

Department of Development and Environmental Services (DDES)
Report and Implementation Plan
In Response to the
2008 Performance Audit Code Enforcement Report

Recommendation 1:

Code Enforcement should develop a set of educational materials about the code enforcement process, common code violations, and the kinds of activities that require a permit. The description of code enforcement processes should include an overview of the avenues available to property owners to resolve violations, including the Notice and Order process, Voluntary Compliance Agreements, and the development of a compliance schedule; and the materials should provide an overview of the appeal and penalty processes. These materials should include definitions and descriptions stated clearly in lay terms. Further, the section should investigate and pursue additional distribution venues for these materials to support its stated goal of educating the community.

Implementation Date: End of 2008

Status: Complete

Three brochures were created (see enclosed):

1. 'Introduction to Code Enforcement in King County'. This is a general description of the Code Enforcement process and is distributed at meetings related to Code Enforcement.

The brochure includes the Code Enforcement process, common code violations, and actions that require permits. It also notes how to register a complaint and how to look up the status of a complaint.

2. 'Working with Code Enforcement on Your Property'. This is sent with the violation letter informing the property owner that a complaint was received regarding the subject property.

The brochure gives an overview of Code Enforcement and the enforcement process, describes the next steps to be taken after receiving the first Violation letter, and defines enforcement-related terms.

3. 'How to Comply with King County Code'. This is sent with the second Violation letter informing the property owner a violation was confirmed on the subject property.

The brochure also describes not only the Code Enforcement process, but also includes the property owner's options for resolving the enforcement case. The brochure details the Voluntary Compliance Agreement, the Notice and Order process, and the appeal process for both options. The brochure also includes a brief description of citations.

Recommendation 2:

Code Enforcement should include with its first violation letter, educational materials on the code enforcement process, including an accurate description of the Notice and Order, appeal, and penalty processes. All descriptions and definitions included in the letter should be stated in lay terms.

Implementation Date: End of 2008

Status: Complete

There are two violation letters, both of which include educational materials (see Attachments).

‘Violation 1 letter’ (Attachment A). This letter is sent to a property owner when DDES receives a complaint about an alleged violation on the property. Brochure 2, noted in Recommendation one, is included with the letter.

‘Violation 2 letter’ (Attachment B). This letter is sent to a property owner after DDES has inspected the property and confirmed a violation does exist on the property. Brochure 3, noted in Recommendation one, is included with the letter.

Recommendation 3:

Code Enforcement should ensure that all communication between Code Enforcement Officers and property owners complies with the requirements established in King County Code and that all templates used by Code Enforcement Officers for written communication are reviewed and approved by Code Enforcement management prior to use. Code Enforcement should amend the Violation 2 letter to include more information about the Voluntary Compliance Agreement and its advantages.

Implementation Date: End of 2008

Status: Complete

The Violation 2 letter was revised to provide more details regarding the Voluntary Compliance Agreement and its advantages. Templates for both Violation 1 and Violation 2 letters were given to staff with direction to use only these templates. One specific Code Enforcement Officer had previously been routinely using the incorrect violation letter. This Officer’s work is being monitored closely. The Code Enforcement Supervisor is also meeting with staff individually to review the use of these templates.

In addition, when a Notice and Order is sent to a property owner, the file is again reviewed to ensure the property owner was informed of the proper King County Codes and given an opportunity for voluntary compliance in accordance with the codes.

Recommendation 4:

Code Enforcement should revise its policies and procedures to include:

- Clear distinction between the two types of high priority cases and emphasis on resolving cases of the highest priority first.
- Timelines only for those processes that are tracked, monitored, and managed to ensure that case management is efficient and effective.
- Guidance on the use of discretion and criteria for evaluating progress in addressing violations.
- New policies and procedures for:
 - Confidentiality,
 - Scope of inspection,
 - Coordination of enforcement efforts with other agencies (e.g., Health Department, Sheriff's Department) and DDES divisions (e.g., Permitting and Site Development), and
 - Communication expectations, including resources for property owners, use of standard templates, relationships with community groups, and public outreach.

Implementation Date: April 2010

Status: Partially complete

The work on this recommendation was broken down into a multi-step process. In the initial step, which is underway, DDES is reviewing the existing Code Enforcement Policy and Procedures Manual and is outlining new requirements and other information that needs to be included in the revised manual. The goal for completion is March 1, 2009.

In Step 2, a stakeholders group will be assembled. The stakeholders group will assist in the formulation and review of the revised Code Enforcement Policy and Procedures Manual. The goal is to establish a group with a broad range of interests who have regular interaction with Code Enforcement. This would include groups or individuals representing both rural and urban interests, environmental and property rights interests, Unincorporated Area Council representatives, Law Enforcement, other DDES staff, the Ombudsman's office, and County Council staff. The common ground for all target stakeholders and DDES is transparency, accountability, fairness and responsibility. Once stakeholders are identified, invitations to participate in the group will be sent. April 2, 2009 is the target date for sending stakeholder invitations.

Step 3 will include outlining the overall expectations and requirements that will go in the manual, as well as hiring a consultant who will prepare the documents. The Department expects to complete this step by June 1, 2009.

The final step will be completion of the draft and final manual. DDES will draft the revised Code Enforcement Policy and Procedures Manual. The draft policy and procedures manual will be completed by the end of 2009 and circulated to the unincorporated area councils and other stakeholder groups for their review and comment. A final document is expected to be published in April 2010.

Recommendation 5:

DDES should assist Code Enforcement in developing an effective staffing model. As part of this process, Code Enforcement should:

- Revise and consolidate current task codes in the timekeeping system.
- Issue clear instructions to all staff on the appropriate use of task codes.
- Review and verify the ensuing use of task codes.
- Construct a model based on accurate, verifiable timekeeping data.

Implementation Date: June 2009

Status: Partially complete

The Time Reporting System (TRS) task codes were revised and consolidated. An interim staffing model will be developed by the end of June 2009, utilizing these new TRS task codes. Due to the limited amount of data available to develop this staffing model prior to the preparation of the 2010 budget, the model will be re-evaluated and adjusted as needed during the second quarter of 2010, after more data is generated from the use of the new TRS task codes.

Code Enforcement staff will receive training and clear instruction on the appropriate use of the new TRS task codes in early March 2009. Proper use of timekeeping codes will also be reviewed and discussed at staff meetings, as well as in meetings between the Code Enforcement Supervisor and staff.

Recommendation 6:

Code Enforcement should improve records management by:

- Emphasizing in the standard operating procedures the importance of keeping accurate data, and providing direction for proper records management.
- Setting controls in the timekeeping and case management database to prevent missing or inaccurate fields.

- Assigning the supervisor or assistant supervisor to periodically review samples of case files to ensure that they are complete.

Implementation Date: October 2009

Status: Partially complete

Training and direction for timely and accurate data entry for proper records management has been given to Code Enforcement staff. Both issues are being reviewed and discussed at staff meetings, as well as in meetings between the Code Enforcement Supervisor and individual staff members. The Code Enforcement Supervisor is reviewing, and will continue to review, a random sampling of the Code Enforcement files to ensure completeness. Procedures for records management and training will be included in the manual noted in Recommendation four.

The plan, to set controls in the timekeeping and case management database, is for Code Enforcement staff to partner with the department's business analyst and Information Technology Section to establish where controls should be placed and determine how to set those controls in the system. This coordination is expected to be completed by June 2009. This will be a short term fix as the department is currently undergoing a multi-departmental Permit Integration Project in which many system-generated controls are anticipated as a part of the new system. Work on this recommendation will assist the Permit Integration Team in identifying Code Enforcement's system requirements.



King County
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 Land Use Services Division
CODE ENFORCEMENT SECTION
 900 Oakesdale Avenue Southwest
 Renton, WA 98057-5212
 206-296-6600 TTY 206-296-7217
www.kingcounty.gov/ddes

ATTACHMENT A
Violation 1 Letter

DATE

XXXXXX

RE: King County Code Violation Code Enforcement Case #E
 At: Zoning:

Dear

This agency has received a complaint alleging that the following violation(s) exist on the subject property:

While some complaints are unfounded or exaggerate conditions, many are accurate and bring important code violations to our attention. If your property is in violation, immediate steps must be taken to bring the property into compliance. An inspection of your property will be conducted to confirm any violations. Some types of alleged violations take priority over others and inspections will be performed accordingly. We will inspect as soon as possible to verify the complaint. If your property is found to be in compliance at that time, our case will be closed.

If your property is found to be in violation, you will receive a violation confirmation letter that directs you to immediately resolve the violation(s). The violation confirmation letter will include code references to the specific codes your property is in violation of and the necessary requirements to bring the property into compliance with King County Code.

Please contact me at 206-_____ within 7 days of the date of this letter to set an appointment to meet and discuss this complaint. If I am unavailable at the time you call, please leave your name, case number (as referenced above), and a daytime phone number, complete with area code where you can be reached. I will return your call as soon as possible. You may also respond by fax at 206-296-6604 or e-mail at _____. Much of my work occurs in the field so I am available at my office by **appointment only**. Please do not come into the office without confirming an appointment with me prior to your visit.

Thank you for your prompt attention to this matter.

Sincerely,

Officer _____
 King County Code Enforcement

Enclosure:



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 900 Oakesdale Avenue Southwest
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ATTACHMENT B

Violation 2 Letter

DATE

Name
 Address

RE: King County Code Violation Code Enforcement Case #
 At: Zoning:

Dear NAME:

An inspection of the subject property and/or review of the file has confirmed the following violation(s) of the King County Code exists on the subject property.

~~(Insert violations from template here)~~

To correct these violation(s):

~~(Insert corrections from the template here, include compliance dates in the corrections)~~

Our office will follow up to determine compliance after the compliance date above. If the violations are not corrected at the time of the follow up, our office has the authority to, and will, issue a legal notice which requires compliance by a specific date. The legal notice, also known as a Notice and Order, subjects you to civil penalties and is recorded against your property title. To avoid the Notice and Order you have the option of entering into a Voluntary Compliance Agreement (VCA) to achieve compliance. Similar to the Notice and Order, the VCA is a legal document in which you acknowledge that you have violations on your property and agree to bring them into compliance by a specific date. The VCA can also subject you to civil penalties and is recorded against your property title.

If you are unable to resolve the violations by the date(s) agreed upon in a VCA or required by a Notice and Order, you may be subject to an abatement process in which a contractor, acquired by the county, would correct the violation(s). The civil penalties, costs incurred by the county to pursue code compliance, and the cost of that abatement would be your responsibility and may be filed as liens against your property.

It is important you respond immediately to this letter. To make an appointment to discuss this matter further, please contact me at 206-_____. If I am unavailable, leave your name, case number, and phone number on the voice mail and I will return your call as soon as possible. You may also respond by fax at 206-296-6604 or by e-mail at _____.

Thank you for your cooperation.

Officer _____
 King County Code Enforcement

