

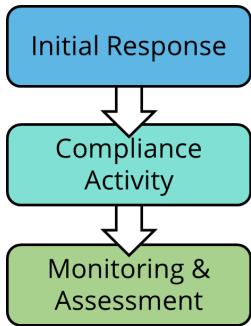
# Performance Audit of the Code Enforcement Division

## Why OCA Did This Study

The City of San Diego conducts code enforcement activities to ensure, improve, and maintain safe and desirable San Diego neighborhoods. We conducted this audit to determine whether the Code Enforcement Division (“Code Enforcement”) (1) Obtains and uses accurate and reliable data to inform operational decisions; (2) Optimizes compliance timeframes; and (3) Enforces policies and practices equitably and consistently across the City.

## What OCA Found

As shown below, conducting code enforcement activities effectively requires three key components.

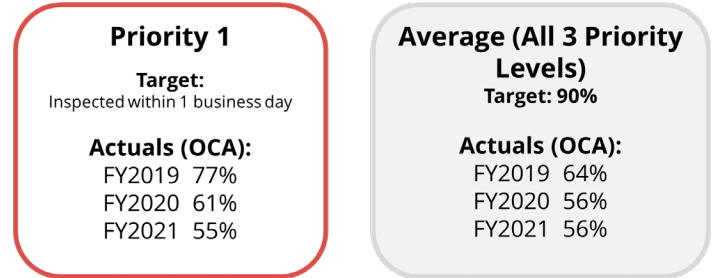


Source: OCA generated based on audit findings.

Code Enforcement has made notable progress since our last audit in 2015, including implementation of the Accela case management system. However, we found significant problems including high workloads, underuse of case management tools, and data inaccuracies. Combined, these problems lead to several performance issues, including slow response times, delayed resolution of some violations, and a large and growing case backlog. In addition, the Mayor, City Council, and the public do not have accurate information about Code Enforcement’s true performance.

**Finding 1:** A timely response to higher-priority cases is critical to assess the nature and severity of any violations and protect health and safety. We found Code Enforcement has consistently fallen short of their goal to inspect 90 percent of cases within its

established target number of business days. Specifically, Code Enforcement only responded to 64 percent of possible violations on-time in FY2019, which declined to 56 percent in FY2021, as shown below.



Source: OCA generated based on data from Code Enforcement’s Accela database, Fiscal Year 2019 through Fiscal Year 2021.

Priority 1 cases pose imminent health and safety hazards and include complaint types like leaking sewage and live, exposed electrical wires. Because such violations pose imminent health and safety hazards, Code Enforcement’s goal is to inspect such complaints within 1 business day. While only between 55 and 77 percent of Priority 1 cases were inspected on-time in FY2019 through FY2021, late inspections were typically conducted within 3 business days. However, 36 cases were not initially inspected for more than 20 days or were missing an inspection at the time of our audit. This indicates that cases can fall through the cracks and violations that potentially threaten health and safety are not always assessed quickly.

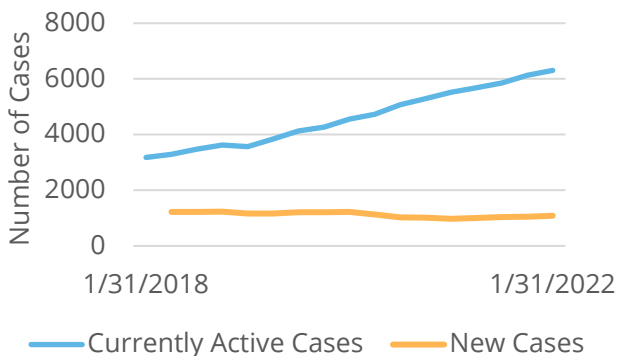
While supervisors are supposed to identify patterns of missing or late inspections, we found they lack the necessary report from the case management system to do so. We also found that San Diego Code Enforcement has fewer staff and a smaller budget per capita than other California agencies, which contributes to high caseloads.

**Finding 2:** Once investigators identify a violation, they can use the extensive options in Code Enforcement’s Procedures Manual to gain compliance, including notices, follow-up inspections, and fines or penalties. We found that investigators do not consistently follow

steps described in the Procedures Manual at different stages in the enforcement process. Specifically:

- Some cases have been active for over 600 days without a written notice issued to the property owner;
- A significant percentage of active cases with Civil Penalty Notices and Orders have not received follow-up inspections;
- Investigators have not updated many active cases for over 365 days; and
- The City missed opportunities to recover over half a million dollars for follow-up inspections by not issuing required re-inspection fees.

Furthermore, we found that a staffing imbalance between zoning and building investigators likely results in delays in achieving compliance, and that vacancies and declining staff experience contribute to high caseloads. The combination of these staffing issues and longer compliance time frames result in a perpetually growing backlog of cases, shown below.



Source: OCA generated based on data from Code Enforcement’s Accela database obtained February 15, 2022.

Investigators and management could limit these persistent violations by better utilizing case management tools. Currently, supervisory review of long-term and difficult cases happens on an ad hoc basis. Accessible tools—like reports to identify the last update on a case and fields to record issuance of a re-inspection fee—could lead to more effective supervision and better adherence to procedures.

**Finding 3:** Maintaining reliable and accurate data is necessary so that City decision-makers can align resources and manage performance. We found that

the Development Services Department’s methodology to calculate Code Enforcement’s response time goal metrics is incomplete and overstates actual performance by 13 to 28 percentage points. Additionally, we found that several Accela fields have significant errors and that Code Enforcement’s supervisory review does not sufficiently ensure the accuracy of entered data.

**Other Pertinent Information:** We also analyzed Code Enforcement activities to determine if inequitable treatment of certain populations is occurring. However, we did not find any significant relationships between demographic information and fines or response time.

### What OCA Recommends

We made 10 recommendations to improve code enforcement operations, and management agreed to implement all 10. Key recommendations include to:

- Re-Implement a Voluntary Compliance Program to reduce the number of low-priority cases that investigators need to inspect;
- Establish a Key Performance Indicator (KPI) for optimal average caseload for building and zoning investigators to better demonstrate resource needs;
- Improve investigator efficiency by creating new Accela fields and requiring investigators to enter upcoming tasks into Accela;
- Update Code Enforcement’s Procedures Manual, develop and use Accela tools like reports or online dashboards, and require regular, systemic supervisory review to help management monitor case status;
- Create and use a report that accurately measures Code Enforcement’s progress on its KPI for initial response times; and
- Create a checklist for online case files and require Code Enforcement management to conduct periodic audits of investigator cases.

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