CODE ENFORCEMENT PERFORMANCE AUDIT

JUNE 2014

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CITY OF DURHAM

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To:	Audit Services Oversight Committee
From:	Germaine Brewington, Director Audit Services Department
Date:	**August 25, 2014**
Re:	Code Enforcement Performance Audit (June 2014)

The Department of Audit Services completed the report on the Code Enforcement Performance Audit dated June 2014. The purpose of the audit was to review the code enforcement process for adequacy of controls and determine if they are effective in performing their stated functions.

This report presents the observations, results, and recommendations of the Code Enforcement Performance Audit dated June 2014. City management concur with the recommendations made. Management's response to the recommendations is included with the attached report.

The Department of Audit Services appreciates the contribution of time and other resources from employees of the Department of Neighborhood Improvement Services in the completion of this audit.

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The Department of Neighborhood Improvement Services is responsible for enforcement of the City's ordinances: minimum housing code, weedy lot, junk and debris, unsafe building, abandoned vehicle ordinance and nonresidential code. The priority of the Code Enforcement Division is the day to day management and implementation of all quality of life activities governed by the City's ordinances and statutes. The Department's Impact Team Division assists in the City Council's goals of ensuring that citizens enjoy a city rich in aesthetic beauty with a healthy environment and sustainable, thriving neighborhoods. The primary focus for the Impact Team Division's staff is the removal of graffiti, code enforcement remediation activities, removal of illegal dumpsites and neighborhood cleanups.

Authority for code enforcement is found in North Carolina General Statute 160A and the City of Durham Code of Ordinances. The following steps describe the code enforcement process:

Inspections are conducted as a result of proactive activities or requests for services from residents.

Proactive activities include:

1) Activities generated through the Proactive Rental Inspection Program (PRIP), which include rental properties systematically chosen from City Council designated areas; and

2) Violations observed directly by a Code Enforcement Officer (CEO).

Requests for services are received through various channels:

1) Residents/customers use the Durham One Call (DOC) to request service;

2) Residents/customers call or walk into the NIS Department directly;

3) Service requests are received at PAC meetings;

4) Service requests are received via e-mails;

5) The Community Engagement Coordinators receive service requests; and

6) Service requests are received from internal communications between departments.

Once an investigation is required as a result of either a proactive activity or request for a service from a resident, the following process occurs:

1. A new case is opened in the NIS software application—Go Enforce by an area CEO or manager and assigned;

2. If assigned by a manager, the Go Enforce system generates an e-mail notification and forwards the notification to the assigned CEO;

3. Each CEO assigned a case follows a specific written process, beginning with the initial inspection; depending on the case type (housing, non-residential, weedy/junked lot, vehicle). These processes are based on North Carolina General Statutes and City Ordinances;

4. The CEO responds to complaints within 48 hours of receiving the complaint;

5. Each CEO documents all aspects of a case in the Go Enforce software system;

6. The Go Enforce system assigns a case number when the case is opened/created by the CEO or NIS Manager;

7. The CEO includes notes in the case file as specific "Action" types (inspection, re-inspection, property records requests, etc.) or as general case notes;

8. The CEO or Manager record in the file, specific details and circumstances of a property or case;

9. The Code Enforcement team communicates with all parties (owners, occupants, etc.) and makes it a priority to monitor these communications to ensure owners are given sufficient opportunity to bring properties into compliance; and
10. NIS staff follow a specific process for properties not brought into compliance within a specified time frame by the owner. For:

    - Vehicles: Vehicles are towed by an independent towing company;
    - Weedy and/or Junked lots: The case is re-assigned to the Impact Team. The Impact Team staff remediate the property. The cost of remediation and any administrative fees are assessed and applied as a lien on the property;
    - Housing and non-residential cases are prepared for the judicial process:
        - Community Life Court (CLC- district criminal court) – CEOs prepare cases including the summons; cases are reviewed by the City Attorney's office; and the CLC Manager takes the case to the Assistant District Attorney who presents the case in court.
        - Housing Appeals Board – a quasi-judicial board of residents approve ordinances authorizing NIS to remediate a property through demolition or stabilization via advertised bids and contracts.

Purpose

The purpose of the audit was to review the Code Enforcement process for adequacy of controls and to determine if the controls were effective in performing their stated functions.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Result in Brief

At the time of field work, the Department management was focused on evaluating and updating their processes and procedures. An extensive quality review process was put in place to monitor code enforcement activities carried out by the CEOs. This process enabled management to ensure that code enforcement investigations were performed consistently in accordance with established procedures and performed in a timely manner. Based on the field work performed it was determined that the written policies and procedures were not all inclusive and case notes maintained in the Go Enforce system were not always sufficient or consistent. Investigations were not performed timely for 65% of the cases examined based on the available documentation in the Go Enforce system. The monitoring of the timeliness attribute, if continued, will over time enable the Department to improve this aspect of its investigations. Other areas for enhancement include:

- Formalizing the training process: The training included external and internal training. It included a review of the applicable codes, training on the Go

Enforce system and on-the-job training with a senior CEO. However, the training was not formalized and communicating best practices and procedural methods to new hires may not have always been delivered consistently because the quality of the information shared depended on the individuals who performed the training.

- Incorporating a procedure to report to management a possible or perceived conflict of interest in the performance of these investigations.

- Finalizing and implementing the decision to apply civil penalties on all applicable cases.

In addition, the Impact Team Division did not have adequate policies and procedures to address prioritization of work to be performed by the Impact Team. The Department had not established standards on the duration of time allowed for the Impact Team staff to remediate properties determined to be in violation of the code.

Objectives

The objectives of the audit were to:

- Determine if code enforcement activities were performed consistently in accordance with established procedures and performed in a timely manner;

- Determine if the Code Enforcement Division was effective in bringing properties into compliance with the Minimum Housing Code, Non-Residential Code, Removal of Trash and Undergrowth ordinance, and Junk Vehicle code;

- To determine if penalties assessed were in accordance with guidelines; and

- To determine if the process for the Impact Team Division staff to address remediation ready properties was adequate; and proper close out procedures existed once a property was brought into compliance by the Impact Team staff.

Scope

The scope of the audit included all current practices as they pertained to the activities carried out by staff of the Code Enforcement Division. In addition the hand off of the remediation ready properties from the Code Enforcement staff to the Impact Team staff was also examined. Activities not related to the hand-off process conducted by the Impact Team staff were not examined as part of this audit.

Methodology

Audit Services Department staff performed the following procedures to accomplish the objectives of the audit:

1. Selected a sample of the oldest active cases to determine why the case was still active and if management had a process in place to monitor old open cases;

2. Obtained a report of all cases initiated during the period of July 1, 2013 to April 30, 2014. Selected a sample to determine if:

    - Investigations were performed consistently in accordance with established policies and procedures;
    - Adequate supporting documentation existed; and
    - Investigations were performed timely based on established timeframes;

3. Examined monitoring reports created and reviewed by management to determine adequacy of the monitoring process;

4. Performed ride alongs with several different CEOs to observe Code Enforcement and Impact Team processes;

5. Inquired with management about the process involving deleting/changing information on cases;

6. Selected a sample of cases bound for the Community Life Court (CLC) and the Housing Appeals Board (HAB) due to all other viable remedies being exhausted; and determined compliance with policies and procedures;

7. Documented the appeals process and reviewed minutes /documentations from the HAB and CLC;

8. Accessed the controls over the Go Enforce system;

9. Verified completeness of data—selected complaints received by: 1) Durham One Call; or 2) from PAC meetings and determined if they were assigned a case number in the Go Enforce system;

10. Reviewed the Code Enforcement Officer's training qualifications and ensured their certifications were up-to-date;

11. Verified the training provided to CEOs and determined the adequacy of the training;

12. Determined the effectiveness of the Code Enforcement Division for the period July 1, 2013 to April 30, 2014, by examining the following performance measures:

    - % of vehicle cases brought into compliance;
    - % of weedy lot cases brought into compliance;
    - % of repairs/demolished cases brought into compliance; and
    - % of all complaint investigations closed;

13. Determined that controls existed for placing liens and assessing the amounts of liens (including administrative fees which were included in the lien amounts); and assessed any internal control deficiencies in this activity;

14. Selected a sample of cases that were brought into compliance by the City and verified if a lien was placed on the property and administrative fees were imposed;

15. Analyzed all closed cases categorized by the action classification "remediation ready" to determine the time it took for the Impact Team Division to close out remediation ready cases;

16. Analyzed all open cases categorized by the action classified "remediation ready" and determined how many days had passed since the action date; and

17. Discussed communications issues observed between the Impact Team and Code Enforcement Divisions relevant to the achievement of effective work outcomes in these Divisions.

During the audit, staff also maintained awareness to the potential existence of fraud.

Objective 1: To determine if code enforcement investigations were performed consistently in accordance with established procedures and performed in a timely manner

Effective Practices:

- An extensive quality review process was in place to monitor code enforcement activities carried out by the CEOs. A Case Quality Review checklist was used to review a selection of cases investigated by each CEO. The results of the review were shared with each CEO. Performance evaluations of CEOs were directly tied to conducting code enforcement activities in accordance with established policies and procedures.

- Implementation of the new Go Enforce system enabled the Department to manage every aspect of the code enforcement process. The NIS Department management used the reports generated by the new system to effectively monitor the code enforcement process.

- Adequate processes existed to ensure all complaints were assigned and tracked in the Go Enforce system.

- Old open cases were monitored.

Areas for improvement:

Current written policies and procedures were not all inclusive.

At the time of field work, the Department management was in the process of conducting a self-evaluation of its practices. They were in the midst of evaluating and updating their processes and procedures. Management changed standard operating procedures to improve and enhance its processes. A few instances were noted where the policies and procedures were outdated, and not in line with the current practices. All written standard operating procedures/policies should reflect current practices. Out dated policies can lead to a lack of clarity on how to perform a function as well as what is expected from the employees.

The Department also had an extensive monitoring process in place to oversee code enforcement activities. However, this process was not documented in a written policy or procedure. A written policy or procedure would ensure consistent application of the monitoring process that is required to be performed by staff.

The process of monitoring old cases was also not documented and a systematic process to determine how to proceed on reassessing the old case did not exist. During the field work phase of this engagement, it was evident that actions were taken to follow up on old cases. Audit staff analyzed a report of all open cases as of May 18, 2014. Approximately 30% (345) of all open cases (1170) were open for over 365 days. A systematic process to assess an old case based on its exposure and risk to the City would enable the Department to spend resources on bringing achievable cases into compliance. The NIS Department management team needs to outline a systematic process to determine if old cases are worth reinvestigating based on the exposure and risk to the City. In addition, close out procedures should be established for cases where further action is not feasible. The assessment of an old case and how to proceed should be documented in the case notes to enhance the effectiveness of the process to achieve more efficiencies and possibly preclude duplication of effort. At the time of the field work, this important information was not documented in the case notes in the Go Enforce system.

The written procedure for requests to grant extensions and CEO notes needs enhancement. The procedure does not address situations when extensions should be granted including the duration of the extension that should be granted. In addition, the current policy does not address the current practice of ensuring a complaint receives an initial investigation within 48 hours of the complaint being entered into the Go Enforce system.

Case notes maintained in the Go Enforce system were not always sufficient or consistent

While reviewing the sample selected to test compliance with policies and procedures, it was noted that in some instances case notes were vague and it was hard to understand the chronological order of actions taken while conducting the investigation. Also, the reasons for granting extensions and the timeframes for the extensions were not consistently documented in case notes. Granting of extensions should be justified and documented adequately in the system to facilitate appropriate monitoring. Clear and informative case notes would allow the reader to understand the proceedings of the case. In case of staff turnover, the new CEO may not have sufficient information to continue an investigation. Inadequate case notes lead to confusion and can hinder the management review process. The Go Enforce system was implemented in July 2013 and during the field work phase of the audit, the CEOs were still learning how to use the system.

Investigations were not performed timely

For the 103 total cases examined, initial investigations were completed approximately 88% of the time, within 48 hours from the time the case was entered in the Go Enforce system. Overall, per the professional judgment of the Audit Services Department staff, 65% of the cases examined were not closed timely (length of time it took to close the case from the initial complaint date) based on the available documentation in the Go Enforce system. Timeliness is one of the attributes being monitored by the department as part of the CEO's performance evaluation process. The monitoring of this attribute, if continued, will over time enable the department to meet its timeliness standards. Timely resolution of investigations ensures that CEOs are executing their work efficiently and are responsive to customer demands.

Objective 2: To determine if code enforcement was effective in bringing properties into compliance with the Minimum Housing Code, Non-Residential Code, Removal of Trash and Undergrowth Ordinance, and Abandoned and Junk Vehicle Code

Audit staff analyzed all cases initiated during the period of July 1, 2013 to April 30, 2014, in order to gauge the effectiveness of the Code Enforcement team.

For the period of July 1, 2013 to April 30, 2014, approximately 84% of all of the 5,821 cases investigated were closed by Code Enforcement Officers.

The following are results by type of case:

- 100% of all vehicle related cases were closed during the period of July 1, 2013 to April 30, 2014;
- 95% of all weedy lot cases were closed during the period of July 1, 2013 to April 30, 2014; and
- 59% of all repair only/demolish topics were closed during the period of July 1, 2013 to April 30, 2014.

<u>Areas for enhancement</u>

The internal training was not formalized

The Department had external as well as internal training for code enforcement officers. All housing CEO's were required to obtain external training on state regulations and successfully pass a State regulated exam giving them the ability to perform work as licensed Building Level 1 inspectors. In addition, internal department training was provided to new hires and provided on an as needed basis to existing employees. Training provided to a new hire included a review of the applicable codes, hands-on training on the Go Enforce system and on-the-job training with a senior CEO. The on-the-job training was verbal and trainer

specific. Communications with new employees, including best practices and the Department's procedural methodology, may not always have been consistently delivered via on-the-job training because the training was verbal and the quality of the training depended largely on the individual performing the training. There was no structured trainer lead program that a new CEO followed. A written instrument for the on-the-job training process outlining the major components of the training would provide the new hire with guidance and concurrently provide Department management with a means to hold the employee accountable for carrying out the duties of the job according to an approved training program. These enhancements would improve the outcome for the training and it would enhance the effectiveness of the process. NIS staff who were interviewed, understood the need for improvements in this area. They expressed a need for more internal training in recording notes and recording events in the Go Enforce system. The Department had recently started using a quality review checklist as a self-assessment tool where the results of the self-review performed by CEOs were compared to the results of the manager review. Areas where discrepancies existed were reviewed.

A procedure did not exist for the CEO to report to management, a possible or perceived conflict of interest in the performance of his or her duties

A mechanism did not exist at the Departmental level to report a conflict of interest by the CEOs. The City of Durham as part of its Ethics Policy HRM 803, expects employees to report any job related conflict of interest. The Department's management team needs to ensure that a procedure exists internally to report a conflict of interest as a result of case assignments that involve business associates or friends which may hinder or impair the staff member's objectivity in performing his/her duties. Due to the impact that inspections has on the overall community, the potential financial obligation of property owners, and the moral and ethical exposures in both of these areas, NIS staff should always be aware of the potential for a conflict of interest to occur in the normal daily performance of some of its activities.

Objective 3: To determine if penalties assessed were in accordance with guidelines and whether adequate controls existed over the collections of these penalties

Adequate controls existed over the assessing and recording of liens and administrative fees.

Department staff, according to City Ordinance can apply civil penalties on the day after the case maturity date. The amount of a civil penalty will vary based on the case type. NIS staff at the time of the field work applied civil penalties only for cases that were brought before the HAB. Code Enforcement Division management was working with the Finance Department staff to develop a strategy and method for assessing and collecting civil penalties on all applicable cases. There were a number of processes and staff considerations impacting the method and timeline of this transition. This enhancement to this process is a positive step and should be followed through because applying civil penalties to all applicable cases could be used as a means to increase voluntary compliance by owners.

Objective 4: To determine if: 1) the process for the Impact Team Division to address remediation ready properties was adequate; and, 2) proper close out procedures existed once a property was brought into compliance by the Impact Team.

Effective Practice:

The Go Enforce system was used to track the assignment of remediation ready properties to the Impact Team Division. Once properties were remediated by the Impact Team Division staff, pictures were uploaded into the Go Enforce system to document the property's compliance with regard to the violation.

Area for improvement:

Draft written procedures existed but were not adequate

The Impact Team Division had draft written procedures; however, they were not adequate and did not address the activities or prioritization of work performed by the Impact Team. Policies and procedures should define the length of time for the Impact Team to address a remediation ready property. Written standard operating procedures (SOP) help reduce the possibility of human error and provide guidelines for employees to follow. SOPs help create consistency over process performance and provide a method to communicate process changes to employees.

Audit staff analyzed all cases that were remediation ready (properties where the Impact Team staff were authorized to bring the property into compliance) and compared the date of remediation ready action to the date the investigation was closed in the Go Enforce system. On average 58% of all cases with remediation ready action took more than 31 days to close the case in the Go Enforce system by the Impact Team staff. The Department had not established standards on the length of time for the Impact Team staff to remediate properties cited for violations. The Impact Team staff engaged in other activities such as removal of illegal dumpsites and graffiti removal. However, a defined process of how the work should be prioritized did not exist.

Conclusion

At the time of field work, the Department management was focused on evaluating and updating their processes and procedures. An all-encompassing quality review process was put in place to monitor code enforcement activities carried out by the CEOs. This process enabled management to ensure that code enforcement investigations were performed consistently in accordance with established procedures and performed in a timely manner. Based on the field work performed it was determined that the written polices and procedures were not all

inclusive and case notes maintained in the Go Enforce system were not always sufficient or consistent. Investigations were not performed timely for 65% of the cases examined based on the available documentation in the Go Enforce system. The monitoring of the timeliness attribute, if continued, will over time enable the Department to improve this aspect of its investigations. Other areas for enhancement include:

- Formalizing the training process - the training provided included a review of the applicable codes, training on the Go Enforce system and on-the-job training with a senior CEO. However, the training was not formalized and communicating best practices and procedural methods to new hires may not always have been delivered consistently because the quality of the information shared depended on the individuals who performed the training.
- Incorporating a procedure to report to management a possible or perceived conflict of interest in the performance of these investigations.
- Finalizing and implementing the decision to apply civil penalties on all applicable cases.

In addition, the Impact Team Division did not have adequate policies and procedures to address prioritization of work to be performed by the Impact Team. The Department had not established standards on the duration of time allowed for the Impact Team staff to remediate properties determined to be in violation of the code.

Recommendation 1

The Department of Neighborhood Improvement Services should establish/enhance written procedures/policies pertaining to the Code Enforcement Division to address the following areas:

- The management oversight process
  - Frequency of reviews;
  - Types of reviews performed;
- Process to review old open cases based on exposure and risk to the City of Durham; and
- Granting of extensions.

The Department should ensure polices/procedures reflect current practices.

Recommendation 2

The Department of Neighborhood Improvement Services should incorporate all its current training processes into a formalized training program. They should continue training efforts on the importance of case notes entered in the Go Enforce system to effective and efficient investigations. The Department should also establish a checklist to provide guidance to newly hired employees and senior CEO trainers to assist them in the consistent application of standards/procedures.

Recommendation 3

The Department of Neighborhood Improvement Services should develop a conflict of interest form to assist staff in the reporting of existing or perceived conflicts of interest identified during the normal course of investigations.

Recommendation 4

The NIS Department management team should continue their efforts in determining a way to apply civil penalties as per City ordinance and implement applying civil penalties when feasible. If a decision is made not to apply civil penalties, it should be documented with the appropriate approval. Management should also monitor the cost benefit of bringing properties into voluntary compliance.

Recommendation 5

The Impact Team Division staff should develop and formalize policies and procedures to address the activities within their purview of responsibilities. In addition, performance standards should be developed to address the length of time that should be allowed to manage the properties that are remediation ready.

CITY OF DURHAM

Memo to: Germaine F. Brewington, Director of Audit Services
From: Constance Stancil, Director of Neighborhood Improvement Services
Date: August 8, 2014
Subject: Management's Response
Code Enforcement Performance Audit (June, 2014)

The following is the management's response to the Code Enforcement Performance Audit dated June, 2014.

Recommendation 1:
The Department of Neighborhood Improvement Services should establish/enhance written procedures/policies pertaining to the Code Enforcement Division to address the following areas:

- The management oversight process
  - Frequency of reviews;
  - Types of reviews performed;
- Process to review old open cases based on exposure and risk to the City of Durham; and
- Granting of extensions.

The Department should ensure polices/procedures reflect current practices.

Management's Response
We concur. Management is in full agreement with the recommendation.

The Audit Team's recommendations are consistent with our internal issue identification analysis of code enforcement processes, policies, and procedures. Based on the division's analysis, and in line with audit recommendations, we will continue to develop and document recommended policies and pertinent Standard Operating Procedures to align with current practices. Our existing work plan has been expanded to include recommendations from the Audit results.

Actions include:

- Review of oversight process and outline of needed new and updated policies will be completed by Department Director, Housing Code Administrator, and Code Enforcement Manager.

  Implementation Date: August 31, 2014

- Establish frequency of reviews and type of reviews performed:
  - Weekly review of code enforcement cases by managers using existing case management system that has been established. Current cases are reviewed for accuracy, timeliness, and quality of documentation (case notes). Results are documented and shared with individual staff and incorporated in team trainings. These weekly reviews will:
    - Provide tools for managing efficiency of processes and systems
    - Reduce the City's risk exposure
    - Eliminate opportunity for a of backlog of older open cases to develop
  - In addition, each Code Enforcement Officer will perform individual case reviews on 2 selected days of entry. Cases with entries during the selected 2 days will also be reviewed by managers. Any errors or discrepancies are shared with individual staff to improve quality of case work and improve staff performance. (These reviews will offer opportunities for management to offer monthly coaching.) These individual case reviews are scheduled every other month.
  - Compilation of all reviews will be reflected in both the 6 month coaching and end of year evaluations.

  Implementation Date: Process in place and ongoing, written procedure complete September 30, 2014

- A database report of older existing cases has been established and time scheduled weekly for Housing Code Administrator and Code Enforcement Manager's review. Staff will use the quality control assessment tool to determine case status and required appropriate action for each case. A final report will be established with individual case data, status, action items, timeline and responsible lead staff. We anticipate the review of existing older open cases to be completed and appropriate actions taken to reduce any exposure and risk by November 30, 2014. In the meantime, code enforcement management and the director have rewritten one the code enforcement performance standards which is designed specifically to effectively manage the

timeliness of cases. (Each housing case, from start to close, should not exceed more than a cumulative 14 extra days beyond minimum process time without valid, documented justification based on extension guidelines or other approved extenuating circumstance).

Implementation Date: Ongoing, complete November 30, 2014

- The existing Extension policy and procedure will be reviewed and expanded to incorporate specific criteria for granting extensions. A process will be developed to adequately ensure appropriate documentation. This will provide consistency and clarity in allowing owners appropriate timeframes in which to remediate their properties.

  Implementation Date: August 30, 2014

- A review of Performance Measures and Performance Standards against audit results has been completed by the management team.

  Implementation Date: August 15, 2014

- Update of Performance Standards to strengthen connection to Performance Measures and staff performance is in process by Housing Code Administrator. A performance standard to address the timeliness issue was developed in June. The performance standard is as follows:

  - The purpose of code enforcement is to bring all properties in Durham into compliance with Durham City codes to ensure safe and healthy living environments and communities. Compliance through owner remediation is our top priority. Each Code Enforcement Officer (CEO) shall review the status of all open cases daily. Processing cases efficiently while considering the needs and circumstances of customers is essential. Each open case must be moved efficiently forward to the next stage of its process, and remediated by the property owner, or referred to the Impact Team or appropriate judicial process. When extenuating circumstances occur, each CEO is charged with working with owners and other customers to achieve compliance within established process frameworks.
  - Each housing case, from start to close, should not exceed more than a cumulative 14 extra days beyond minimum process time without valid, documented justification based on extension guidelines or other approved extenuating circumstance.
  - Each lot or vehicle case, from start to close, should not exceed more than a cumulative 8 extra days beyond minimum process

time without valid, documented justification based on extension guidelines or other approved extenuating circumstance.

Meets:

- Meets process timeline standards 90% of the time with no more than 5 housing cases exceeding the standard by 30 days and no more than 5 lot or vehicle cases exceeding the standard by 14 days.

Exceeds:

- Meets process timeline standards 98% of the time with no housing cases exceeding the standard by 30 days and no lot or vehicle cases exceeding the standard by 14 days.

Implementation Date: July, 2014

- Review and updating of all code enforcement related policies and the division's procedures manual is in process. The Housing Code Administrator is responsible for oversight with assistance from the Code Enforcement Manager. All policies and procedures require the Director's approval. In addition to the code enforcement management team, one Community Engagement staff member has been assigned to assist in development and implementation of this process which includes benchmarking against other municipalities best practices.

Implementation Date: December 31, 2014

Recommendation 2:
The Department of Neighborhood Improvement Services should incorporate all its current training processes into a formalized training program. They should continue training efforts on the importance of case notes entered in the Go Enforce system to effective and efficient investigations. The Department should also establish a checklist to provide guidance to newly hired employees and senior CEO trainers to assist them in the consistent application of standards/procedures.

Management's Response
We concur. Management is in full agreement with the recommendation.

Code Enforcement currently provides 3 types of training:

1. External training to qualify for licensing examination
2. New employee orientation training and shadowing
3. Ongoing team trainings for improvement and development

In response to recommendations, the management team has begun development of the following:

- A checklist has been established for the purpose of training newly hired Code Enforcement Officers. This is to insure that managers have provided training in all areas of CEO responsibilities and duties including code requirements, processes, case entry, and topics to be covered during in-field shadowing.

- In order to provide consistent and thorough information to newly hired staff, the Housing Code Administrator will oversee the development of:
    - A training module to "Train the trainer" including written guidelines for training newly hired staff. A team of at least 2 more senior officers who have completed the "Train the trainer" module will be maintained to assist the Code Enforcement Manager in developing newly hired staff.
    - Flow charts of the various case process to facilitate ease of learning

Implementation Date: December 31, 2014

- Training in effective case documentation will be provided in order to increase thoroughness and clarity of case notes and to reduce city risk exposure in the documentation of these public records. The management team will work with the Assistant City Attorney assigned to code enforcement and Police Department representatives to provide this training for all Code Enforcement staff.

Implementation Date: September 30, 2014

- Officers are now required to sign off after receiving training segments. This applies to both new hire trainings and ongoing team trainings.

Recommendation 3:
The Department of Neighborhood Improvement Services should develop a conflict of interest form to assist staff in the reporting of existing or perceived conflicts of interest identified during the normal course of investigations.

Management's Response
We concur. Management is in full agreement with the recommendation.
While the division has required staff to complete a conflict of interest form related to the ownership of property within Durham City limits, that form does not capture the reporting of existing or perceived conflicts of interest identified during the normal course of investigations. NIS management team, with the assistance of Audit staff, has now completed a conflict of interest form to address these situations, made this form available to staff, and instructed them in its use.

Implementation Date: Complete July, 2014

Recommendation 4:
The NIS Department management team should continue their efforts in determining a way to apply civil penalties as per City ordinance and implement applying civil penalties when feasible. If a decision is made not to apply civil penalties, it should be documented with the appropriate approval. Management should also monitor the cost benefit of bringing properties into voluntary compliance.

Management's Response
We concur. Management is in full agreement with the recommendation.

The department Director, Housing Code Administrator, Senior Business Services Manager and Finance department representatives are continuing to collaborate in determining the best way to apply civil penalties as per City ordinance and implement applying civil penalties when feasible. The resulting plan of action will then be documented, approved, and executed.

Implementation Date: September 30, 2014

Recommendation 5:
The Impact Team Division staff should develop and formalize policies and procedures to address the activities within their purview of responsibilities. In addition, performance standards should be developed to address the length of time that should be allowed to manage the properties that are remediation ready.

Management's Response
We concur. Management is in full agreement with the recommendation.

The department Director, Impact Team Manager, and Impact Team Supervisors are working to develop and formalize policies and procedures to address the activities within their purview of responsibilities.

Implementation Date: September 15, 2014

The team will also develop Performance Standards to address the length of time allowed to manage the properties that are remediation ready.

Implementation Date: September 30, 2014