that he covered. Since the property owner contact information for the R-2s may have been outdated on the initial R-2 list he created, he then had to go into CTS and look up current property owner contact information, one property at a time, for each R-2. After that, he had to go to a different screen in CTS to look up each R-2's last inspection date. We were told that this "work around" was very labor intensive.

The first round of focused routine inspections was conducted along the Mission Street Corridor (along Mission Street starting at the Embarcadero south to where Mission turns into Daly City). Subsequent rounds were performed in targeted areas of the Mission, Chinatown, North Beach, the Marina, Pacific Heights, Inner Richmond, Outer Richmond and the Tenderloin. According to interviews conducted with DBI staff, these areas were chosen because they included many R-2s with high risk characteristics for fire--older wood buildings that contain both residential and commercial units (that may also have tenant overcrowding) and are situated along congested commercial corridors.

The focused routine inspections conducted along the Mission Street Corridor, in the Mission, Chinatown and the Tenderloin were more extensive (included more buildings) than the focused routine inspections conducted in the other five districts listed above. We were told HIS does not have enough inspectors to conduct focused routine inspections on *all* the R-2s due for a routine inspection in these districts.

HIS will soon begin a seventh round of focused routine inspections targeting 200 R-2s throughout San Francisco. We learned that DBI MIS helped create the R-2 list for this seventh round of Focused Code Enforcement.

2. CTS Reports Do Not Capture The Various Ways Routine Inspections Are Documented

When HIS inspectors conduct routine inspections, they inspect the common areas of R-2s for 35 health and safety items. Fifteen of these items are fire safety related. (See Appendix, Exhibit 6.) There are two types of routine inspections--scheduled routine inspections and complaint-generated routine inspections. Scheduled routine inspections are scheduled in advance with the property owner and are not performed in connection with any other inspection. Typically, they are conducted by inspectors who focus on routine inspections. We will refer to these scheduled routine inspections simply as *routine inspections.*

Inspectors do not always choose the same "Source" for routine inspections. Inspectors document their routine inspections and complaint investigations in two screens in CTS--the complaint screen and details screen. (See Appendix, Exhibits 7 and 8.) On the complaint screen, inspectors enter basic information such as their name, the R-2's address, the date of the inspection and a narrative describing the inspection in the "Description" box. They also document the "Source" from a drop-down menu with 33 options. (See Appendix, Exhibit 9.) The Source serves a dual purpose of capturing either who referred the inspection to HIS or the type of inspection that was performed, such as "Routines" or "Complaint." Based on our interviews, we learned that inspectors do not always choose the same Source for documenting routine inspections.

Most inspectors will choose "Routines" as the Source for routine inspections; however, some will choose "Routine Appointment Letter." In the case of 2960 California Street, the inspector chose "Telephone" as the Source for the routine inspection he conducted on September 6, 2010. (See Appendix, Exhibit 4.) Since Telephone is not typically used as a Source for routine inspections it fell outside the parameters of the report we asked DBI MIS to generate for last routine inspection dates. We do not know if Telephone was erroneously chosen or if there was a legitimate reason for documenting the routine inspection that way. Regardless, it serves as an important example of a CTS report not meeting the needs of the end user because the report parameters were not adequately defined and agreed upon by the both the report generator and end-user beforehand.

Inspectors do not always choose the same "Abatement Type" for the initial routine inspection. The "Abatement Type" is meant to document the action the inspector took. There are 62 choices on the Abatement Type drop-down menu. (See Appendix, Exhibit 10.) Although most inspectors told us that they choose "Inspection of Premises Made" for routine inspections, some inspectors choose "Case Received."

From our interviews with HIS inspectors and DBI MIS and seeing many of the standard reports that are available in CTS but not used by HIS, we have concluded that CTS report parameters are not adequately defined. We think responsibility for this rests with HIS and DBI MIS.

3. *Complaint-Generated Routine Inspections Are Not Always Documented in a Way That Can Be Measured by CTS*

Scheduled routine inspections and complaint-generated routine inspections ("CG routine inspections") are conducted differently. As a result, the way they are documented differs. In contrast to routine inspections, CG routine inspections are not scheduled in advance and are conducted while a district inspector is already at an R-2 investigating a complaint. Rather than having another inspector go back to the R-2 to conduct a separate routine inspection, district inspectors have been instructed to conduct a CG routine inspection while they are already at an R-2.

A complaint investigation focuses on the complaint, for example "heat not working at my unit," and will not include the common areas of an R-2 unless it is the subject of a complaint. District inspectors schedule the complaint investigation with the complainant (usually a tenant). However, the CG routine inspection is not scheduled with the property owner. Instead, the CG routine inspection can be conducted without prior scheduling because once the district inspector has been let into an R-2 to investigate a complaint, he will have access to the common areas of the R-2 and can conduct a routine inspection. Since the routine inspection arises from the complaint investigation, they are called complaint-generated routine inspections.

District inspectors do not always choose the same "Source" for the CG routine inspection. District inspectors primarily investigate R-2 complaints in their districts. They also conduct CG routine inspections. They must document both. When documenting a complaint investigation, the Source is "Complaint." However, there is no specific Source for CG routine inspections. We were told that that there used to be "Complaint Generated Routine" listed on the Source drop-down menu but it was taken out a few years ago. As a result, inspectors document their CG routine inspections with different Sources.

Some inspectors document the Source as "Routines." Other inspectors will choose "Complaint" as the Source because a complaint is the reason they went to the R-2 in the first place. We were told that inspectors who document their CG routine inspection with "Routines" as the Source do so because only then can the complaint investigation *and* the CG routine inspection both be counted in CTS. In this instance, CTS can capture both the complaint investigation and the CG routine inspection because they are documented under separate complaint numbers. Also, by choosing "Routines" as the Source, the CG routine inspection will be counted as a routine inspection, not a complaint inspection.

We were told that inspectors who use "Complaint" as the Source for their CG routine inspections, will use the same inspection number to report their complaint and CG routine inspection. Under this scenario, the CG routine inspection--including, the date description—will be buried in the "description" section of the inspection report that primarily documents the complaint investigation. We were told that some district inspectors do not open a new complaint number to document the CG routine inspection because creating a new complaint form takes additional time and they are "too busy."

When a violation in the common areas is discovered from the CG routine inspection, inspectors will document this differently from one another. If there are violations arising out of both the complaint *and* CG routine inspection, some inspectors told us that they will open a new complaint number for the violation in the common areas and change the Source from "Complaint" to "Routines" to document that violation. However, one inspector told us that he will only open a new complaint number and change the Source from "Complaint" to "Routines" if the violations arising from the complaint and those discovered in the common areas have a different anticipated time for compliance. Otherwise, if there are just a few violations in the common area, then he will include them on the same NOV as those arising from the complaint and under the same complaint number.

Yet another inspector said that he will not open a new complaint (and, will not change the Source from "Complaint" to "Routines") to document the CG routine inspection even if there are violations in the common areas. Instead, he will issue a separate NOV for the different violations but will document the the CG routine inspection NOV under the "Description" section of the complaint inspection report.

4. District Inspectors Do Not Always Conduct Complaint-Generated Routine Inspections

Even though district inspectors are already at the R-2 investigating a complaint, we were told that some are "too busy" with their complaint work to find the time to actually conduct a CG routine inspection or "research" an R-2 before going out there. Based on our interviews, there seems to be an acknowledgement within HIS that district inspectors sometimes are "too busy" and that being "too busy" is an acceptable reason for not conducting a CG routine inspection. This is problematic because CG routine inspections are a convenient way to conduct routine inspections.

SOP does not explicitly require that CG routine inspections be conducted. The Standard Operating Procedure ("SOP") is used to train all HIS staff (including inspectors) and includes detailed procedures for conducting inspections and code enforcement. Although we were told that district inspectors *should be* conducting CG routine inspections of the common areas of an R-2 when investigating a complaint, the SOP does not explicitly require it. Instead, the SOP is very vague and only requires inspectors to "schedule site inspection appointment." It does not mention what kind of "site inspection" should be performed. The SOP also does not address whether "the site inspection" should include common areas even if they are not part of the complaint.[29]

Inspectors should "research" properties before an inspection. Additionally, we were told that district inspectors should be "researching" R-2s in CTS before going out to investigate a complaint so that district inspectors will know when an R-2 is due for a CG routine inspection. What exactly should be "researched," however, is subject to different interpretations. When researching an R-2, some district inspectors only look at the *history of complaints* on an R-2 while others also research when the *last routine inspection was performed* on an R-2. All

[29] Housing Inspection Services Policies and Procedures Manual, Page 14, Item 4.

inspectors have smart phones with internet access so they can be used to access CTS records on the DBI website.

5. "No Shows" Waste Inspectors' Time

A "no show" is when the property owner fails to appear for a scheduled routine inspection appointment. Unless the inspector finds another way to get into the R-2 to conduct the routine inspection, a "no show" will mean that the inspector wasted precious time going out to the R-2 and that at least one additional visit to the R-2 will be necessary. Furthermore, the need to still perform a routine inspection may get lost and the R-2 in question may not have a routine inspection within the mandated five year time period.

"No shows" are not tracked for follow-up in CTS. Currently, CTS is not being used to track "no shows" for HIS. Although CTS can track no shows when inspectors choose either "No Entry" or "Unable to Enter" as the "Abatement Type," we were told that inspectors were instructed not to use either of these. We were told this is because by using "No Entry" or "Unable to Enter" the inspector's attempt to make an inspection would not be counted as an inspection. Instead, inspectors were instructed to use another "Abatement Type" to reflect the type of inspection they made. For example, "Inspection of Premises Made" or "Reinspection 1." As a result, inspectors document "no shows" as part of a narrative in the description section of the complaint form. However, once "no shows" are buried in the description section, there is no way to run a report on "no shows" or flag them for follow-up in CTS. Inspectors have shared that, as a result, they may "lose track" of these "no shows" as their workload requires them to direct their efforts elsewhere.

Measuring the extent of "no shows." As part of its Focused Code Enforcement, HIS started to track "no shows" (along with other results of its routine inspections) manually on an Excel spreadsheet. We have included this data in Table I-3 but only for the three districts for which HIS has compiled this information.

Table I-3 shows the number of routine inspection appointment letters that were sent to property owners during 2015, the number of R-2s for which inspectors were not able to conduct routine inspections because they were unable to enter due to "no shows" and the percentage of R-2s that had "no shows" as a percentage of the total inspection appointment letters sent.

FOCUSED CODE ENFORCEMENT "NO SHOWS" 2015

District	Number of inspection appointment letters sent	Number of R-2s unable to enter ("no shows")	Percent R-2s unable to enter ("no shows")
Mission St. Corridor	128	20	16%
Chinatown	167	28	17%
Mission*	259	38	15%
*Does not include R-2s on Mission Street			

Table I-3

Clearly, the percentage of R-2s that inspectors were unable to enter ("no shows") during their Focused Code Enforcement is significant for all three areas for which this information was captured. It's difficult to extrapolate this data and assume similar percentages exist in other districts in the City. However, it makes one wonder if these are not the only areas with a significant "no show" problem. If this happens time after time, (as we learned it sometimes does) these "no shows" and their impact on the inspection backlog really start to add up.

We were told that "no shows" occur mainly when inspection packets go to an incorrect address. From our own observation, we concluded that they also happen because the inspection packets can be difficult to understand.

Inspection packets that are sent to property owners sometimes go to an incorrect address. Support staff schedule a group of routine inspections for R-2s that have not been inspected within the last five years. As part of the scheduling process, HIS support staff send out inspection packets to the property owners of record. This information comes from the Tax Assessor database to which HIS has access. Sometimes the inspection packets go to the wrong address and are returned to HIS. (We've been told that Tax Assessor records may be outdated by as much as 18 months but we have not independently verified this.)

Inspection packets are only sent to property owners in English. The inspection packet includes a cover letter stating that a "periodic health and safety inspection" will be conducted in the common areas of their building, the authority for performing the inspection, and the scheduled time and date for the inspection. The scheduled inspection date gives the property owner two weeks notice and may be changed by contacting the listed inspector by email, phone, or in person. The inspection packet also includes the following: (1) Property Owner Maintenance Checklist (which is the same as the Inspection Field Checklist); (2) Notice of New Housing Law regarding wood fixed utility ladders; (3) Ordinance 255-08; (4) handout on New Ban on Wooden Fixed-Utility Ladders; (5) Notice Requiring Compliance of San Francisco Housing Code Section 604; (6) Compliance Affidavit; and (7) Affidavit-Self Certification for Carbon Monoxide and Smoke Alarms.

Although the Property Owner Maintenance Checklist is available on the DBI website in Chinese and Spanish,[30] the inspection packet is only provided in English to property owners.

The inspection packet is difficult to understand. Although the cover letter contains vital information, much of the information is buried in the body of the letter. Also nowhere in the letter or packet is it explained what the inspector will be inspecting. Instead the Property Owner Maintenance Checklist is merely included with no explanation for its purpose. Furthermore, the appendage and carbon monoxide/smoke alarm affidavits are included in the packet without instructions on what needs to be done with them--they should be filled out and returned to HIS. Lastly, including the Notices, Ordinances and informational flyers is confusing because they are not tied in with the rest of the inspection packet. (See Appendix, Exhibit 11.)

[30] Property Owner Maintenance Checklist http://sfdbi.org/sites/default/files/Checklist%20English.pdf

"No shows" frequently are not followed up on. "No shows" are not uncommon and may occur scheduled routine after scheduled routine on the same property. On occasion, an inspector may be able to get current contact information (including a phone number) for the property owner (or property management company) from a tenant at the R-2. In these instances, the inspector will try to reschedule the routine inspection using the updated information. We were told that unless a property owner calls to reschedule, it is much more common that inspectors and support staff will not follow up on the "no shows" because they do not have the time necessary for researching the property further.

6. CTS Is Outdated

CTS is a legacy system that lacks capabilities that are commonplace in today's workplace. Without these capabilities, inspectors and support staff must spend much more time doing tasks that would take less time with a more robust computer system. This loss of efficiency contributes to the difficulty of not being able to conduct routine inspections on all R-2s in San Francisco within the mandated five year timeframe. Also, it results in violations that take longer to correct because inspectors do not have the time available or tools necessary to monitor their cases sufficiently. We find these capabilities missing:

- **CTS cannot be accessed from the field.** Inspectors cannot input data to CTS from outside the office. As a result, inspectors must document inspections twice. Inspectors document routine inspections at the inspection site by taking handwritten notes--typically on their Inspector Field Checklist. When the inspector arrives back at the office he will type up the written notes into CTS and upload any photos taken at the inspection site into the network "P" drive. The "P" drive is a separate drive that is not connected to CTS nor can it be accessed outside the office.

- **Affidavits are not available online.** Currently, the appendage and carbon monoxide/smoke alarm affidavits are not available on the DBI website. The appendage affidavit must be completed by a licensed or certified professional stating that all appendages to an R-2 are structurally safe. The affidavit is due every five years. The carbon monoxide/smoke alarm affidavit states that carbon monoxide and smoke alarms have been installed in compliance with the code and must be signed by the property owner. Also, the affidavits cannot be completed by hand, scanned and sent digitally to HIS.

- **Notices of Violation ("NOVs") cannot be printed in the field.** Inspectors cannot print and post the NOV while at the R-2 because CTS cannot be accessed remotely. Also, inspectors do not have portable printers. Therefore, the inspector must return to the R-2 to post the NOV on the building.

- **CTS is not integrated with computer systems within DBI or other City departments.** HIS cannot share data across departments--most importantly within DBI, Department of Health ("DPH"), Department of Public Works ("DPW") and SFFD--so that it can coordinate its inspection and code enforcement efforts and reduce redundancies. Also, HIS cannot know when permits have been filed for and approved and the scope of

permits so that inspectors can have insight into property owners' efforts to correct violations. In addition, HIS cannot create its R-2 routine inspection lists without having to ask DBI MIS for this information.

- **CTS cannot track and report on important attributes.** CTS's ability to track and report on important attributes, such as type of violations and building characteristic is limited. Currently, inspectors document the type of violation from a drop-down menu that offers 83 options in CTS. We were told that, oftentimes, NOVs list multiple violations of different types and that CTS cannot track individual violations listed on an NOV. CTS only has the capability to track the overall NOV. As a result, when an NOV lists multiple violations of different types, inspectors will document the NOV as "General Maintenance" for the type of violation, rather than the specific type of violations listed on the NOV.

Similarly, from our review of CTS input screens, we learned that inspectors can document the overall condition of an R-2 by ranking it on a scale from one to five. However, CTS cannot track factors that are useful in determining which R-2s have higher fire risks. We were told that some of the factors that should be to considered when looking at an R-2's fire risk include: (1) the age of the building; (2) the materials used to construct the building; (3) the overall condition of the building; (4) whether the building has a fireblock; (5) whether the building is particularly densely populated due to illegal tenants; (6) whether the building is of mixed use (residential and commercial); and, (7) whether the building is located on a major thoroughfare.

We concluded, from our interviews and review of CTS input screens, that CTS has not been updated or revised to better meet HIS' needs because DBI believed Accela, which was initially scheduled to be implemented in 2013, would resolve any and all issues HIS had with CTS.

Accela. In October 2011, the City entered into a $4.5 million contract with two information technology companies, Accela and 21 Tech, to build and implement an integrated computer system ("Accela") that would replace the Planning Department ("Planning") and DBI's legacy systems. In essence, Accela was intended to streamline the permit process by enabling Planning and DBI to seamlessly share data across departments and provide online access so that the permit process could be conducted online with transparency. After the initial roll-out to Planning and DBI, Accela would then replace legacy systems in other City departments, including the SFFD, Department of Public Works and Department of Public Health, among others. As part of this process, CTS was going to be replaced by Accela which promised to offer (1) integrated data sharing across HIS, other DBI divisions and Planning; (2) more tailored and automated report functionality; (3) more extensive data point tracking; (4) online capabilities; and, (5) automation of manual processes.

Accela was first scheduled to go live for Planning and DBI in late 2013. However, this launch was postponed. From late 2013 to late 2015, change orders for Accela were numerous and were estimated to increase the cost of the Accela roll-out by close to $4 million (which turned out to be accurate based on Gartner's, a third party vendor, finding that change orders raised the cost to

$8,174,297).[31] Several other launch dates were scheduled and postponed during this time. Consequently, in late 2015, DBI put Accela on hold. Third party outside vendors, Cosmo Cloud and Gartner, were contracted to perform requirement scoping and determine how much more time, money and work would be needed for Accela to be successfully implemented. They also were to evaluate whether implementing Accela was viable and the optimal choice.

The reasons why Accela could not be implemented within its contract price on its original launch date are beyond the scope of this report because we have not specifically verified them. For those interested, reasons do appear in the Gartner report issued on June 9, 2016.[32] According to the report, implementing Accela will require negotiating a contract amendment, addressing gaps in the off-the-shelf system, and strong support from DBI throughout the development process, with go-live estimated to occur between August and October 2017.

FINDINGS

F.I.1. Housing Inspection Services ("HIS") does not know which R-2s have not been inspected within the last five years because the Complaint Tracking System ("CTS") cannot generate a list of R-2s with an accurate last routine inspection date for each.

F.I.2. The spreadsheet used by HIS to track key inspection statistics has not been updated to include all rounds of Focused Code Enforcement completed to date.

F.I.3. Because "Routine Inspections" that are reported to the Building Inspection Commission on a monthly basis include the number of initial routine inspections *and* reinspections that have been conducted, this performance measure is misleading. The total number of initial routine inspections that have been conducted is the correct statistic for determining how many R-2s have had the Code mandated routine inspection at least every five years.

F.I.4. HIS cannot get an accurate list of R-2s in the City without the help of DBI Management Information Systems ("DBI MIS") because HIS does not have access to the DBI database that stores this information.

F.I.5. DBI MIS doesn't always generate the initial list of R-2s, including the property's address and property owner's contact information, for HIS.

F.I.6. The final list of R-2s for routine inspections is created manually because inspectors and/or support staff must look up the date of the last routine inspection for each R-2. When inspectors do this, it takes them away from conducting inspections.

[31] Gartner Report, http://sfdbi.org/sites/default/files/BIC%20Meeting%2006-15-16%20Agenda%20%2314.pdf
[32] Gartner Report, http://sfdbi.org/sites/default/files/BIC%20Meeting%2006-15-16%20Agenda%20%2314.pdf

F.I.7. Although the routine inspection backlog that existed in the Mission, Chinatown and Tenderloin Districts has been reduced through Focused Code Enforcement, a routine inspection backlog still exists in these areas.

F.I.8. Inspectors do not choose the same "Source" and "Abatement Type" when documenting routine inspections. Unless all the possible ways to document a routine inspection are known and CTS report parameters are chosen to capture all the possible alternatives, some routine inspections will not be captured by a report purported to list all routine inspections.

F.I.9. Since CTS does not have "Complaint Generated Routine" as an option for documenting the "Source" for CG routine inspections, CTS cannot separately track and report on complaint-generated routine inspections ("CG routine inspections").

F.I.10. Inspectors do not choose the same "Source" when documenting CG routine inspections. When inspectors choose "Complaint" as the Source, the CG routine inspection will not be counted as a routine inspection in CTS, and HIS will not have an accurate last routine inspection date for those R-2s.

F.I.11. District inspectors do not always conduct a CG routine inspection while they are investigating a complaint at an R-2 even when the R-2 has not had a routine inspection for five years because they are "too busy." HIS accepts inspectors being "too busy" as an excuse for not conducting a complaint-generated routine inspection.

F.I.12. HIS' Standard Operating Procedure ("SOP") does not explicitly require inspectors to conduct a CG routine inspection while they are investigating a complaint at an R-2 when the R-2 has not had a routine inspection within the last five years.

F.I.13. District inspectors do not always know when an R-2, at which they are investigating a complaint, is due for a complaint-generated routine inspection because there is no clear requirement to "research" the last routine inspection date before investigating a complaint.

F.I.14. Inspectors cannot always get into an R-2 to perform a scheduled routine inspection because of "no shows." Since CTS cannot track "no shows," inspectors sometimes lose track of the fact that a routine inspection still needs to be conducted on the R-2s that have a "no show."

F.I.15. HIS has started to manually track "no shows" on an Excel spreadsheet that tracks results of their Focused Code Enforcement. However, this spreadsheet has not been completed for all routine inspections conducted under Focused Code Enforcement.

F.I.16. There was a significant number of inspection "no shows" in the Chinatown (17%) and Mission (15%) Districts and in the Mission Street Corridor (16%). Oftentimes "no shows" are not followed up on because staff is "too busy" to research the property owner's correct address or phone number.

F.I.17. Inspection packets that are sent to property owners sometimes go to an incorrect address because data provided by the Tax Assessor's Office does not have up-to-date contact information for the property owner.

F.I.18. Inspection packets are sent to property owners only in English.

F.I.19. The inspection packet cover letter is confusing and buries vital information in the text.

F.I.20. The Property Owner Maintenance Checklist included in the inspection packet is not explained as being the list of items that will be inspected.

F.I.21. Instructions on what the property owner needs to do with the appendage and carbon monoxide/smoke alarm affidavits included in the inspection are not included on the affidavits or elsewhere in the inspection packet.

F.I.22. Including notices, ordinances and information flyers in the inspection packet without explaining their purpose is confusing.

F.I.23. Inspection documentation is done twice (first in the field and again into CTS when the inspector returns to the office) because there is no online access to CTS.

F.I.24. Photos cannot be uploaded into CTS because CTS does not have this functionality. Instead, they are stored on the network "P" drive which is not connected to CTS.

F.I.25. Affidavits are not available online.

F.I.26. Inspectors are not able to print NOVs in the field. Therefore, they must return to the property a second time to post the NOV on the R-2. This is a waste of time and resources.

F.I.27. CTS is not integrated with computer systems within DBI or other City departments.

F.I.28. CTS cannot track and report on important attributes, such as types of violations and high fire risk building characteristics.

RECOMMENDATIONS

R.I.1. DBI MIS should determine why CTS cannot generate a report with correct last routine inspection dates for each R-2 and correct the problem.

R.I.2. The Chief Housing Inspector should insist that the spreadsheet that tracks key statistics for routine inspections conducted as part of Focused Code Enforcement be updated to include all rounds of Focused Code Enforcement that have been completed to date.

R.I.3. The BIC should require that HIS report, as part of the HIS performance measures, the number of "Initial Routine Inspections" that are conducted to the BIC.

R.I.4. (a) The Information and Technology Department for the City and County of San Francisco should grant HIS senior management access to and permission to run reports from the Oracle database that contains the addresses, contact information and building attributes for R-2s in San Francisco.

(b) DBI MIS should train HIS personnel who will have access to the Oracle database containing the R-2 information how to use it before they have permission to run reports.

R.I.5. If HIS is not granted access and permission to run the list of R-2s from the Oracle database that contains the necessary R-2 information, then DBI MIS should furnish this report to HIS within one week of the request.

R.I.6. (a) If DBI MIS cannot fix CTS (See R.I.1) then the Chief Housing Inspector should require support staff, rather than the inspectors, to look up last routine inspection dates.

(b) If support staff is not available to look up last routine inspection dates, then the DBI Director should allocate part of the DBI budget for hiring temporary personnel to compile this information.

R.I.7. The Chief Housing Inspector should make eliminating the backlog a priority in the Mission, Chinatown and Tenderloin Districts when deciding where to conduct the next round(s) of Focused Code Enforcement.

R.I.8. The Chief Housing Inspector should determine exactly what "Sources" and "Abatement Types" should be used for initial routine inspections and communicate this in writing as a procedure that every HIS inspector must follow.

R.I.9. DBI MIS should include "Complaint Generated Routine" as a Source option in CTS so that CG routine inspections can be separately tracked and reported in CTS.

R.I.10. If "Complaint Generated Routine" is not added as a Source option in CTS, then the Chief Housing Inspector should make opening a separate complaint number for the CG routine inspection and documenting "Routines" as the Source, a mandatory policy communicated to all HIS inspectors in writing.

R.I.11. (a) The Chief Housing Inspector should adopt a policy requiring district inspectors to conduct complaint-generated routine inspections whenever the R-2 has not had a routine inspection within the last five years.

(b) The Chief Housing Inspector should adopt a policy that when district inspectors are "too busy" or for other reasons cannot conduct a CG routine inspection when the R-2 is due for one, the district inspector must notify their senior inspector in writing.

R.I.12. The Chief Housing Inspector should direct HIS personnel to update the SOP to include the requirement that inspectors conduct a CG routine inspection while they are investigating a complaint at an R-2 every time the R-2 has not had a routine inspection

within the last five years. And, if the inspector for some legitimate reason cannot do this, the inspector must so notify their senior inspector in writing.

R.I.13. The Chief Housing Inspector should adopt a policy that district inspectors research the date a last routine inspection was performed: either before going to that same R-2 to investigate a complaint or via CTS records that are available by smartphone on the DBI website.

R.I.14. The Building Inspection Commission ("BIC") should adopt imposing a penalty for property owners who miss their inspection appointment without good cause--as determined by the BIC. The notice of penalty should be mailed to the property owner and posted on the building.

R.I.15. The Chief Housing Inspector should direct HIS personnel to complete the "no shows" information on the Excel spreadsheet that tracks results of their Focused Code enforcement for all the routine inspections conducted under Focused Code Enforcement and direct that all "no shows" are followed-up on within two weeks.

R.I.16. The Chief Housing Inspector should adopt a policy that all "no shows" must be followed up on within two weeks by researching the property owner's correct address or phone number and then, contacting the property owner for a scheduled routine inspection. This policy should be communicated to all inspectors in writing.

R.I.17. The Chief Housing Inspector should require that support staff verify contact information for the property owners and resend the inspection packet to the new address within two weeks from when the inspection packet was returned to HIS.

R.I.18. The Chief Housing Inspector should direct that the inspection cover letter indicate how non-English speaking property owners can request inspection packets in languages other than English and that the inspection packet is made available in Chinese and Spanish.

R.I.19. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten so that all vital information is available at the top of the letter and the language changed so that it is easier to understand.

R.I.20. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten so that it explains that inspectors will be inspecting items on the Property Owner Maintenance List.

R.I.21. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten to include instructions on what the property owner needs to do with the appendage and carbon monoxide/smoke alarm affidavits.

R.I.22. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten to include the information contained in the notices and ordinances. Notices and ordinances should be removed from the inspection packet.

R.I.23. The DBI Director should ensure the replacement system for CTS includes functionality for inspectors to document inspection remotely.

R.I.24. The DBI Director should ensure the replacement system for CTS includes functionality to upload photos remotely.

R.I.25. DBI MIS should make affidavits available online.

R.I.26. The DBI Director should ensure the replacement system for CTS includes functionality for inspectors to print NOVs in the field and that inspectors are supplied with portable printers for this purpose.

R.I.27. The DBI Director should ensure the replacement system for CTS can be integrated with other computer systems within DBI and other City departments.

R.I.28. The DBI Director should ensure the replacement system for CTS includes functionality for tracking and reporting on types of violations and high fire risk building characteristics.

C. Code Enforcement That Doesn't Always Lead to Timely Correction of Violations Further Exposes San Franciscans to Risks

DISCUSSION

HIS has a formal and detailed enforcement process with many steps along the way. Figure I-1 (next page) depicts this process, and Exhibit 12 in the Appendix provides a detailed description.

Some Violations Are Not Corrected In A Timely Manner

In order to determine if code enforcement is effective in getting property owners to correct violations in a timely manner, we asked HIS for information showing how long violations take to be corrected. We were told that CTS does not measure this, and so, HIS could not provide us with this information. Determined to locate this information, we asked DBI MIS to create a report that would show the length of time it takes for violations to be corrected. In response, we received a list of all NOVs, the issuance date for each, the date of abatement for each and the date of the Director's Hearing (if there was one) for 2013-2015. The report was generated from CTS and downloaded into Excel. DBI MIS told us that they can create this as a standard report for HIS. We will refer to this report as "Open NOVs."

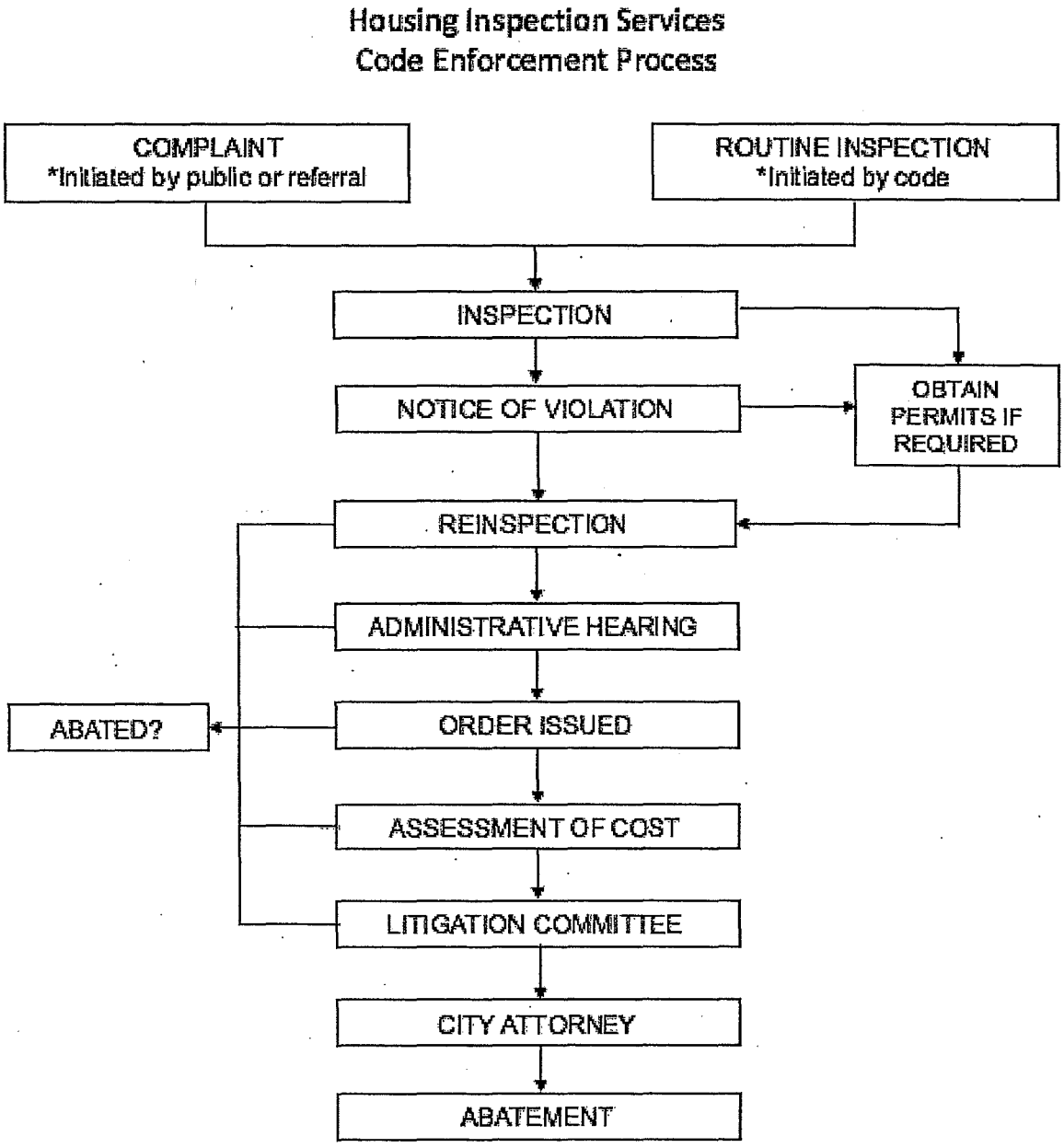


Figure I-1

Table I-4 below, shows a summary of this report and depicts how many NOVs were abated within five different timeframes for all NOVs issued in 2013, 2014 and 2015. Table I-4 also shows the percentage of total NOVs that were corrected within each of these five timeframes (2013, 2014 and 2015). We calculated the number of NOVs in each timeframe by calculating the days between the date the NOV was issued and the date the NOV was abated. These dates were already part of the spreadsheet DBI MIS ran for us. We merely added a column to the spreadsheet in which we made this calculation. We then sorted the spreadsheet by the number of days in this calculation column and counted how many NOVs were within each timeframe.

LENGTH OF TIME TO CORRECT NOVs

Year	NOVs Σ (%)	Abated <= 2 mos	Abated <= 6 mos	Abated <= 12 mos	Abated <= 18 mos	Abated > 18 mos	Not yet Abated
2013	1,834 (100%)	851 (46%)	1,329 (72%)	1,508 (82%)	1,563 (85%)	1,637 (89%)	197 (10%)
2014	2,023 (100%)	933 (46%)	1,418 (70%)	1,572 (78%)	1,635 (81%)	1,637 (81%)	359 (18%)
2015	2,394 (100%)	1,097 (46%)	1,640 (69%)	1,761 (74%)	1,769 (74%)	*	625 (26%)
* Eighteen months have not passed yet							

Table I-4

As Table I-4 reflects, for 2013, 2014 and 2015, approximately 70 percent of NOVs were abated within six months. However, after the initial six months, there's little increase in the rate of NOV abatement as time goes on. For 2013, 2014 and 2015, only another five to ten percent of NOVs are abated within the timeframe from six months to one year.

We find it alarming that approximately 20 percent (2013-14 average) of NOVs took more than one year to correct. It seems that one year is more than enough time to correct most NOVs. Also, we were surprised to see that ten percent of NOVs issued in 2013 and 18 percent issued in 2014 were still not abated. Overall, this data is consistent with what we learned anecdotally.

It's important to note that when an NOV lists more than one violation, the time it takes for an NOV to be corrected can differ from the time it takes for each violation listed on an NOV to be corrected. This is because CTS can only track NOVs as a whole. It cannot track each individual violation that is listed on an NOV. Therefore, CTS can only provide dates than can be used to calculate how long an NOV, not each violation, takes to be corrected.

Reasons Some Violations Take Too Long To Correct

There are five main reasons HIS code enforcement is not effective in ensuring that all violations are corrected in a timely manner, including:

(1) inspectors have unfettered discretion to grant property owners additional time to correct violations;

(2) code enforcement oversight is insufficient;

(3) HIS does not measure the effectiveness of its code enforcement process;

(4) inspectors take too long to refer some open NOVs to Director's Hearing; and

(5) HIS lacks more effective code enforcement tools.

1. *Inspectors Have Unfettered Discretion To Grant Property Owners Additional Time To Correct Violations*

In general, the code enforcement process is divided into several 30-day windows for compliance--there are 30 days from the time an NOV is issued to the first reinspection and 30 days from that reinspection to either conduct another reinspection or the NOV moves on to the next phase of code enforcement. However, exceptions to the 30-day period are granted when the facts and circumstances surrounding the violation support it.

Additional time for correcting violations can be granted. HIS has a policy to "work with the property owner" which means that each 30-day deadline for correcting a violation may be extended by an inspector. For example, if permits are required or contractors are needed to perform the work necessary to fix the violation, granting additional time may be necessary. We were told that HIS believes that strictly enforcing deadlines does not always result in violations being corrected; each violation has its own set of unique facts and circumstances that must be taken into account in order to encourage property owners to correct violations.

Based on our interviews, we learned that there is no standard against which inspectors' grant of additional time can be measured. Therefore, inspectors determine for themselves, based on their own interpretation of the facts and circumstances and personal proclivities, how much additional time they will grant and under what circumstances. As a result, how this discretion is exercised varies among the inspectors.

Some inspectors more strictly adhere to the 30 day period while other inspectors are more willing to "work with the property owner." We were told that as long as there is an active permit, most inspectors are willing to give property owners more time to correct the violations. We were told that some inspectors will give property owners additional time if they indicate a willingness to correct the violation. We were told that some property owners take advantage of this opportunity to manipulate the system. For example, they may file for a permit with no intention of starting the work anytime soon or ever doing the work necessary to correct it.

Many of the variables (facts and circumstances) associated with extensions of time can be quantified. Prime examples include measuring the average time it takes to (1) file for and obtain an over-the-counter permit; (2) vet and hire a contractor; and, (3) perform the work necessary to correct the violation. HIS management can identify the top 20 types of violations by reviewing either the violations listed on NOVs or the comment sections of inspection reports in CTS. For example, inoperable fire alarm. Average timeframes for correcting violations can be established. For example, for unsafe stairs, it may take four weeks to file and obtain a permit to replace the stairs, four to six weeks to find a qualified contractor who can perform the work and, another four to six weeks to actually perform the work.

Softer issues, such as the property owners reluctance to perform the work for personal or financial reasons, possible displacement of tenants and permits that require plans to be filed, approval from other departments or a 311 60-day notice period cannot be easily quantified.

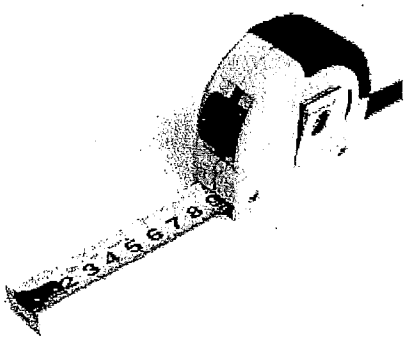
Additional time provided to the property owner is not provided in writing. When inspectors give property owners additional time to correct a violation, they do not give property owners anything in writing letting them know when their next reinspection and subsequent deadline for abatement will be (other than on an NOV). Instead, if at the reinspection a violation has not been corrected, inspectors will, right then and there, verbally schedule the time and date for the next reinspection. At this time, they will verbally advise property owners that they need to have the violation abated by the next reinspection date. By not communicating this in writing, it may give property owners the impression that they can negotiate with the inspectors more easily. Also, some property owners may not completely understand what they are being advised and would benefit from written instructions better.

2. *Code enforcement oversight is insufficient*

Although bi-monthly code enforcement staff meetings are scheduled, we were told that they are regularly cancelled because inspectors are "too busy." We were told that inspectors should get approval from their senior inspectors before granting additional time to correct a violation to the property owner. However, none of the inspectors we spoke with get preapproval from their senior inspector.

3. *HIS Does Not Measure The Effectiveness Of Its Code Enforcement Process*

According to management gurus, W. Edward Deming and Peter Drucker, "you can't manage what you don't measure." Success must be defined and tracked in order to determine whether an organization is successful. For HIS, the definition of success can be defined in two parts. The first part is mandated by Code--that HIS conduct routine inspections at least every five years. The second part can include ensuring that all violations are corrected within a "reasonable time." However, HIS does not track when all of the R-2s in our City last had a routine inspection nor does HIS track how long violations take to be corrected.



Instead, HIS manages its code enforcement efforts with the goal of moving open violations towards correction without defining what successful correction of violations means. Based on our interviews, we learned that senior inspectors monitor inspectors' code enforcement efforts by spot checking open cases in CTS and by utilizing a review process every four to six months. We were told that two or three times a year HIS inspectors and senior inspectors are given two management reports, "Complaints Received" and "First NOV Sent," to review. Both reports are standard reports that can be generated by CTS by senior inspectors or management without the help of DBI MIS.

Complaints Received. The first report, "Complaints Received," tracks complaints that have been received, are still open and for which an NOV has not been issued. The report lists the complaint number, the date the complaint was received, the R-2 address, the date of last activity and a comments section. Each inspector gets their own report with their open complaints listed.

This report provides information on complaints that are open--it does not include any information on routine inspections.

Recently, HIS distributed this report to its 14 district inspectors for open complaints received in 2015. We reviewed a copy of this report. There are 281 complaints received in 2015 that remained open (without an NOV) as of early May 2016.

First NOV Sent. The second report, "First NOV Sent," tracks cases that have had an NOV issued, but, have not been scheduled for a Director's Hearing. The report is distributed to routine and district inspectors. It includes open NOVs arising from complaints and routine inspections. This report lists the complaint number, the date the first NOV was issued, the R-2 address, the date of last activity and a comments section. Each inspector gets individualized reports with their cases on it.

The most recent copy of this report was distributed to inspectors in early May 2016 for open NOVs that were issued in 2015. We reviewed a copy of this report. There were 311 NOVs issued in 2015 that still have not been referred to a Director's Hearing ("DH") as of May 2016. This means that after at least five months (end of 2015 to May 2016), 311 open NOVs had not been referred to a DH. Although not all of the 311 open NOVs may be appropriate to refer to a DH, this is a significant number of NOVs that are still uncorrected after at least five months.

Qualitative review. Once inspectors receive the two reports, they have six to eight weeks to review their cases. Inspectors provide additional updates on their cases in the comments section of the reports. Afterwards, inspectors meet with their senior inspectors to go over the two reports one case at a time. We were told that the reports are designed to identify open cases and open NOVs that have stalled and encourage inspectors to move the cases along. By the time they meet with their senior inspectors, inspectors may have taken additional actions on many of the open cases (moved them along) on their lists. Consequently, only the more challenging cases are discussed at length with their senior inspector. For these cases, the senior inspectors will help their inspectors determine the next course of action.

4. Inspectors Take Too Long To Refer Some Open NOVs to Director's Hearing

We were told that some inspectors may not be referring open NOVs to a Director's Hearing soon enough or at all.

An NOV that never went to a DH. "1118-1124 Hampshire Street" is an example of a case that never went to a Director's Hearing, despite the fact that it took the property owner almost three years fix the violation. In April 2011, an inspector issued an NOV for rotted stairs at the property, a serious problem that caused the death of a person at another building in San Francisco in 2012. The inspector re-inspected the property twice--once in May 2011 and again in June 2011--but gave the owner more time, because a permit had been issued for the repair work. However, in January 2014--32 months after the NOV was issued--the inspector found that the work was still incomplete, so issued a final warning letter. In that case, the owner finally completed the work as required. The case was abated in 2014.

There are three reasons inspectors may not be referring open NOVs to a DH in a timely manner: (a) HIS does not track how long it takes an open NOV to reach a DH; (b) HIS does not have an objective standard for determining when a case should go to a DH; and (c) preparing open NOVs for a DH is labor intensive.

HIS does not track how long it takes an open NOV to reach a Director's Hearing. HIS manages referrals to DHs by tracking the outcomes of Director's Hearings on an Excel spreadsheet, "Summary of Director's Hearings." This spreadsheet is only an informational tool--it lists the R-2 address, the CTS number, the DH hearing date, the inspector who issued the NOV and the Director's determination. The NOV issuance date is not listed. Therefore, HIS does not measure the time it takes an open NOV to reach a DH.

In Table I-5 below, we have calculated the average time it takes for NOVs to be heard at a Director's Hearing for 2013, 2014 and 2015. We took the date an NOV was issued and the date that a Director's Hearing was conducted on each NOV for 2013, 2014 and 2015 from the Open NOV spreadsheet we had DBI MIS generate for us. We added a column to this spreadsheet to calculate the number of days between the date the NOV was issued and the date that a Director's Hearing was conducted on each NOV for 2013, 2014 and 2015. We then added up the total days and divided it by the total NOVs that went to a DH. Thus, we arrived at the average number of days it takes for an NOV to reach a DH.

AVERAGE TIME FROM NOV TO DIRECTOR'S HEARING

Year	Number of referrals to director's hearing	Average time from NOV to director's hearing
2013	348	160 days
2014	422	123 days
2015	303	118 days

Table I-5

As Table I-5 shows, for 2013-2015, it took between 118 to 160 days, on average, for uncorrected NOVs to reach a Director's Hearing. From our interviews, we learned that HIS estimates that most uncorrected NOVs go to a DH within 40 to 60 days. The discrepancy between how long HIS estimated this time period to be and what the data shows in Table I-5, is significant. It's the time it takes the NOV in its entirety to reach a DH that is pertinent and should be measured.

HIS does not have an objective standard for determining when a case should go to a DH. Inspectors use their own judgement to determine when an open NOV should be referred to a DH. As a result, some inspectors are more likely to refer cases to a DH; other inspectors are less likely. Some inspectors refer cases when a violation is "particularly egregious" or "if a property has three unabated violations on it." Others have said a case is ready for a DH when there are "unabated violations with no progress and significant NOVs."

Inspectors are supposed to brief their supervisors when violations have not been corrected after three reinspections.[33] We were told, however, that not all inspectors proactively brief their seniors after three reinspections with no progress. Therefore, even when violations have not been corrected after three reinspections, those cases may not proceed to a DH.

Similarly, there is no set period of time after which unabated violations must proceed to a DH. Although the Building Code and the SOP allow inspectors to refer unabated NOVs to a DH as early as 60 days after the NOV was issued, as a general rule, if building permits have been filed many inspectors will not refer the case to a DH even if sixty days have passed.[34]

Preparing open NOVs for a DH is labor intensive. In anticipation of referring a case for a DH, the inspector reviews CTS to ensure all inspection notes and photos taken of the violation are sufficiently detailed and that all enforcement efforts are well documented. This information is then printed out and assembled along with the paper based "enforcement file" into a package for the senior inspector to review and decide if a case should proceed to DH.

We were told that preparing a case for a DH is a labor intensive effort for the inspectors and support staff. In fact, the SOP has eight pages of detailed procedures related to the DH including preparing the case, scheduling the hearing, preparing the agenda, determining all the interested parties and then providing notice to them, posting the notice of the DH and documenting all this in CTS, the paper bound file and Excel spreadsheets.

5. *HIS Lacks More Effective Code Enforcement Tools*

Although HIS has a well established code enforcement system that effectuates timely abatement in many cases, there is a common belief among HIS inspectors that their code enforcement tools often may not be effective enough. When inspectors lack effective tools to motivate the reluctant property owner to abate violations more quickly, the enforcement period may be unnecessarily extended. This means inspectors have to work harder by conducting many more reinspections and other tasks in hopes of achieving abatement. There is also the looming possibility that the violation will still not be corrected. Furthermore, extending the time for abatement exposes our housing stock, its tenants and neighbors to unnecessary risks that should have been corrected sooner.

HIS' most effective tools for incenting abatement include referring cases to a DH or the City Attorney and the Special Assessment Lien program. (See Appendix, Exhibit 12, Explanation of HIS Code Enforcement.) Their effectiveness is largely due to the high costs and negative publicity associated with these programs. City Attorney cases apply further financial incentive due to the possibility of multiple civil penalties, punitive penalties and attorney's fees being awarded. Even so, these tools may not be effective in every case.

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[33] SOP, page 16, Item 9(c).

[34] San Francisco Building Code, Chapter 1A and SOP (page 16, item #12(c)).

We were told that the most stringent (and effective) determination coming out of a Director's Hearing--the Order of Abatement-- may have lost much of its deterrent potential. In the past, property owners did not want their property title to be clouded with an Order of Abatement as it would make borrowing money and selling the property more difficult. Nowadays, with the change in the financial markets, we were told there aren't the same obstacles connected with a clouded title as there have been in the past. Additionally, unless a property owner intends to borrow money or sell the property, they could choose to defer abatement for many years.

Cases that are referred to the City Attorney almost always show results--the violations are almost always cured. For the period 2010 through 2015, DBI referred 59 cases to the City Attorney. Nine of these cases, referred in 2010, were for buildings owned by one firm, Blanding (doing business as Bayview Property Managers). The City Attorney obtained an injunction requiring Blanding address nuisance conditions at all 30 buildings they own and/or manage and also imposed a civil penalty of $800,000. Ten cases dealt with vacant or dilapidated buildings, several occupied by elderly owners who are no longer able to care for their homes. Fourteen violations referred to the City Attorney ("CA") were for work without permit, including adding illegal units. In one case, a parking garage owner turned one floor into a hostel. Eighteen cases dealt with multiple violations, including fire safety and structural damage. Almost all were abated within a few months of the City Attorney's involvement, although one case took over two years. It required a restraining order on the owner, and the bank holding the mortgage placing the property in receivership.

However, the CA pursuing litigation can be a very expensive route, and therefore, it is reserved for the most egregious cases. Lastly, the Special Assessment Lien program is also very effective but is only available once a year.

Franchise Tax Board. Years ago the California Franchise Tax Board ("FTB") had a program that we were told was very effective in getting property owners to correct violations. Under this program, once a violation had gone uncorrected for 180 days after the initial NOV compliance period had elapsed (usually thirty days), the inspector could refer the case to the FTB. After the inspector received approval to refer a case to the FTB from their senior, they would prepare a Notice of Non-Compliance. The Notice of Non-Compliance would be recorded and sent to the property owner and the FTB. As a result, when the property owner filed their California tax return and attempted to take deductions for expenses incurred in connection with their rental property (the R-2 with the NOV), the FTB would disallow these deductions until the NOVs were abated. In response, property owners would correct the previously unabated violations. Thereafter, a Notice of Compliance would be issued and sent to the property owner, the Recorder's office and the FTB.

Administrative penalties. Currently, HIS cannot impose civil penalties on property owners for unabated violations because the current administrative hearing HIS uses (the Director's Hearing) does not comport with due process requirements that are necessary for civil penalties to be awarded. There's a belief within HIS that being able to seek administrative civil penalties would create a significant financial incentive for property owners to abate violations. Since a case can be referred to a DH as early as sixty days after an NOV is issued, the threat of administrative penalties being awarded may encourage property owners to correct violations more quickly. We

were told that, in order for administrative civil penalties to be added to the administrative hearing, at a minimum, the following would have to change: (i) the hearing officer would have to come from outside DBI; (ii) testimony may have to be given under the penalty of perjury; and, (iii) the notice of decision would have to have an appeal process that first went to a board, comprised of members other than the BIC. HIS could seek administrative civil penalties when there were repeat offenders, serious deferred maintenance, numerous NOVs, or a vulnerable population was being affected, along with many more cases.

FINDINGS

F.I.29. HIS does not measure how long NOVs take to be abated. Without tracking how long it takes for NOVs to be abated, HIS cannot determine whether it's code enforcement process is effective for correcting all violations in a timely manner.

F.I.30. For 2013-2015, approximately twenty percent of NOVs took more than one year to correct.

F.I.31. HIS does not have a standard against which inspectors' grant of additional time can be measured.

F.I.32. When inspectors grant additional time for property owners to correct an abatement, there is no written documentation (other than on an NOV) provided to the property owner that states when the next reinspection will occur or explains that violations must be abated by then. By not communicating this in writing, property owners make think that they can negotiate with the inspectors more easily. Also, some property owners may not understand what they are being told due to language differences or other reasons.

F.I.33. Although bi-monthly staff meetings are scheduled, they are regularly cancelled because inspectors are "too busy." Without a management culture that supports having scheduled times to discuss inspectors work, it will be difficult for HIS to optimize its code enforcement process for success.

F.I.34. Based on our investigation, we concluded that HIS does not have an adequate definition for success.

F.I.35. Some inspectors take too long to refer open NOVs to a DH. But, HIS does not measure how long it takes an open NOV to reach a Director's Hearing.

F.I.36. Inspectors take too long to refer open NOVs to a DH because the standard for referring unabated violations to a Director's Hearing is vague and leaves too much room for interpretation.

F.I.37. Not all inspectors proactively brief their seniors after three reinspections with no progress.

F.I.38. Inspectors take too long to refer open NOVs to a DH because preparing a case for referral to a Director's Hearing is more labor intensive than it should be.

F.I.39. HIS lacks more effective code enforcement tools.

RECOMMENDATIONS

R.I.29. (a) The Chief Housing Inspector should ask DBI MIS to create a standard report to track how long NOVs take to be corrected (similar to Open NOVs report we used) and modify this report to calculate the difference in days between when an NOV is issued and the date the NOV is corrected and then use this report to measure the time it takes for property owners to correct NOVs.

(b) The Chief Housing Inspector should report how long NOVs take to be abated, in a format similar to Table I-3, to the BIC on a monthly basis.

R.I.30. The Chief Housing Inspector should actively monitor cases using the Open NOVs report to ensure that less than five percent of NOVs take no more than one year to abate.

R.I.31. The Chief Housing Inspector should develop guidelines for inspectors to use when granting additional time for repairs or abatement. The guidelines should be based on the average additional time it takes for the top 20 types of violation under each of the following common scenarios, including: (1) filing for and obtaining an over-the-counter permit; (2) vetting and hiring a contractor; and, (3) performing the work necessary to correct the violation.

R.I.32. The Chief Housing Inspector should ensure a new form letter is drafted to provide property owners the date of the next reinspection and warn them that violations must be abated by that date. Inspectors can then fill in the time and date of the reinspection and hand it to the property owner at the inspection.

R.I.33. The Chief Housing Inspector should create a culture where staff and management meetings are held as scheduled and not canceled unless there is an emergency.

R.I.34. The Chief Housing Inspector should adopt a definition of success that includes inspecting all R-2s at least every five years and ensuring all violations are corrected within a "reasonable period of time." The Chief Housing Inspector should measure a "reasonable period of time" for correcting violations by first using the Open NOVs report to measure how many days have elapsed since each NOV was issued. Next, the Chief Housing Inspector should compare the number of days that an NOV has stayed open against specific timeframes. We recommend two months; six months; 12 months; and, 18 months. (Two months (60 days) is an important timeframe because it is the earliest that an NOV can be referred to a DH.) Once an NOV goes uncorrected for one

day after each of these timeframes, the NOV can easily be flagged for a closer review of the facts and circumstances and steps taken to encourage the NOV be corrected.

R.I.35. The Chief Housing Inspector should measure the time it takes for an open NOV to reach a Director's Hearing. We recommend using the Open NOV spreadsheet that DBI MIS created for us. Incorporating a column that calculates the days between the NOV date and the DH date, HIS can determine how many day it takes an open NOV to be heard at a Director's Hearing.

R.I.36. The Chief Housing Inspector should adopt an objective standard for inspectors to use in determining when a case should be referred to a Director's Hearing.

R.I.37. The Chief Housing Inspector should require that senior inspectors follow-up with inspectors when there have been three reinspections on an open NOV.

R.I.38. The DBI Director should ensure when CTS is replaced by another system that it includes functionality to help automate the Director's Hearing case preparation and digital transfer of case files.

R.I.39. (a) The Chief Housing Inspector should determine what is required for HIS to reinstate the FTB program and then ensure that all necessary steps for making the FTB program part of the HIS code enforcement process are taken.

(b) The BIC should approve that HIS use the FTB program as part of its code enforcement process.

(c) The Chief Housing Inspector should determine what is required for administrative penalties to be available at the HIS administrative hearing and then ensure that all necessary steps for making this possible as part of the HIS code enforcement process are taken.

(d) The BIC should approve adding the legal requirements to the HIS administrative hearing so that administrative penalties can be awarded.

D. Insufficient Staffing

DISCUSSION

We were told, throughout our interviews with HIS personnel, that inspectors/support staff were either "too busy" and/or there were not enough inspectors/support staff to perform some essential tasks. Inspectors and management openly acknowledge that they are short-staffed.

Inspectors and support staff work hard. As a result of our investigation, we determined that HIS inspectors have full schedules. Currently, HIS has 14 district inspectors that investigate approximately 4,600 complaints every year. District inspectors are expected to respond to complaints within 24-72 hours. Complaints can be very time consuming because they may also

involve landlords/tenant disputes. The number of tenant complaints likely will not decrease anytime soon. In fact, the number may very well increase, as affordable housing becomes even more scarce.

Although routine inspections are less complicated and take less time, there are only four inspectors who focus on routine inspections. Inspectors must conduct routine inspections on 21,000 R-2s over a five year period. That means 4,200 routine inspections must be conducted each year. This is the bare minimum because we do not know how many R-2s are "past due" for inspection.

Additionally, inspectors are pulled away from their routine inspections and complaint work to work on special projects or to enforce new regulations and ordinances. Examples include enforcement of the Hotel Conversion Ordinance and the ban on wooden fixed utility ladders. Inspectors work harder than they should have to because they must rely on computer systems that are outdated and lack basic functionality.

We believe that one of the main reasons a routine inspection backlog exists and some violations take too long for property owners to correct is because HIS does not have enough inspectors and support staff to fully cover its workload.

Currently, HIS has two open inspector positions and two other vacancies due to "leave." Although HIS has received approval to hire temporary replacements for the two district inspectors who are on leave, this still leaves HIS with two open inspector positions.

FINDING

F.I.40. HIS does not have enough inspectors to inspect every R-2 in San Francisco at least once every five years.

RECOMMENDATION

R.I.40. The Director of DBI should request that the Controller's Office conduct a study to determine adequate staffing levels for HIS.

E. Transparency

DISCUSSION

Transparency into fire safety code enforcement is necessary so that:

- Property owners and tenants know what to expect; and
- The public can understand, in enough detail, what violations have been found and what is being done to ensure that those violations are being corrected in a timely manner.

Information on HIS routine inspections is buried in the DBI website. Inspections packets are one source of information about the routine inspection and code enforcement process. The DBI website is a second source.

On DBI's homepage,[35] across the top of the page, under "Inspection" there is a drop down menu with three links that are related to routine inspections: District Charts and Maps; Inspection Scheduling; and, Filing a Complaint. Under Inspection Scheduling, instructions for scheduling an inspection with HIS are included. However, routine inspections are not described or explained under any of these three links.

In order to get information about routine inspections, one must follow several links: Starting with DBI's homepage, halfway down in the center of the homepage, is Inspection Services (in small print). Click thru Inspection Services Divisions. On the Inspection Services Division page, click thru Housing Inspections Services (in small print). Then under Helpful Links, click thru the link to Routine Inspections. The Inspection Worksheet is included.[36]

Information on routine inspections is not sufficiently detailed. Although information on routine inspections is available on the DBI website, it is not detailed enough to sufficiently understand the process. On the Routine Inspections page,[37] items missing are: the process for when a routine inspection is required, what will be inspected, what affidavits are required to be certified by a professional and returned to HIS, what happens if a violation is found and costs associated with code enforcement. Or, they are conveyed in a way that no one without prior knowledge of the process would understand. The Informational Maintenance Checklist (also known as the Inspection Worksheet) is available on the Routine Inspections page but it is not described as the list inspectors use for routine inspections.

Information on violations is not easy to find. There are two ways to get to information about violations on the DBI website. The first way is from the Routine Inspections page by clicking thru Track Permits and Complaints at the bottom of the page. The second way is from the DBI homepage, accross the top of the page, under Permit Services on the drop down menu click thru Track Permits and Complaints.[38] On the Track Permits and Complaints, click thru "Search for documents by Site Address," then enter the property address. Once the property address is shown, then click through "Complaints." Next, a list of all inspection records for all DBI departments will be shown. Routine inspection and complaints will be found under HIS for Div (Division).

Since the actual NOV is not available online, details on violations are insufficient. R-2 inspection records located under Track Permits and Complaint include the inspection date, type of violation, the inspector's name, status and comment. The "type" of violation oftentimes includes a description that is too broad for a sufficient understanding of the violation. For example, "General Maintenance." Sometimes an inspector will write more under the comments.

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[35] http://sfdbi.org/

[36] http://sfdbi.org/sites/default/files/Checklist%20English.pdf

[37] http://sfdbi.org/ROUTINEINSPECTIONS

[38] http://dbiweb.sfgov.org/dbipts/

Most of the details of a violation are written on the NOV. However, actual NOVs are not available on the DBI website.

FINDINGS

F.I.41. Information on HIS routine inspections is buried in the DBI website.

F.I.42. Information on routine inspections on the DBI website does not provide enough information to sufficiently understand the process.

F.I.43. It is not easy to find information on R-2 violations on the DBI website because many of the links to get to inspection records are labeled with terms that may not be understandable to the public. For example, calling violations "complaints" and needing to look under "HIS" for "Div."

F.I.44. Since the actual NOV is not available on the DBI website and rarely do the "comments" provide much detail about violations, the detail available to the public and tenants is not sufficient enough to understand the full extent or nature of a violation.

RECOMMENDATIONS

R.I.41. DBI MIS should redesign the DBI website so that information on routine inspections is easier to find from the DBI homepage.

R.I.42. DBI MIS should revise the information on routine inspections on the DBI website so that: the property owners and the general public understand the process, including how often routine inspections take place, what is inspected, what happens when violations are found, the time frame for correcting violations and the costs associated with code enforcement.

R.I.43. DBI MIS should change the names on the links for R-2 violations so inspection records can be found more easily on the DBI website.

R.I.44. The DBI Director should ensure the replacement system for CTS can upload NOVs to the DBI website.

II. SAN FRANCISCO FIRE DEPARTMENT

A. Organizational Structure

The Fire Commission sets policy and supports the San Francisco Fire Department ("SFFD") in achieving its mission to protect the lives and property of San Franciscans from fires and to prevent fires through prevention and education programs.[39] The City Charter authorizes the Mayor to appoint all five members of the Fire Commission.[40] The San Francisco Fire Department is divided into three main divisions: Administration, Planning, and Operations. Operations has two main functions--fire suppression and fire prevention. Operations is led by the Deputy Chief of Operations, who is second in command after the Chief of the Fire Department. (See Appendix, Exhibit 15.)

Firefighters perform the annual R-2 inspections. The fire suppression function is performed by four organizational units within the Operations division--Airport, Emergency Medical Services, Division 2 and Division 3. Divisions 2 and 3 are further divided into nine Battalions. The nine Battalion Chiefs supervise the firefighters and rescue squads in the 43 firehouses (or station houses) in San Francisco. Division 2 includes the downtown and financial districts and runs through the northwestern part of the City. Division 3 includes the South of Market area and runs through the southwestern boundaries of the City, down to the southern part of San Francisco.

Each of the 43 firehouses in San Francisco has an engine company. The engines are the vehicles that have hoses and put out fires. Nineteen (of the 43) firehouses also have a truck company. The trucks carry ladders, ventilators, big tools and the jaws of life. The truck companies primarily perform rescues and medical calls. Each engine or truck company has several firefighters and is led by a Captain. In addition to performing their firefighting and/or rescue duties, each engine company and truck company ("Company") is required to conduct annual inspections of the R-2s within the general vicinity of their station house. Each Company inspects the common areas of R-2s for 12 fire safety items (see Appendix, Exhibit 16). The SFFD charges owners of R-2 Residential Apartments $157 for the annual inspections they perform.

The Bureau of Fire Prevention inspectors do the code enforcement. The San Francisco Fire Marshal oversees the Bureau of Fire Investigation, Plan Check and the Bureau of Fire Prevention ("BFP"). Currently, the BFP is divided into three areas: (i) high rise inspections; (ii) permits; and (iii) district inspections. During the time of our investigation, district inspectors performed the code enforcement for violations arising from Company annual inspections of R-2s. This is no longer the case.

At the end of 2015, high rise inspectors began helping district inspectors on R-2 complaints. We were told this was because district inspectors needed help with their heavy workload. High-rise inspectors also conduct annual inspections and investigate complaints in the 450+ high-rise

[39] San Francisco Fire Commission website, "Annual Statement of Purpose: 2016"
[40] San Francisco City Charter, section 4.108

buildings in the City and in San Francisco Housing Authority buildings. High-rise inspectors perform code enforcement for violations discovered as a result of their inspections.

Early in 2016, BFP began a staff restructuring. R-2 complaints that Company Captains refer to BFP for code enforcement were moved from district inspectors to high-rise inspectors. On an interim basis, six high-rise inspectors will continue to do code enforcement for R-2 complaints--but, only those that are referred by Company Captains. District inspectors will continue to investigate R-2 complaints from sources other than Company Captains. Also, they will continue to investigate fire safety complaints in commercial buildings in their districts and review residential and business construction projects from permit issuance to certificate of occupancy as they have always done. This change occurred after we completed our fieldwork and, therefore, was not considered in our investigation.

Recently, BFP created a new R-2 group to work solely on R-2 complaints referred by Company Captains. Once the new R-2 group is trained and fully staffed, it will handle all R-2 complaints. A lieutenant, who has experience working on R-2 complaints as a district inspector, will supervise this new group, and a new Captain will lead the group. We were told that the new R-2 group will be staffed with five inspectors and one clerical person and that it will have a dedicated SFFD Management Information Services person to ensure complaints are being documented and tracked properly.

In June 2016, one inspector moved from Plan Check to the new R-2 group and another inspector is expected to join soon. Our review of the 2016-17 SFFD budget revealed that BFP plans to add three more inspectors to the new group during the next fiscal year--bringing the total inspectors to five. It's not yet known when they will be hired, as candidates still need to go through the civil service process. Until this new group is adequately staffed, the six high-rise inspectors will continue to handle code enforcement of R-2 violations arising from Company inspections.

Furthermore, BFP's code enforcement process will soon become more robust. In April 2016, the Board of Supervisors passed legislation that requires BFP to implement an enhanced code enforcement process that more closely mirrors the one that DBI Housing Inspection Services ("HIS") uses--including adding an administrative hearing.[41] The effective date of this legislation was June 1, 2016. BFP is still developing their new code enforcement process.

B. The Backlog in R-2 Inspections Exposes San Franciscans To Unnecessary Risks

DISCUSSION

The California Health and Safety Code mandates that SFFD perform annual inspections of R-2s in San Francisco.[42] It is the Building Code's definition of R-2s--residential buildings with three or more units--that applies to SFFD inspections as well as DBI inspections.[43] However, SFFD

[41] http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances16/o0060-16.pdf
[42] California Health and Safety Code, sections 13146.2 and 17921
[43] California Building Code, section 310.1

adopted a policy that requires its firefighters to inspect only residential buildings that are less than 75 feet tall and have nine or more units. Therefore, SFFD firefighters only inspect approximately 4,000 R-2s that have nine or more units instead of the approximately 21,000 R-2s that have three or more units in San Francisco. Property owners with buildings with fewer units can voluntarily participate in the annual inspection process.[44] Tenants who are concerned about fire safety may also call, file a complaint online or go to a fire station to complain about conditions at their building. Residential buildings that are 75 feet or taller are inspected by the high-rise inspectors.

Companies do not inspect all the R-2s in San Francisco every twelve months. The suppression personnel we spoke with told us that some Companies do not inspect all the R-2s on their list every month. One Company Captain shared that, in late 2014, his Company had a backlog of 200 R-2s that accumulated over numerous months that they reduced through hard work.

In Table II-1 below, we show that there was a backlog in R-2 annual inspections for 2013, 2014 and 2015. Using data from SFFD, we calculated the backlog percentage by comparing the total number of R-2 that should be inspected each year to the total number of R-2 inspections that were completed for 2013, 2014 and 2015.

SFFD ANNUAL R-2 BUILDING INSPECTIONS

	2013	2014	2015
Total R-2s requiring an annual inspected	4,031	4,031	4,031
Total R-22 that were inspected	3,339	3,520	3,791
Annual backlog	692	510	240
Percent R-2s without a required inspection	17%	13%	6%

Table II-1

Reasons For The R-2 Inspections Backlog

We identified several factors contributing to the annual inspection backlog, including:

(1) Companies cannot gain entry into some R-2s;

(2) the number of R-2 inspections is disportionately distributed among the Companies;

(3) R-2 inspections are not prioritized based on their last inspection dates;

(4) follow-up on inspection backlog is insufficient; and,

(5) the primary rationale for inspecting R-2s is not to enforce code compliance.

[44] SFFD Hotel and Apartment Inspection Operating Guide, pages 1.1-1.2

1. Companies Cannot Gain Entry Into Some R-2s

We were told that the main reason for the R-2 annual inspection backlog is the inability of station house Companies to gain entry into every R-2 to inspect it.

Company Captains rarely schedule annual inspections in advance. We were told that R-2 inspections are rarely scheduled with property owners in advance. Instead, the Company will show up at an R-2, without prior notice, and ring doorbells hoping someone will let them in. Some buildings have a lock box, which allows Companies to gain access. This practice, however, is not consistent with procedures delineated in the SFFD Hotel and Apartment Inspection Operating Guide (the "Operating Guide"). The Operating Guide provides the standards and procedures for conducting R-2 annual inspections and states "(i)f a contact phone number is provided, then an attempt should be made to set up an inspection time."[45] Property owner contact information is visible on Company Captains' computers--sometimes with a phone number. However, it is not included on the Inspection Worksheets that most Company Captains print out and bring to the R-2 to document inspections. We were told that even when they have a phone number, Company Captains rarely schedule inspections in advance. As a result, Companies cannot gain entry into every R-2 to conduct an annual inspection.

We were told that this can happen repeatedly on the same R-2. In fact, one Captain said "we can go back twenty times and never get in." When no one answers, the Company either goes on to their next R-2 inspection or performs other duties. Although Company Captains do not specifically track when they cannot get into an R-2, inspections that are not completed will remain "open" or "pending" on their R-2 list so they do not lose track of it. If a Company is called to an emergency while conducting an R-2 inspection, they will leave in the middle of the inspection. After completing the call, the Company will attempt to return to the R-2 to complete their inspection.

R-2 inspections are not conducted on the weekends. Typically, inspections take 30-45 minutes. However, they could take longer depending on the size of the building, accessibility, the number of violations found, among other factors. We were told that Companies do not perform R-2 inspections on the weekends because inspectors schedules--at the Bureau of Fire Prevention--do not include Saturday & Sunday. We were also told that SFFD does not want to bother the public on the weekends. The station house Companies, however, do work on the weekends.

2. The Number Of R-2 Inspections Is Disportionately Distributed Among The Companies

The inspections performed by engine companies and truck companies are exactly the same. The only difference is their list of R-2s to inspect. At the beginning of each month, Company Captains receive their list of R-2s that should be inspected during that month. On that list, there is an inspection deadline for each R-2 which is one year from the date of the R-2s last inspection. The number of R-2s that must be inspected each month varies from month to month. If a station house has both an engine company and a truck company, the list of R-2s near their station house

[45] SFFD Hotel and Apartment Inspection (R1 & R2) Operating Guide, page 2.1

is divided somewhat evenly between the two Companies. Unless new buildings are added to the overall database, year after year, the Companies will have the same R-2s on their respective lists.

The total number of R-2s that each Company inspects depends on the number of R-2s located within their first response area. We were told that sometimes, R-2s that are on the outskirts of a station house's first response area are re-assigned to be inspected by a Company at a neighboring station house that has fewer R-2s and/or fewer emergency calls. We were also told that R-2s cannot be reassigned to another station house that is too far from the R-2 because Companies must still be able to respond quickly to calls in their first response area.

Figure II-1 illustrates the distribution of R-2 inspections assigned by Company. "E" means engine company and "T" means truck company. The station number is included after E or T.[46]

NUMBER OF R-2 INSPECTIONS ASSIGNED TO EACH COMPANY ANNUALLY

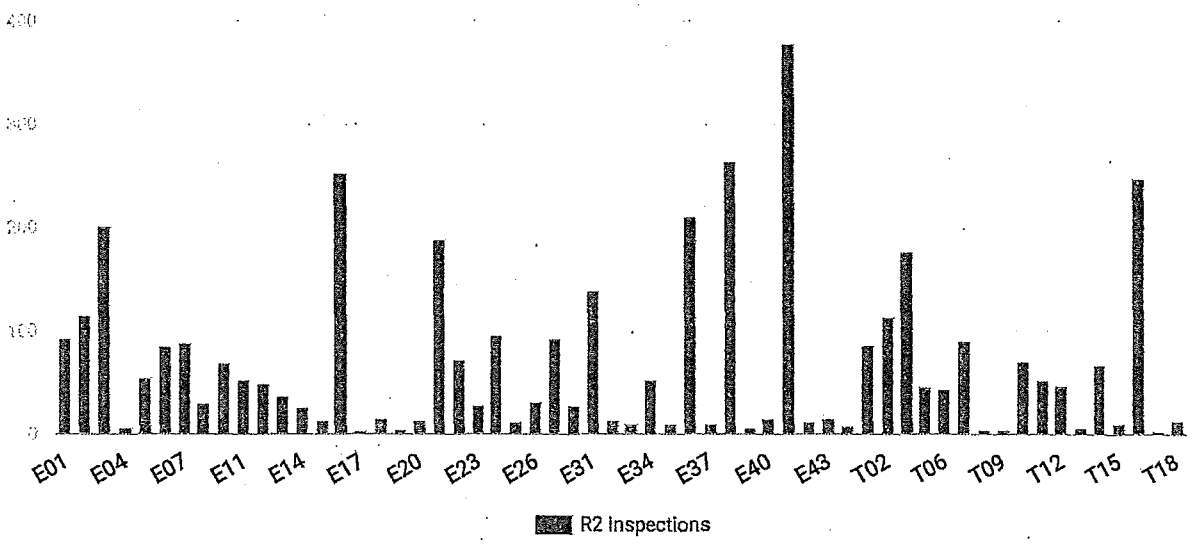

Figure II-1

As Figure II-1 shows, many Companies have very few R-2 inspections to complete.

Companies with the ten largest R-2 lists have the largest backlog. The Companies with the longest list of R-2s to inspect are listed below in Table II-2. These Companies also have the highest inspection backlog as of May 23, 2016. If the R-2 is not inspected by its deadline, it continues on the Company's R-2 list until it has been inspected. It also becomes part of the backlog. The backlog consists of both R-2s that are just a day past due and those that are a year or more past due. The backlog each Company has is reflected by the number of Open and Pending Inspections that they have. An "Open Inspection" means that the Company has already made some attempt at inspecting the R-2. It may be open because the Company got called away

[46] Fire Station List http://sf-fire.org/fire-station-locations#stations

in the middle of the inspection or maybe the Company Captain has not finished documenting the inspection. "Pending Inspection" means that an inspection has not yet started.

SFFD COMPANIES WITH TOP TEN LONGEST R-2 LISTS

Engine or Truck Company	Area	R-2s Assigned per year	Open Inspection as of 5/23/16	Pending Inspection as of 5/23/16
E41	Nob Hill	378	25	24
E38	Pacific Heights	264	11	45
E16	Cow Hollow	254	12	3
T16	Cow Hollow	249	12	22
E36	Hayes Valley	210	7	159
E03	Lower Nob Hill	202	5	19
E21	Panhandle / NOPA	189	14	18
T03	Lower Nob Hill	176	9	9
E31	Richmond	139	3	14
E02	Chinatown	116	18	38
T02	Chinatown	114	23	64

Table II-2

3. R-2 Inspections Are Not Prioritized Based On Their Last Inspection Dates

Although each R-2 on a Company's list includes a deadline for its inspection, we were told that Company Captains do not use the deadline dates to prioritize which R-2s they will inspect next. R-2s with closer deadlines (or deadlines that have passed) are not prioritized over those with more remote deadlines. Instead, Company Captains choose which R-2s they will inspect largely based on where the R-2 is located. Sometimes Company Captains choose which R-2s will be next based on their proximity to other R-2s on their list. Other times, they will choose R-2s that are on the Company's driving route. For example, when they go to buy groceries.

4. Follow Up On Inspection Backlog Is Insufficient

Although everyone that we spoke with in Suppression acknowledged that some Companies have an inspection backlog, we found that many people in the chain of command do not see a need to push hard for a reduction in the backlog. We were told that it is "not that crucial" if the Companies miss completing an R-2 inspection by the end of the month, but that, if the backlog continues, the Division Chief or Battalion Chief will call the Company Captain. We were told that Battalion Chiefs have flexibility on how or whether to follow up with their Company Captains' R-2 inspection backlog.

Although reports are available that show when Company Captains are behind in R-2 inspections, we were told that follow up rarely includes discussing the actual extent of the R-2 backlog. Instead, Battalion Chiefs may give Company Captains a monthly "pep talk" or tell them they need to "knock out a few inspections." We were told that some Battalion Chiefs do not review the R-2 lists with their station house Captains because "they do what they can" or, "they catch up and then fall behind." Also, we were told that the R-2 inspection backlog was not "that big."

5. The Primary Rationale For Inspecting R-2s Is Not To Enforce Code Compliance

We were told that when firefighters began inspecting buildings many years ago, the inspections were seen as a way to develop "building awareness." By conducting inspections, Companies would learn which buildings are detached, below grade or hidden on a street with access issues. Inspections also helped firefighters familiarize themselves with fire alarms and other fire prevention systems. Firefighters could identify obstacles, consider what might happen if a fire started and develop a pre-fire plan. Developing building awareness is still an important aspect of annual R-2 inspections today.

We were told that firefighters today still see developing building awareness as the most important reason for inspecting R-2s. We believe that this entrenched mindset may lead to their perception that inspecting all their R-2s in order to document fire safety complaints is less important. Furthermore, inspecting an R-2 with the objective of creating a pre-fire plan is very different from approaching an inspection with an eye towards discovering every violation and documenting it in detail. The approach taken when conducting an R-2 inspection may very well determine the result of the inspection. For example, we were told that firefighters were "getting into" a building to develop a "pre-fire plan" and not to "cause problems for the owners."

Company Captains know very little about Fire Prevention or Code Enforcement. We were told that Company Captains rarely will follow-up on violations because "it is the job of fire prevention" inspectors to do so. In our interviews, we learned that Company Captains did not know what size building should be inspected or the length of time a property owner has to correct a violation. (Although most knew that urgent violations had a much shorter timeframe for correction.) Also, we were told that some Company Captains were unfamiliar with the inner workings of Fire Prevention and did not know what BFP does to ensure violations are corrected or if any fines or penalties were imposed for violations.

FINDINGS

F.II.1. Because station house Companies do not inspect all the R-2s in San Francisco every twelve months as mandated by Code, San Franciscans may be exposed to unnecessary risks.

F.II.2. Station house Companies cannot always get into R-2s to inspect them because Company Captains rarely schedule R-2 inspections in advance.

F.II.3. Contact information is not included on the Inspection Worksheets that Company Captains take with them to document their R-2 inspection.

F.II.4. R-2 inspections are not conducted on the weekends.

F.II.5. Companies with the ten largest R-2 lists have most of the largest backlogs because R-2 inspections are disportionately distributed among the Companies and not sufficiently redistributed to nearby Companies with less R-2s to inspect.

F.II.6. Company Captains prioritize which R-2s they will inspect based on location of the R-2 rather than on the deadline for each inspection. As a result, some R-2s are not inspected by their deadline.

F.II.7. Some Battalion Chiefs' follow-up on Company inspection backlogs is insufficient because it does not hold the Company accountable for the backlog.

F.II.8. Because firefighters' primary motivation for inspecting R-2s is to develop building awareness, they may not sufficiently give equal importance to code compliance when conducting R-2 inspections.

F.II.9. Many Company Captains seem to know little about Fire Prevention or Code Enforcement. Since firefighters interact with the public, this is a missed opportunity to educate the public about the inspection and enforcement process.

RECOMMENDATIONS

R.II.1. The Deputy Chief of Operations should require Battalion Chiefs to closely monitor Company R-2 inspection lists to ensure that every R-2 in San Francisco is inspected by its deadline.

R.II.2. The Deputy Chief of Operations should require that Company Captains make inspection appointments in advance, whenever they have the property owner's phone number, to ensure that Companies get into all R-2s. The appointments should have a three hour window.

R.II.3. SFFD MIS should ensure property owner contact information is included on the Inspection Worksheets.

R.II.4. The Deputy Chief of Operations should require Companies to inspect R-2s on the weekend if that Company is going to have a backlog during a particular month.

R.II.5. The Deputy Chief of Operations should redistribute R-2 inspection from Companies that have a backlog to nearby Companies that have fewer R-2 inspections so that the number of R-2 inspections is more evenly distributed among neighboring station houses and are conducted more timely.

R.II.6. The Deputy Chief of Operations should instruct Company Captains to give priority to R-2 inspections which have exceeded or are approaching their deadlines.

R.II.7. Battalion Chiefs should review progress on their Companies' R-2 lists at least once a month, and if they find a Company has not inspected all the R-2s on their list, hold that Company accountable by requiring that they inspect all the late R-2s by the end of the next month.

R.II.8. The Deputy Chief of Operations should ensure that inspection training for firefighters includes stressing the two reasons for conducting R-2 inspections--to ensure code compliance and gain building awareness--are equally important.

R.II.9. The Deputy Chief of Operations should ensure that all firefighters receive training on the R-2 inspections process that includes a detailed module on the Bureau of Fire Prevention code enforcement process which starts with when a BFP inspector receives a complaint from a Company Captain to an NOV being issued and any additional steps. The training should occur after BFP implements the new code enforcement process. Knowing more about BFP will help firefighters better understand their role in ensuring code compliance.

C. Delaying Correction of All Violations Further Puts San Franciscans At Risk

DISCUSSION

We were told that R-2 complaints fall into two categories: life safety complaints and all others. Life safety complaints are considered priority and include (1) chained or blocked exit doors; and, (2) malfunctioning fire alarms or sprinkler systems. Company Captains make this same distinction.

Once an inspector receives a complaint submitted by a Company Captain or a member of the public, he should schedule an complaint inspection. At the inspection, the inspector will determine if there is an actual code violation. If a code violation exists, the inspector can issue either: a Notice of Violation ("NOV") or a Notice of Corrective Action Required ("NOCAR"). We were told that if an NOCAR is issued the inspector can either schedule a follow-up inspection or leave the complaint open until it is resolved.

From January 1, 2013 to May 26, 2016, inspectors received a total of 2,871 R-2 complaints. In Table II-3 below, the time it took to resolve three types of complaints during this timeframe is summarized. We compiled this information from a spreadsheet received from the SFFD that listed the 2,871 complaints along with the dates the complaints were received and the disposition dates, if the complaint was resolved. The complaints in Table II-3 are from all sources--not just those referred by Company Captains.

SFFD COMPLAINT RESOLUTION TIME —JANUARY 1, 2013 TO MAY 26, 2016

Complaint Type	Total Complaints	Within 72 Hours	Within 3 to 30 Days	Within 1-2 Months	Within 3-6 Months	More Than 6 Months
Fire Alarms	1,222 (100%)	450 (39%)	165 (23%)	124 (10%)	274 (22%)	49 (8%)
Blocked Exits	270 (100%)	145 (53%)	53 (19%)	30 (11%)	29 (11%)	13 (5%)
Sprinklers	188 (100%)	5 (3%)	54 (28%)	40 (21%)	78 (41%)	11 (6%)

Table II-3

As Table II-3 reflects, it took more than 2 months for a significant number of complaints to be resolved. The spreadsheet we received does not differentiate between complaints that remain open because an inspector did not go to the R-2 to inspect the complaint from those for which an NOCAR was issued. As a result, we cannot determine why some of these complaints stayed open for so long. According to the March 2016 Operations Report for BFP, the number of open or pending complaint inspections has been reduced from 525 on February 3, 2016 to 196 (127 open and 69 pending complaint inspections) as of March 2, 2016. A BFP officer told us the reduction in open and pending complaints was largely due to a concerted effort to close out complaints that were resolved but remained open in the computer database. We have not independently verified this statement.

We reviewed another SFFD spreadsheet that included information on all 132 R-2 violations for which an NOV was issued between between January 1, 2013 and May 26, 2016. The summary below, shows the number of sprinkler, alarm systems, exits/storage in pathways and fire escape NOVs that were issued and corrected between January 1, 2013 and May 26, 2016 and the number of days it took for them to be corrected.

- Sprinklers: ten NOVs were corrected in a range from 14 to 471 days.
- Alarm system: 17 NOVs were corrected in a range from 1 to 1,166 days.
- Exits/storage pathways: six NOVs were corrected in a range from 4 to 908 days.
- Exits/fire escapes: six NOVs were corrected in a range from 14 to 587 days.

We were told that BFP has no written standard establishing deadlines for resolving complaints or correcting violations. However, there is a distinction between how long before a priority and standard complaints/violations should be corrected. We were told that property owners have a much shorter time to resolve/correct priority complaints/violations. For example, blocked exits (a priority) should be cleared immediately. Alarm panels or sprinkler systems (priorities) that are not operational should be fixed within 24 to 48 hours--this can be extended with a signed fire watch agreement.

SFFD sees other complaints/violations such as expired certification stickers on fire alarms, sprinkler systems and fire extinguishers as minor (standard) as long as the devices are still operational. For these complaints/violations, district inspectors told us one week to 30 days was

a reasonable timeframe for resolution. Similar to HIS inspectors, we were told that BFP inspectors have discretion to work with the property owners by giving them additional time to correct violations depending on the facts and circumstances.

Reasons Some Complaints and Violations Take Too Long To Correct

During our investigation, we discovered several factors that contributed to violations taking too long for property owners to correct. Because district inspectors no longer work on code enforcement of R-2 complaints, that are referred by Company Captains, and, we did not investigate the group that currently does this work, several of these factors may no longer exist. Therefore, they are discussed in past tense. However, we included these factors in our report with the hope that providing an understanding of past influences will help ensure that these issues are not repeated.

Additional factors that arise out of the current BFP structure also contribute to longer abatement periods. These are discussed in present tense.

Contributing factors from old BFP structure. When district inspectors worked on R-2 complaints arising from Company inspections, the factors that contributed to longer resolution of complaints (and correction of violations) included: (1) district inspectors' workload was too heavy; (2) construction reviews and phone calls were prioritized over R-2 complaints; and (3) some district inspectors did not document inspections and code enforcement in sufficient detail.

1. District Inspectors' Workload Was Too Heavy

At the time of our investigation, there were twelve district inspectors that responded to R-2 complaints in 16 BFP districts in San Francisco. District inspectors received R-2 complaints from Company Captains either by phone (this was limited to urgent complaints) or by inspection reports that were automatically sent via computer.

During our investigation, district inspectors' work fell into two categories: (1) investigating fire safety complaints regarding R-2s and commercial properties located in their districts; and (2) reviewing residential and commercial construction projects in their districts. In addition to receiving R-2 complaints from Company Captains, complaints came in from the public from many sources including: (a) phone calls; (b) walk-ins to the BFP counter; and (c) emails. District inspectors also worked on referrals from other City departments.

Many of the district inspectors, that we spoke with, said that it was challenging to keep up with all the construction review requests and complaints due to the sheer volume of work. We were told that some district inspectors, upon arrival at work, already had numerous voicemail messages. One district inspector said that there could be as many as thirty voicemail messages and explained that if only ten of those thirty voicemail messages were complaints, it could take him two or three days to resolve just those ten complaints. In the meantime, additional work kept coming in.

2. *Construction Reviews And Phone Calls Were Prioritized Over R-2 Complaints*

Based on our interviews, we concluded that construction review work was prioritized over R-2 complaint investigations. We were told that construction contractors called district inspectors directly to schedule their construction project reviews and that sometimes, district inspectors would receive twenty to thirty phone calls a day from contractors. In contrast, Company Captains only called once or twice a week. Some district inspectors told us that they did not have enough time to respond to all their complaints each and every day. One district inspector shared that following up on phone calls meant not having enough time to respond to the complaints that were coming in on his computer.

As a result of our interviews, we concluded that some inspectors prioritized phone calls over complaints that came to them via their computers. One district inspector said if "people took the time to call, it must be urgent." We were told that unless a Company Captain called with an R-2 complaint, the complaint might be ignored.

District inspectors told us that after the fire at 22nd and Mission Streets, management began emphasizing complaints.

3. *Some District Inspectors Did Not Document Inspections And Code Enforcement In Sufficient Detail*

The detail with which district inspectors documented inspections and code enforcement varied significantly from one inspector to another. Some of the inspection records we reviewed did not have enough detail about the type of violations, when they occurred, what code enforcement steps were being taken and ultimately, whether the violations were ever in fact, corrected.

The inspection records for the buildings at 22nd and Mission Streets are an example of insufficient documentation. This is the building that had a huge fire in January 2015, after which the press reported that several violations at the buildings had not been corrected for years. One of these violations was fire escapes ladders that could not descend to the ground because they were obstructed by awnings. Table II-4 (next page) summarizes the documentation of the fire escape violation. The inspection records themselves can be found in the Appendix. (See Appendix, Exhibit 17.)

It was not until after the fire that inspection records reflect the violation was corrected--hatches in the awnings were installed so that fire escape ladders could pass through the awnings. We reviewed these records with members of various ranks at BFP. Unfortunately none of them could determine, based on the inspection records, exactly when the violation was corrected. Based on these inspection records, it appears that the violation remained uncorrected from at least September 14, 2011 to May 9, 2012.

SFFD INSPECTIONS OF BUILDING AT 22ND & MISSION STREET
Fire Escape Ladders

Date	Inspection	Excerpt from inspection notes	Comments
4/26/2011	Company Captain	"3 out of 4 fire escape ladders are obstructed by awnings. Ladders do not reach the ground."	
9/14/2011	Unknown	"Fire escape ladders are obstructed by awnings."	This complaint investigation also included the notation "CC", meaning "condition corrected". However, subsequent complaints show that the violation persisted.
11/29/2011	Bureau of Fire Prevention	"Install passage for drop ladders through awning or remove awnings."	This reinspection also included the notation "C", indicating the inspection was "closed". Closed does not mean that the violation was corrected, it means that particular inspection was completed.
3/29/2012	Bureau of Fire Prevention	"Install passage for drop ladders through awning or remove awnings."	This reinspection also noted "Violation not corrected".
4/20/2012	Company Captain	N/A	Annual inspection with no mention of fire escape ladders in inspection documentation.
5/9/2012	Bureau of Fire Prevention	"Install passage for drop ladders through awning or remove awnings."	This reinspection also noted "Violation not abated".
6/12/2013	Company Captain	N/A	Annual inspection with no mention of fire escape ladders in inspection documentation.
8/8/2014	Company Captain	N/A	Annual inspection with no mention of fire escape ladders in inspection documentation.
2/3/2015	Bureau of Fire Prevention	"Hatch in awning was installed per previous complaint, yet failed to open when ladder dropped."	This reinspection occurred after the four-alarm fire on January 28, 2015.

Table II-4

4. District Inspectors Could Not Get Into Every R-2s

After a district inspector received a fire safety complaint from an engine or truck company, the district inspector would then attempt to make an appointment with the property owner or property manager to inspect the common areas of the R-2. We were told that sometimes district inspectors could not reach a contact person. When their call to schedule an inspection would go unreturned, some district inspectors would try to get into the R-2 without a scheduled appointment. We were told that some district inspectors would try to gain entry to the R-2 a few more times. However, after several failed attempts, unless the district inspector received additional complaints for that R-2, the original complaint could get lost among the district

inspector's other complaints and construction reviews. One district inspector said that complaints for which he could not gain entry into the R-2 to inspect, sometimes would "die on the vine."

Contributing factors under current BFP structure. Factors that still exist under the current BFP structure and contribute to some violations taking too long to correct include (1) some Company Captains do not document inspections in insufficient detail, and (2) BFP inspectors have limited code enforcement tools.

1. Some Company Captains Do Not Document Inspections In Sufficient Detail

Based on our review of inspection records received from BFP, we conclude that some Company Captains do not document R-2 inspections in sufficient detail for BFP inspectors to know enough about a complaint. For example, "missing fire extinguisher."

Other Company Captains document complaints in enough detail for inspectors to easily identify the complaint. For example, "alarm panel on second floor hallway had no power....Left message for Inspector...at BFP noting these violations."

In July 2015, the Inspection Worksheet, used by Company Captains to document annual inspections, was revised and expanded. We were told that before the Inspection Worksheet was revised complaints from Company Captains were much less common. After the Inspection Worksheet was revised, district inspectors received many more R-2 complaints. We were also told that some Company Captains documented complaints that should not have been referred. For example, a bedroom window was spotted from the outside with bars on it. Upon inspection, the district inspector determined it was in compliance because it could be opened from the inside.

Some Company Captains do not use Inspection Worksheets to document R-2 inspections. Before leaving the station house to inspect an R-2, most Company Captains print out an Inspection Worksheet for that R-2. (See Appendix, Exhibit 16.) The Inspection Worksheet lists the R-2's address and the items that will be inspected. Company Captains write inspection notes on the Inspection Worksheet while at the R-2. When the Company Captain returns to the station house, he enters his notes into the computer database, Human Resources Management System.

We were told that some Company Captains do not use the Inspection Worksheet. Instead, they write their inspection notes on a piece of paper. One Company Captain said that he memorized the inspection list, therefore, he did not need the Inspection Worksheet.

2. BFP Inspectors Have Limited Code Enforcement Tools

Currently BFP inspectors only have two code enforcement tools they use to encourage property owners to resolve complaints and correct violations--NOCARs and NOVs. The NOCAR gives the property owner a specified number of hours to correct the violation with a warning that if they fail to do, a Notice of Violation ("NOV") will be issued. (See Appendix, Exhibit 18.) We were told that NOCARs should be issued for standard violations. Company Captains and BFP inspectors can issue NOCARs. However, we were also told that some Company Captains do not issue NOCARs for standard complaints. One Company Captain told us that he wants to be seen

as a "good neighbor" and therefore does not always issue an NOCAR because he does not want the property owner to be fined.

Ordinance 60-16 requires that BFP establish a new code enforcement model similar to the one DBI uses. Under the new code enforcement model, NOCARs will be eliminated and NOVs will be issued for all violations. Unfortunately, the new code enforcement has not yet been implemented.

We were told that NOVs should be issued for urgent requests. Also, if a NOCAR already has been issued and there has been no compliance or follow-up, an NOV may be issued. When an NOV is issued, two copies of the NOV are sent to the property owner, by regular mail and certified mail. In the past, some property owners would refuse signing for certified mail, so BFP revised procedures to send the NOV by regular mail as well as certified. The NOV is also posted on the R-2.

There are no penalties attached to a NOCAR or NOV. Whether a NOCAR or NOV is issued, the follow-up done by the district inspector is the same--with a reinspection. Property owners are not charged for follow-up inspections for NOCARs (complaints). Property owners pay $250 for each NOV reinspection. Bills can be paid online.

There is no administrative hearing available for uncorrected violations. BFP does not have an administrative hearing for enforcing uncorrected violations. Instead, inspectors only option for encouraging compliance is by conducting reinspections. Some district inspectors expressed frustration that the $250 reinspection fee does not create sufficient financial incentive for property owners to correct violations.

Accelerated Code Enforcement is rarely used. We were told that once three uncorrected NOVs accumulated on an R-2, that case should be referred to accelerated code enforcement ("ACE"). However, most of the district inspectors we spoke with never referred a case to ACE. In fact, the district inspector whose name was listed on the BFP phone list as the contact person for ACE, had never worked on an ACE case. We were told that ACE was a monthly taskforce that included the SFFD, DBI, City Attorney's Office ("CA"), the DPH and San Francisco Police Department and that it is used mostly for hoarders. Towards the end of our investigation, we were told that BFP now has a Captain responsible for SFFD referrals to ACE and that there is a plan to use this tool more frequently and effectively. We were told ACE is being used as a way to refer cases to the CAO. In the last 5 years, only one case was referred to CAO.

FINDINGS

F.II.10. A significant number of fire alarm, blocked exits and sprinkler complaints took more than two months to be resolved.

F.II.11. Most fire alarm, blocked exits and sprinkler violations took longer to correct than the timeframes district inspectors stated for correction.

F.II.12. District inspectors' workload was too heavy for them to investigate all R-2 complaints in a timely manner.

F.II.13. District inspectors prioritized reviewing construction projects and phone calls over inspecting R-2 complaints. As a result, some R-2 complaints and violations were not corrected in a timely manner.

F.II.14. Because some district inspectors did not document inspections and code enforcement in sufficient detail, follow up on violations was hampered.

F.II.15. Some Company Captains do not document inspections in enough detail for district inspectors to easily identify the violation and conduct code enforcement.

F.II.16. After the Inspection Worksheet was made longer in July 2015, some Company Captains document too many items that are not violations.

F.II.17. Some Company Captains do not print the Inspection Worksheet and bring it to the R-2 inspection. Without having the Inspection Worksheet they may miss something or be inclined to document less. For example, the Inspection Worksheet states that "Company Officer shall obtain and update the responsible party information."

F.II.18. BFP does not have effective code enforcement tools, such as, an administrative hearing.

F.II.19. Accelerated Code Enforcement is rarely used.

RECOMMENDATIONS

R.II.10. The Fire Marshall should require that complaint response time and code enforcement timeframes be more closely monitored so that resolution time is shortened.

R.II.11. The Fire Marshall should require that code enforcement for NOVs be more closely monitored so that NOVs are corrected more quickly.

R.II.12. The Fire Marshall should ensure that BFP inspectors (that work on R-2 complaints) have reasonable workloads so they can ensure timely correction of all complaints and violations.

R.II.13. The Fire Marshall should ensure that BFP inspectors (that work on R-2 complaints) not prioritize other work over R-2 complaints if that means that they cannot investigate all their R-2 complaints in a timely manner.

R.II.14. The Fire Marshall should standardize inspection and code enforcement documentation done by BFP R-2 inspectors.

R.II.15. The Deputy Chief of Operations should standardize inspection documentation done by Company Captains so that BFP inspectors can easily identify and follow-up on complaints.

R.II.16. The Deputy Chief of Operations should ensure that Company Captains are trained to identify violations and document only items that are violations.

R.II.17. Battalion Chiefs should encourage their Company Captains to bring the Inspection Worksheet to the inspection site and use it to document R-2 inspections.

R.II.18. The Fire Marshall should finalize the details of the new code enforcement process that is required by recently passed legislation so that it can be implemented within the next 60 days.

R.II.19. The new BFP Captain that oversees R-2 Company complaints should refer appropriate cases to the CA every year.

D. Transparency

DISCUSSION

Unless SFFD's code enforcement process is known and easy to understand at the outset, precious resources will be wasted trying to educate property owners, tenants and the general public one inspection at a time. Tenants and the public also want easy access to inspection records so they know when violations exist and what SFFD is doing to ensure the violation are corrected. Our residents want to know how to make a complaint. Just how transparent is the process?

We reviewed the SFFD website and discovered there is very little information about annual R-2 inspections and the code enforcement process there.[47] In order to view inspection records, an appointment must be made with the Bureau of Fire Prevention ("BFP"). The property addresses must be disclosed when making an appointment and is limited to two properties per appointment. The SFFD website includes instructions for making an appointment to review inspection records, however, one must click through *Bureau of Fire Prevention* link to find their phone number.[48] Inspection records may only be viewed in person at the Bureau of Fire Prevention. Copies may be made and paid for by check or credit card.

Instructions for reporting a safety concern are also available on SFFD's website.[49] Options include filing a report or calling the BFP. The BFP phone number is not included next to the instructions. Instead, one must click through *Bureau of Fire Prevention* and scroll down a list to find the appropriate number. Safety concerns can be reported online or over the phone anonymously.

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[47] http://sf-fire.org/inspections

[48] http://sf-fire.org/property-inspection-violation-permit-history-records-review

[49] http://sf-fire.org/report-fire-safety-concern

FINDINGS

F.II.20. The SFFD website does not include enough information about the annual inspection and code enforcement processes for property owners and the public to understand them. Being better informed about the process may result in better compliance by property owners and increase the public's confidence in SFFD enforcement efforts.

F.II.21. Inspection records are only available in person at the Bureau of Fire Prevention after making an appointment.

F.II.22. Although instructions for reviewing inspection records is available on the SFFD website, the phone number for making an appointment is not included with the instructions.

F.II.23. Safety concerns may be reported online or by calling the BFP. Although instructions for reporting a safety concern are available on the SFFD website, the BFP phone number is not included on the same page as the instructions.

RECOMMENDATIONS

R.II.20. SFFD MIS should revise the SFFD website to include:

(1) details of the R-2 inspection process, such as: (a) the kinds of buildings inspected; (b) who inspects the buildings; (c) how often R-2s are inspected; (d) the list of items inspected; and, (e) how the inspection will be conducted; and,

(2) details of the code enforcement process, including: (a) what happens when a violation is discovered; (b) what happens if a violation goes uncorrected beyond the NOV deadline; and (c) any and all fees, fines, or penalties that may be imposed for uncorrected violations.
This information should be either on the inspections page or Division of Fire Prevention and Investigation homepage.

R.II.21. The Chief of the Fire Department should instruct SFFD MIS to make the inspection records available online for greater transparency.

R.II.22. SFFD MIS should put the BFP phone number for record inspection requests on the same SFFD webpage as the instructions for making an appointment.

R.II.23. SFFD MIS should put the BFP phone number for reporting a safety concern on the same SFFD webpage as the instructions for reporting a safety concern.

III. LACK OF COORDINATION BETWEEN DBI AND SFFD

DISCUSSION

Although DBI and SFFD inspect R-2s for many of the same fire safety hazards, we were told that they do not coordinate their inspections nor their code enforcement efforts. Additionally, we were told that until recently, they did not share any information related to R-2 inspections, violations or code enforcement. SFFD can access DBI's inspection records online, however, DBI cannot access SFFD's inspection records online. Currently, DBI and SFFD are collaborating on the development of BFP's new code enforcement process including DBI sharing letters and forms it uses in its code enforcement process.

Table III-1 below includes a comparison of DBI and SFFD's inspection and code enforcement.

COMPARISON OF DBI AND SFFD R-2 INSPECTIONS AND CODE ENFORCEMENT

Inspection Parameters	DBI	SFFD
Size of building inspected	Residential buildings with 3+ units	Residential buildings with 9+ units and less than 75 feet
How often inspected	At least once every five years	Annually
Who inspects	HIS inspectors	Engine and Truck Companies
Who does code enforcement	HIS inspectors	BFP inspectors
Code enforcement tools	NOVs, administrative hearing, special assessment lien	NOCAR or NOV*
*SFFD is creating a new code enforcement process under which NOCARs will be eliminated and an administrative hearing will be added.		

Table III-1

Table III-2, below, shows a comparison of fire safety items inspected by DBI and SFFD. There is overlap for most of the items except sprinkler systems, functional fire escape ladders, carbon monoxide alarms and smoke alarms. SFFD has sole responsibility for ascertaining if sprinkler systems are operational and that certifications are current. Annually, SFFD certifies whether fire alarm systems are operational and have current certification from a licensed professional. DBI only checks that current SFFD certification exists.

Both DBI and SFFD inspect fire escapes to ensure they are not blocked by furniture, flower pots or other other items. We were told that SFFD may inspect fire escape ladders to see if they are blocked by awnings; DBI also checks this. However, we were told by HIS inspectors that DBI Section 604 Affidavit requires professionals to certify that fire escape ladders descend properly and without obstruction. SFFD does not require that fire escape ladders' functionality be certified.

Lastly, DBI requires property owners submit self-certification that carbon monoxide and smoke alarms be installed in accordance with the Building Code. SFFD does not require this.

COMPARISON OF FIRE SAFETY ITEMS INSPECTED BY DBI AND SFFD

Item Inspected	DBI	SFFD
Street Numbers Visible	Y	Y
Exits Unobstructed	Y	Y
Roof Access Doors Operable From Inside	Y	Y
Fire Alarm Operational	Y	Y
Fire Alarm Certification Current	Y	Y
Sprinkler System Operational	N	Y
Sprinkler System Certification Current	N	Y
Fire Escape Ladders Secure	Y	Y
Fire Escape Ladders Work Properly	Y	N
Storage Clear of Sprinkler Heads and/or Ceiling	Y	Y
Hazardous Materials Safely Stored	Y	Y
Fire Extinguishers in Green	Y	Y
Fire Extinguishers Serviced Annually	Y	Y
Carbon Monoxide Alarms	Y	N
Smoke Alarms	Y	N
Exit Signs Working	Y	Y
Emergency Lighting Operational	Y	Y
Y = Yes, they inspect N = No, they do not inspect		

Table III-2

FINDING

F.III.1. DBI and SFFD inspect multi-unit residential buildings for many of the same fire safety hazards but do not coordinate any of their inspections or code enforcement efforts including not sharing information.

RECOMMENDATION

R.III.1. The Building Inspection Commission and Fire Commission should require a task force be formed to study DBI and SFFD inspection and code enforcement processes and make recommendations on how they can coordinate their efforts.

CONCLUSION

Our investigation revealed neither the Department of Building Inspection ("DBI") nor the San Francisco Fire Department ("SFFD") complete inspections of all our multi-unit residential buildings within the timeframes mandated by City Codes. In addition, both departments fail to ensure that all fire safety violations are corrected in a timely manner. As a result, San Franciscans, especially those living in or near older less well maintained buildings, are unnecessarily exposed to fire safety risks. In conclusion, we offer a highlight of our key recommendations.

We recommend DBI take the following steps to address these issues:

1. The DBI Director should request that the Controller's Office, or a third party vendor, conduct a study to determine adequate staffing levels for Housing Inspection Services ("HIS") and fund any recommended additional staff.

2. The Chief Housing Inspector and the Building Inspection Commission together should create a definition of success for R-2 code compliance. This definition should require that all R-2s are inspected at least every five years and that Housing Inspection Services inspector strive for ensuring that all violations are corrected within a reasonable period of time. Once "success" is defined, the Chief Housing Inspector should develop management tools to measure progress towards achieving "success". (For DBI purposes R-2 is defined as residential buildings with three or more units.)

3. The Chief Housing Inspector should create specific guidelines for documenting routine inspections and complaint-generated routine inspections so that every inspector documents these consistently. Guidelines should include choosing the correct Source and Abatement Type for the initial routine inspection and every code enforcement step thereafter.

4. DBI Management Information Services should ascertain why the Complaint Tracking System cannot generate accurate routine inspection dates and correct the issue.

5. The Chief Housing Inspector should require that all district inspectors conduct complaint-generated routine inspections whenever an R-2 has not had a routine inspection within the last five years regardless of workload.

6. The Chief Housing Inspector should create standards for extending additional time to property owners for correcting a violation rather than leaving the grant of additional time solely to an inspector's discretion.

7. The Chief Housing Inspector should develop and support more oversight of inspectors' case management including regularly scheduled staff meetings between inspectors and their supervisors.

8. The Building Inspection Commission should penalize property owners who do not show for their inspection appointment without good cause.

We recommend the San Francisco Fire Department take the following steps to address these issues:

1. The Deputy Chief of Operations should require all Company Captains receive training on standardized inspection documentation and the code enforcement process conducted by the Bureau of Fire Prevention. The training should stress that inspecting R-2s for code compliance is equally as important as for creating building awareness. (For SFFD purposes, an R-2 is defined as a residential building with nine or more units that is 75 feet or less.)

2. The Deputy Chief of Operations should reassign R-2 inspections from Companies with a backlog to neighboring Companies with fewer R-2s to inspect so that the backlog is eliminated.

3. The Deputy Chief of Operations should require Company Captain prioritize R-2 deadlines when selecting R-2s for inspection.

4. The Fire Marshall should require that complaint response time and code enforcement timeframes be more closely monitored so that resolution time is shortened.

5. The Fire Marshall should require all Bureau of Fire Prevention inspectors receive training on standardized inspection and code enforcement documentation.

6. The Fire Marshall should finalize the details of the new code enforcement process so that it can be implemented within the next 60 days.

Lastly, we recommend that the Building Inspection Commission and the Fire Commission should require that a task force be formed to study DBI and SFFD inspection and code enforcement processes and make recommendations on how they can coordinate their efforts.

We want to thank the employees of the Department of Building Inspection, the San Francisco Fire Department and the City Attorney's Office for taking time out their busy schedules to meet with us for interviews and provide us with requested documentations.

REQUEST FOR RESPONSES

Findings and Required Response Matrix

FINDING	RESPONDER
F.I.1. Housing Inspection Services ("HIS") does not know which R-2s have not been inspected within the last five years because the Complaint Tracking System ("CTS") cannot generate a list of R-2s with an accurate last routine inspection date for each.	DBI Management Information Services
F.I.2. The spreadsheet used by HIS to track key inspection statistics has not been updated to include all rounds of Focused Code Enforcement completed to date.	DBI Chief Housing Inspector
F.I.3. Because "Routine Inspections" that are reported to the Building Inspection Commission on a monthly basis include the number of initial routine inspections *and* reinspections that have been conducted, this performance measure is misleading. The total number of initial routine inspections that have been conducted is the correct statistic for determining how many R-2s have had the Code mandated routine inspection at least every five years.	Building Inspection Commission
F.I.4. HIS cannot get an accurate list of R-2s in the City without the help of DBI Management Information Systems ("DBI MIS") because HIS does not have access to the DBI database that stores this information.	DBI Management Information Services and Information and Technology Department of the City and County of San Francisco
F.I.5. DBI MIS doesn't always generate the initial list of R-2s, including the property's address and property owner's contact information, for HIS.	DBI Management Information Services and DBI Chief Housing Inspector
F.I.6. The final list of R-2s for routine inspections is created manually because inspectors and/or support staff must look up the date of the last routine inspection for each R-2. When inspectors do this, it takes them away from conducting inspections.	DBI Chief Housing Inspector, DBI Management Information Services and DBI Director
F.I.7. Although the routine inspection backlog that existed in the Mission, Chinatown and Tenderloin Districts has been reduced through Focused Code Enforcement, a routine inspection backlog still exists in these areas.	DBI Chief Housing Inspector
F.I.8. Inspectors do not choose the same "Source" and "Abatement Type" when documenting routine inspections. Unless all the possible ways to document a routine inspection are known and CTS report parameters are chosen to capture all the possible alternatives, some routine inspections will not be captured by a report purported to list all routine inspections.	DBI Chief Housing Inspector

F.I.9. Since CTS does not have "Complaint Generated Routine" as an option for documenting the "Source" for CG routine inspections, CTS cannot separately track and report on complaint-generated routine inspections ("CG routine inspections").	DBI Management Information Services
F.I.10. Inspectors do not choose the same "Source" when documenting CG routine inspections. When inspectors choose "Complaint" as the Source, the CG routine inspection will not be counted as a routine inspection in CTS, and HIS will not have an accurate last routine inspection date for those R-2s.	DBI Chief Housing Inspector
F.I.11. District inspectors do not always conduct a CG routine inspection while they are investigating a complaint at an R-2 even when the R-2 has not had a routine inspection for five years because they are "too busy." HIS accepts inspectors being "too busy" as an excuse for not conducting a complaint-generated routine inspection.	DBI Chief Housing Inspector
F.I.12. HIS' Standard Operating Procedure ("SOP") does not explicitly require inspectors to conduct a CG routine inspection while they are investigating a complaint at an R-2 when the R-2 has not had a routine inspection within the last five years.	DBI Chief Housing Inspector
F.I.13. District inspectors do not always know when an R-2, at which they are investigating a complaint, is due for a complaint-generated routine inspection because there is no clear requirement to "research" the last routine inspection date before investigating a complaint.	DBI Chief Housing Inspector
F.I.14. Inspectors cannot always get into an R-2 to perform a scheduled routine inspection because of "no shows." Since CTS cannot track "no shows," inspectors sometimes lose track of the fact that a routine inspection still needs to be conducted on the R-2s that have a "no show."	Building Inspection Commission
F.I.15. HIS has started to manually track "no shows" on an Excel spreadsheet that tracks results of their Focused Code Enforcement. However, this spreadsheet has not been completed for all routine inspections conducted under Focused Code Enforcement.	DBI Chief Housing Inspector
F.I.16. There was a significant number of inspection "no shows" in the Chinatown (17%) and Mission (15%) Districts and in the Mission Street Corridor (16%). Oftentimes "no shows" are not followed up on because staff is "too busy" to research the property owner's correct address or phone number.	DBI Chief Housing Inspector
F.I.17. Inspection packets that are sent to property owners sometimes go to an incorrect address because data provided by the Tax Assessor's Office does not have up-to-date contact information for the property owner.	DBI Chief Housing Inspector
F.I.18. Inspection packets are sent to property owners only in English.	DBI Chief Housing Inspector

F.I.19. The inspection packet cover letter is confusing and buries vital information in the text.	DBI Chief Housing Inspector
F.I.20. The Property Owner Maintenance Checklist included in the inspection packet is not explained as being the list of items that will be inspected.	DBI Chief Housing Inspector
F.I.21. Instructions on what the property owner needs to do with the appendage and carbon monoxide/smoke alarm affidavits included in the inspection are not included on the affidavits or elsewhere in the inspection packet.	DBI Chief Housing Inspector
F.I.22. Including notices, ordinances and information flyers in the inspection packet without explaining their purpose is confusing.	DBI Chief Housing Inspector
F.I.23. Inspection documentation is done twice (first in the field and again into CTS when the inspector returns to the office) because there is no online access to CTS.	DBI Director
F.I.24. Photos cannot be uploaded into CTS because CTS does not have this functionality. Instead, they are stored on the network "P" drive which is not connected to CTS.	DBI Director
F.I.25. Affidavits are not available online.	DBI Management Information Services
F.I.26. Inspectors are not able to print NOVs in the field. Therefore, they must return to the property a second time to post the NOV on the R-2. This is a waste of time and resources.	DBI Director
F.I.27. CTS is not integrated with computer systems within DBI or other City departments.	DBI Director
F.I.28. CTS cannot track and report on important attributes, such as types of violations and high fire risk building characteristics.	DBI Director
F.I.29. HIS does not measure how long NOVs take to be abated. Without tracking how long it takes for NOVs to be abated, HIS cannot determine whether it's code enforcement process is effective for correcting all violations in a timely manner.	DBI Chief Housing Inspector
F.I.30. For 2013-2015, approximately twenty percent of NOVs took more than one year to correct.	DBI Chief Housing Inspector
F.I.31. HIS does not have a standard against which inspectors' grant of additional time can be measured.	DBI Chief Housing Inspector

F.I.32. When inspectors grant additional time for property owners to correct an abatement, there is no written documentation (other than on an NOV) provided to the property owner that states when the next reinspection will occur or explains that violations must be abated by then. By not communicating this in writing, property owners make think that they can negotiate with the inspectors more easily. Also, some property owners may not understand what they are being told due to language differences or other reasons.	DBI Chief Housing Inspector
F.I.33. Although bi-monthly staff meetings are scheduled, they are regularly cancelled because inspectors are "too busy." Without a management culture that supports having scheduled times to discuss inspectors work, it will be difficult for HIS to optimize its code enforcement process for success.	DBI Chief Housing Inspector
F.I.34. Based on our investigation, we concluded that HIS does not have an adequate definition for success.	DBI Chief Housing Inspector
F.I.35. Some inspectors take too long to refer open NOVs to a DH. But, HIS does not measure how long it takes an open NOV to reach a Director's Hearing.	DBI Chief Housing Inspector
F.I.36. Inspectors take too long to refer open NOVs to a DH because the standard for referring unabated violations to a Director's Hearing is vague and leaves too much room for interpretation.	DBI Chief Housing Inspector
F.I.37. Not all inspectors proactively brief their seniors after three reinspections with no progress.	DBI Chief Housing Inspector
F.I.38. Inspectors take too long to refer open NOVs to a DH because preparing a case for referral to a Director's Hearing is more labor intensive than it should be.	DBI Director
F.I.39. HIS lacks more effective code enforcement tools.	DBI Chief Housing Inspector and Building Inspection Commission
F.I.40. HIS does not have enough inspectors to inspect every R-2 in San Francisco at least once every five years.	DBI Director
F.I.41. Information on HIS routine inspections is buried in the DBI website.	DBI Management Information Services
F.I.42. Information on routine inspections on the DBI website does not provide enough information to sufficiently understand the process.	DBI Management Information Services
F.I.43. It is not easy to find information on R-2 violations on the DBI website because many of the links to get to inspection records are labeled with terms that may not be understandable to the public. For example, calling violations "complaints" and needing to look under "HIS" for "Div."	DBI Management Information Services

F.I.44. Since the actual NOV is not available on the DBI website and rarely do the "comments" provide much detail about violations, the detail available to the public and tenants is not sufficient enough to understand the full extent or nature of a violation.	DBI Director
F.II.1. Because station house Companies do not inspect all the R-2s in San Francisco every twelve months as mandated by Code, San Franciscans may be exposed to unnecessary risks.	SFFD Deputy Chief of Operations
F.II.2. Station house Companies cannot always get into R-2s to inspect them because Company Captains rarely schedule R-2 inspections in advance.	Deputy Chief of Operations
F.II.3. Contact information is not included on the Inspection Worksheets that Company Captains take with them to document their R-2 inspection.	SFFD MIS
F.II.4. R-2 inspections are not conducted on the weekends.	SFFD Deputy Chief of Operations
F.II.5. Companies with the ten largest R-2 lists have most of the largest backlogs because R-2 inspections are disportionately distributed among the Companies and not sufficiently redistributed to nearby Companies with less R-2s to inspect.	SFFD Deputy Chief of Operations
F.II.6. Company Captains prioritize which R-2s they will inspect based on location of the R-2 rather than on the deadline for each inspection. As a result, some R-2s are not inspected by their deadline.	SFFD Deputy Chief of Operations
F.II.7. Some Battalion Chiefs' follow-up on Company inspection backlogs is insufficient because it does not hold the Company accountable for the backlog.	SFFD Deputy Chief of Operations
F.II.8. Because firefighters' primary motivation for inspecting R-2s is to develop building awareness, they may not sufficiently give equal importance to code compliance when conducting R-2 inspections.	SFFD Deputy Chief of Operations
F.II.9. Many Company Captains seem to know little about Fire Prevention or Code Enforcement. Since firefighters interact with the public, this is a missed opportunity to educate the public about the inspection and enforcement process.	SFFD Deputy Chief of Operations
F.II.10. A significant number of fire alarm, blocked exits and sprinkler complaints took more than two months to be resolved.	The Fire Marshall
F.II.11. Most fire alarm, blocked exits and sprinkler violations took longer to correct than the timeframes district inspectors stated for correction.	The Fire Marshall
F.II.12. District inspectors' workload was too heavy for them to investigate all R-2 complaints in a timely manner.	The Fire Marshall

F.II.13. District inspectors prioritized reviewing construction projects and phone calls over inspecting R-2 complaints. As a result, some R-2 complaints and violations were not corrected in a timely manner.	The Fire Marshall
F.II.14. Because some district inspectors did not document inspections and code enforcement in sufficient detail, follow up on violations was hampered.	The Fire Marshall
F.II.15. Some Company Captains do not document inspections in enough detail for district inspectors to easily identify the violation and conduct code enforcement.	SFFD Deputy Chief of Operations
F.II.16. After the Inspection Worksheet was made longer in July 2015, some Company Captains document too many items that are not violations.	SFFD Deputy Chief of Operations
F.II.17. Some Company Captains do not print the Inspection Worksheet and bring it to the R-2 inspection. Without having the Inspection Worksheet they may miss something or be inclined to document less. For example, the Inspection Worksheet states that "Company Officer shall obtain and update the responsible party information."	SFFD Deputy Chief of Operations
F.II.18. BFP does not have effective code enforcement tools, such as, an administrative hearing.	The Fire Marshall
F.II.19. Accelerated Code Enforcement is rarely used.	The Fire Marshall
F.II.20. The SFFD website does not include enough information about the annual inspection and code enforcement processes for property owners and the public to understand them. Being better informed about the process may result in better compliance by property owners and increase the public's confidence in SFFD enforcement efforts.	SFFD Management Information Services
F.II.21. Inspection records are only available in person at the Bureau of Fire Prevention after making an appointment.	Chief of SFFD
F.II.22. Although instructions for reviewing inspection records is available on the SFFD website, the phone number for making an appointment is not included with the instructions.	SFFD Management Information Services
F.II.23. Safety concerns may be reported online or by calling the BFP. Although instructions for reporting a safety concern are available on the SFFD website, the BFP phone number is not included on the same page as the instructions.	SFFD Management Information Services
F.III.1. DBI and SFFD inspect multi-unit residential buildings for many of the same fire safety hazards but do not coordinate any of their inspections or code enforcement efforts including not sharing information.	Building Inspection Commission and Fire Commission

Recommendations and Required Response Matrix

RECOMMENDATION	RESPONDER
R.I.1. DBI MIS should determine why CTS cannot generate a report with correct last routine inspection dates for each R-2 and correct the problem.	DBI Management Information Services
R.I.2. The Chief Housing Inspector should insist that the spreadsheet that tracks key statistics for routine inspections conducted as part of Focused Code Enforcement be updated to include all rounds of Focused Code Enforcement that have been completed to date.	DBI Chief Housing Inspector
R.I.3. The BIC should require that HIS report, as part of the HIS performance measures, the number of "Initial Routine Inspections" that are conducted to the BIC.	Building Inspection Commission
R.I.4. (a) The Information and Technology Department for the City and County of San Francisco should grant HIS senior management access to and permission to run reports from the Oracle database that contains the addresses, contact information and building attributes for R-2s in San Francisco. (b) DBI MIS should train HIS personnel who will have access to the Oracle database containing the R-2 information how to use it before they have permission to run reports.	DBI Management Information Services and Information and Technology Department
R.I.5. If HIS is not granted access and permission to run the list of R-2s from the Oracle database that contains the necessary R-2 information, then DBI MIS should furnish this report to HIS within one week of the request.	DBI Management Information Services and DBI Chief Housing Inspector
R.I.6. (a) If DBI MIS cannot fix CTS (See R.I.1) then the Chief Housing Inspector should require support staff, rather than the inspectors, to look up last routine inspection dates. (b) If support staff is not available to look up last routine inspection dates, then the DBI Director should allocate part of the DBI budget for hiring temporary personnel to compile this information.	DBI Chief Housing Inspector, DBI Management Information Services and DBI Director
R.I.7. The Chief Housing Inspector should make eliminating the backlog a priority in the Mission, Chinatown and Tenderloin Districts when deciding where to conduct the next round(s) of Focused Code Enforcement.	DBI Chief Housing Inspector
R.I.8. The Chief Housing Inspector should determine exactly what "Sources" and "Abatement Types" should be used for initial routine inspections and communicate this in writing as a procedure that every HIS inspector must follow.	DBI Chief Housing Inspector

R.I.9. DBI MIS should include "Complaint Generated Routine" as a Source option in CTS so that CG routine inspections can be separately tracked and reported in CTS.	DBI Management Information Services
R.I.10. If "Complaint Generated Routine" is not added as a Source option in CTS, then the Chief Housing Inspector should make opening a separate complaint number for the CG routine inspection and documenting "Routines" as the Source, a mandatory policy communicated to all HIS inspectors in writing.	DBI Chief Housing Inspector
R.I.11. (a) The Chief Housing Inspector should adopt a policy requiring district inspectors to conduct complaint-generated routine inspections whenever the R-2 has not had a routine inspection within the last five years. (b) The Chief Housing Inspector should adopt a policy that when district inspectors are "too busy" or for other reasons cannot conduct a CG routine inspection when the R-2 is due for one, the district inspector must notify their senior inspector in writing.	DBI Chief Housing Inspector
R.I.12. The Chief Housing Inspector should direct HIS personnel to update the SOP to include the requirement that inspectors conduct a CG routine inspection while they are investigating a complaint at an R-2 every time the R-2 has not had a routine inspection within the last five years. And, if the inspector for some legitimate reason cannot do this, the inspector must so notify their senior inspector in writing.	DBI Chief Housing Inspector
R.I.13. The Chief Housing Inspector should adopt a policy that district inspectors research the date a last routine inspection was performed: either before going to that same R-2 to investigate a complaint or via CTS records that are available by smartphone on the DBI website.	DBI Chief Housing Inspector
R.I.14. The Building Inspection Commission ("BIC") should penalize property owners who miss their inspection appointment without good cause--as determined by the BIC. The notice of penalty should be mailed to the property owner and posted on the building.	Building Inspection Commission
R.I.15. The Chief Housing Inspector should direct HIS personnel to complete the "no shows" information on the Excel spreadsheet that tracks results of their Focused Code enforcement for all the routine inspections conducted under Focused Code Enforcement and direct that all "no shows" are followed-up on within two weeks.	DBI Chief Housing Inspector
R.I.16. The Chief Housing Inspector should adopt a policy that all "no shows" must be followed up on within two weeks by researching the property owner's correct address or phone number and then, contacting the property owner for a scheduled routine inspection. This policy should be communicated to all inspectors in writing.	DBI Chief Housing Inspector
R.I.17. The Chief Housing Inspector should require that support staff verify contact information for the property owners and resend the	DBI Chief Housing Inspector

inspection packet to the new address within two weeks from when the inspection packet was returned to HIS.	
R.I.18. The Chief Housing Inspector should direct that the inspection cover letter indicate how non-English speaking property owners can request inspection packets in languages other than English and that the inspection packet is made available in Chinese and Spanish.	DBI Chief Housing Inspector
R.I.19. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten so that all vital information is available at the top of the letter and the language changed so that it is easier to understand.	DBI Chief Housing Inspector
R.I.20. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten so that it explains that inspectors will be inspecting items on the Property Owner Maintenance List.	DBI Chief Housing Inspector
R.I.21. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten to include instructions on what the property owner needs to do with the appendage and carbon monoxide/smoke alarm affidavits.	DBI Chief Housing Inspector
R.I.22. The Chief Housing Inspector should direct that the inspection packet cover letter be rewritten to include the information contained in the notices and ordinances. Notices and ordinances should be removed from the inspection packet.	DBI Chief Housing Inspector
R.I.23. The DBI Director should ensure the replacement system for CTS includes functionality for inspectors to document inspection remotely.	DBI Director
R.I.24. The DBI Director should ensure the replacement system for CTS includes functionality to upload photos remotely.	DBI Director
R.I.25. DBI MIS should make affidavits available online.	DBI Management Information Services
R.I.26. The DBI Director should ensure the replacement system for CTS includes functionality for inspectors to print NOVs in the field and that inspectors are supplied with portable printers for this purpose.	DBI Director
R.I.27. The DBI Director should ensure the replacement system for CTS can be integrated with other computer systems within DBI and other City departments.	DBI Director
R.I.28. The DBI Director should ensure the replacement system for CTS includes functionality for tracking and reporting on types of violations and high fire risk building characteristics.	DBI Director
R.I.29. (a) The Chief Housing Inspector should ask DBI MIS to create a standard report to track how long NOVs take to be corrected (similar to Open NOVs report we used) and modify this report to calculate the difference in days between when an NOV is issued and the date the NOV is corrected and then use this report to measure the time it takes for	DBI Chief Housing Inspector

property owners to correct NOVs. (b) The Chief Housing Inspector should report how long NOVs take to be abated, in a format similar to Table I-3, to the BIC on a monthly basis.	
R.I.30. The Chief Housing Inspector should actively monitor cases using the Open NOVs report to ensure that less than five percent of NOVs take no more than one year to abate.	DBI Chief Housing Inspector
R.I.31. The Chief Housing Inspector should develop guidelines for inspectors to use when granting additional time for repairs or abatement. The guidelines should be based on the average additional time it takes for the top 20 types of violation under each of the following common scenarios, including: (1) filing for and obtaining an over-the-counter permit; (2) vetting and hiring a contractor; and, (3) performing the work necessary to correct the violation.	DBI Chief Housing Inspector
R.I.32. The Chief Housing Inspector should ensure a new form letter is drafted to provide property owners the date of the next reinspection and warn them that violations must be abated by that date. Inspectors can then fill in the time and date of the reinspection and hand it to the property owner at the inspection.	DBI Chief Housing Inspector
R.I.33. The Chief Housing Inspector should create a culture where staff and management meetings are held as scheduled and not canceled unless there is an emergency.	DBI Chief Housing Inspector
R.I.34. The Chief Housing Inspector should adopt a definition of success that includes inspecting all R-2s at least every five years and ensuring all violations are corrected within a "reasonable period of time." The Chief Housing Inspector should measure a "reasonable period of time" for correcting violations by first using the Open NOVs report to measure how many days have elapsed since each NOV was issued. Next, the Chief Housing Inspector should compare the number of days that an NOV has stayed open against specific timeframes. We recommend two months; six months; 12 months; and, 18 months. (Two months (60 days) is an important timeframe because it is the earliest that an NOV can be referred to a DH.) Once an NOV goes uncorrected for one day after each of these timeframes, the NOV can easily be flagged for a closer review of the facts and circumstances and steps taken to encourage the NOV be corrected.	DBI Chief Housing Inspector
R.I.35. The Chief Housing Inspector should measure the time it takes for an open NOV to reach a Director's Hearing. We recommend using the Open NOV spreadsheet that DBI MIS created for us. Incorporating a column that calculates the days between the NOV date and the DH date, HIS can determine how many day it takes an open NOV to be heard at a Director's Hearing.	DBI Chief Housing Inspector

R.I.36. The Chief Housing Inspector should adopt an objective standard for inspectors to use in determining when a case should be referred to a Director's Hearing.	DBI Chief Housing Inspector
R.I.37. The Chief Housing Inspector should require that senior inspectors follow-up with inspectors when there have been three reinspections on an open NOV.	DBI Chief Housing Inspector
R.I.38. The DBI Director should ensure when CTS is replaced by another system that it includes functionality to help automate the Director's Hearing case preparation and digital transfer of case files.	DBI Director
R.I.39. (a) The Chief Housing Inspector should determine what is required for HIS to reinstate the FTB program and then ensure that all necessary steps for making the FTB program part of the HIS code enforcement process are taken. (b) The BIC should approve that HIS use the FTB program as part of its code enforcement process. (c) The Chief Housing Inspector should determine what is required for administrative penalties to be available at the HIS administrative hearing and then ensure that all necessary steps for making this possible as part of the HIS code enforcement process are taken. (d) The BIC should approve adding the legal requirements to the HIS administrative hearing so that administrative penalties can be awarded.	DBI Chief Housing Inspector and Building Inspection Commission
R.I.40. The Director of DBI should request that the Controller's Office conduct a study to determine adequate staffing levels for HIS.	DBI Director
R.I.41. DBI MIS should redesign the DBI website so that information on routine inspections is easier to find from the DBI homepage.	DBI Management Information Services
R.I.42. DBI MIS should revise the information on routine inspections on the DBI website so that: the property owners and the general public understand the process, including how often routine inspections take place, what is inspected, what happens when violations are found, the time frame for correcting violations and the costs associated with code enforcement.	DBI Management Information Services
R.I.43. DBI MIS should change the names on the links for R-2 violations so inspection records can be found more easily on the DBI website.	DBI Management Information Services
R.I.44. The DBI Director should ensure the replacement system for CTS can upload NOVs to the DBI website.	DBI Director
R.II.1. The Deputy Chief of Operations should require Battalion Chiefs to closely monitor Company R-2 inspection lists to ensure that every R-2 in San Francisco is inspected by its deadline.	SFFD Deputy Chief of Operations

R.II.2. The Deputy Chief of Operations should require that Company Captains make inspection appointments in advance, whenever they have the property owner's phone number, to ensure that Companies get into all R-2s. The appointments should have a three hour window.	SFFD Deputy Chief of Operations
R.II.3. SFFD MIS should ensure property owner contact information is included on the Inspection Worksheets.	SFFD MIS
R.II.4. The Deputy Chief of Operations should require Companies to inspect R-2s on the weekend if that Company is going to have a backlog during a particular month.	SFFD Deputy Chief of Operations
R.II.5. The Deputy Chief of Operations should redistribute R-2 inspection from Companies that have a backlog to nearby Companies that have fewer R-2 inspections so that the number of R-2 inspections is more evenly distributed among neighboring station houses and are conducted more timely.	SFFD Deputy Chief of Operations
R.II.6. The Deputy Chief of Operations should instruct Company Captains to give priority to R-2 inspections which have exceeded or are approaching their deadlines.	SFFD Deputy Chief of Operations
R.II.7. Battalion Chiefs should review progress on their Companies' R-2 lists at least once a month, and if they find a Company has not inspected all the R-2s on their list, hold that Company accountable by requiring that they inspect all the late R-2s by the end of the next month.	SFFD Deputy Chief of Operations
R.II.8. The Deputy Chief of Operations should ensure that inspection training for firefighters includes stressing the two reasons for conducting R-2 inspections--to ensure code compliance and gain building awareness--are equally important.	SFFD Deputy Chief of Operations
R.II.9. The Deputy Chief of Operations should ensure that all firefighters receive training on the R-2 inspections process that includes a detailed module on the Bureau of Fire Prevention code enforcement process which starts with when a BFP inspector receives a complaint from a Company Captain to an NOV being issued and any additional steps. The training should occur after BFP implements the new code enforcement process. Knowing more about BFP will help firefighters better understand their role in ensuring code compliance.	SFFD Deputy Chief of Operations
R.II.10. The Fire Marshall should require that complaint response time and code enforcement timeframes be more closely monitored so that resolution time is shortened.	The Fire Marshall
R.II.11. The Fire Marshall should require that code enforcement for NOVs be more closely monitored so that NOVs are corrected more quickly.	The Fire Marshall
R.II.12. The Fire Marshall should ensure that BFP inspectors (that work on R-2 complaints) have reasonable workloads so they can ensure timely correction of all complaints and violations.	The Fire Marshall

R.II.13. The Fire Marshall should ensure that BFP inspectors (that work on R-2 complaints) not prioritize other work over R-2 complaints if that means that they cannot investigate all their R-2 complaints in a timely manner.	The Fire Marshall
R.II.14. The Fire Marshall should standardize inspection and code enforcement documentation done by BFP R-2 inspectors.	The Fire Marshall
R.II.15. The Deputy Chief of Operations should standardize inspection documentation done by Company Captains so that BFP inspectors can easily identify and follow-up on complaints.	SFFD Deputy Chief of Operations
R.II.16. The Deputy Chief of Operations should ensure that Company Captains are trained to identify violations and document only items that are violations.	SFFD Deputy Chief of Operations
R.II.17. Battalion Chiefs should encourage their Company Captains to bring the Inspection Worksheet to the inspection site and use it to document R-2 inspections.	SFFD Deputy Chief of Operations
R.II.18. The Fire Marshall should finalize the details of the new code enforcement process that is required by recently passed legislation so that it can be implemented within the next 60 days.	The Fire Marshall
R.II.19. The new BFP Captain that oversees R-2 Company complaints should refer appropriate cases to the CA every year.	The Fire Marshall
R.II.20. SFFD MIS should revise the SFFD website to include: (1) details of the R-2 inspection process, such as: (a) the kinds of buildings inspected; (b) who inspects the buildings; (c) how often R-2s are inspected; (d) the list of items inspected; and, (e) how the inspection will be conducted; and, (2) details of the code enforcement process, including: (a) what happens when a violation is discovered; (b) what happens if a violation goes uncorrected beyond the NOV deadline; and (c) any and all fees, fines, or penalties that may be imposed for uncorrected violations. This information should be either on the inspections page or Division of Fire Prevention and Investigation homepage.	SFFD Management Information Services
R.II.21. The Chief of the Fire Department should instruct SFFD MIS to make the inspection records available online for greater transparency.	Chief of SFFD
R.II.22. SFFD MIS should put the BFP phone number for record inspection requests on the same SFFD webpage as the instructions for making an appointment.	SFFD Management Information Services
R.II.23. SFFD MIS should put the BFP phone number for reporting a safety concern on the same SFFD webpage as the instructions for reporting a safety concern.	SFFD Management Information Services

R.III.1. The Building Inspection Commission and Fire Commission should require a task force be formed to study DBI and SFFD inspection and code enforcement processes and make recommendations on how they can coordinate their efforts.	Building Inspection Commission and Fire Commission

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

ABBREVIATIONS

Term	Definition
BFP	Bureau of Fire Prevention
BIC	Building Inspection Commission
CA	San Francisco City Attorney's Office
CG Routine Inspection	Complaint-Generated Routine Inspections
City	San Francisco
Codes	San Francisco Building, Housing and Fire Codes
Company	SFFD Engine or Truck Company
CTS	Complaint Tracking System
DBI	Department of Building Inspection
DBI MIS	Department of Building Inspection Management Information Systems
DH	Director's Hearing
Fire Safety Task Force	Emergency Interagency Fire Safety Task Force for Multi-Unit/Use Residential Buildings
FTB	California Franchise Tax Board
HIS	Housing Inspection Services
HRMS	Human Resources Management System
NOV	Notice of Violation
R-2	DBI defines as residential Buildings with 3 or more units
R-2	SFFD defines as residential Buildings with 9 or more units less than 75 feet (approximately 7 stories or less)
SFFD	San Francisco Fire Department
SOP	Housing Inspection Services Policies and Procedures Manual

APPENDIX

Exhibit 1

SUMMARY OF BOARD OF SUPERVISORS

ORDINANCE 60-16

On April 19, 2016, the Board of Supervisors passed legislation that affects the code enforcement done by DBI and SFFD. Effective date was June 1, 2016. The five main aspects of the legislation are summarized below.

1. **SFFD will implement a code enforcement process that is similar to DBI's.** Under the new legislation, the SFFD must issue Notices of Violation ("NOV") for both priority and standard complaints as well as add an administrative hearing to their code enforcement process. This will dispense with Notices of Corrective Action Required ("NOCAR") and will take away some of Company Captains and inspectors' latitude in deciding when to issue an NOV. Whether a complaint is urgent or standard will be documented on the NOV itself. NOVs with urgent complaints that go uncorrected beyond the date specified on the NOV must scheduled for an administrative hearing within sixty days of the NOV deadline. NOVs with uncorrected standard complaints have a longer timeframe to be referred to an administrative hearing—180 days from expiration of the deadline stated on the NOV. The hearing officer can issue one of two determinations (i) there is no violation; (ii) there is a violation that must be corrected by a specified deadline. Work on correcting the violation must commence within thirty days of the decision. The property owner may request an extension of the date to either commence work or complete work. However, these dates must not be extended by more than ninety days. If the property owner does not comply with the Order of Abatement, may be found guilty of a misdemeanor.

2. **DBI is given authority to issue "stop all work" orders.** DBI's authority extends to all permitted projects that have violations under the Building, Public Works or Planning Codes until the violations are corrected to DBI's satisfaction. Before the legislation, DBI could only issue stop work orders for violations directly related to the permitted work.

3. **The City Attorney can bring actions against code violators on its own.** Currently, the City Attorney must wait for city departments to refer delinquent code enforcement cases to them.

4. **Requires code enforcement efforts be reported to the Mayor and Board of Supervisors quarterly.** The departments required to do so include: DBI, SFFD, DPH and the Planning Department. The report shall include specific details for every case referred to an administrative hearing. It is unclear whether reporting shall go beyond administrative hearing cases.

5. **Creates a Code Enforcement Revolving Loan Fund.** This fund will provide low-interest loans to be used for bringing buildings up to code. Four million dollars has been allocated to this fund from DBI's fees.

New legislation that would require property owners to provide tenants with an annual notice of smoke alarms requirements and to file a statement of compliance with annual fire alarm testing and inspection requirements every two years was introduced to the Board of Supervisors on April 26, 2016. The proposed legislation would also require property owners to upgrade their fire alarm systems and install fire blocks if they perform at least $50,000 in construction. Fire alarm systems must be upgraded by July 1, 2021 regardless.

Exhibit 2

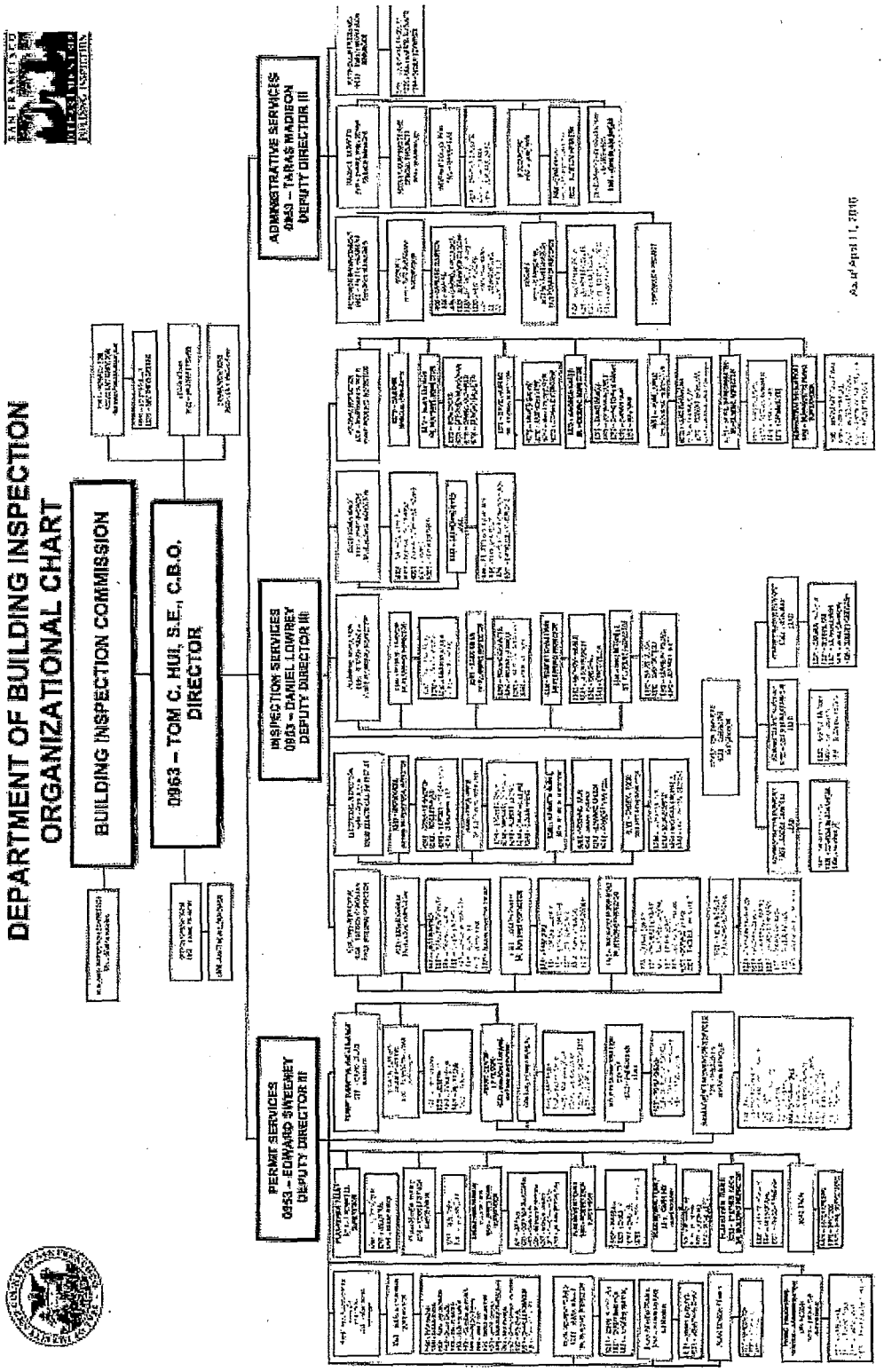

DEPARTMENT OF BUILDING INSPECTION
ORGANIZATIONAL CHART
BUILDING INSPECTION COMMISSION
0963 – TOM C. HUI, S.E., C.B.O.
DIRECTOR
ADMINISTRATIVE SERVICES
0933 – TARAS MADISON
DEPUTY DIRECTOR III
INSPECTION SERVICES
0933 – DANIEL LOWREY
DEPUTY DIRECTOR III
PERMIT SERVICES
0933 – EDWARD SWEENEY
DEPUTY DIRECTOR III

Exhibit 3

SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

HOUSING INSPECTION SERVICES

PHONE (415) 558-6220 FAX (415) 558-6249

Effective: March 17, 2016

DAN LOWREY
DEPUTY DIRECTOR

ROSEMARY BOSQUE
Chief Housing Inspector
558-6202

DAN SHEA
Housing Inspector
Special Projects
558-6122

ALAN DAVISON
Senior Housing Inspector
558-6474

- **RITA DICKS** *
  Housing Inspector
  Districts 9 & 12
  558-6157
- **STEVE MUNSCHAW**
  Housing Inspector
  District 3
  558-6196
- **ISABEL OLIVARES**
  Housing Inspector
  Districts 1 & 8
  558-6452
- **SERGIO SALVETTI**
  Housing Inspector
  Districts 4, 5 & 6
  558-6246
- **VACANT**
  [illegible] Housing Inspector

ANDY KARCS
Senior Housing Inspector
558-6469

- **DUKE SPAGIS** *
  Housing Inspector
  Districts 11
  558-6191
- **JOHANNA COYLE**
  Housing Inspector
  HCO
  558-6105
- **CHRISTOPHER GRADY**
  Housing Inspector
  District 1
  558-6322
- **DANNY NAK**
  Housing Inspector
  District 10
  558-6201
- **WAI MAR**
  Housing Inspector
  District 14 & Routines
  575-6901

JAMES SANBONMATSU
Senior Housing Inspector
558-6146

- **JIM LAWSE**
  Housing Inspector
  District 15 & Routines
  575-6166
- **PATRICK MCMANUS**
  Housing Inspector
  Routines
  575-6912
- **TIMOTHY WU**
  Housing Inspector
  District 13
  575-6944
- **DENNIS YEE** *
  Housing Inspector
  Districts 2 & 18
  558-[illegible]
- **Code Enforcement Outreach Program (CEOP)**

DAVID HERRING
Senior Housing Inspector
558-6212

- **Vacant On Leave**
- **ANTHONY LEPE**
  Housing Inspector
  CE Career
  575-6912
- **MATTHEW LUTON**
  Housing Inspector
  District 15, Showers & CFHS/SFHA
  558-6121
- **DONALD DUFFY** [illegible]
  Housing Inspector
  Routines
  575-6941

JOSE E. LOPEZ
Senior Housing Inspector
558-6470

- **LUIS BARAHONA**
  Housing Inspector
  District 16
  558-6104
- **Vacant On Leave**
- **TIM MANSUR** *
  Housing Inspector
  Routines
  558-6614
- **ROBERT WOHLERS**
  Housing Inspector
  District 17
  575-6907

BERNADETTE PEREZ
Principal Clerk
558-6185

- **Vacant CP** [illegible]
- **JENNIFER SHEUNG-CHEW**
  Permit Technician
  558-6148
- **CHRISTINA LEE**
  Senior Clerk
  558-6024
- **MARISA LEE CHAN**
  Permit Technician
  558-6221
- **NICOLE ROSSINI**
  Permit Technician I
  558-6516

HOUSING DIVISION GENERAL OFFICE HOURS (6[th] Floor Counter)
Monday through Friday 7:30AM-5:00PM
General Housing Inspector Office Hours 8:00AM-9:00AM 4:00PM-5:00PM
Alternate Inspector Office Hours denoted by an * 7:30AM-8:30AM 3:30PM-4:30 PM
Effective 12-22-2014

Exhibit 4

Welcome to our Permit / Complaint Tracking System!

COMPLAINT DATA SHEET

Complaint Number:	2010068596		
Owner/Agent:	OWNER DATA SUPPRESSED	Date Filed:	
Owner's Phone:	--	Location:	2960 CALIFORNIA ST
Contact Name:		Block:	1024
Contact Phone:	--	Lot:	011
Complainant	COMPLAINANT DATA SUPPRESSED	Site:	
		Rating:	4 floors
		Occupancy Code:	R3
		Received By:	Patrick McManus
Complainant's Phone:		Division:	HIS
Complaint Source:	TELEPHONE		
Assigned to Division:	HIS		
Description:	ROUTINE INSPECTION		

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	MCMANUS	6445		

REFFERAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
09/16/10	GENERAL MAINTENANCE	HIS	McManus	CASE ABATED	
09/16/10	CASE OPENED	HIS	McManus	CASE RECEIVED	
09/16/10	GENERAL MAINTENANCE	HIS	McManus	INSPECTION OF PREMISES MADE	Inspector Patrick McManus performed a routine inspection of the common areas of the subject property and observed no violations of the San Francisco Housing Code.

COMPLAINT ACTION BY DIVISION

NOV (HIS): 09/16/10 **NOV (BID):**

Inspector Contact Information

Online Permit and Complaint Tracking home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

Contact SFGov Accessibility Policies

City and County of San Francisco ©2000-2009

Exhibit 5.1

Welcome to our Permit / Complaint Tracking System!

COMPLAINT DATA SHEET

Complaint Number:	**200786911**		
Owner/Agent:	OWNER DATA SUPPRESSED	Date Filed:	
Owner's Phone:	--	Location:	682 CORBETT AV
Contact Name:		Block:	2745
Contact Phone:	305-48-07	Lot:	055
Complainant:	COMPLAINANT DATA SUPPRESSED	Site:	
		Rating:	4 Years
		Occupancy Code:	R-1
		Received By:	Daniel Shiu
Complainant's Phone:		Division:	HIS
Complaint Source:	COMPLAINT GENERATED ROUTINE		
Assigned to Division:	HIS		
Description:	no heat		

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	SHIU	1122	09	

REFFERAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
01/02/07	HEAT	HIS	Shiu	TELEPHONE CALLS	return phone message to Mr.Housekeeper and schedule a inspection for 01/03/2007 at 10:00 am
01/02/07	CASE OPENED	HIS	Shiu	CASE RECEIVED	
01/03/07	HEAT	HIS	Shiu	TELEPHONE CALLS	Mr.Housekeeper call to reschedule today appointment to tomorrow at 11:30 am
01/04/07	HEAT	HIS	Shiu	INSPECTION OF PREMISES MADE	Inspector Shiu met Mr.Housekeeper for inspection Inspector Daniel Shiu investigated the complaint in unit #682 and performed a routine inspection of the common area of the subject property and observed violations of the San Francisco Housing Code which are delineated within the Notice of Violation issued on 01/04/2007 identified by Complaint Tracking #200786911.
01/05/07	HEAT	HIS	Shiu	FIRST NOV SENT	
01/05/07	HEAT	HIS	Shiu	BLDG POSTED & TENANTS NOTIFIED AS PER NOTIFICATION REQMNTS	Unit : ; # of postings left on building: 1;Locations : front stair; Unit #A mailed posting: #682 tenant.
02/08/07	HEAT	HIS	Shiu	REINSPECTION 1	inspector Shiu met with the owner's grand-daughter Tammy and Mr.Housekeeper thought the reinspection was at 03:00 pm. Inspector Shiu asked Mr.Housekeeper since he just woke up was everything corrected (heat has been restored and stove area repaired) he said yes. Inspector Shiu performed a reinspection on 02/08/2007 at 09:30 am,at the subject property and found that the following items identified on the Notice of Violation issued on 01/04/2007 were: a)outstanding # 6 b) completely corrected:all other violation c) partially corrected:

Exhibit 5.2

					Plumbing permit was not obtained
03/16/07	HEAT	HIS	Shiu	REINSPECTION	Inspector Shiu performed a reinspection on 03/16/2007 at 10:00 am,at the subject property and found that the following items identified on the Notice of Violation issued on 01/04/2007 were: a)outstanding # 6 b) completely corrected:all other violation c) partially corrected: new wall heater had been installed and the contractor did not have a Plumbing permit and still has not been obtained one, a piece of granite wall splash had been installed on the right side of the stove. ref violation to P.I.D. for still not obtaining a plumbing permit for installing the new wall furnace.
04/16/07	HEAT	HIS	Shiu	TELEPHONE CALLS	Inspector Shiu spoke to Dina and she stated that her plumbing contractor obtain the permit under the wrong address 628 Corbett Av. and should have been 682 Corbett. Av. Plumbing inspector Roland Devantes
05/08/07	HEAT	HIS	Shiu	REFER TO DIRECTOR'S HEARING	
05/08/07	HEAT	HIS	Shiu	TELEPHONE CALLS	Inspector Shiu spoke to Dina and she said that her plumbing contractor could not obtain another permit for the correct address for the wall heater because their license had expired. Inspector Shiu told Dina that this notice will be refer to a Director's Hearing and explain to Dina the process of a D.Hearing.
05/23/07	HEAT	HIS	Shiu	TELEPHONE CALLS	Inspector Shiu spoke to Dina and explain to her that the plumbing inspector suggest that she have another licenced plumbing contractor obtain a permit to final the installation of the wall heater for apt # 682 Corbett St. note: Wolfe heating co. can not obtain any plumbing permit due to a (civil) hold on their license.
06/14/07	HEAT	HIS	Shiu	CASE ABATED	plumbing permit # PP20070604224g has been obtained and final on 06/12/2007 for the wall heater in unit #682

COMPLAINT ACTION BY DIVISION

NOV (HIS): 01/05/07 **NOV (BID):**

Inspector Contact Information

Online Permit and Complaint Tracking home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

Exhibit 6.1

DEPARTMENT OF BUILDING INSPECTION
HOUSING INSPECTION SERVICES PROCEDURE CHECKLISTS
City and County of San Francisco
1660 Mission Street, 6th Floor, San Francisco, California 94103-2414
Phone: (415) 558-6220 Fax :(415) 558-6249 Department Website: www.sfdbi.org

INSPECTOR FIELD CHECKLIST
FOR ROUTINE INSPECTIONS,
ROOM-TO-ROOM INSPECTIONS & COMPLAINTS

	Reviewed	REVIEW ITEM FOR SAN FRANCISCO HOUSING CODE (SFHC) COMPLIANCE (NOTE: SFBC IDENTIFIES APPLICABLE SAN FRANCISCO BUILDING CODE SECTIONS)	CODE SECTIONS
1		*SEC. 605. PROHIBITION ON WOODEN FIXED UTILITY LADDERS* Wooden Fixed Utility Ladders shall be prohibited on buildings which contain R-1, R-2, and R-3 Occupancies (hotels and apartment house [and dwellings), as defined by Chapter 4 of this Code. "Fixed Utility Ladder" shall mean any ladder permanently attached to the exterior of a structure or building, but shall not include ladders required by the California Division of Occupational Safety and Health for workplace safety that have been installed with a proper permit, or ladders expressly authorized by the Department of Building Inspection for Building Code or Fire Code compliance purposes. Wooden Fixed Utility Ladders shall be removed or replaced with metal ladders that comply with applicable Building, Fire, and Housing Code requirements.	605 SFHC
2		*MAINTAIN CLEAR & UNOBSTRUCTED MEANS OF EGRESS:* Please keep all means of egress, primary (front stairs, exit corridors), and secondary (rear stairs, fire escapes) free from encumbrances (such as storage, flower pots, household items, laundry lines, and any tripping hazards). These paths of travel are to be completely clear at all times for emergency exiting.	810 SFHC
3		*MAINTAIN FIRE ESCAPES:* Check all fire escape ladders to ensure that they are fully operational (in particular the cable and all moving parts) and that drop ladders are not obstructed. You should have an industry professional inspect and service your fire escapes annually.	604 SFHC
4		*MAINTAIN CENTRAL SMOKE/FIRE ALARM SYSTEMS & SMOKE DETECTORS:* In apartment houses and hotels maintain the central smoke/fire alarm system with the operational light indicating on within the supervision panel box, and annual Fire Department certification clearly posted in those buildings where applicable. In all residential occupancies check to confirm that all required smoke detectors are installed and fully operational in all sleeping or guest rooms, and at the top of every public stairway, and on every third floor below. Replace batteries annually. Do not paint over smoke detectors.	909 SFHC
5		*MAINTAIN & RETAG FIRE EXTINGUISHERS:* In all apartment houses and hotels a Type 2A 10BC or equivalent Fire Extinguisher is required on every floor of all public hallways. Required Fire Extinguishers must be serviced and retagged by an industry professional annually (this includes recently purchased fire extinguishers)..	905 SFHC

Exhibit 6.2

	Reviewed		CODE SECTIONS
6.		*MAINTAIN ALL WOOD DECKS, EXIT CORRIDORS, STAIRS, GUARD RAILS,AND HAND RAILS:* You should have all of these existing items inspected annually for dry rot, fungus, deterioration or decay by a licensed professional pest control contractor, general building contractor, architect, or engineer to ensure their safety and stability. Have these professionals provide you with a written report of any recommended repairs. Obtain building permits for all structural repairs.	604 SFHC
7		*MAINTAIN VISIBLE PROPERTY ADDRESS NUMBERING:* Your residential building must have the address numbers mounted at the front of the building at a minimum size of 4 inches in a color contrasting from the building. The address numbers should be clearly visible from the street by emergency vehicles. In addition, all guestrooms should be clearly identified by name, letter, or number.	706a(9),b(11) SFHC
8		*MAINTAIN GARAGES & STORAGE AREAS:* In all apartment houses of 5 units or more and all hotels, remove combustible storage from all storage areas that do not have fire sprinklers. Absolutely no combustible storage may be kept under stairwells without a proper fire sprinkler system. Garages are only to be used for the vehicle storage incidental to the apartment house or hotel use.	603, 904 SFHC
		MAINTAIN GARBAGE ROOMS & GARBAGE RECEPTACLES: All garbage rooms shall have 26 gauge sheet metal walls and ceilings or approved alternative, fire sprinklers and must be kept clean of debris and vermin with self-closing tight fitting doors. All garbage receptacles must be tightly covered, with a sufficient number to serve the building.	707 SFHC
10		*PROPERLY MAINTAIN SECURITY PROVISIONS SUCH AS SECURITY BARS, GATES, ENTRANCE/EXIT DOORS & DOOR SELF CLOSING DEVICES:* All security bars in sleeping rooms must be openable from the inside with a fully operational manual release (no keys, combination locks, or special knowledge is allowed to open security bars or gates). Absolutely no double cylinder locks (which require a key from the inside and outside) are allowed on any apartment unit or building entry or exit doors. Maintain 135-degree viewers at all apartment unit entry doors mounted no higher than 58 inches above the floor. All entrance and exit doors shall be tight fitting, self closing, and self-locking. In all apartment houses and hotels, all public bathroom, community kitchen, garbage room, roof penthouse, guest room, and dwelling unit entry doors shall be tight fitting and self-closing. No padlocks or padlock hasps are allowed on guest room or dwelling unit entry or exit doors.	706, 801 SFHC
11		*MAINTAIN SHUTOFF TOOL NEAR GAS METER:* In all apartment houses and hotels keep a shutoff tool near the gas meter and post the instructional diagram provided by the Department of Building Inspection in a public area near the gas meter.	712 SFHC

Exhibit 6.3

	Reviewed		CODE SECTIONS
12		*MAINTAIN HEAT & HOT WATER:* If your apartment house or hotel has a central heat source such as a boiler or furnace system, your heat system time clock must be set to provide heat from 5:00 am to 11:00 am and from 3:00 pm to 10:00 pm. (13 hours daily). Maintain all habitable rooms at 68 degrees Fahrenheit during these time periods. Your central source heat system must have a locking thermostat to initiate the heat system located in a habitable room other than an owner or manager's unit (except for an all owner occupied residential condo building). Hot water to all units must be between 105 to 120 degrees Fahrenheit. For boiler heat systems, obtain annual certification per the San Francisco Plumbing Code. Radiators must be in good working order with pressure valves operational and valve shut-off handles in place.	505, 701(c) SFHC
13		*MAINTAIN ALL FIREPROOFING, GLAZING, WEATHER PROOFING, EXTERIOR STUCCO, EXTERIOR SIDING INTERIOR WALLS/ CEILINGS/ CHIMNEYS & FLUES:* Maintain these areas free from holes, decay, missing materials and peeling paint.	703, 1001 SFHC
14		*MAINTAIN EXIT SIGNAGE:* Common hallway doors & windows leading to fire escapes or exits must have the appropriate signage, with lettering 6 inches in height on contrasting background.	1011. (1) (5) SFBC
		MAINTAIN ALL ROOF AREAS: In all apartment houses or hotels, keep all wires/ropes 8 feet above the roof. Remove all tripping hazards. All doors to roof areas must be tight fitting and self-closing and openable from inside the penthouse door leading to the roof. This door must be lockable from inside the stairway to the roof if the roof is accessible from an adjacent roof. Keep the roof area free from combustible storage. Nothing should obstruct access to a roof-mounted fire escape.	805, 810, 1001 SFHC
16		*MAINTAIN ADEQUATE LIGHTING IN ALL PUBLIC AREAS:* Provide adequate lighting to all stairs, public hallways, exit corridors and fire escapes.	504 (g) SFHC
17		*MAINTAIN PROPER VENTILATION:* In garages, penthouses, public halls, furnace and boiler rooms, gas meter rooms, garbage rooms, and all other rooms with gas appliances, maintain the proper ventilation and vent systems.	504, 707, 1002 SFHC
18		*MAINTAIN SMOKE BARRIER DOORS:* All front entry doors to the apartment house or hotel, doors that separate the garage from the public hallway or lobby, hallway doors between floors and stairways (stairway enclosure doors), boiler/furnace room doors, garbage room doors, and penthouse doors must have self closing devices and remain closed to be effective smoke barriers.	806, 807 SFHC
19		*MAINTAIN FIRE SPRINKLERS IN GARBAGE & LINEN CHUTES:* In apartment houses and hotels, maintain fire sprinklers at top and bottom of chutes, and as required by the Housing Code. Do not paint over any sprinkler heads.	906 SFHC
		MAINTAIN ALL LIGHT WELLS: Keep all light wells clean and free from the accumulation of debris. Keep all light well drains clean and operational.	1001, 1306 SFHC

Exhibit 6.4

	Reviewed		CODE SECTIONS
21		*MAINTAIN ALL ROOMS (VACANT OR OCCUPIED):* In all residential buildings, all dwelling units and guest rooms shall be maintained in a clean and functional manner. Walls, ceilings, floors, windows, doors, lavatory sinks, and private bathrooms shall be properly maintained, weather proofed and free from severe wear, moisture retention, plumbing fixture or roof leakage, chronic and severe mold and mildew or other dilapidated conditions.	703, 1002 (d), 1306 SFHC
22		*MAINTAIN ALL PUBLIC BATH ROOMS:* In all hotels, public bathrooms must be maintained in a clean and functional manner. The San Francisco Housing Code requires a minimum of 2 operational public bathrooms per floor when all guest rooms do not have private bathrooms. This number increases by one for every additional 10-guest rooms (or increment of 10) greater that 20 guest rooms per floor. Mechanical ventilation must be capable of delivering 5 air changes per hour. Windows that provide natural ventilation shall be well maintained and fully operational.	504, 505, 1306 SFHC
23		*MAINTAIN ALL COMMUNITY KITCHENS:* In hotels, all community kitchens shall be maintained in a clean and functional manner. Approved cooking facilities must have an electrical power source. Entry doors to the community kitchen shall be self-closing and tight fitting. Counters, flooring and sinks shall be of nonabsorbent/impervious materials. Institutional grade materials such as stainless steel counters and tiled floors are recommended.	506, 1306 SFHC
24		*MAINTAIN ALL HANDRAILS & GUARDRAILS:* All interior and exterior handrails and guardrails shall be properly secured and maintained in a functional manner.	802 (c), 1001 (i) SFHC
25		*MAINTAIN ELEVATORS REQUIRED BY THE FIRE CODE:* Hotels with a building height exceeding 50 feet (as calculated by the San Francisco Fire Department) shall have at least one operating elevator for the residential occupants' use that is well maintained and operates safely.	713, 1002 (b) SFHC
26		*MAINTAIN ADEQUATE GARBAGE PICK-UP:* All residential buildings shall maintain garbage pick-up services necessary to prevent the accumulation of garbage and debris that would result in rodent harborage and unsanitary conditions.	1306 SFHC
27		*MAINTAIN HOT WATER HEATERS:* All hot water heaters must be properly secured and double strapped. Pressure relief valves, shut off valves and vent connectors must be properly in place and operational. When located in a garage the appliance must be a minimum of 18 inches off the floor.	1001 (f) (g) SFHC
28		*MAINTAIN ALL WINDOWS:* All windows shall be well maintained, tight fitting and fully operational. Broken sash cords shall be replaced. No window shall be painted or nailed shut. Replacement windows must have sufficient weather-stripping and a minimum 20 inch width and 24 inch height if required for escape.	504 (a) 801(a-5) SFHC

Exhibit 6.5

	Reviewed		CODE SECTIONS
29		*MAINTAIN ALL FLOORING & CARPETING THROUGHOUT:* All carpeting or other floor covering shall be kept sanitized and free of extensive wear and tripping hazard. All floor coverings that cannot be sanitized shall be replaced in an appropriate manner to prevent a tripping hazard.	1306 SFHC
30		*MAINTAIN ALL MATTRESSES & LINEN:* In all hotels or guestrooms where the property owner or building operator provides mattresses and linen, these items shall be maintained in a sanitary condition and free from insect infestation.	1308 SFHC
31		*REPAIR OR REPLACE LEAKING WINDOWS, PLUMBING FIXTURES & ROOFS:* Investigate and repair leaks from windows, plumbing fixtures or the roof quickly to prevent moisture retention that can cause mold and mildew. Do not cover over leaking areas until the source of the leak is properly repaired.	703, 1001 (f) (h) SFHC
32		*PROVIDE PROPER NOTIFICATION WHEN DISTURBING LEAD PAINT & OBSERVE REQUIRED REMOVAL PROTOCOLS:* Property owners need to provide residential occupants with proper notification when disturbing interior and exterior lead based paint, provide proper signage, protect interior floors/furnishings, and observe work protocols related to lead paint removal, debris containment and migration, clean-up, etc.	3425 SFBC
33		*PROPERLY VENT ALL CLOTHES DRYERS:* Moisture exhaust ducts shall be properly maintained, be equipped with a back draft damper and terminate on the outside of the building.	1001 (g) SFHC
34		*ON SITE CARETAKER:* Apartment houses of 16 or more dwellings or hotels of 12 or more guest rooms must have an onsite caretaker that can be contacted by the city in case of emergency. The name, unit #, and contact information of this individual must be posted at the front entrance to the building.	1311 SFHC
35		*PROVIDE AND MAINTAIN CARBON MONOXIDE ALARMS:* Alarms shall be installed in dwelling and sleeping unit locations in accordance with the SFBC.	420.4.(2) (3) SFBC

NOTE:

This checklist is provided for informational use as a field guide to the Housing Inspector, and does not cover all possible violations of the San Francisco Housing Code. For further information the inspector should consult the Housing Code or confer with their supervisor.

Exhibit 7

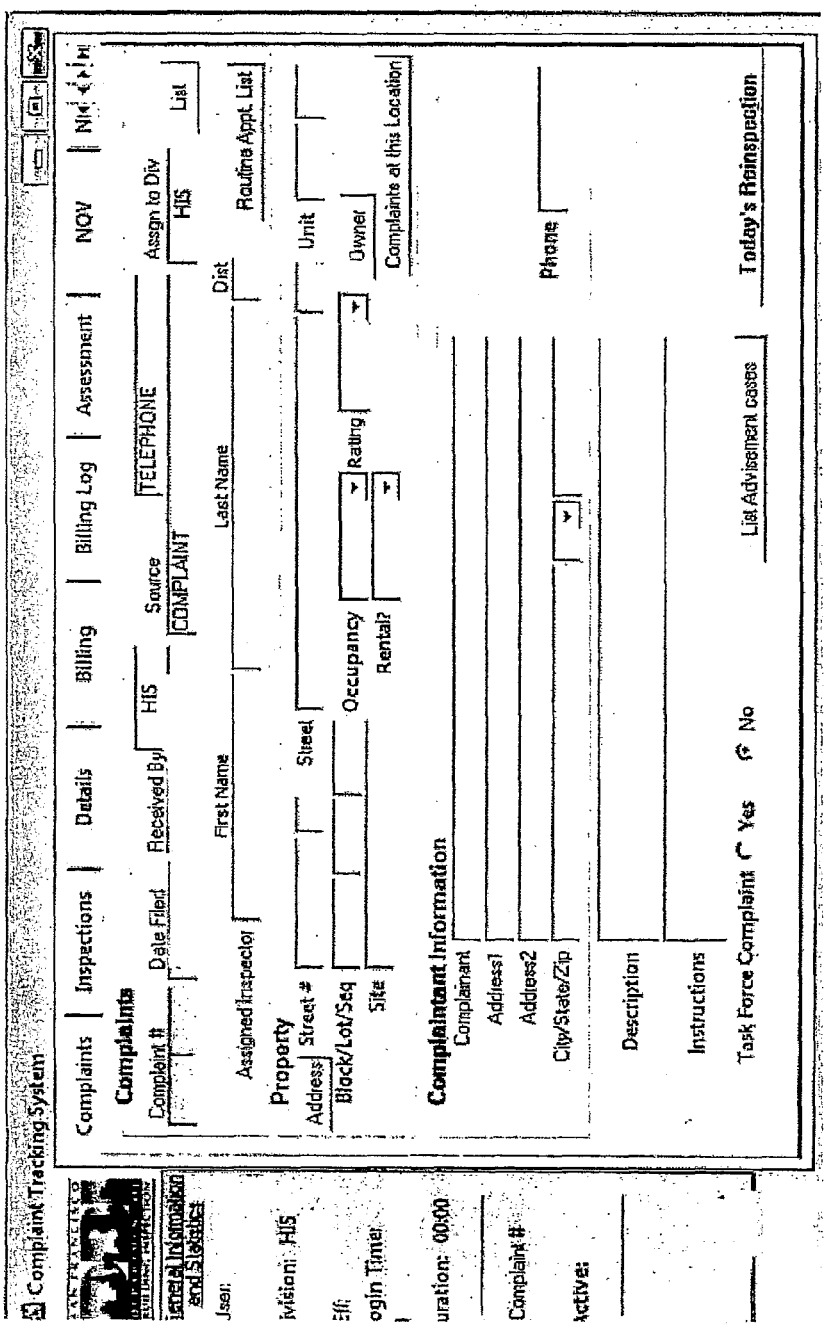

Complaint Tracking System
Complaints
Inspections
Details
Billing
Billing Log
Assessment
NOV
Complaints
Complaint #
Date Filed
Received By
HIS
Source
COMPLAINT
TELEPHONE
Assign to Div
HIS
List
First Name
Last Name
Assigned Inspector
Dist
Routine Appt. List
Property
Address
Street #
Street
Unit
Block/Lot/Seq
Site#
Occupancy
Rental?
Rating
Owner
Complaints at this Location
Complainant Information
Complainant
Address1
Address2
City/State/Zip
Phone
Description
Instructions
Task Force Complaint
Yes
No
List Advisement cases
Today's Reinspection

Exhibit 8

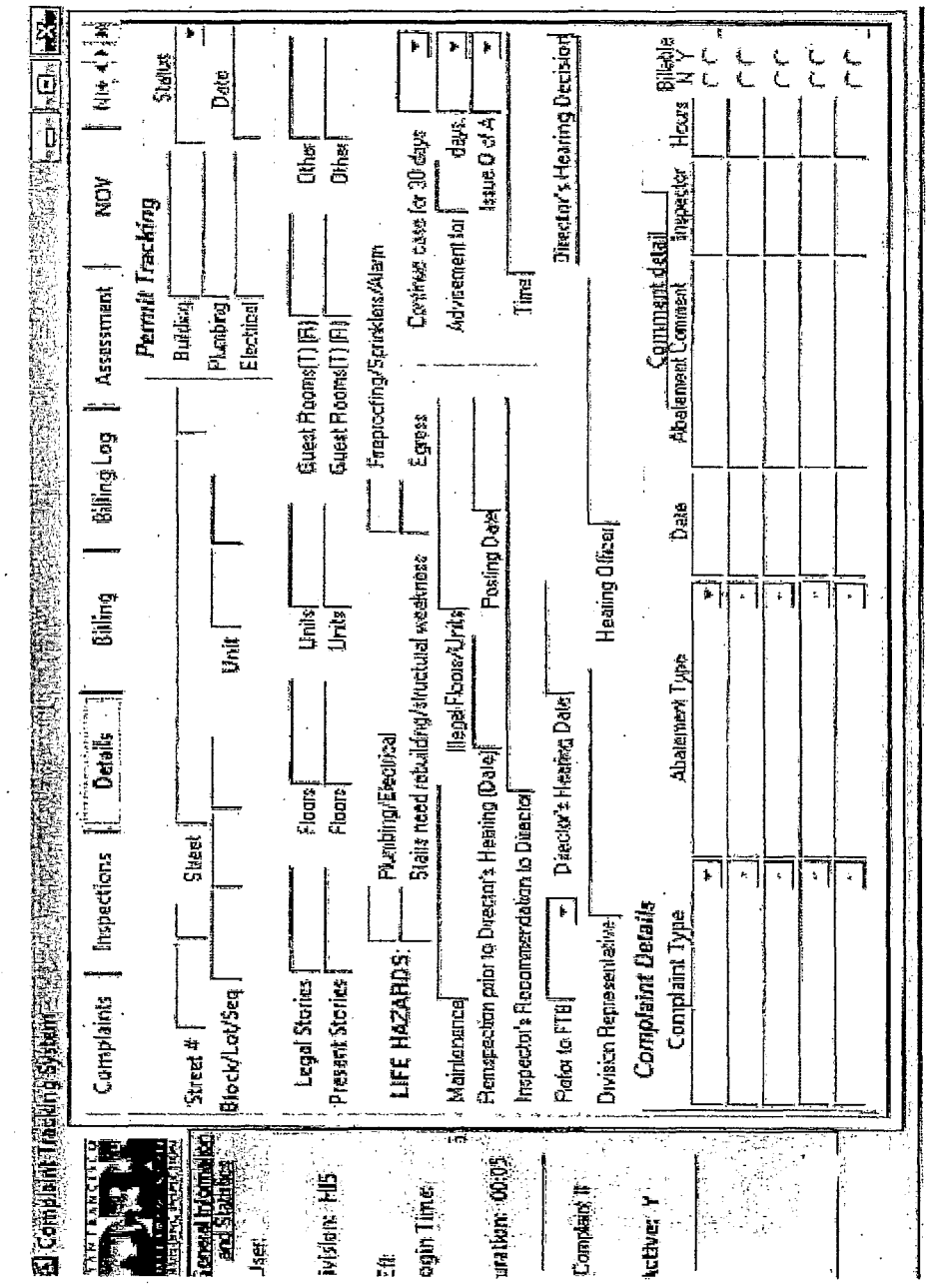

Complaints
Inspections
Details
Billing
Billing Log
Assessment
NOV
Permit Tracking
Status
Building
Plumbing
Electrical
Date
Street #
Street
Block/Lot/Seq
Unit
Legal Stories
Present Stories
Floors
Units
Guest Rooms(T) (R)
Guest Rooms(T) (B)
Other
LIFE HAZARDS:
Plumbing/Electrical
Stairs need rebuilding/structural weakness
Egress
Fireproofing/Sprinklers/Alarm
Maintenance
Illegal Floors/Units
Remspection prior to Director's Hearing (Date)
Posting Date
Continue case for 30 days
Advisement for
days.
Inspector's Recommendation to Director
Issue O of A
Time
Director's Hearing Decision
Prior to FTB
Director's Hearing Date
Division Representative
Hearing Officer
Complaint Details
Complaint Type
Abatement Type
Date
Comment detail
Abatement Comment
Inspector
Hours
Billable
Y
N
Division:
HIS
Login Time:
Duration:
00:05
Complaint #:
Active:
Y

Exhibit 9

Source Options:

- CA Task Force
- City Attorney Task Force Inspection (Code 19)
- City Attorney Task Force Inspection (Code 20)
- Complaint
- Complaint—Boiler Transfer
- Complaint—Lead
- Energy Inspection
- Hotel Room—Room Insp
- Housing Authority
- Housing Authority Complaint
- Illegal Unit Complaint Received R-2
- Illegal Unit Complaint Received R-3
- License Fee Inspection
- Residential Hotel Room to Room
- Residential Hotel Routines
- Routine Appointment Letter
- Routines
- Soft Story Ordinance
- Tourist Hotel Routine
- 311 Internet Referral
- 311 Phone Referral
- BID Referral
- CCSF Referral
- DCP Referral
- DPH Referral
- DPW Referral
- E-Mail
- Field Observation
- Letter
- Office Visit
- Other Source
- Telephone
- Web Form

Exhibit 10

Abatement Type Options

- Abatement Appeals Board
- Addendum to NOV
- Advisement
- Appointment Letter Sent
- Assessments Due
- Bldg Posted & Tenants Notice
- Case Abated
- Case Closed
- Case Continued
- Case Received
- Case Returned
- Case Update
- Certified Appointment Letter
- Correction Not Issued
- Director Hearing Notice
- Director's Hearing Decision
- District Inspector Does XXX
- District Inspector To Review
- Emergency Order Issued
- Final Bill Sent
- Final Warning Letter Sent
- First NOV Sent
- Franchise Tax Board Hearing
- FTB Referral
- Infraction Violation Issued
- Initial Bill Sent
- Inspection Of Premises Made
- Inspection Warrant
- Letter/Report—EID
- Letter/Report—PID
- Misdemeanor Citation Issued
- No Entry
- Notice Of Penalty
- NOV Compliance Assessment
- NOV Sent—EID
- Office/Counter Visit
- Order of Abatement Issued
- Order of Abatement Posted
- Permit Research
- Permit Work—CFC
- Pre-Sched Rtn Insp—No Entry
- Refer Case To City Attorney
- Refer To Compl/Routn
- Refer To Director's Hearing
- Refer To Other Agency
- Referred To Other Div
- Reinsp—Case Abated
- Reinspection 1
- Reinspection 2
- Reinspection 3
- Reinspection 4
- Reinspection 5
- Reinspection 6
- Reinspection 7
- Reinspection 8
- Routine Inspection Approved
- Second NOV Sent
- SFHA Notification Sent
- Telephone Calls
- Unable To Enter
- Unknown Type During XX
- Other

Exhibit 11.1

City and County of San Francisco
Department of Building Inspection

Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

HOUSING INSPECTION SERVICES REQUEST FOR INSPECTION APPOINTMENT

11/3/2015

PROPERTY ADDRESS:
Block:

Inspector:
Type of Inspection: ROUTINE INSPECTION

Dear Property Owner:

As in previous years, your cooperation is now being requested to facilitate a required periodic health and safety inspection of the building referenced above. Our records show that this property is due for this inspection, and your assistance is necessary to provide the Housing Inspector entry. Chapters 1, 2, and 3 of the San Francisco Housing Code require that the Department of Building Inspection perform periodic health and safety inspections of the common and public areas of apartment houses (3 or more dwellings) and hotels (5 or more guest rooms). Common and public areas include, but are not limited to, common hallways, required means of egress, fire escapes, roofs accessible by stairways, garages, basements, storage rooms/areas, boiler/utility rooms, common bath rooms, community kitchens, laundry rooms, garbage rooms/areas, court yards, light wells, and rear yards. Please note that the interior of apartment units or guest rooms are not part of this review unless requested by an occupant at the time of inspection.

An inspection of your property as referenced above has been scheduled for November 16, 2015 AT 10:00AM Please attend, or have your representative attend, to provide the Department inspector access as described above. Please confirm this appointment by contacting the Housing Inspector whose name and phone number appears in the lower right hand corner. The Inspector may be contacted by phone, email, or in person at 1660 Mission Street, 6th Floor between 8:00 to 9:00 a.m. and 4:00 to 5:00 p.m., Monday through Friday. You may also leave a voice mail message. If the subject property is a residential condominium building, please provide the contact information of the pertinent home owner's association officer. Also, providing property manager contact information is very helpful in saving you valuable time. Please note that the inspectors cannot return calls to blocked phone numbers unless you have enabled this feature.

If you or your representative fail to attend this inspection, or you do not make arrangements for another inspection time, the Department will attempt to gain entry to your building as required by Chapter 3 of the Housing Code through an inspection warrant. All costs associated with an inspection warrant will be the responsibility of the property owner.

Your timely cooperation is important to facilitate this inspection which will survey maintenance, egress, fire protection, security, proper rodent abatement, and other health and safety features required by the Housing Code that promote public welfare. Please review the attached information, and/or contact your Housing Inspector for more information. Thank you for your assistance.

Very truly yours,

Rosemary Bosque
Chief Housing Inspector

By:
Email:
Phone:

Enclosures: *Informational Maintenance Checklist*
SFHC Section 604 Notice & Affidavit
Affidavit-Self-Certification of Carbon Monoxide and Smoke Alarms

Exhibit 11.2

DEPARTMENT OF BUILDING INSPECTION
Housing Inspection Services
City and County of San Francisco
1660 Mission Street, 6th Floor, San Francisco, California 94103-2414
Phone: (415) 558-6220 Fax :(415) 558-6249 Department Website: www.sfdbi.org

RESIDENTIAL HABITIBILITY INFORMATION
SAN FRANCISCO HOUSING CODE REQUIREMENTS
(PROPERTY OWNER MAINTENANCE CHECKLIST)
REVISED FEBRUARY 26, 2014

FOR ONE & TWO FAMILY DWELLINGS,
APARTMENT HOUSES (3 OR MORE DWELLING UNITS) & RESIDENTIAL/TOURIST HOTELS

1. ***SEC. 605. PROHIBITION ON WOODEN FIXED UTILITY LADDERS***
Wooden Fixed Utility Ladders shall be prohibited on buildings which contain R-1, R-2, and R-3 Occupancies (hotels and apartment house [and dwellings), as defined by Chapter 4 of this Code. "Fixed Utility Ladder" shall mean any ladder permanently attached to the exterior of a structure or building, but shall not include ladders required by the California Division of Occupational Safety and Health for workplace safety that have been installed with a proper permit, or ladders expressly authorized by the Department of Building Inspection for Building Code or Fire Code compliance purposes. Wooden Fixed Utility Ladders shall be removed or replaced with metal ladders that comply with applicable Building, Fire, and Housing Code requirements.

2. ***MAINTAIN CLEAR & UNOBSTRUCTED MEANS OF EGRESS:*** Please keep all means of egress, primary (front stairs, exit corridors), and secondary (rear stairs, fire escapes) free from encumbrances (such as storage, flower pots, household items, laundry lines, and any tripping hazards). These paths of travel are to be completely clear at all times for emergency exiting.

3. ***MAINTAIN FIRE ESCAPES:*** Check all fire escape ladders to ensure that they are fully operational (in particular the cable and all moving parts) and that drop ladders are not obstructed. You should have an industry professional inspect and service your fire escapes annually.

4. ***MAINTAIN CENTRAL SMOKE/FIRE ALARM SYSTEMS & SMOKE DETECTORS:*** In apartment houses and hotels maintain the central smoke/fire alarm system with the operational light indicating on within the supervision panel box, and annual Fire Department certification clearly posted in those buildings where applicable. In all residential occupancies check to confirm that all required smoke detectors are installed and fully operational in all sleeping or guest rooms, and at the top of every public stairway, and on every third floor below. Replace batteries annually. Do not paint over smoke detectors.

5. ***MAINTAIN & RETAG FIRE EXTINGUISHERS:*** In all apartment houses and hotels a Type 2A 10BC or equivalent Fire Extinguisher is required on every floor of all public hallways. Required Fire Extinguishers must be serviced and retagged by an industry professional annually (this includes recently purchased fire extinguishers).

6. ***MAINTAIN ALL WOOD DECKS, EXIT CORRIDORS, STAIRS, GUARD RAILS,AND HAND RAILS:*** You should have all of these existing items inspected annually for dry rot, fungus, deterioration or decay by a licensed professional pest control contractor, general building contractor, architect, or engineer to ensure their safety and stability. Have these professionals provide you with a written report of any recommended repairs. Obtain building permits for all structural repairs.

7. ***MAINTAIN VISIBLE PROPERTY ADDRESS NUMBERING:*** Your residential building must have the address numbers mounted at the front of the building at a minimum size of 4 inches in a color contrasting from the building. The address numbers should be clearly visible from

Exhibit 11.3

the street by emergency vehicles. In addition, all guestrooms should be clearly identified by name, letter, or number.

8. ***MAINTAIN GARAGES & STORAGE AREAS:*** In all apartment houses of 5 units or more and all hotels, remove combustible storage from all storage areas that do not have fire sprinklers. Absolutely no combustible storage may be kept under stairwells without a proper fire sprinkler system. Garages are only to be used for the vehicle storage incidental to the apartment house or hotel use.

9. ***MAINTAIN GARBAGE ROOMS & GARBAGE RECEPTACLES:*** All garbage rooms shall have 26 gauge sheet metal walls and ceilings or approved alternative, fire sprinklers and must be kept clean of debris and vermin with self-closing tight fitting doors. All garbage receptacles must be tightly covered, with a sufficient number to serve the building.

10. ***PROPERLY MAINTAIN SECURITY PROVISIONS SUCH AS SECURITY BARS, GATES, ENTRANCE/EXIT DOORS & DOOR SELF CLOSING DEVICES:*** All security bars in sleeping rooms must be openable from the inside with a fully operational manual release (no keys, combination locks, or special knowledge is allowed to open security bars or gates). Absolutely no double cylinder locks (which require a key from the inside and outside) are allowed on any apartment unit or building entry or exit doors. Maintain 135-degree viewers at all apartment unit entry doors mounted no higher than 58 inches above the floor. All entrance and exit doors shall be tight fitting, self closing, and self-locking. In all apartment houses and hotels, all public bathroom, community kitchen, garbage room, roof penthouse, guest room, and dwelling unit entry doors shall be tight fitting and self-closing. No padlocks or padlock hasps are allowed on guest room or dwelling unit entry or exit doors.

11. ***MAINTAIN SHUTOFF TOOL NEAR GAS METER:*** In all apartment houses and hotels keep a shutoff tool near the gas meter and post the instructional diagram provided by the Department of Building Inspection in a public area near the gas meter.

12. ***MAINTAIN HEAT & HOT WATER:*** If your apartment house or hotel has a central heat source such as a boiler or furnace system, your heat system time clock must be set to provide heat from 5:00 am to 11:00 am and from 3:00 pm to 10:00 pm. (13 hours daily). Maintain all habitable rooms at 68 degrees Fahrenheit during these time periods. Your central source heat system must have a locking thermostat to initiate the heat system located in a habitable room other than an owner or manager's unit (except for an all owner occupied residential condo building). Hot water to all units must be between 105 to 120 degrees Fahrenheit. For boiler heat systems, obtain annual certification per the San Francisco Plumbing Code. Radiators must be in good working order with pressure valves operational and valve shut-off handles in place.

13. ***MAINTAIN ALL FIREPROOFING, GLAZING, WEATHER PROOFING, EXTERIOR STUCCO, EXTERIOR SIDING, INTERIOR WALLS/ CEILINGS, and CHIMNEYS & FLUES:*** Maintain these areas free from holes, decay, missing materials and peeling paint.

14. ***MAINTAIN EXIT SIGNAGE:*** Common hallway doors & windows leading to fire escapes or exits must have the appropriate signage, with lettering 6 inches in height on contrasting background.

15. ***MAINTAIN ALL ROOF AREAS:*** In all apartment houses or hotels, keep all wires/ropes 8 feet above the roof. Remove all tripping hazards. All doors to roof areas must be tight fitting and self-closing and openable from inside the penthouse door leading to the roof. This door must be lockable from inside the stairway to the roof if the roof is accessible from an adjacent roof. Keep the roof area free from combustible storage. Nothing should obstruct access to a roof-mounted fire escape.

Exhibit 11.4

16. ***MAINTAIN ADEQUATE LIGHTING IN ALL PUBLIC AREAS:*** Provide adequate lighting to all stairs, public hallways, exit corridors and fire escapes.

17. ***MAINTAIN PROPER VENTILATION:*** In garages, penthouses, public halls, furnace and boiler rooms, gas meter rooms, garbage rooms, and all other rooms with gas appliances, maintain the proper ventilation and vent systems.

18. ***MAINTAIN SMOKE BARRIER DOORS:*** All front entry doors to the apartment house or hotel, doors that separate the garage from the public hallway or lobby, hallway doors between floors and stairways (stairway enclosure doors), boiler/furnace room doors, garbage room doors, and penthouse doors must have self closing devices and remain closed to be effective smoke barriers.

19. ***MAINTAIN FIRE SPRINKLERS IN GARBAGE & LINEN CHUTES:*** In apartment houses and hotels, maintain fire sprinklers at top and bottom of chutes, and as required by the Housing Code. Do not paint over any sprinkler heads.

20. ***MAINTAIN ALL LIGHT WELLS:*** Keep all light wells clean and free from the accumulation of debris. Keep all light well drains clean and operational.

21. ***MAINTAIN ALL ROOMS (VACANT OR OCCUPIED):*** In all residential buildings, all dwelling units and guest rooms shall be maintained in a clean and functional manner. Walls, ceilings, floors, windows, doors, lavatory sinks, and private bathrooms shall be properly maintained, weather proofed and free from severe wear, moisture retention, plumbing fixture or roof leakage, chronic and severe mold and mildew or other dilapidated conditions.

22. ***MAINTAIN ALL PUBLIC BATH ROOMS:*** In all hotels, public bathrooms must be maintained in a clean and functional manner. The San Francisco Housing Code requires a minimum of 2 operational public bathrooms per floor when all guest rooms do not have private bathrooms. This number increases by one for every additional 10-guest rooms (or increment of 10) greater that 20 guest rooms per floor. Mechanical ventilation must be capable of delivering 5 air changes per hour. Windows that provide natural ventilation shall be well maintained and fully operational.

23. ***MAINTAIN ALL COMMUNITY KITCHENS:*** In hotels, all community kitchens shall be maintained in a clean and functional manner. Approved cooking facilities must have an electrical power source. Entry doors to the community kitchen shall be self-closing and tight fitting. Counters, flooring and sinks shall be of nonabsorbent/impervious materials. Institutional grade materials such as stainless steel counters and tiled floors are recommended.

24. ***MAINTAIN ALL HANDRAILS & GUARDRAILS:*** All interior and exterior handrails and guardrails shall be properly secured and maintained in a functional manner.

25. ***MAINTAIN ELEVATORS REQUIRED BY THE FIRE CODE:*** Hotels with a building height exceeding 50 feet (as calculated by the San Francisco Fire Department) shall have at least one operating elevator for the residential occupants' use that is well maintained and operates safely.

26. ***MAINTAIN ADEQUATE GARBAGE PICK-UP:*** All residential buildings shall maintain garbage pick-up services necessary to prevent the accumulation of garbage and debris that would result in rodent harborage and unsanitary conditions.

27. ***MAINTAIN HOT WATER HEATERS:*** All hot water heaters must be properly secured and double strapped. Pressure relief valves, shut off valves and vent connectors must be properly in place and operational. When located in a garage the appliance must be a minimum of 18 inches off the floor.

Exhibit 11.5

28. ***MAINTAIN ALL WINDOWS:*** All windows shall be well maintained, tight fitting and fully operational. Broken sash cords shall be replaced. No window shall be painted or nailed shut. Replacement windows must have sufficient weather-stripping and a minimum 20 inch width and 24 inch height if required for escape.

29. ***MAINTAIN ALL FLOORING & CARPETING THROUGHOUT:*** All carpeting or other floor covering shall be kept sanitized and free of extensive wear and tripping hazard. All floor coverings that cannot be sanitized shall be replaced in an appropriate manner to prevent a tripping hazard.

30. ***MAINTAIN ALL MATTRESSES & LINEN:*** In all hotels or guestrooms where the property owner or building operator provides mattresses and linen, these items shall be maintained in a sanitary condition and free from insect infestation.

31. ***REPAIR OR REPLACE LEAKING WINDOWS, PLUMBING FIXTURES & ROOFS:*** Investigate and repair leaks from windows, plumbing fixtures or the roof quickly to prevent moisture retention that can cause mold and mildew. Do not cover over leaking areas until the source of the leak is properly repaired.

32. ***PROVIDE PROPER NOTIFICATION WHEN DISTURBING LEAD PAINT & OBSERVE REQUIRED REMOVAL PROTOCOLS:*** Property owners need to provide residential occupants with proper notification when disturbing interior and exterior lead based paint, provide proper signage, protect interior floors/furnishings, and observe work protocols related to lead paint removal, debris containment and migration, clean-up, etc.

33. ***PROPERLY VENT ALL CLOTHES DRYERS:*** Moisture exhaust ducts shall be properly maintained, be equipped with a back draft damper and terminate on the outside of the building.

34. ***ON SITE CARETAKER:*** Apartment houses of 16 or more dwellings or hotels of 12 or more guest rooms must have an onsite caretaker that can be contacted by the city in case of emergency. The name, unit #, and contact information of this individual must be posted at the front entrance to the building.

35. ***CARBON MONOXIDE ALARMS:*** State Fire Marshal approved alarms and detection systems are required in the common areas, and sleeping rooms of existing residential buildings that contain fuel-burning appliances, such as heaters or gas appliances, fireplaces, etc., as delineated in the San Francisco Building Code.

36. ***LOSS OF DWELLING UNITS:*** The Planning Department, and Department of Building Inspection will review the proposed loss of any dwelling units in a building greater than two units (legal or illegal) pursuant to Executive Directive 13-01, issued by Mayor Lee on December 18, 2013.

NOTE: This informational checklist is provided for the general use of residential occupants, property owners, operators, managers, and the public. This criterion does not address all potential Code violations that may be detected during an on-site inspection and is subject to change without notice. Please contact the Housing Inspection Services Division at (415) 558-6220 during business hours if you require further information.

Exhibit 11.6

City and County of San Francisco
Department of Building Inspection

Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O. Director

November 21, 2008

NOTICE OF NEW HOUSING LAW
AMENDS THE SAN FRANCISCO HOUSING CODE
BANS EXTERIOR WOODEN FIXED UTILITY LADDERS

Examples of Now Prohibited Wooden Fixed Utility Ladders.

Dear Property Owner/Operator:

Wooden exterior fixed utility ladders –See the examples pictured above-- are now prohibited on residential buildings and must immediately be removed with a proper building permit. This action is a result of passage by the San Francisco Board of Supervisors of Ordinance File No. 081010 creating Section 605 of the San Francisco Housing Code. This new law takes effect on December 3, 2008. Due to the potential danger of these structures, the Department is already citing property owners to encourage immediate removal of these ladders under the general maintenance provisions of the Housing Code.

These wooden ladders may be replaced with metal ladders properly secured to the building constructed with an approved building permit. For replacement requirements see Title 8 of California Code of Regulations Sections 3276 & 3277 (Cal OSHA) and San Francisco Building Code Administrative Bulletin No AB-019 amended January 1, 2008 (visit www.sfdbi.org to see this Administrative Bulletin). **Failure to voluntarily remove the wooden ladders will result in the issuance of a formal Notice of Violation to the property owner requiring removal within 30 days of issuance.** For your information the new law states:

SEC. 605. PROHIBITION ON WOODEN FIXED UTILITY LADDERS
Wooden Fixed Utility Ladders shall be prohibited on buildings which contain R-1, R-2, and R-3 Occupancies (hotels and apartment house [and dwellings]), as defined by Chapter 4 of this Code. "Fixed Utility Ladder" shall mean any ladder permanently attached to the exterior of a structure or building, but shall not include ladders required by the California Division of Occupational Safety and Health for workplace safety that have been installed with a proper permit, or ladders expressly authorized by the Department of Building Inspection for Building Code or Fire Code compliance purposes. Wooden Fixed Utility Ladders shall be removed or replaced with metal ladders that comply with applicable Building, Fire, and Housing Code requirements.

If you have questions or require further information regarding the removal of the wooden ladders please contact the Housing Inspection Services Division at (415) 558-6220; or the Technical Services Division at (415) 558-6225 for information regarding the code standards for metal replacement ladders. Please visit the DBI web site, www.sfdbi.org click Housing Inspection Services to see detailed information on the ban on wooden utility ladders.

Housing Inspection Services
1660 Mission Street– San Francisco CA 94103
Office (415) 558-6220 – FAX (415) 558-6249 – www.sfdbi.org

Exhibit 11.7

Amendment of the Whole
10/27/08

FILE NO. 081010 ORDINANCE NO. 255-08

[Building – Ban on Wooden Fixed Utility Ladders.]

Ordinance amending the San Francisco Housing Code to add Section 605 prohibiting wooden fixed utility ladders in R-1, R-2, and R-3 Occupancies, and making findings under the California Environmental Quality Act.

Note: Additions are *single-underline italics Times New Roman*; deletions are ~~*strikethrough italics Times New Roman*~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) General Findings.

(1) Certain structures and buildings within the City and County of San Francisco ("City") have exterior wooden fixed "utility ladders" not required under state, local, or federal safety regulations.

(2) If not properly maintained and secured, wooden utility ladders present health and safety risks to the public due to susceptibility of wood to rotting and deterioration over time.

(3) The condition of wooden fixed utility ladders may be difficult to discern except upon close inspection and, in certain instances, wooden utility ladders may outwardly appear safe for use despite their deteriorated and dangerous condition.

(4) Many property owners are unaware of the safety issues created by failing to remove wooden fixed utility ladders or replace them with metal utility ladders. A weak or failing ladder puts property owners, building residents, tenants, and guests at risk.

Supervisor McGoldrick
BOARD OF SUPERVISORS

Page 1
10/27/2008

Exhibit 11.8

(5) Absent legislative action, property owners may lack regulatory incentives to inspect, maintain, or remove otherwise code-compliant wooden utility ladders.

(6) In order to promote general welfare and safety, it is therefore in the public interest to require removal of wooden fixed utility ladders or the replacement of such ladders with safer metal utility ladders.

(7) Enforcement of this legislation will occur through the existing routine inspection program and through other enforcement procedures as developed by the Department of Building Inspection for R-1 and R-2 Occupancies (hotels and apartment houses) and R-3 Occupancies (one- and two-family dwelling units) delineated in Chapter 3 of the Housing Code.

(b) Environmental Findings. The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 081010 and is incorporated herein by reference.

Section 2. The San Francisco Housing Code is hereby amended by adding Section 605, to read as follows:

SEC. 605. PROHIBITION ON WOODEN FIXED UTILITY LADDERS

Wooden Fixed Utility Ladders shall be prohibited on buildings which contain R-1, and R-2, and R-3 Occupancies (hotels and apartment houses), as defined by Chapter 4 of this Code. "Fixed Utility Ladder" shall mean any ladder permanently attached to the exterior of a structure or building, but shall not include ladders required by the California Division of Occupational Safety and Health for workplace safety that have been installed with a proper permit, or ladders expressly authorized by the Department of Building Inspection for Building Code or Fire Code compliance purposes.

Exhibit 11.9

File No. 081010

I hereby certify that the foregoing Ordinance was FINALLY PASSED on November 4, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

11/07/2008
Date Approved

Mayor Gavin Newsom

Exhibit 11.10

Wooden Fixed Utility Ladders shall be removed or replaced with metal ladders that comply with applicable Building, Fire, and Housing Code requirements.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
Andrew W. Garth
Deputy City Attorney

Exhibit 11.11

City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081010 Date Passed:

Ordinance amending the San Francisco Housing Code to add Section 805 prohibiting wooden fixed utility ladders in R-1, R-2, and R-3 Occupancies, and making findings under the California Environmental Quality Act.

October 28, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

November 4, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Exhibit 11.12

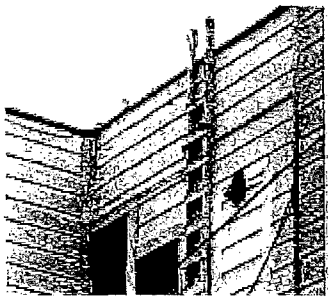
SAN FRANCISCO
DEPARTMENT OF
BUILDING INSPECTION

NEW BAN ON WOODEN FIXED-UTILITY LADDERS

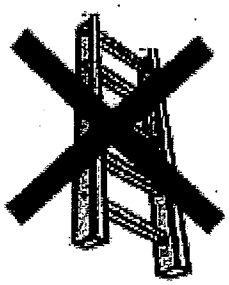
IF YOU HAVE ONE OF THESE LADDERS ON ANY BUILDING YOU OWN, YOU MUST ACT IMMEDIATELY TO REMOVE OR REPLACE IT.

Wooden fixed utility ladders may be dangerous, and are now illegal. These ladders were commonly added to buildings constructed in the City during the 1930s and earlier. They were never part of a building's fire escape system; but they often were installed as a 'convenience' to building owners who wanted roof access without bringing a portable ladder to the site.

These ladders are now prohibited on residential buildings and must be removed with a proper building permit. Action by property owners is required as a result of legislation passed by the Board of Supervisors and signed by the Mayor. The new law takes effect on December 8, 2008. Given the potential danger they pose, DBI is already citing property owners to encourage immediate removal of these ladders.



Protect your building and those living in it by calling the Department of Building Inspection's Housing Inspection Services today to learn what to do.



Obtain helpful information on DBI's website www.sfgov.org/dbi or call (415) 558-6220 and comply today with the City's new law by removing these ladders.

Exhibit 11.13

City and County of San Francisco
Department of Building Inspection

Edwin M Lee, Mayor
Tom C. Hui, S.E., C.B.O. Director

Notice Requiring Compliance Of San Francisco Housing Code Section 604 For Apartment Buildings/Residential Condos (3 or more units) and Hotels
(Affidavit is on Reverse Side)

On September 17, 2003, the Board of Supervisors passed Ordinance # 192-02 which added Section 604 to the San Francisco Housing Code. The pertinent part of the Code Section is provided below for your reference. The following information has been enclosed in this information package to assist your submittal of the required affidavit **due now and every 5 years hereafter.** This requirement is separate and will cycle independently from the periodic health & safety (routine) inspections required by Chapter 3 of the Housing Code. This information is being distributed with the routine inspection request letters to give property owners the opportunity to ask the field inspectors questions about the affidavit process.

SEC. 604. STRUCTURAL MAINTENANCE.

(a) Affidavit Required. All wood and metal decks, balconies, landings, exit corridors, stairway systems, guard rails, hand rails, fire escapes, or any parts thereof in weather-exposed areas of apartment buildings and hotels shall be inspected by a licensed general contractor, or a structural pest control licensee, or a licensed professional architect or engineer, verifying that the exit system, corridor, balcony, deck or any part thereof is in general safe condition, in adequate working order, and free from hazardous dry rot, fungus, deterioration, decay, or improper alteration. Property owners shall provide proof of compliance with this section by submitting an affidavit form (provided by the Department) signed by the responsible inspector to the Housing Inspection Services Division every five years. For purposes of this section, weather-exposed areas means those areas which are not interior building areas.

San Francisco Housing Code Requirements: Section 604 requires apartment house (including residential condominium buildings of 3 dwellings or more) and hotel (6 guest rooms or more) owners to have all building appendages to be inspected by a licensed general contractor, or structural pest control licensee, or licensed professional architect or engineer, verifying that the exit system, corridor, balcony, deck, or any part thereof (that exists within the subject building as identified above) is in general safe condition, in adequate working order, and free from hazardous dry rot, fungus, deterioration, decay, or improper alteration. Appendages are described as all wood and metal decks, balconies, landings, exit corridors, stairway systems, guardrails, handrails, fire escapes, or any parts thereof in weather-exposed areas (excluding interior building areas).

Note for Residential Condominiums: The San Francisco Housing Code defines residential condominiums (of three dwellings or more) to be apartment houses and therefore subject to this requirement. Residential condominium owners should have their home owner's association complete the enclosed affidavit if the building appendages described above are in the common or public areas of the building. If they are not part of the common area, but related to a specific dwelling/condo, then that residential condominium owner must complete the affidavit and return it to the Department of Building Inspection per the instructions indicated below.

Proof of Compliance & Mailing Instructions: Property owners shall provide proof of compliance with this Section by submitting the enclosed affidavit, with verification (if applicable) completed and signed by the licensed professional who inspected the subject building. Completed affidavits must be submitted to the Housing Inspection Services Division as indicated below, every 5 years. Please send completed and signed affidavits to the:

San Francisco Department of Building Inspection
Housing Inspection Services Division
Attn: Section 604 H.C. Affidavit Filing
1660 Mission Street, 6th Floor
San Francisco, CA 94103-2414

Code Enforcement for Failure to File: Code enforcement proceedings as required by the San Francisco Housing Code will be initiated against those property owners who do not file completed and signed affidavits to the Department of Building Inspection. If you have any questions on this matter please call the Housing Inspection Services Division at (415) 558-6220.

Housing Inspection Division
1660 Mission Street– San Francisco CA 94103
Office (415) 558-6220 — FAX (415) 558-6249 – www.sfgov.org/dbi

Exhibit 11.14

City and County of San Francisco
Department of Building Inspection

Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O. Director

COMPLIANCE AFFIDAVIT
SECTION 604 OF THE SAN FRANCISCO HOUSING CODE
(Requirements are described in the Notice on the reverse side)

Building Location:
Building Address:
Assessors Block/Lot:

Building Type :(select one)
☐ Apartment House
☐ Hotel
☐ Residential Condo Building (Apartment House with 3 or more dwellings + building appendage in common areas)
☐ Individual Residential Condo (Individual Dwelling Unit with building appendages in private area)

Property Owner Information :(select one & complete)
☐ Name of Property Owner:_____
☐ Name of Residential Condominium Association Representative:_____
Mailing Address for building contact (owner or condo association): _____
Phone # of Contact Person:_____

Licensed Professional Information :(select type of professional & complete)
Name of Licensed Professional that reviewed building: _____
Mailing Address of Licensed Professional: _____
Phone # of Licensed Professional: _____
License #: _____
Type of professional: ☐ General Contractor
☐ Architect
☐ Civil Engineer
☐ Structural Engineer
☐ Structural Pest Control Inspector

Affidavit Verification: (select one, if first square selected verification is not necessary).
☐ Exterior building appendages (see reverse for description) do not exist at the subject building.
☐ Exterior building appendages do exist at the subject building.(Complete verification below)

I, _____, hereby verify to the best of my knowledge that at the time of my inspection on _____, all wood and metal decks, balconies, landings, exit corridors, stairway systems, guardrails, handrails, fire escapes, or any parts thereof in weather-exposed areas, (that exist at the subject building identified above) are in general safe condition, adequate working order, and free from deterioration, decay, or improper alteration that could cause a safety hazard.

_____ _____
Signature of Licensed Professional indicated above Date Signed

Please make a copy of this Affidavit for your records prior to submittal to the Department of Building Inspection. If you have any questions, please contact the Housing Inspection Services Division at (415) 558-6220. **Please submit completed & signed affidavit to the Department of Building Inspection addressed as follows:**

San Francisco Department of Building Inspection
Housing Inspection Services
Attn: Section 604 H.C. Affidavit Filing
1660 Mission Street, 5th Floor
San Francisco, CA 94103-2414

Housing Inspection Division
1660 Mission Street– San Francisco CA 94103
Office (415) 558-6220 – FAX (415) 558-6249 – www.sfgov.org/dbi

Exhibit 11.15

City and County of San Francisco
Department of Building Inspection

Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

AFFIDAVIT – SELF CERTIFICATION FOR THE INSTALLATION OF CARBON MONOXIDE AND SMOKE ALARMS

FOR COMPLIANCE WITH SECTIONS 420.4, 907.2.11 & 3401.6.1 OF THE SAN FRANCISCO BUILDING CODE

PROPERTY ADDRESS: _____

PERMIT APPLICATION NO.: _____ BLOCK: _____ LOT: _____

NUMBER OF CARBON MONOXIDE ALARMS INSTALLED: _____
NUMBER OF SMOKE ALARMS INSTALLED: _____
NUMBER OF MULTI-PURPOSE ALARMS INSTALLED: _____

CARBON MONOXIDE ALARMS: See San Francisco Building Code Section 420.4

https://publicecodes.citation.com/st/ca/sf/b200v10/index.htm?bu=CA-F-2010-000008

SMOKE ALARMS: See San Francisco Building Code Section 907.2.11 and 3401.6.1

https://publicecodes.citation.com/st/ca/sf/b200v10/index.htm?bu=CA-F-2010-000008

http://www.amlegal.com/nxt/gateway.dll/California/sfbuilding/buildingcode2010edition/chapter34exis tingstructures?f=templates$fn=document-frameset.htm$q=3401.6.1%20x=server$3.0#LPHit1

FOR HOTEL OR MOTEL REQUIREMENTS, PLEASE CALL HOUSING INSPECTION SERVICES AT (415) 558-6220.

Inspection Services Division
1660 Mission Street – San Francisco CA 94103-2414
Office (415) 558-6570 – FAX (415) 558-6261 – www.sfdbi.org

Exhibit 11.16

SMOKE & CARBON MONOXIDE ALARMS

Example of Location for Smoke & CO Alarms

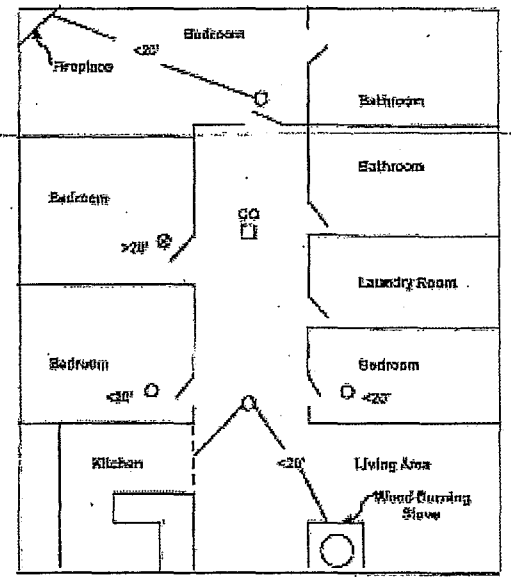
Legend

○ Photoelectric smoke alarms shall be installed on ceiling or wall at each floor level including basement but not including crawl spaces and uninhabitable attics, in each bedroom and outside each sleeping area in the immediate vicinity of the bedrooms.

⊛ Dual sensor (Photoelectric/Ionization) smoke alarms shall be used if located not less than 20 ft from kitchen, fireplace or wood-burning stove. Avoid locating dual sensor smoke alarms in the following locations:

a. Outside a bedroom
b. In a kitchen or within 20 ft of an entry to a kitchen.
c. In a room with a wood burning appliance or within 20 ft of an entry to a room containing a wood burning appliance.
d. In a garage or mechanical room/closet.

☐ Carbon Monoxide (CO) Alarms shall be installed outside of each separate dwelling unit sleeping area in the immediate vicinity of the bedroom(s) AND on every level of the dwelling unit including basements.



Special Considerations:
Hallways over 40 ft in length need a smoke alarms at each end. Smoke detectors are either to be ceiling or wall mounted. Wall mounted smoke alarms are not to be located lower than 12 inches below the ceiling. Smoke alarms are not to be mounted within 4 inches of a wall/ceiling corner.

FOR ILLUSTRATION ONLY. THIS DIAGRAM IS NOT PART OF THE SAN FRANCISCO BUILDING CODE.

As owner of the above-referenced property, I hereby certify that carbon monoxide/smoke alarm(s) have been installed in accordance with the manufacturer's instructions and in compliance with Sections 420.4, 907.2.11 and 3401.6.1 of the San Francisco Building Code. The carbon monoxide/smoke alarms have been tested and are operational.

Print Name: _____

Signature: _____

Date: _____

This certification must be returned to the Building Inspector prior to final sign-off of all building permits requiring compliance with Sections 420.4, 907.2.11 and 3401.6.1 of the San Francisco Building Code. This form may be mailed to Inspection Services at the address provided below.

Inspection Services Division
1660 Mission Street – San Francisco CA 94103-2414
Office (415) 558-6570 – FAX (415) 558-6251 – www.sfdbi.org

Exhibit 12
EXPLANATION OF DBI CODE ENFORCEMENT PROCESS

The following is a detailed explanation of the DBI code enforcement process.

Notice of Violation. Once an inspector discovers a code violation (either from a routine inspection or from a complaint investigation) the inspector will write up a Notice of Violation ("NOV").If the violation is abated right then and there, they will not issue an NOV; technically the violation no longer exists. For example, this may happen when an exit is padlocked and the padlock is cut-off when the inspector brings it to the property owner's attention. Problems may arise if the immediately abated violation is not documented by the inspector because the violation may recur right after the inspector leaves. For example, a new padlock may be put back on the exit door or personal items that were blocking an exit that were removed could be put right back after the inspector leaves. We've been told that this is not uncommon and that inspectors rarely document the immediately abated violations.

An NOV may include one or many violations and should be issued within three days of the site inspection. When an NOV is issued, a copy of it is sent to the property owner. If there is a complainant, they also get a copy. The NOV will also be posted on the R-2. An NOV usually gives the property owner 30 days to fix a violation and will specify the date for reinspection. If a property owner cannot make the scheduled reinspection date, they can contact HIS to reschedule. Life/safety violations, such as lack of heat or hot water, illegal occupancy, inoperable fire alarms or blocked exits, property owners only have 24-48 hours to correct these violations. (See Appendix, Exhibit 13)

Reinspections. If, upon reinspection, the inspector finds that the violation(s) has not been corrected, he/she can give the property owner additional time to fix the violation(s) or issue a Final Warning Letter ("FWL"). At this point, some violations listed on the NOV may be abated while others may not. Reinspections will occur throughout the code enforcement process as long as a violation goes without abatement.

Final Warning Letter. A FWL warns the property owner that he has a maximum of 30 additional days from the date of the initial reinspection to abate the violation, otherwise, the case will proceed to an administrative hearing called a Director's Hearing ("DH"). For unabated life/safety violations, the inspector may go straight to the DH and not issue a FWL. Even if a FWL has been issued to the property owner and the FWL warns about the possibility of unabated violations being referred to a DH, not all uncorrected violations automatically proceed to a DH. (See Appendix, Exhibit 14.)

If a case has not been referred to a DH, HIS will encourage compliance through continued reinspections and assessment of costs (discussed below). Inspectors have shared that these cases sometimes "fall through the cracks."

Administrative hearing—the Director's Hearing. In anticipation of referring a case for a DH, the inspector reviews CTS to ensure all inspection notes and photos taken of the violation are

sufficiently detailed and all enforcement efforts well documented. This information is then printed out and assembled along with the paper based "enforcement file" into a package for the the senior inspector to review and decide if the case should proceed to DH.

If the case proceeds to a DH, it is assigned to a senior for presentation at the DH. Since there are a limited number of slots for a DH and there is a 14-day advance notice requirement that property owners, not all cases are promptly scheduled. A DH case may include one or more NOVs, and each NOV may include one or more unabated violations.

The DH is conducted by a hearing officer who is usually the chief of another division within DBI. Currently, HIS cases are being heard by the Chief of the Plumbing Division. HIS Director's Hearings occur every Thursday at 9:30 a.m. and are open to the public. DHs are designed to give the property owner the opportunity to show cause for the continued lack of abatement. As such, property owners are encouraged to bring in evidence of permits that have been obtained or filed for, contracts for work that will be performed, and other pertinent evidence.

The hearing officer typically renders a decision at the hearing. The DH decision will be one of the following: (1) return to staff; (2) issue a continuance; 3) issue an advisement; or (4) issue an Order of Abatement. If the case is returned to staff this may mean that the NOV is not valid, the case needs further documentation, or a City Attorney Task Force inspection is needed. Only one 30-day continuance can be issued per case. An advisement gives the property owner additional time and one last chance to abate the violations without an Order of Abatement being issued. If the time for advisement passes without abatement, an Order of Abatement will be issued.

Order of Abatement. An Order of Abatement (OA) specifies that a property owner must fix the violation(s) within a set time frame. Otherwise, the OA is recorded and becomes part of the property's title until the violation(s) is corrected and the outstanding assessed costs of enforcement are paid in full. Orders of Abatement may be appealed to the Appeals Abatement Board ("AAB") within 15 days after the Order was posted or served.[50] The AAB is comprised of the same individuals who sit on the Building Inspection Commission ("BIC").

After the time for appeal has passed (15 days after the OA has been served or posted), the OA will be recorded with the property's title. All banks and financial institutions with an interest in the property will be notified that the OA has been recorded. If an OA has been issued on a case that proceeds to litigation or is subject to a stipulated agreement, then punitive penalties may be awarded in addition to civil penalties.[51] (See City Attorney Code Enforcement, below)

City Attorney Code Enforcement. If the NOV has not been corrected after an OA has been recorded, the case may be referred to the City Attorney's Code Enforcement division ("City Attorney"). A case will be "ripe" for referral if it meets the following criteria: (1) a property owner who has a history of unabated violations; (2) there are several open NOVs; (3) there is a

[50] SOP, Page 61, Item 1(a).
[51] San Francisco Housing Code, Section 204

history of NOVs at the same R-2; and/or (4) there is significant deferred maintenance and/or lack of cleanliness at the R-2.

Once a case has been approved for referral to the City Attorney by a senior inspector, the inspector will conduct another inspection and take current photos. A minimum of 15 days notice will be given to the property owner before the case proceeds to the Litigation Committee of the BIC. The Chief Housing Inspector or a senior inspector will present the case to the Litigation Committee, which meets every two months. The Litigation Committee will ultimately decide whether the case is referred to the City Attorney.

Shortly after the HIS case is received by the City Attorney, the Chief Attorney for the Neighborhood and Resident Safety Division will usually assign it to the Deputy City Attorney (the "attorney") who covers the district in which the subject R-2 is located. Initially, the attorney will pursue options other than litigation. Usually the process starts with a demand letter asking the property owner to correct the unabated violations within a short period of time — oftentimes, two weeks. Alternatively, cases may be sent back to HIS if the attorney doesn't think the case is strong enough to pursue. Or, the case may be a limited referral where litigation is not the right tool and working with the property owner with more of a social worker mindset may be more effective. In hoarding cases, for example, it may be more effective to bring in a family member, or others, to help deal with the mental health aspects surrounding the violation.

The attorney assigned to the case will meet with property owners and inspect the building shortly after being assigned to the case. If they cannot get into the building, the attorney will seek a warrant allowing the attorney to gain entrance and inspect the building. Depending on the facts and circumstances, if there is no movement towards compliance, the attorney may file a lawsuit against the property owner.

Relief sought by the City Attorney for these cases may include: (1) injunctive relief requiring NOV abatement and maintaining the property for a probationary period after the cure; (2) civil penalties up to $1,000 per day for failure to fix a public nuisance; (3) civil penalties up to $2,500 per violation which is determined as every time the landlord collects rent; (4) civil penalties up to $500 for each NOV; (5) punitive penalties if an Order of Abatement was issued; and, (6) attorney fees when there's a finding that tenants were substantially endangered. The attorney rarely seeks recovery of DBI assessed costs as there is another mechanism for this. (See Special Assessment Lien, below.)

When issuing a decision, the judge considers the financial condition of the property owner, facts and circumstances of the case, the number of people affected and the severity and duration of the violation. Attorneys may also seek the appointment of a receiver to take over management of the R-2 and oversee the abatement process. We were told that judges may be reluctant to provide immediate relief or award attorneys fees in cases where HIS inspectors took too many years to refer a case to the City Attorney for litigation.

Also, we were told that CA code enforcement must be weighed against the possibility of displacing tenants (even if the tenants are there illegally). Therefore, there may be instances

where only the egregious violations are fixed while the less significant violations go unabated because fixing them may displace tenants.

Assessment of Costs. Assessment of costs is not a penalty but a way for HIS to recover costs of enforcement. HIS bills only for its time ("costs") and does not charge penalties for unabated violations. The initial inspection and one reinspection are included in the property owner's annual R-2 fee so there is no additional cost. After that, almost everything that is done on a case by the inspector and support staff is billed. This includes time spent on reinspections, writing up the NOV, preparing a case for a DH, title search, sending copies to the property owner, etc. Time is billed at the inspector rate of currently $158 per hour and support staff rate of roughly $96 per hour. In addition, a monthly monitoring fee of roughly $48 may be assessed after sixty days from when the NOV was issued.

Typically, HIS only bills the property owner twice. The initial bill is sent shortly after sixty days of noncompliance (from when the NOV was issued). The final billed is issued after the NOV has been abated. We've been told that HIS billing is labor intensive and that HIS doesn't have sufficient staff to bill more frequently. If there is a Special Assessment Lien (discussed below), property owners will be billed one additional time.

Special Assessment Lien. We learned from our interviews with HIS personnel, that it is not uncommon for property owners to neglect paying the costs that have been assessed, even when violations have been abated. Every year, usually in May, HIS examines its cases from the previous twelve months for unpaid costs. A case with unpaid costs will be reviewed and updated in preparation for the possibility of going before a hearing with the San Francisco Board of Supervisors ("BOS"). At the BOS hearing, DBI will ask that a Special Assessment Lien be placed on the R-2 for which the assessed costs have gone unpaid.

The property owner is given sixty days notice of the BOS hearing and an opportunity to schedule a hearing with DBI twice. The first hearing occurs approximately twelve business days into the sixty day notice period. The second opportunity for a hearing comes one day before the BOS hearing. Interest starts accruing on the assessed costs if they are not paid by 5pm the evening before the BOS hearing. Cases that are eligible to go to the BOS hearing include those where the violations were abated but the assessed costs have not yet been paid, in addition to those for which the violations are still unabated.

If a case has not been settled at one of the DBI hearings, the case will proceed to the BOS hearing, which usually occurs sometime in late July. At the BOS hearing, DBI will seek a Special Assessment Lien be put on the subject property's tax bill. The amount of the Special Assessment Lien will include the delinquent assessed costs, an interest penalty and recording fees. Property owners must pay the entire tax bill (including the Special Assessment Lien) or they will be delinquent on paying their property taxes. They cannot choose to pay only one part of the property tax bill. Failure to pay property taxes will result in the Tax Collector pursuing the property owner for unpaid property taxes. This process can take up to five years. We were told that most property owners pay the outstanding assessed costs before the Tax Collector gets involved and abates the violations during this process.

Exhibit 13.1

DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

COMPLAINT:

OWNER/AGENT:

MAILING ADDRESS:

DATE:

LOCATION:

BLOCK: LOT:

NOTICE TYPE: ROUTINE

BUILDING TYPE: NA USE TYPE: NA

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

	ITEM	DESCRIPTION
1	THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	Common area of subject property.
2	REMOVE EGRESS OBSTRUCTION AT (801.1604(l) HC)	From rear stairs at first level.
3	PROVIDE STRUCTURAL MAINTENANCE AFFIDAVIT (604 HC)	Provide completed compliance affidavit for section 604 of San Francisco housing code.
4	INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this Notice. If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector, and provide all tenants with notification as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b), if any dwellings, apartment units or guest rooms are to be accessed during the reinspection

ALL ITEMS MUST BE COMPLETED WITHIN 21 DAYS. REINSPECTION DATE : 20 May 2016 10:00 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME, CONTACT HOUSING INSPECTOR :

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A $170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8

Exhibit 13.2

DEPARTMENT OF BUILDING INSPECTION
Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION WARNINGS!

TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:

COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED: The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate inspector through site inspection.

COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER: Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of $52.00, and (2) an hourly rate of $104.00 for case management/administration, and $170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17, 102A.18 et seq., 102A.19 et seq., and 102A.20 of the San Francisco Building Code.

REFERRAL TO STATE FRANCHISE TAX BOARD: Section 17274 and 24436.5 of the Revenue and Taxation Code provide, interalia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

Exhibit 13.3

NOTICE OF VIOLATION WARNINGS! (Continued from page 1)

PUBLIC NUISANCES & MISDEMEANORS: Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding $1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

PERMIT REQUIREMENTS: Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

NOTIFICATION TO BUILDING TENANTS: Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT: Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

REINSPECTION FEES: For every inspection, after the initial re-inspection, a $170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE: Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed $500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.
NCTS_NOV.rdf revised 6/22/2011

Page 2 of 2

Exhibit 14

DEPARTMENT OF BUILDING INSPECTION
Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street, 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax No. (415) 558-6249 Email: DBIHIDComplaints@sfgov.org
Website: www.sfdbi.org

PROPERTY OWNER:

DATE:

PROPERTY ADDRESS:

BLOCK/LOT:

CTS #:

NOTICE OF VIOLATION FINAL WARNING

Dear Property Owner(s):

NOTICE OF VIOLATION OUTSTANDING:
On _____ your property was inspected and a Notice of Violation was issued informing you of required code abatement, and warnings for failure to comply. The time period to correct all cited code violations indicated in this Notice has passed, and the Department records indicate that the required code abatement work remains outstanding.

ASSESSMENT OF COSTS NOW IMPOSED:
Therefore, pursuant to Section 102A.3 of the San Francisco Building Code you will be assessed costs arising from department time accrued pertaining but not limited to: (1) site inspections and reinspections, (2) case management, update, and data entry, (3) case inquiries (meetings, office visits, phone calls, emails, response to correspondence etc), (4) permit history research, (5) notice/hearing preparation, (6) staff appearances/reports at hearings, (7) case referrals, and (8) monthly violation monitoring.

AVOID FURTHER ASSESSMENT:
To keep the assessment of costs at a minimum, and avoid the accrual of further time spent on the actions above such as administrative hearing preparation, and monthly violation monitoring, etc., please complete all work within thirty (30) days of the initial reinspection date delineated on the Notice of Violation referenced above, and call Housing Inspector _____ at (415) _____ to schedule a site inspection to verify all requisite repairs have been completed within this time frame.

PERMITS ARE REQUIRED:
Please note that you must also obtain all necessary building, plumbing, and/or electrical permits and obtain final sign-off from the Building, Plumbing, and/or Electrical Inspector(s) assigned the job card for your issued permit(s) before the required work will be considered completed.

CASE WILL BE CLOSED WHEN ALL WORK & ASSESSMENT OF COSTS PAID:
This case will not be closed and assessment of costs will continue to accrue until (1) all required repairs are completed as verified by site inspection of the assigned Housing Inspector, (2) final sign-offs are obtained for all required permits, and (3) all assessment of costs are paid by cashiers check or money order.

YOUR PROMPT ACTION IS REQUESTED & APPRECIATED!

Exhibit 15

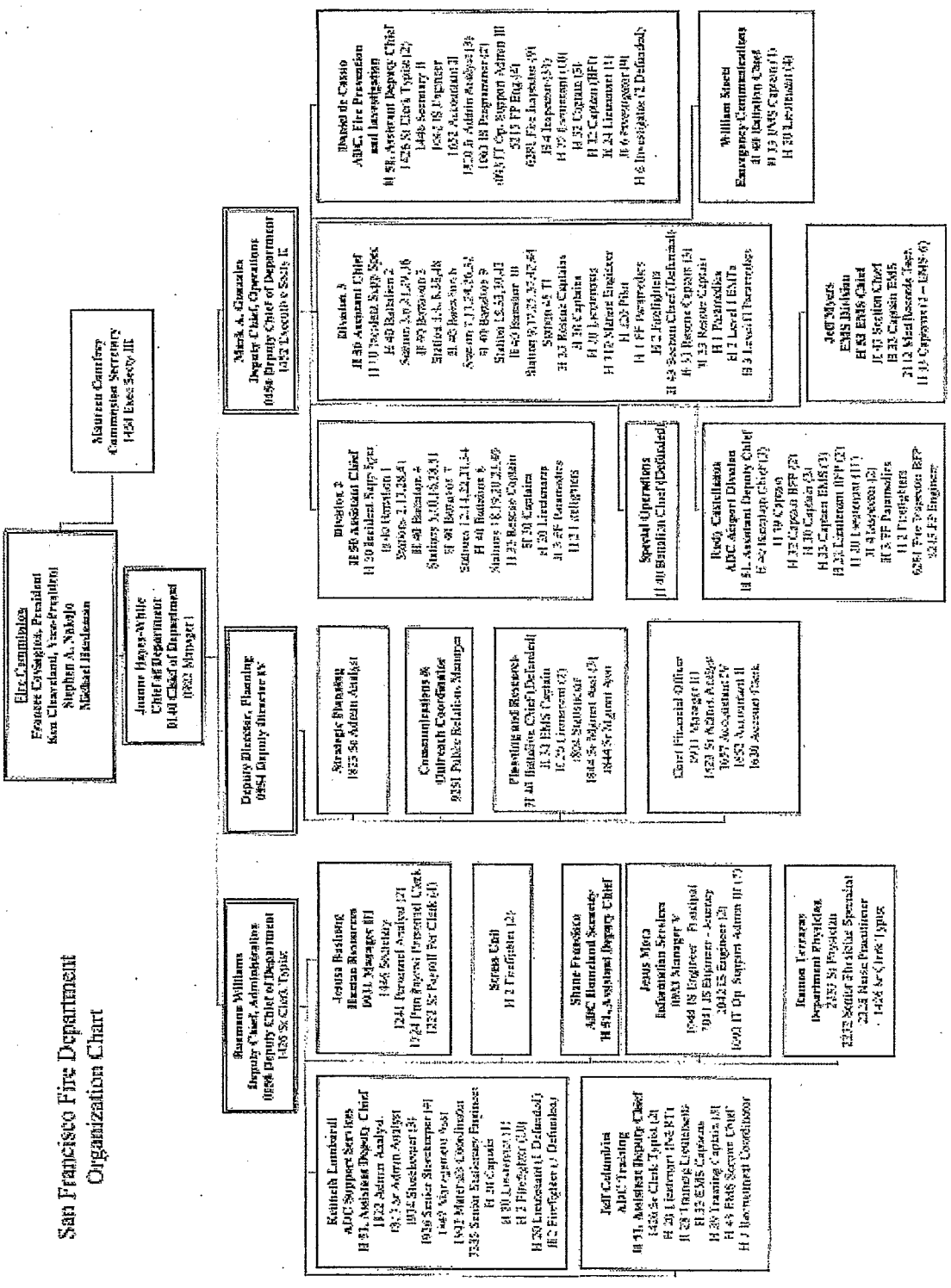

San Francisco Fire Department
Organization Chart
Fire Commission
Maureen Cauffey
Commission Secretary
Jeanne Hayes-White
Chief of Department
Mark A. Gonzales
Deputy Chief, Operations
Barbara Williams
Deputy Chief, Administration
Deputy Director, Planning
Division 3
Division 2
Special Operations
Bureau of Fire Investigation and Investigation
William Steele
Emergency Communications
Jeff Myers
EMS Division
Kenneth Lombardi
ADC Support Services
Jeff Columbini
ADC Training
Jessica Bastiaens
Human Resources
Shane Francisco
ADC Homeland Security
Jesus Mora
Information Services
Ramon Terrazas
Department Physician
Strategic Planning
Community Liaison & Outreach
Planning and Research
Chief Financial Officer
Body Substitution
ADC Airport Division

Exhibit 16

Inspection Worksheet -
Date: 1/1/01/2015 Start Tm:_____End Tm:_____ Insp. No: Pending [Y] [N] [N/A]

ITEMS #1 THROUGH #5 SHALL BE INSPECTED AND REPORTED IN HRMS

1. EXTERIOR

- Are street numbers legible from the street (4" minimum)? [ ] [ ] [ ]
- If applicable, is fire escape "gooseneck" ladder reasonable safe and secure? [ ] [ ] [ ]

2. EXITING COMPLIANCE (Select N/A if not applicable or accessible) [ ] [ ] [ ]

- Is exiting system free of obstructions (including doors, corridors, stairs, and fire escapes)? Bicycles, toys, grills, furniture, refuse or similar items are not to be stored in the path of exit travel). [ ] [ ] [ ]
- Are roof access doors operable from the inside without the use of keys or other tools (no padlocks)? [ ] [ ] [ ]

3. FIRE PROTECTION SYSTEMS (Select N/A if not applicable or accessible) [ ] [ ] [ ]

- Fire Alarm Operational? (In service, power on, and no trouble lights present)? [ ] [ ] [ ]
- Does the fire alarm system panel have an inspection and service sticker dated within the past year? Date of last service:_____ [ ] [ ] [ ]
- Are all fire alarm pull stations unobstructed and visible? [ ] [ ] [ ]
- Is sprinkler system operational (Pressure in the system)? [ ] [ ] [ ]
- Does the automatic sprinkler system riser or standpipe have an inspection and testing sticker dated within the past 5 years? Date of last service:_____ [ ] [ ] [ ]
- Are caps installed on fire department connections? [ ] [ ] [ ]
- Are caps easily removed? [ ] [ ] [ ]
- OSY valve locked or monitored? [ ] [ ] [ ]

4. HOUSEKEEPING (Select N/A if not applicable or accessible) [ ] [ ] [ ]

- Is storage a minimum 2 feet below the ceiling in non-sprinklered buildings? [ ] [ ] [ ]
- Is storage a minimum 18 inches below sprinkler heads? [ ] [ ] [ ]
- Does storage have at least 3 feet of clearance from heat sources (furnaces, hot water heaters) to prevent ignition? [ ] [ ] [ ]
- Are LPG tanks securely stored outside of building? [ ] [ ] [ ]
- Maximum of two 5-gallon LPG tanks allowed in outdoor locations (including attachments to grill or heater) in compliance? [ ] [ ] [ ]
- Are flammable liquids (gasoline, paint thinner) securely stored to prevent tampering (or falling) and away from ignition sources? [ ] [ ] [ ]
- Are all grills or heaters more than 10 feet from any combustible material (walls, weeds, overhangs, balconies)? [ ] [ ] [ ]

5. ELECTRICAL (Select N/A if not applicable or accessible) [ ] [ ] [ ]

- Are electrical panel covers in place? [ ] [ ] [ ]
- Is there clear access to electrical panels and emergency shut-off devices? [ ] [ ] [ ]

TO BE INSPECTED AND FOLLOWED-UP BY FIELD COMPANY

- Have all portable fire extinguishers been serviced within the past year and in the "green"? Date of last service: _____ [ ] [ ] [ ]
- Are existing exit signs maintained? [ ] [ ] [ ]
- Are existing emergency light fixtures operational? [ ] [ ] [ ]

RADIO TEST: Basement:_____Stairway:_____Hallway:_____

REQUIRED COMMENTS (State whether reasonable fire safety exists or other additional comments for BFP follow-up):

Note: Immediate notification by telephone should be made to the Bureau of Fire Prevention at 415-558-3300, or after hours, 415-734-2100, whenever violations involving life safety are found. Examples of "life safety" violations are chained or blocked exit doors, malfunctioning fire alarm or sprinkler systems. Every effort shall be made to abate an unsafe condition before leaving the premises.

Company Officer shall obtain and update the responsible party information.

Exhibit 17.1

San Francisco Fire Department — **Building History**

Division of Fire Prevention and Investigation

BUILDING

Address								Cross St		
3222 22ND ST SAN FRANCISCO, CA 94110								BARTLETT ST		
Block	**Lot**	**Batt.**	**Engine**	**Occu. Type**	**Const. Type**	**Year**	**Sq. Ft.**	**Height**	**St. Above**	**St. Below**
3610	008	06	07		5	1910	0	40	3	1

OCCUPANT

DBA Name	Unit No	Insp. Area	Sq. Ft.
		06 - DISTRICT 6	0

Primary Contact	Company	Phone
J & R ASSOCIATES VIRGINIA		

ADDITIONAL CONTACTS

	Contact Name	Phone	Alt. Phone
OWNER (ASSESSOR'S)	HAWK LING & KETTY FONG LOU		

INSPECTIONS

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
208199	02/10/15	06	04	C	Patt

Remarks: COMPLAINT 06 - ALARM SYSTEMS OCCUPANTS REPORT FAILURE OF FIRE ALARM SYSTEM TO ACTIVATE.

Date	From	To	Insp.	Remarks
02/10/15	16:30	16:45	Sperisen	Complaints are nullified due to fire. Owner to provide fire alarm inspection report if one is required.

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
111582	09/13/11	06	04	C	Gee

Remarks: COMPLAINT 02 - BLOCKED EXITS. FIRE ESCAPE LADDERS ARE OBSTRUCTED BY AWNINGS.

Date	From	To	Insp.	Remarks
09/13/11	11:45	12:30	Gee	Awnings that are obstructing drop ladders belong to Popeye's which has an offical address of 2596 Mission.

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
63874	09/13/11	06	04	C	Gee

Remarks: COMPLAINT 02 - BLOCKED EXITS. Per station 6 - the 3rd floor fire escape (near 316) is blocked by furniture. Mgr in 205 was left a correction form.

3222 22ND ST

Exhibit 17.2

COMPLAINTS

No	Date Entered	Complaint Type		Disp.	Disp. Date
9178		02	BLOCKED EXITS	CC	
	Remarks: Per station 6 - the 3rd floor fire escape (near 316) is blocked by furniture. Mgr in 205 was left a correction form.				
16232	05/14/11	02	BLOCKED EXITS	CC	
	Remarks: FIRE ESCAPE LADDERS ARE OBSTRUCTED BY AWNINGS.				
37261	01/29/15	05	ALARM SYSTEMS	CC	02/11/15
	Remarks: OCCUPANTS REPORT FAILURE OF FIRE ALARM SYSTEM TO ACTIVATE .				
	01/29/15	02	BLOCKED EXITS	CC	
	Remarks: BARS ON WINDOWS TO ACCESS FIRE ESCAPE;				
	01/29/15	99	UNCATEGORIZED COMPLAINT	CC	
	Remarks: FIRE ESCAPE DROP LADDERS REPORTED INOPERABLE.				

3222 22ND ST

Exhibit 17.3

OCCUPANT

DBA Name	Unit No	Insp. Area	Sq. Ft.
		21 - R1 COMPANY INSPECTION	

Primary Contact	Company	Phone
LOU ABRAHAM	% HAWK LING & KETTY F LOU	

ADDITIONAL CONTACTS

	Contact Name	Phone	Alt. Phone
R1 CONTACT	Hawk Louku		
OWNER (ASSESSOR'S)	HAWK LING & KETTY FONG LOU		

INSPECTIONS

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
203509	10/24/15	21	21	C	McPartlan

Remarks: Remarks: Recent fire building. Unable to inspect.

Contact: Hawk Louku.

Date	From	To	Insp.	Remarks
10/24/15	11:00	11:05	McPartlan	

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
190676	06/22/14	21	21	C	Walsh

Remarks: 3 story bottom 2 commercial 18 units on 3rd floor, access to roof on east of building. (mission side)

Date	From	To	Insp.	Remarks
06/22/14	10:30	10:50	Walsh	

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
146155	06/12/13	21	21	C	O'Connell

Remarks: Alarm panel on second floor hallway had no power, Fire extinguisher adjacent to alarm panel was missing. Unable to locate shut off valve for sprinkler system in basement. Left message for Inspector Pait at BFP noting these violations.

Date	From	To	Insp.	Remarks
06/12/13	10:20	11:05	O'Connell	

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
118770	04/26/12	21	21	C	Peoples

Remarks: Commercial occupants on 1st and 2nd floors, residential apartments on 3rd floor.

Date	From	To	Insp.	Remarks
04/25/12	10:50	11:05	Peoples	

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
96992	04/26/11	21	21	C	Cremen

3222 22ND ST

Exhibit 17.4

Remarks: Penthouse door was pad locked from the inside, 3 out of 4 fire escape ladders are obstructed by awnings. Ladders do not reach the ground. Owner sent on scene and notified.

Date	From	To	Insp.	Remarks
04/28/11	10:00	10:30	Cremen	

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
76970	02/19/10	21	21	C	Cremen

Remarks: missing extinguishor

Date	From	To	Insp.	Remarks
02/19/10	10:00	10:25	Cremen	

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
52557	02/27/09	21	21	C	O'Connell

Remarks:

Date	From	To	Insp.	Remarks
02/27/09	11:00	11:15	O'Connel	T11 EXTINGUISHERS PAST DUE FOR SERVICING TOP FLOOR - SOFA BLOCKING HALLWAY LEADING TO FIRE ESCAPE ON BRAVO SIDE OF BUILDING

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
16739	04/28/08	21	21	C	Gong

Remarks:

Date	From	To	Insp.	Remarks
04/28/08	10:15	10:45	Gong	LT. PEREZ - T11 REASONABLE FIRE SAFETY EXISTS

3222 25ND ST

Exhibit 17.5

OCCUPANT

DBA Name	Unit No	Insp. Area	Sq. Ft.
		05 - DISTRICT 6	0

Primary Contact	Company	Phone
LOU HAWK LING		

ADDITIONAL CONTACTS

	Contact Name	Phone	Alt. Phone
OWNER (ASSESSOR'S)	HAWK LING & KETTY FONG LOU		

INSPECTIONS

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
123463	02/03/15	05	33	C	Patt

Remarks: VIOLATION 10EXI13 - Exits/Fire Escapes. Clear ALL items including plants and garland located on fire escapes around above referenced address and 3222 22nd St. Remove ALL cable wires attached to roof ladders. Install passage for drop ladders through awnings or remove awnings.

Date	From	To	Insp.	Remarks
02/03/15	09:00	10:00	Patt	Hatch in awning was installed per previous complaint, ye failed to open when ladder dropped
02/10/15	16:45	17:00	Sperisen	Exiting complaint nullified due to fire.

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
121439	05/09/12	05	33	C	Gee

Remarks: VIOLATION 10EXI13 - Exits/Fire Escapes. Clear ALL items including plants and garland located on fire escapes around above referenced address and 3222 22nd St. Remove ALL cable wires attached to roof ladders. Install passage for drop ladders through awnings or remove awnings.

Date	From	To	Insp.	Remarks
05/09/12	11:45	12:30	Gee	Violation not abated.

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
114163	03/29/12	05	33	C	Gee

Remarks: VIOLATION 10EXI13 - Exits/Fire Escapes. Clear ALL items including plants and garland located on fire escapes around above referenced address and 3222 22nd St. Remove ALL cable wires attached to roof ladders. Install passage for drop ladders through awnings or remove awnings.

Date	From	To	Insp.	Remarks
03/29/12	13:00	14:00	Gee	Violation not corrected.

Insp. No.	Schd. Dt.	Area	Type	Disposition	Inspector
111668	11/29/11	05	33	C	Gee

Remarks: VIOLATION 10EXI13 - Exits/Fire Escapes. Clear ALL items including plants and garland located on fire escapes around above referenced address and 3222 22nd St. Remove ALL cable wires attached to roof ladders. Install passage for drop ladders through awnings or remove awnings.

Date	From	To	Insp.	Remarks

2575 MISSION ST

Exhibit 17.6

11/29/11	14:30	15:15	Gee	No corrective action at this time.

2578 MISSION ST

Exhibit 18

San Francisco Fire Department

NOTICE OF CORRECTIVE ACTION REQUIRED

DATE: _____
Month Day Year

TO: _____
Property Owner Occupant Agent Responsible Party

The property at _____ has been inspected by the San Francisco Fire Department and one or more conditions were observed that are not in compliance with the San Francisco Fire Code. Please take action within _____ hours of the date of this notice to correct.

Allowing this condition to continue could result in the issuance of a Notice of Violation. If a Notice of Violation is issued, then reinspection fees might be assessed.

REINSPECTION OF VIOLATION FEES: (2007 SFFC Section 112.3 Appendix Chapter 1)
If an inspection by a designated officer or employee of the Fire Department discloses a violation of this code, the Chief shall determine a period of time that is reasonable to remedy the violation and reinspect the property to verify such correction. The department shall collect a fee to compensate for its costs to perform such reinspection to certify correction of the code violation and secure compliance with the applicable requirements. Inspections which require more than one hour to complete will be subject to an additional fee rate of for each quarter-hour increment beyond the first sixty minutes of the department's on-site review.

CONDITION REQUIRING CORRECTIVE ACTION: (Check appropriate box)

- ☐ 2007 SFFC Section 304.1 **Combustible Storage Hazard.**
- ☐ 2007 SFFC Section 315.2.1 **Ceiling Clearances Maintained.**
- ☐ 2007 SFFC Section 901.4.1 **Sprinkler System Maintenance.**
- ☐ 2007 SFFC Section 901.6 **Fire Alarm Maintenance.**
- ☐ 2007 SFFC Section 906.1 **Fire Extinguisher(s) Required.**
- ☐ 2007 SFFC Section 906.2 **Fire Extinguisher(s) Maintained.**
- ☐ 2007 SFFC Section 1004.3 **Posting of Occupant Load in Public Assemblies.**
- ☐ 2007 SFFC Section 1027.3 **Exit Sign Illumination.**
- ☐ 2007 SFFC Section 1027.5 **Emergency Lighting.**
- ☐ 2007 SFFC Section 1028.1 **Exits Maintained and Unobstructed.**
- ☐ 2007 SFFC Section 3401.1 **Flammable and Combustible Liquid Storage.**
- ☐ 2007 SFFC Section 3801.1 **LPG Storage.**
- ☐ 2007 SFFC Section 105.6.32, Appendix Chapter 1 **Permit Required for Open Flame/Candles.**
- ☐ 2007 SFFC Section 105.6.34, Appendix Chapter 1 **Permit Required for Place of Assembly.**
- ☐ 2007 SFFC Section 110.1.1, Appendix Chapter 1 **Unsafe Conditions.**
- ☐ Other _____
- ☐ Other _____
- ☐ Other _____

ISSUED BY: _____ _____ _____
SFFD Officer/Inspector SFFD Company/District Signature

RESPONSIBLE PARTY: _____ _____ _____
Print Name Signature Phone number

Original to responsible party. Copy to Bureau of Fire Prevention Form BFPNCAR 011708

Telephone: (415) 558-3300
Fax Nos: (415) 558-3323 or 3324

698 Second Street, Room 109
San Francisco, CA 94107

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

DATE: September 28, 2016

TO: Members of the Board of Supervisors

FROM: Angela Calvillo, Clerk of the Board

SUBJECT: 2015-2016 Civil Grand Jury Report "San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department"

We are in receipt of the following responses from the Fire Commission received on September 16, 2016, a consolidated response from the Department of Building Inspection and Building Inspection Commission received on September 19, 2016, Fire Department received on September 19, 2016, and Department of Technology received on September 23, 2016, for the San Francisco Civil Grand Jury report released July 21, 2016, entitled: **San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department**. Pursuant to California Penal Code, Sections 933 and 933.05, City Departments shall respond to the report within 60 days of receipt, or no later than September 19, 2016.

For each finding, the Department response shall:

1) agree with the finding; or
2) disagree with it, wholly or partially, and explain why.

As to each recommendation, the Department shall report that:

1) the recommendation has been implemented, with a summary explanation; or
2) the recommendation has not been implemented but will be within a set timeframe as provided; or
3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or
4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

These departmental responses are being provided for your information, as received, and may not conform to the parameters stated in California Penal Code, Sections 933.05, et seq. The Government Audit and Oversight Committee will consider the subject report, along with the responses, at an upcoming hearing and will prepare the Board's official response by Resolution for the full Board's consideration.

c: Honorable John K. Stewart, Presiding Judge
Kathie Lowry, 2016-2017 San Francisco Civil Grand Jury
Kitsaun King, 2016-2017 San Francisco Civil Grand Jury
Jay Cunningham, 2015-2016 San Francisco Civil Grand Jury
Alison Scott, 2015-2016 San Francisco Civil Grand Jury
Kate Howard, Mayor's Office
Marie Valdez, Mayor's Office
Tom Hui, Department of Building Inspection
William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection
Sonya Harris, Building Inspection Commission
Miguel Gamino, Jr., Department of Technology
David German, Department of Technology
Chief Joanne Hayes-White, Fire Department
Kelly Alves, Fire Department
Olivia Scanlon, Fire Department
Maureen Conefrey, Fire Commission
Ben Rosenfield, Office of the Controller
Asja Steeves, Office of the Controller
Jon Givner, City Attorney's Office
Alisa Somera, Office of the Clerk of the Board
Severin Campbell, Budget and Legislative Analyst's Office
Jadie Wasilco, Budget and Legislative Analyst's Office

BOARD of SUPERVISORS

City Hall
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San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

Date: July 21, 2016

To: Honorable Members, Board of Supervisors

From: Angela Calvillo, Clerk of the Board

Subject: 2015-2016 CIVIL GRAND JURY REPORT

We are in receipt of the San Francisco Civil Grand Jury (CGJ) report released Thursday, July 21, 2016, entitled: **San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department** (attached).

Pursuant to California Penal Code, Sections 933 and 933.05, the Board must:

1. Respond to the report within 90 days of receipt, or no later than October 19, 2016.
2. For each finding:
   - agree with the finding or
   - disagree with the finding, wholly or partially, and explain why.
3. For each recommendation indicate:
   - that the recommendation has been implemented and a summary of how it was implemented;
   - that the recommendation has not been, but will be, implemented in the future, with a timeframe for implementation;
   - that the recommendation requires further analysis, with an explanation of the scope of the analysis and timeframe of no more than six months; or
   - that the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

Pursuant to San Francisco Administrative Code, Section 2.10, in coordination with the Committee Chair, the Clerk will schedule a public hearing before the Government Audit and Oversight Committee to allow the Board the necessary time to review and formally respond to the findings and recommendations.

The Budget and Legislative Analyst will prepare a resolution, outlining the findings and recommendations for the Committee's consideration, to be heard at the same time as the hearing on the report.

Attachment

c: Honorable John K. Stewart, Presiding Judge
Nicole Elliott, Mayor's Office
Ben Rosenfield, Office of the Controller
Asja Steeves, Office of the Controller
Jon Givner, Office of the City Attorney
Alisa Somera, Office of the Clerk of the Board
Debra Newman, Office of the Budget and Legislative Analyst
Severin Campbell, Office of the Budget and Legislative Analyst
Jadie Wasilco, Office of the Budget and Legislative Analyst
Jay Cunningham, Foreperson, San Francisco Civil Grand Jury

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)

☐ 2. Request for next printed agenda Without Reference to Committee.

☒ 3. Request for hearing on a subject matter at Committee.

☐ 4. Request for letter beginning "Supervisor [ ] inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. [ ] from Committee.

☐ 7. Budget Analyst request (attach written motion).

☐ 8. Substitute Legislation File No. [ ]

☐ 9. Reactivate File No. [ ]

☐ 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Hearing - Civil Grand Jury - San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

The text is listed below or attached:

Hearing on the recently published 2015-2016 Civil Grand Jury report, entitled "San Francisco Building and Fire Safety Inspection: A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department."

Signature of Sponsoring Supervisor: Alicia Somera for

For Clerk's Use Only: