

**Performance Audit:  
Atlanta Police Department  
Code Enforcement Section**

**September 2019**

**City Auditor's Office**

**City of Atlanta**

**File #19.02**





**CITY OF ATLANTA**  
City Auditor's Office  
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September 2019

## ***Performance Audit:***

### **Atlanta Police Department Code Enforcement Section**

#### ***What We Found***

The section processed nearly 90% of all cases within performance goals. Over the three-year period from March 2015 through February 2018, the section processed nearly 90% of property maintenance and highly hazardous cases within targets established in service level agreements. The section would have processed over 90% of all cases within performance targets if more than 30% of the highly hazardous cases had been correctly recategorized as property maintenance cases.

While resolution of code enforcement cases has improved significantly since the function shifted to the Atlanta Police Department, the section's internal controls over case review and Accela access could be strengthened to reduce risk of improper case closure. The Accela system is not programmed to require supervisory review of cases prior to closure. We found no evidence in Accela to indicate that supervisors reviewed 95% of the cases closed with no violation found and 86% of the cases closed as being in compliance. Officers who perform inspections should not be allowed to close code violation cases without supervisory review; the review serves an oversight role to help identify errors and mitigate the risk of fraud.

Lastly, we identified 42 former section employees who still maintained access to the Accela system. In addition, we found that the section did not ensure that complete records were maintained to validate permitting credentials for 15 officers.

#### ***Why We Did This Audit***

We undertook this audit because City Council members expressed concern about the timeliness of resolution of code enforcement complaints. In addition, the code enforcement section staff expressed concern about employee turnover.

#### ***What We Recommended***

To ensure that the section's performance is accurately measured and that it is able to direct resources appropriately to expedite the processing of cases, the section commander should:

- improve procedures to ensure that code violations are accurately categorized
- work with the Human Resources Department to make any needed salary adjustments based on the results of the classification and pay study authorized by Resolution 19-R-3759

To improve controls over tasks performed in Accela and mitigate the risk of error or improper case closure, the section commander should:

- request that the Accela software be programmed to require supervisory approval before code violation cases are closed
- work with AIM to ensure that access to Accela is promptly deleted after employee separation or transfer and that only current section employees have access to the system

To ensure that code enforcement officer qualifications are up-to-date, the section commander should:

- ensure that the police central database and physical certification files are reviewed periodically to ensure that required documents, including permits, are maintained.

For more information regarding this report, please use the "contact" link on our website at [www.atlaudit.org](http://www.atlaudit.org)

## Management Responses to Audit Recommendations

Summary of Management Responses		
<b>Recommendation #1:</b>	We recommend that the code enforcement section improve procedures to ensure that code violations are accurately categorized.	
<b>Response &amp; Proposed Action:</b>	To ensure we are prioritizing the complaints (Highly Hazardous vs Property Maintenance), staff receives and will continue to receive ongoing Accela training. In 2016 a reference guide was created for staff to reinforce the Accela process.	<b>Agree</b>
<b>Timeframe:</b>	Ongoing	
<b>Recommendation #2:</b>	We recommend that the code enforcement section work with the Human Resources Department to make any needed salary adjustments based on the results of the classification and pay study authorized by Resolution 19-R-3759.	
<b>Response &amp; Proposed Action:</b>	We concur with the necessity of a pay study and anxiously await the results. We also feel that if a salary range is approved, a mechanism must be put in place to allow employees to advance through the range.	<b>Agree</b>
<b>Timeframe:</b>	January 2020	
<b>Recommendation #3:</b>	We recommend that the code enforcement section request that the Accela software be programmed to require supervisory approval before code violation cases are closed.	
<b>Response &amp; Proposed Action:</b>	APD Code Enforcement has a meeting scheduled with representatives from AIM on September 4, 2019 to discuss the required Workflow change in Accela. The goal is to have all cases status <b>Complied, No Violation Found</b> , and <b>Transfer to Another Agency</b> routed to <b>Supervisor Review</b> in Accela. This will allow the case to remain active until a Supervisor can establish that all requirements are met such as photos of all four sides of the property are added to the Accela case when possible and that the complaint is transferred or reassigned to the proper department/agency. While this may add to the Supervisors' already demanding workload, it will ensure properties are thoroughly inspected and violations are addressed. This may also reduce the number of complaints received from constituents regarding <b>No Violation Found</b> status.	<b>Agree</b>
<b>Timeframe:</b>	December 2019	

<b>Recommendation #4:</b>	We recommend that the code enforcement section work with AIM to ensure that access to Accela is promptly deleted after employee separation or transfer and that only current section employees have access to the system.	
<b>Response &amp; Proposed Action:</b>	The accounts for all non-city employees have been disabled except for one. The position was vacated on August 23, 2019. Current employees with access to the Accela module are authorized. In addition to APD Code Enforcement staff, ATL311 representatives and Quality of Life Officers have access to the module.	<b>Partially Agree</b>
<b>Timeframe:</b>	June 2019 and ongoing	
<b>Recommendation #5:</b>	We recommend that the code enforcement section ensure that the police central database and physical certification files are reviewed periodically to ensure that the required documents, including permits, are maintained.	
<b>Response &amp; Proposed Action:</b>	<p>With exception of one, all Code Enforcement Officers credentials are current. The credentials for the Officer will be current by mid-September. The Officer will not issue citations until the credentials are current.</p> <p>To safeguard that no APD Code Enforcement Officer credentials expire in the future these steps will be put into place immediately:</p> <ol style="list-style-type: none"> <li>1. All CE Officers will be made aware of their expiration date.</li> <li>2. The Direct Supervisor will be given a list of their CE Officers and Dates.</li> <li>3. The Administrative Sergeant will keep a current listing for CE Officers' credentials.</li> </ol> <p>The Code Enforcement Officer should apply 30 days prior to expiration to obtain all necessary classes, complete paperwork, and have background investigations completed.</p>	<b>Agree</b>
<b>Timeframe:</b>	June 2019 and ongoing	





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**AUDIT COMMITTEE**  
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Daniel Ebersole  
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September 16, 2019

Honorable Mayor and Members of the City Council:

We undertook this audit because City Council members have expressed concerns about the timeliness of resolution of code enforcement complaints and we last audited the function in 2010. Since then, the city transferred the function to the Atlanta Police Department. The results of our audit show that the department has made significant improvements.

The Audit Committee has reviewed this report and is releasing it in accordance with Article 2, Chapter 6 of the City Charter. We appreciate the courtesy and cooperation of city staff throughout the audit. The team for this project was Brad Garvey, Matthew Ervin, and Lewis Blake.

Amanda Noble  
City Auditor

Marion Cameron  
Chair, Audit Committee



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# Atlanta Police Department—Code Enforcement Section

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## Table of Contents

Introduction .....	1
Background .....	1
Audit Objectives .....	7
Scope and Methodology .....	7
Findings and Analysis .....	9
Code Enforcement Processed Nearly 90% of All Cases Within Performance Goals .....	9
Code Enforcement Processed 93% of Property Maintenance Cases within Performance Goal .....	10
Code Enforcement Processed 75% of Highly Hazardous Cases within Performance Goal—Some Cases May Have Been Misclassified .....	12
Code Enforcement Section Turnover Rate Was High Relative to City .....	17
Tighter Controls Over Case Review and Accela Access Could Mitigate Risk .....	19
Accela Is Not Programmed to Ensure Supervisory Review of Case Closures .....	19
Former Code Enforcement Section Employees Continue to Have Access to Accela .....	22
Officer Certification Records Are Missing from the Police Central Database .....	23
Recommendations .....	25
Appendices .....	27
Appendix A: Management Review and Response to Audit Recommendations .....	29

## List of Exhibits

Exhibit 1: Code Enforcement Section Includes 26 Filled and 4 Vacant Officer Positions .....	2
Exhibit 2: Code Enforcement Officers Are Assigned by NPU .....	3
Exhibit 3: Code Enforcement Complaint Process .....	5
Exhibit 4: 76% of Cases Were Property Maintenance; 46% Were Brought into Compliance ....	6
Exhibit 5: Code Enforcement Complaints Vary by City Council District .....	7
Exhibit 6: Most Common Workflows for Property Maintenance Cases .....	11
Exhibit 7: Most Common Workflows for Property Maintenance Cases Not Processed in 120 Days .....	11
Exhibit 8: Most Common Workflows for Highly Hazardous Cases .....	13
Exhibit 9: Most Common Workflows for Highly Hazardous Cases Not Processed in 58 Days ...	13
Exhibit 10: Number of Cases Opened in Each Month Over Three Years .....	14

Exhibit 11: Percentage of Cases Opened in Each Month Over Three Years Processed Within Targets .....	14
Exhibit 12: Reclassification of Highly Hazardous Cases Would Improve Performance .....	15
Exhibit 13: Research and Clerical Steps Take Longer Than Processes .....	16
Exhibit 14: Code Enforcement Turnover Rate is Higher Than Citywide Rate .....	17
Exhibit 15: Study Is Needed to Consider Factors Other than Starting Salary .....	18

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## Introduction

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We undertook this audit because City Council members expressed concern about the timeliness in which code enforcement complaints are resolved. Our audit examines whether any resource bottlenecks or process issues are impacting the timely resolution of complaints. We also assess whether controls exist to ensure that complaints are documented and resolved according to policy.

We last audited code enforcement in 2010. Since then, the city transferred the function to the Atlanta Police Department from the Department of Planning and Community Development. Our 2010 audit found that code enforcement lacked reliable data to prioritize, track, and manage its complaints, measure its progress toward meeting performance standards, and determine staffing requirements. We recommended code enforcement:

- develop procedures for data collection and quality assurance,
- develop measures and workload data that can be captured electronically in its normal workflows,
- organize the file room for historical cases and any paper files created for new cases, and
- develop job expectations for inspectors and supervisors that require inspectors to enter inspection results promptly and accurately.

Code enforcement has implemented all of the recommendations from our 2010 audit.

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## Background

The Police Department's Code Enforcement Section is located within the Community Services Division, one of six divisions under the Office of the Chief. Code enforcement is responsible for inspecting residential and commercial properties to enforce compliance with the Atlanta Housing Code, and Commercial Maintenance and Industrial Code. Violations include overgrown lots, open and vacant structures, dilapidated buildings, unsanitary conditions, and other building and property hazards that pose a risk to building occupants or the public.

The Code Enforcement Section includes 68 full-time positions, which includes 11 vacancies, as of November 2018. As shown in Exhibit 1, 26 of the 57 filled positions are code enforcement officers; the

remaining 31 positions are responsible for research, customer service, compliance resolution, serving citations and subpoenas, and oversight roles.

**Exhibit 1: Code Enforcement Section Includes 26 Filled and 4 Vacant Officer Positions**

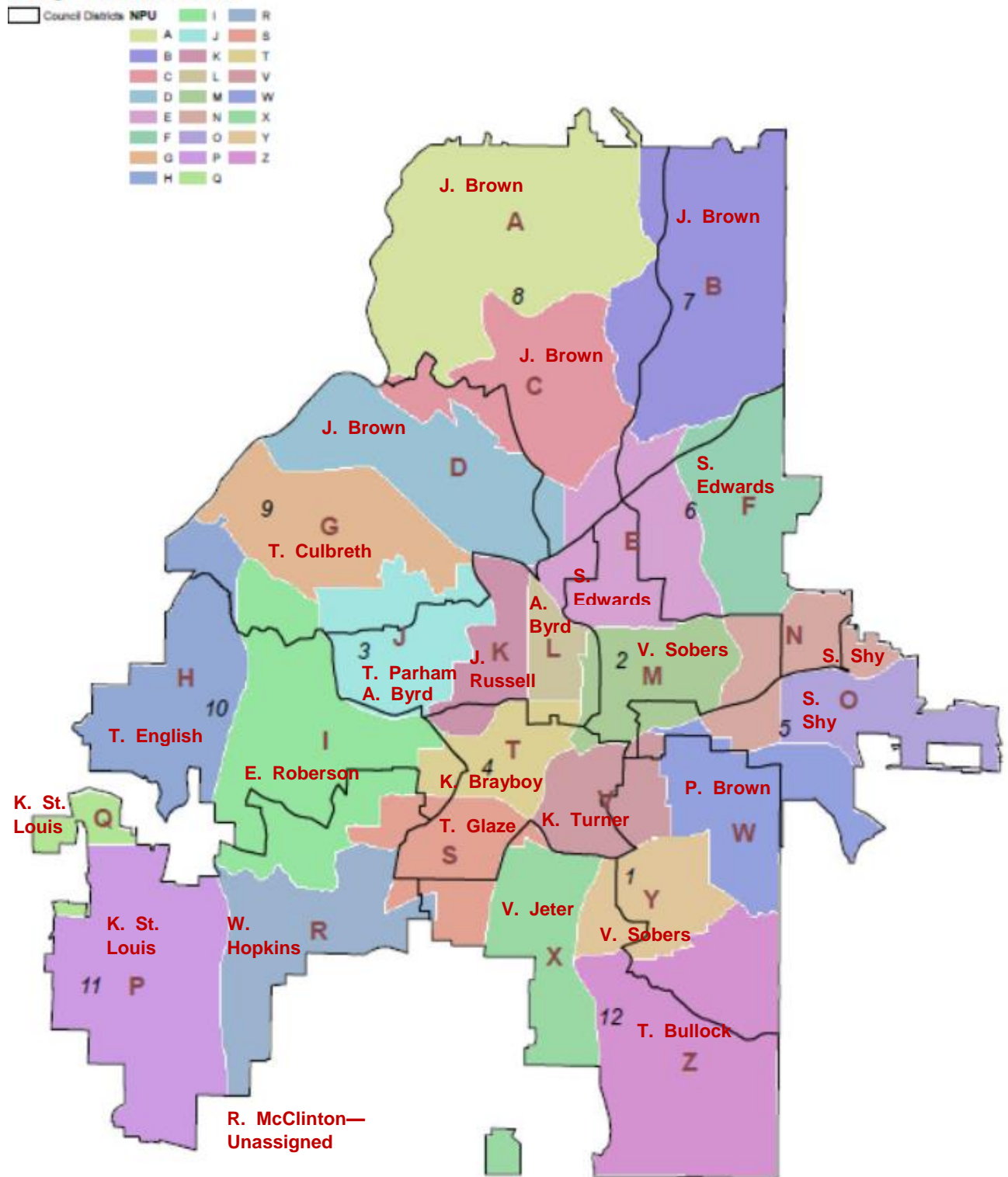
Position	Code Enforcement Duties	Active Employees	Vacant Positions	Total FTE Positions
Direct Code Enforcement Roles				
Code Enforcement Officers	Investigate complaints regarding alleged violations of the code; write citations; testify in court	26	4	30
Research Technicians	Verify proof of property ownership (e.g., deeds)	10	4	14
Customer Service Representatives	Facilitate preparation of violation complaints and notices	7	2	9
Compliance Resolution Staff	Facilitate cleaning and closing or demolishing vacant properties when owners cannot be identified and served	8	0	8
Police Officers	Serve citations and subpoenas	3	0	3
	<b>Subtotal</b>	<b>54</b>	<b>10</b>	<b>64</b>
Oversight Roles				
Section Commander	Section oversight	1	0	1
Assistant Commander	Section oversight	1	0	1
Deputy Director	Monitor caseloads and report service level agreement (SLA) performance	1	0	1
Administrative Assistant to Section Commander	Administrative role	0	1	1
	<b>Subtotal</b>	<b>3</b>	<b>1</b>	<b>4</b>
	<b>Grand Total</b>	<b>57</b>	<b>11</b>	<b>68</b>

**Source:** Code Enforcement Section organizational chart, November 2018

**Cases are assigned by location.** Code enforcement officers are assigned cases within NPUs (neighborhood planning units), as shown in Exhibit 2. NPUs are groupings of neighborhoods within the city consisting of citizen advisory councils, which make recommendations to city leadership on zoning, land use, and other issues. Each officer is assigned between one to four NPUs. The code enforcement officers are grouped in three teams, with each team headed by a supervisor, as well as a senior inspector. Research technicians and customer service representatives are also assigned by NPU.

## Exhibit 2: Code Enforcement Officers Are Assigned by NPU

### City of Atlanta



**Source:** Code Enforcement Section records; NPU map—Atlanta Department of City Planning website

Although officers are assigned to specific NPUs, if the workload is unevenly distributed or an officer must appear in court related to a case, the supervisor can reassign the inspection to another officer using Accela.

Citizens can initiate code enforcement complaints by telephone, fax, e-mail, walk-in, or through the city's website. Telephone complaints can be made through the city's ATL311 system or directly to code enforcement. Both ATL311 operators and code enforcement customer service representatives create complaints by entering case information into Accela, a web-based workflow management system that automates tasks associated with permitting, plan review, and inspections. Accela automatically assigns a case number to the complaint after the information is entered. The system is accessible using mobile telephones, and code enforcement officers can use the mobile application to manage complaints, enter inspection results, violations, and upload photographs of field observations.

Complaints are categorized in Accela as property maintenance or highly hazardous. Property maintenance cases include junk, trash or debris, junk vehicles, junk tires, overgrowth, debris in vacant lots, interior/exterior structural damage, structures boarded more than six months, and other city housing code violations which render properties unsanitary and unsafe. Highly hazardous cases include open and vacant structures, raw sewage, buildings with no heat, power, and/or water, flooding, exposed wiring, burned structures and other highly hazardous conditions.

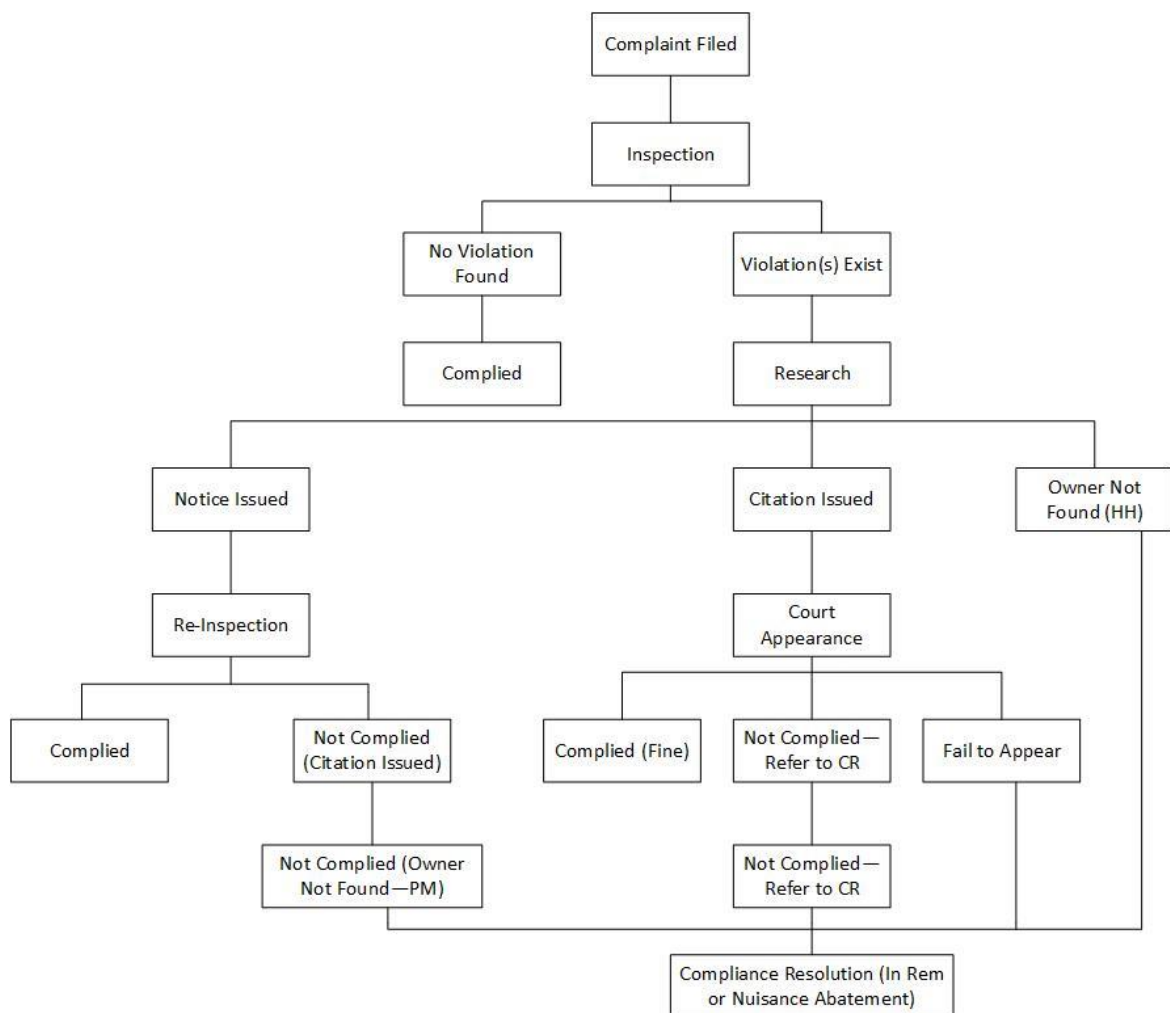
Accela automates the workflow process for handling complaints (see Exhibit 3). When an address is entered to create a new complaint, Accela is programmed to schedule an inspection for the officer assigned to the applicable NPU. The assigned officer completes the assigned inspection and enters the inspection results into Accela. If violations are found during the inspection, the officer enters descriptions and photos of the violations into Accela. The system then routes the complaint to a supervisor for review. However, if the officer finds no violations, the officer will enter a disposition and close the case without supervisory review.

After a supervisor reviews and approves the case, Accela assigns it to a research technician, who identifies the property's owner. In a property maintenance case, once the research technician confirms property ownership, Accela notifies a customer service representative assigned to the NPU to prepare and send a notice that lists the violation, the applicable code, and a deadline for compliance. The system then automatically schedules a reinspection of the property. If the property is not in compliance at reinspection, the officer prepares a citation that

is served by either a local Sheriff's department or an Atlanta Police Department officer. If a code enforcement officer confirms compliance upon reinspection, the officer documents the compliance and closes the case.

In a highly hazardous case, once the property owner is identified, the code enforcement officer prepares a citation that is served by either a local Sheriff or an Atlanta Police Department officer. Once served, a property owner is scheduled to appear in court, which is facilitated by the code enforcement's court liaison.

### Exhibit 3: Code Enforcement Complaint Process



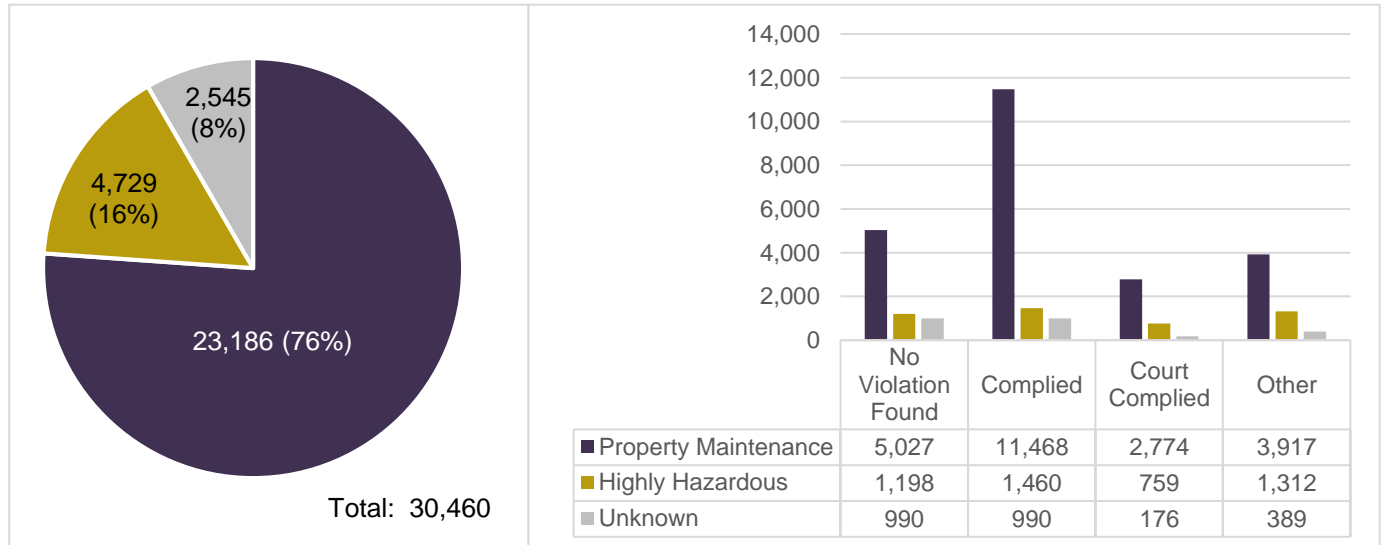
**Source:** Code Enforcement Section

Ordinance No. 18-O-1661, approved in November 2018, provides that properties owned by corporate entities (e.g., corporations, LLCs, partnerships, etc.) are issued civil notices in lieu of criminal notices and citations. The legislation allows the city to notify these entities of code violations by mail.

In cases where the research staff are unable to identify the property owner, or an owner is unable to correct violations, staff may refer the property to the In Rem program - a legal action directed towards a property instead of a person. Under In Rem, an independent review board or the Municipal Court can authorize code enforcement to clean, close, or demolish a hazardous property that meets certain requirements.

The code enforcement section handled over 30,000 cases over a three-year period. From March 2015 through February 2018, of the 30,473 cases opened, 46% were brought into compliance by property owners after a notice was sent; in 24%, inspectors found no violations during the initial inspection (see Exhibit 4). Most (76%) of the cases were categorized as property maintenance, 16% were highly hazardous, and 8% of cases were uncategorized in Accela.

**Exhibit 4: 76% of Cases Were Property Maintenance; 46% Were Brought into Compliance**



**Source:** Accela database—March 2015 through February 2018

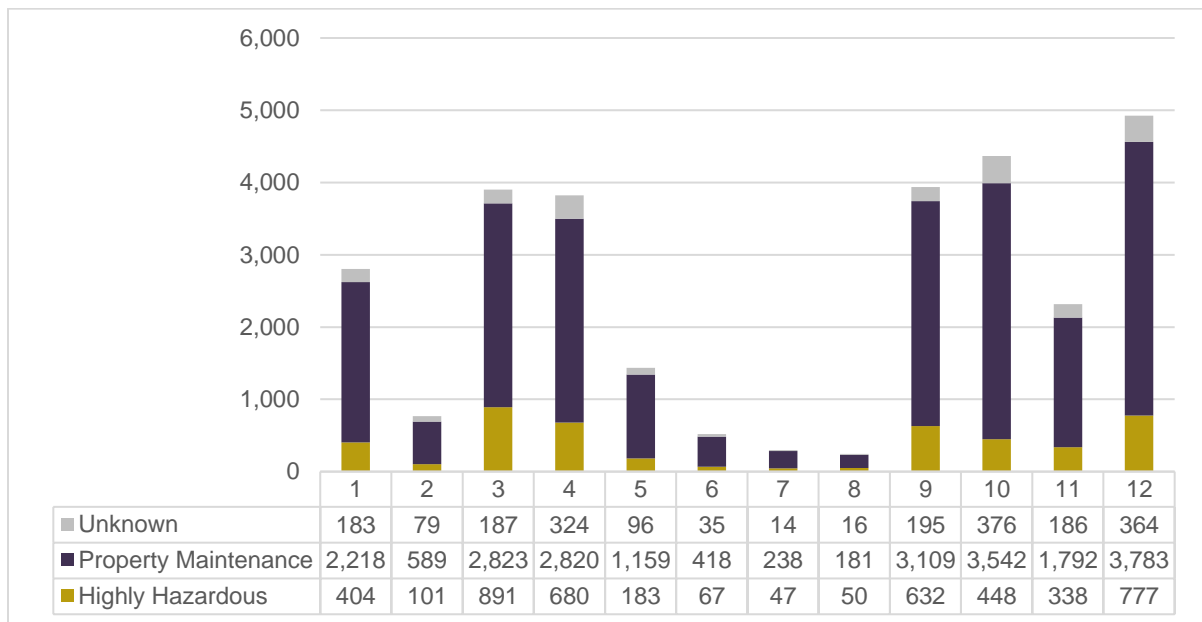
**NB:** 13 cases marked “Zoning Case” are not included in these charts

Supervisors may close or “void” a case if it is a duplicate, or for administrative reasons, e.g., the property was sold.

Cases were not uniformly distributed throughout the city; City Council Districts 1,3,4,9,10, and 12 received the highest number of complaints

(see Exhibit 5). Fewer than 4% of cases had no council district identified in Accela.

**Exhibit 5: Code Enforcement Complaints Vary by City Council District**



**Source:** Accela database—March 2015 through February 2018

## Audit Objectives

This report addresses the following objectives:

- What resource bottlenecks or process issues, if any, are impacting the timely resolution of code enforcement cases?
- Do existing controls ensure that cases are documented and resolved according to policy?

## Scope and Methodology

We conducted this audit in accordance with generally accepted government auditing standards. We reviewed code enforcement cases from the Accela database that were opened during the three-year period from March 2015 through February 2018. We focused on the code enforcement process from complaint to citation, rather than on the adjudication or compliance resolution processes.

Our audit methods included:

- interviewing and conducting a ride-along with code enforcement section staff and management
- reviewing section policies and procedures and city code
- analyzing the workflows and timing of cases in the Accela database
- reviewing the records and evidence associated with random samples of cases from the Accela database that had been closed as No Violation Found, Complied, Closed (for administrative purposes), or Void (as duplicates)
- comparing City of Atlanta starting salaries for code enforcement officers to the starting salaries of code enforcement officers in other jurisdictions
- analyzing the staff turnover of the code enforcement section and the city as a whole
- reviewing user access permissions to the Accela system
- reviewing the certification records of code enforcement officers

Generally accepted government auditing standards require that we plan and perform the audit to obtain sufficient, 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.

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## Findings and Analysis

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### Code Enforcement Processed Nearly 90% of All Cases Within Performance Goals

Over the three-year period from March 2015 through February 2018, the code enforcement section processed just under 90% of property maintenance and highly hazardous cases within targets established in service level agreements. The section's performance was higher in processing property maintenance cases, disposing of 92.7% of these cases within 120 days. Highly hazardous cases fell just short of the performance target—officers processed 75% of these cases within the 58-day service level agreement. Some of the cases categorized as highly hazardous appear to have been miscategorized; section staff sent out a notice (rather than directly sending a citation) in more than 30% of these cases, indicating that the cases may not have exhibited highly hazardous violations upon initial inspection. If these cases were reclassified as property maintenance cases, the section would have processed over 90% of cases within performance targets.

To ensure that the code enforcement section's performance is accurately measured and that the section is able to direct resources appropriately to expedite the processing of highly hazardous cases, we recommend that the code enforcement section train staff to reclassify cases as either property maintenance or highly hazardous as appropriate based on violations found upon inspection. We recommend that this be added to the section's written policies and procedures.

Also affecting the timely completion of highly hazardous cases is the increase in cases during the summer months of May through August. While this does not appear to impact the proportion of property maintenance cases completed within 120 days, the shorter timeline of 58 days to complete highly hazardous cases makes these cases more sensitive to the increased workload. It appears that the most opportunity to improve is in research and in clerical tasks, primarily because these steps take longer than other steps.

We found that the enforcement section had a higher staff turnover rate than the city as a whole. Between fiscal years 2014 and 2018, the section's turnover rate was 19%, while the citywide turnover rate was 13%. Managers in the section told us that they have had difficulty retaining staff, which they attribute partly to salaries that are not comparable to other jurisdictions. We compared Atlanta's code enforcement officers' starting salaries to those of officers in four

comparable jurisdictions—Gwinnett County, DeKalb County, Nashville-Davidson County, and the City of Miami. We found that Atlanta’s code enforcement officers starting salary is comparable to officers in three of the four jurisdictions; however, Atlanta’s population density—the number of people per square mile—is greater. To determine a competitive and appropriate starting salary for prospective code enforcement officers, we recommend that the code enforcement section leadership work with the Human Resources Department to make any needed salary adjustments based on the results of the classification and pay study authorized by Resolution 19-R-3759.

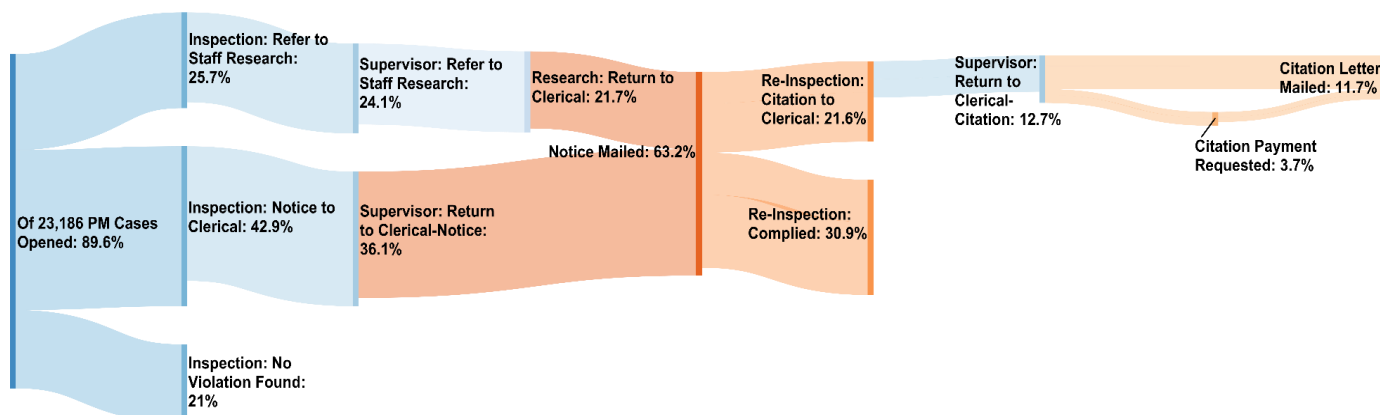
### **Code Enforcement Processed 93% of Property Maintenance Cases within Performance Goal**

The code enforcement section processed 92.7% of all property maintenance cases opened from March 2015 to February 2018 within 120 days, above its performance goal. The section’s performance goal is to process 90% of property maintenance cases within 120 days. Of the cases failing to meet the performance target, the majority were processed within 180 days. Conducting property research and mailing notices to property owners appear to provide the most opportunity for improvement.

**The code enforcement section consistently processed over 90% of property maintenance cases within 120 days.** The code enforcement section’s target is to process 90% of cases within these targets. Performance varied little from year to year during the three-year period from March 2015 to February 2018. Exhibit 6 shows the most common workflows for property maintenance cases.

The performance target is measured in calendar days, beginning from when a case is opened and entered into Accela, and ending when a case has moved beyond the direct ability of code enforcement to control its timing. This most commonly occurs when a case is closed, usually because no violation was found by the inspector or because violations have been brought into compliance by the property owner. This could also occur when a citation has been mailed out, after which the court controls the timing of case resolution; when a case has been transferred to another agency or department; or when a case has been transferred to the compliance resolution (In Rem) process.

## Exhibit 6: Most Common Workflows for Property Maintenance Cases

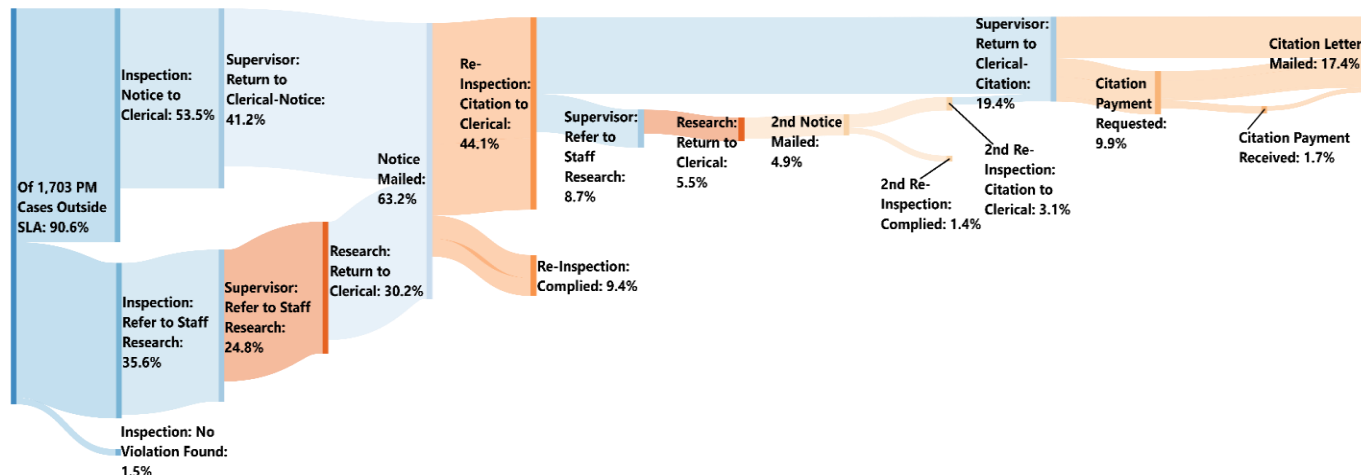


**Note:** Cases that did not follow these exact paths through Accela are not shown.

**Source:** Auditor analysis based on Accela database—cases opened March 2015 through February 2018

For a small number of property maintenance cases failing to meet the performance goal, code enforcement staff sent a notice without conducting research and staff were then required to send a second notice, generating a second period of time before a second reinspection (see Exhibit 7). Code enforcement staff told us they now direct all cases to research after the initial inspection if there are any violations found, reducing the possibility of the need for a second notice and reinspection. Of the property maintenance cases failing to meet the performance standard, 48% were processed within 150 days and 68% were processed within 180 days.

## Exhibit 7: Most Common Workflows for Property Maintenance Cases Not Processed in 120 Days



**Note:** Cases that did not follow these exact paths through Accela are not shown.

**Source:** Auditor analysis based on Accela database—cases opened March 2015 through February 2018

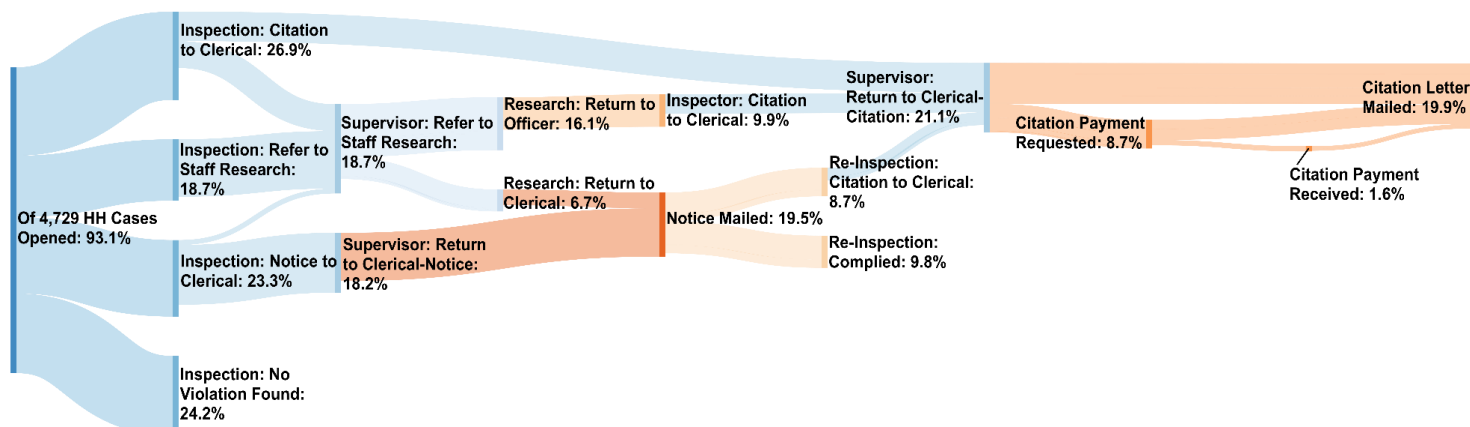
## **Code Enforcement Processed 75% of Highly Hazardous Cases within Performance Goal—Some Cases May Have Been Misclassified**

The code enforcement section processed 75% of all cases flagged as highly hazardous within its performance goal. The section's performance goal is to process 90% of highly hazardous cases within 58 days. Some of these cases appear to have been miscategorized; section staff sent out a notice (rather than directly sending a citation) in more than 30% of these "highly hazardous" cases, indicating that these cases may not have exhibited highly hazardous violations upon initial inspection. Reclassifying these cases, if appropriate, as property maintenance cases may have raised the percentage of cases processed within agreed upon targets.

Significantly more cases are opened during the summer months of May through August—these months coincide with lower percentages of cases being processed within the target number of days. We analyzed the time to complete each step of the process and compared the median time to complete these steps for all cases to the time to complete these tasks for cases processed outside the target number of days. We found that in median instances, all steps took longer when analyzing cases which did not meet their targets. However, it appears that the most opportunity to improve is in research and in clerical tasks, because these steps take longer to complete.

The code enforcement section processed 74.5% of highly hazardous cases within 58 days. When comparing the most common paths through the Accela system in the process of clearing a highly hazardous case (see Exhibits 8 and 9), we found that many highly hazardous cases were processed through the same workflow paths as property maintenance cases, which takes longer. This process includes the additional steps of sending a notice and conducting a reinspection. Code enforcement's performance goal is to process 90% of highly hazardous cases within 58 days.

## Exhibit 8: Most Common Workflows for Highly Hazardous Cases

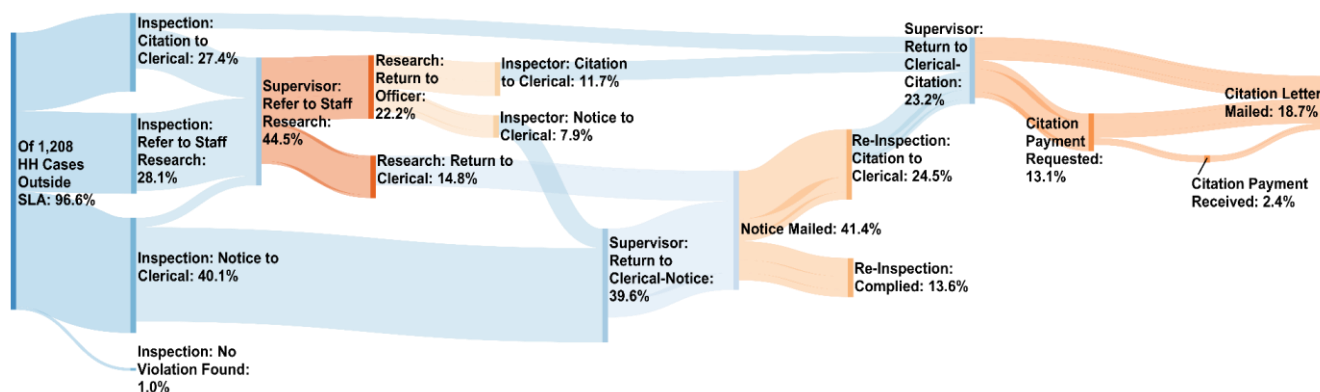


**Note:** Cases that did not follow these exact paths through Accela are not shown.

**Source:** Auditor analysis based on Accela database—cases opened March 2015 through February 2018

Of those highly hazardous cases that were not processed within 58 days, 30% were processed within an additional 15 days and 50% were processed within an additional 30 days—88 days total.

## Exhibit 9: Most Common Workflows for Highly Hazardous Cases Not Processed in 58 Days

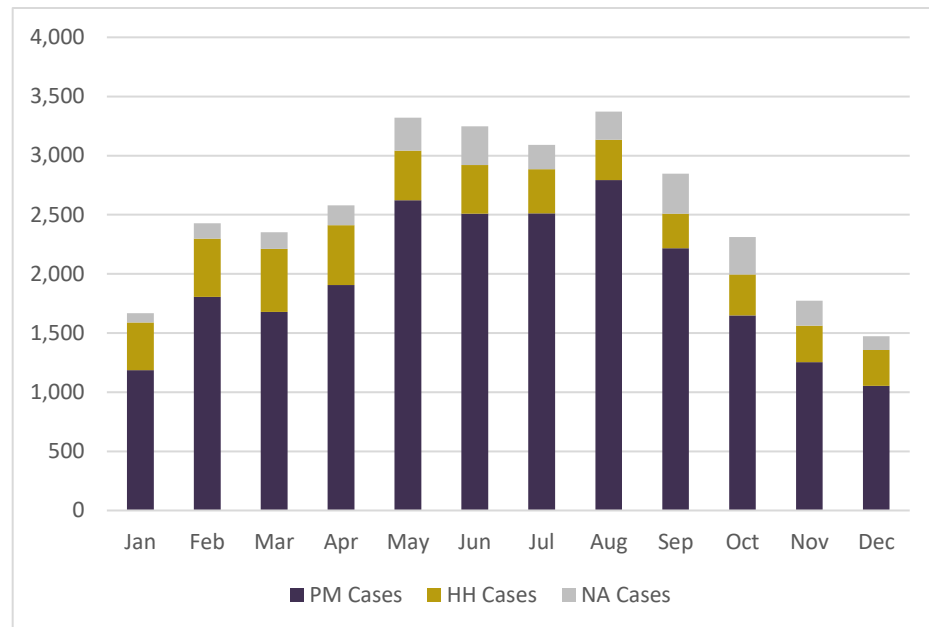


**Note:** Cases that did not follow these exact paths through Accela are not shown.

**Source:** Auditor analysis based on Accela database—cases opened March 2015 through February 2018

More complaints are made within the summer months, resulting in longer case processing times. More cases are opened during the months May through August (see Exhibit 10) than during other months of the year. While this does not appear to impact the proportion of property maintenance cases completed within 120 days, the shorter timeline of 58 days to complete highly hazardous cases makes these cases more sensitive to the increased workload.

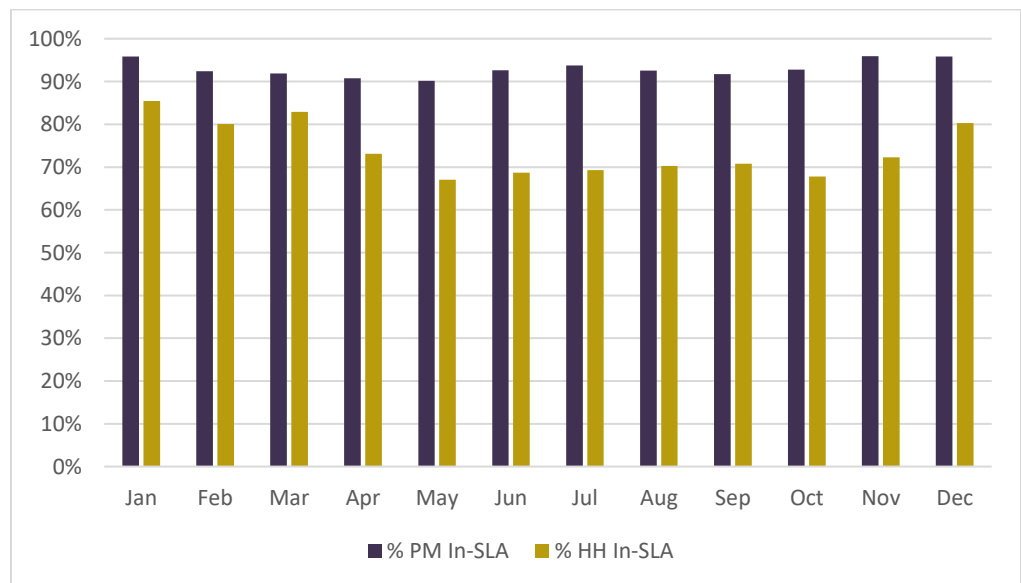
**Exhibit 10: Number of Cases Opened in Each Month Over Three Years**



**Source:** Auditor analysis based on Accela database—cases opened March 2015 through February 2018

The code enforcement section processes highly hazardous cases opened from May through October more slowly (see Exhibit 11). This is consistent with a backlog caused by the increased caseload in the summer months which takes some time to clear, since a case opened in August may not be processed out of the section until October or later.

**Exhibit 11: Percentage of Cases Opened in Each Month Over Three Years Processed Within Targets**



**Source:** Auditor analysis based on Accela database—cases opened March 2015 through February 2018

We analyzed the time to complete each step of the process, including initial inspection, supervisor review, research, and various clerical tasks. We compared the median time to complete these steps for all cases to the median time to complete these tasks for cases processed outside the target number of days. We found that in median instances, all steps took longer when analyzing cases that did not meet their targets. However, it appears that the most opportunity to improve is in research and in clerical tasks, because these steps take longer than the other steps.

Over 30% of highly hazardous cases were routed through the longer process for property maintenance cases. This would make it more difficult to meet the 58-day target, partially because a reinspection cannot occur until 15-30 days after a notice has been mailed, to allow time for the property owner to bring the property into compliance. If these cases were classified as property maintenance, rather than as highly hazardous, and held to the property maintenance standard of 120 days rather than the shorter standard of 58 days for the shorter highly hazardous process, 87.7% would have been processed within target. Of the remaining highly hazardous cases, for which the section did not mail a notice, 86.5% were processed within 58 days. This reclassification would raise the overall proportion of property maintenance and highly hazardous cases processed within goals to 92%, above the section's target of 90% (see Exhibit 12).

**Exhibit 12: Reclassification of Highly Hazardous Cases Would Improve Performance**

Property Maintenance Cases (120 Days)	Highly Hazardous Cases (58 Days)	Property Maintenance and Highly Hazardous Cases (120 and 58 Days)	Highly Hazardous Cases with No Notice Sent (58 Days)	Highly Hazardous Cases with Notice Sent (120 Days)	Property Maintenance and Highly Hazardous Cases Reclassified Highly Hazardous Cases (120, 58, and 120 Days)
92.7%	74.5%	89.6%	86.5%	87.7%	91.7%

**Source:** Auditor analysis based on Accela database—cases opened March 2015 through February 2018

Code enforcement staff told us that cases are initially classified as either property maintenance or highly hazardous when the case is opened, based on the violations alleged in the complaint. If an inspector finds, upon initial inspection, that a case flagged as highly hazardous has only property maintenance violations (or vice versa) they should notify their manager to change the classification of the case in Accela.

To ensure that the code enforcement section's performance is accurately measured and that the section is able to direct resources appropriately to expedite the processing of highly hazardous cases, we recommend that the code enforcement section train staff to reclassify cases as either property maintenance or highly hazardous as appropriate based on violations found upon inspection. We recommend that this be added to the section's written policies and procedures.

**Research and clerical tasks take longer than other steps.** As shown in Exhibit 13, the median time of all steps took longer for those cases that did not meet performance targets than for all cases generally. Initial inspections usually took place within 3-5 calendar days. Reinspections took place within 30 days more than 90% of the time—the delay in this step is to allow the owner time to bring the property into compliance. The median time to perform research is 13 days; the median time to mail a notice is 9 days.

**Exhibit 13: Research and Clerical Steps Take Longer Than Processes**

	All Cases	All Property Maintenance Cases	Property Maintenance >120 Days	All Highly Hazardous Cases	Highly Hazardous >58 Days
Median Calendar Days to Complete					
Initial Inspection	3	3	5	3	5
Supervisor Review	3	3	5	2	4
Research	13	13	20	9	13
Mail Notice	9	10	13	7	10
Reinspection	18	18	20	19	20
Citation Letter Mailed (w/o Payment)	1	1	1	1	3
Citation Payment Requested	5	5	8	4	5
Citation Payment Received	13	13	14	12	14

**Source:** Auditor analysis based on Accela database—cases opened March 2015 through February 2018

There is more opportunity to save time in the research and clerical work, because these steps currently take longer. Both the research and clerical managers told us that their staff often face large backlogs. In early February 2019, staff told us that the section had 8 research technician vacancies of 13 total funded positions and 4 clerical vacancies of 7 total funded positions.

### Code Enforcement Section Turnover Rate Was High Relative to City

Between fiscal years 2014 and 2018, the section's turnover rate was 19%, while the citywide turnover rate was 13%, as shown in Exhibit 14. As of November 2018, Code enforcement had 22 full-time officers and 4 vacancies.

#### Exhibit 14: Code Enforcement Turnover Rate is Higher Than Citywide Rate

Fiscal Year (FY)	Positions at Beginning of FY	Positions at End of FY	Turnover	Turnover Rate	Citywide Turnover Rate
FY14	50	54	12	23.1%	10.8%
FY15	54	49	14	27.2%	12.9%
FY16	49	50	5	10.1%	12.8%
FY17	50	64	4	7.0%	13.3%
FY18	64	57	16	26.4%	16.5%
			<b>Average</b>	<b>18.8%</b>	<b>13.3%</b>

**Source:** Oracle Enterprise Resource Planning System

To assess whether the turnover was in part related to officer salaries, we compared the starting salary for a code enforcement officer and Atlanta's population density to those of four comparable jurisdictions: Gwinnett County, DeKalb County, Nashville-Davidson County, and the City of Miami. As population increases per square mile, so does the number of housing structures and therefore, the increased probability of more housing violation cases per square mile. We also compared Atlanta's cost-of-living to that of Nashville.

We found that Atlanta's code enforcement officers starting salary is comparable to officers in three of the jurisdictions (see Exhibit 15); however, Atlanta's population density—the number of people per square mile—is greater. For example, Gwinnett and DeKalb Counties have population densities that average 52% less than Atlanta's, but those starting salaries average only 3% less. Also, Nashville's population density is 4% less than the city's, but its starting salary is 2.8% higher and its cost-of-living is 4.7% lower. Because of its high population density and relatively high salary, Miami was an outlier in this comparison. We consider population density to be an indicator of potential workload.

**Exhibit 15: Study Is Needed to Consider Factors Other than Starting Salary**

Jurisdiction	<sup>1</sup> Total General Fund Revenue	<sup>1</sup> Population	General Fund Revenue Per Capita	<sup>2</sup> Starting Salary	Square Miles	Population Per Square Mile
City of Miami	\$693,963,345	467,872	\$1,483	\$49,708	36	12,996
Nashville-Davidson County	\$971,321,069	691,243	\$1,405	\$39,362	198	3,491
Gwinnett County	\$292,103,000	920,260	\$317	\$37,789	430	2,140
DeKalb County	\$284,186,000	733,900	\$387	\$36,555	268	2,738
City of Atlanta	\$572,908,000	486,290	\$1,178	\$38,300	134	3,629

<sup>1</sup> CAFR fiscal year end dates are as follows: Miami (9/30/17); NDC (6/30/17); Gwinnett and Dekalb (12/31/17). Population data is from "Demographic and Economic Statistics" sections within the respective CAFRs.

<sup>2</sup> According to Numbeo.com, the City's \$38,300 starting salary is equivalent to a \$36,498 and \$43,054 in NDC and Miami respectively; therefore, the COL is 4.7% lower in NDC, but it is 12.41% higher in Miami.

**Sources:** Comprehensive Annual Financial Reports (CAFR) and salary data for each jurisdiction; Wikipedia (square miles for Gwinnett and DeKalb Counties); CAFRs (square miles for Miami, NDC, Atlanta)

Officers are assigned 10-20 cases a day; however, some officers are assigned 20-30 cases daily because of the caseloads in their assigned NPU's (Neighborhood Planning Unit). Inspection supervisors re-assign inspections among officers to balance caseloads. In addition, many cases require officers to conduct post-notice and pre-court reinspections which increase officers' workloads. While performing inspections and reinspections, we also observed officers being exposed to potentially dangerous conditions and the risk of physical harm. Code enforcement section staff told us that the attrition rate for code enforcement officers is high and officer salaries were low.

Resolution 19-R-3759, adopted by City Council in June 2019, authorized the city's Human Resources Department to conduct a pay and classification study of non-sworn code enforcement section employees to ensure that salaries are "appropriate in keeping with their qualifications and levels of responsibility." Study findings are due to the Public Safety, Legal Administration and Finance/Executive Committees by December 31, 2019. We recommend that the code enforcement section leadership work with the Human Resources Department to make any needed salary adjustments based on the results of the classification and pay study.

## **Tighter Controls Over Case Review and Accela Access Could Mitigate Risk**

The Accela system is not programmed to require supervisory review of cases prior to closure. We found no evidence in Accela to indicate that that supervisors reviewed 95% of the cases closed with no violation found and 86% of the cases closed as being in compliance. Officers who perform inspections should not be allowed to close code violation cases without supervisory review; the review serves an oversight role to help identify errors and mitigate the risk of fraud. To ensure that closures of code violation cases are justified, the code enforcement section should request that Atlanta Information Management (AIM) staff program the Accela enforcement module to facilitate “dual authorizations” in the form of final supervisory review of prospective closed case files.

We also identified 42 former section employees who still maintain access to the Accela system. These employees have permissions that will allow them to override or alter existing records. Allowing former employees to maintain access to Accela increases the risk that those employees may use Accela to inappropriately close or alter a case having violations that might pose a public safety risk. We recommend that the code enforcement commander work with AIM to ensure that access to Accela is promptly deleted after employee separation or transfer and that only current section employees have access to the system.

We also found that the code enforcement section did not ensure that complete records were maintained to validate permitting credentials for 15 officers. Staff could not locate records for 11 officers in the police database and the system indicated permits had expired for 4 of the officers. We subsequently received badges directly from 14 of the officers, but the remaining officer was on medical leave. To mitigate the risk that documentation for current permit badges are deleted, section staff should investigate the cause of the missing permit records from the database. In addition, section staff should periodically monitor officer records so as to ensure that records for all code enforcement officer badges exist.

### **Accela Is Not Programmed to Ensure Supervisory Review of Case Closures**

In 95% of the cases in which there was no violation found and 86% of the cases that were noted in the system as in compliance, we found no evidence in Accela that these cases were reviewed by a supervisor prior to being closed. Accela is not programmed to require supervisory approval before cases are closed by officers. We also found no evidence

of higher-level review of closed and voided cases closed by senior inspectors and inspection supervisors. Effective internal controls require the review and final approval of manual and/or computerized tasks before they are processed. Implied in this control are the concepts of “dual authorization” and “segregation of duties” in which the individual performing the task should be different from the individual reviewing and approving the task. Officers who perform inspections should not be allowed to close code violation cases without supervisory review; the review serves an oversight role to help identify errors and mitigate the risk of fraud.

Code enforcement staff told us that supervisors spot checked closed cases; however, we found that sufficient evidence was lacking to support closure of 26% and 32% of the cases in which no violation was found and cases noted as in compliance. Also, between 48% and 58% of these cases lacked photos of all four sides of properties, as required by section policy.

To ensure that closures of code violation cases are justified, the code enforcement section should request that Atlanta Information Management staff program the Accela enforcement module to facilitate “dual authorizations” in the form of final supervisory review of prospective closed case files.

**Effective internal controls require segregation of duties, in the form of dual authorization.** The person performing a task, e.g., an officer performing reinspections to verify code compliance, or a supervisor who inspects files to determine whether cases should be voided or administratively closed, should not also review and approve that task. Final approval of a case closure should be performed by a higher-level section supervisor or manager. The review is necessary in order to provide assurance that closures are justified and sufficiently supported with documentation such as valid/descriptive comments in the case file and/or photos, when applicable. Supervisory review also helps to ensure accuracy and mitigate fraud.

**Code enforcement staff told us that initial inspections require photographs of all sides of the inspected property.** The photographs would provide evidence that no violations actually existed or that violations were corrected.

**Code enforcement officers closed cases in Accela without obtaining prior supervisory review.** We noted that cases identified as “no violation found,” and cases in which property owners have complied are closed in Accela by code enforcement officers. Also, code enforcement supervisors close cases for administrative reasons, such as when

properties are sold or when a deceased property owner's estate is probated. Further, supervisors void cases in Accela when cases have been mistakenly duplicated. However, the Accela software is not programmed to facilitate "dual authorization" (higher-level approval), which would assure that closures are supported with documentation, such as comments in the case file and/or photos, when applicable.

We tested statistical samples of cases in Accela and found in cases with the following dispositions:

- **"No Violations Found" cases:**
  - 95% (69 of 73 cases) showed no supervisory review or approval of cases that were closed
  - 26% (19 of 73 cases) contained no support to justify case closures
  - 48% (35 of 73 cases) contained no photos of all sides of the properties
- **"Complied" cases:**
  - 86% (63 of 73 cases) included no supervisory review or approval of cases that were closed
  - 32% (23 of 73 cases) failed to sufficiently support or justify case closures
  - 58% (42 of 73 cases) contained no photos of all sides of the properties
- **"Closed" and "Void" cases:**
  - evidence of review and approval by inspection supervisors in all 71 closed and 65 voided cases
  - 21% (15 of 71) of closed cases and 66% (43 of 65) of voided cases contained no comments and/or photos to support case closures
  - in cases in which a supervisor was the sole person involved in determining the need for closure, Accela does not facilitate a higher level of review and approval.

Case closures that are not appropriately approved create certain risks. In cases that were voided, property owners complied, or there was no violation found, or administratively closed cases are not approved and documented, there is an increased risk that these cases will be prematurely closed. As a result, these properties may present an increased threat to public safety (vandalism, drug-related crimes), increase the rate of neighborhood blight, or decrease the city's tax base due to lower property values.

## **Former Code Enforcement Section Employees Continue to Have Access to Accela**

We identified 42 former section employees who, as of March 26, 2019, continued to have Accela access and permissions. Allowing former employees to maintain access to Accela increases the risk that those employees may use Accela to inappropriately close or alter a case having violations that might pose a public safety risk.

According to the city code, upon separation or transfer from the section, former employees must surrender their permit/identification badges to the section commander. Although not expressly stated in the city code, former employees' Accela access and permissions should be deleted by AIM, the city's Information Management Department. Deleting such access and permissions would mitigate the risk that former employees could use Accela to fraudulently close active code violation cases.

To mitigate the risk of inappropriate Accela use, the section should work with AIM to ensure that Accela profiles/permissions are deleted when employees are separated or transferred from the section.

**We identified 42 former code enforcement employees who continue to have Accela access and permissions.** Of the 42 employees, 18 former employees have the following authorization:

- one employee is the former section commander, with permissions to override the work performed by all Accela users in the section
- one employee had permission to override code enforcement officer user actions and, along with 11 other employees, was an employee indicated in our testing of controls over case closures, in which we found exceptions
- the remaining 5 former employees were able to close cases in the system

One individual, the former assistant commander, had permissions in Accela to override other code enforcement user groups. The remaining 23 employees with access to Accela had either view only access or were able to close cases.

**Section 98-1 of the city code prohibits individuals from acting as a code enforcement officer without legal authorization.** The code provides that the section head must return a code enforcement officer's permit badge to the Atlanta Police Department if the officer's status is cancelled or if the individual is no longer employed by the section.

Also, the code states that it is unlawful for any person, not authorized as a code enforcement officer, to act as an officer. Because using the Accela system is part of an officer's job duties, it may be unlawful for an individual who is no longer an officer to act as one by using Accela.

**Termination of Accela access will reduce the risk of inappropriate case closures.** Allowing former section employees to have continuous permissions in Accela increases the risk that code enforcement cases can be closed inappropriately, which could potentially expose the public to hazardous and harmful code violations. We recommend that the code enforcement commander work with AIM to ensure that access to Accela is promptly deleted after employee separation or transfer and that only current section employees have access to the system.

### **Officer Certification Records Are Missing from the Police Central Database**

We found that of 26 officer application files and database records we reviewed, the code enforcement section maintained no evidence of a current permit badge for 15 officers (58%)—staff could not locate records for 11 officers in the police database and the system indicated permits had expired for 4 of the officers. We subsequently received badges directly from 14 of the officers, and the remaining officer is on medical leave. The city code requires all code enforcement officers to be certified and obtain a two-year permit. After completing the certification or recertification process conducted by the police license and permits unit, officers receive a permit/identification badge. A permit badge is proof that officers are permitted and certified to carry out the duties of the position.

To mitigate the risk that documentation for current permit badges are deleted, section staff should investigate the cause of the missing permit records from the database. In addition, section staff should periodically monitor officer records so as to ensure that digital records for all code enforcement officer badges exist.

**All acting code enforcement officers should be certified by completing an application, being sworn-in, and obtaining a permit.** According to Section 98-1 of the city code, any person who wishes to become a code enforcement officers must apply for a permit. A code enforcement officer candidate must complete an application, which includes a written attestation that the officer has been trained and has a satisfactory criminal history report. The officer's fingerprints, photograph, and criminal history report must be attached to the application. Evidence that the officer has been sworn-in is required to be included in the officer's application file.

Prior to the permit's two-year expiration date, officers must complete a recertification application which includes proof they have been duly sworn-in and authorized to perform the duties of a code enforcement officer. The application must also include evidence of a satisfactory criminal background history and signed testament that the officer has undergone required training. Digital records of the certification process, including a copy of the permit badge with the expiration date and the officer's photo, are stored in the division's police central database system.

A permit badge is proof that an officer is permitted/certified as a code enforcement officer. Upon being sworn-in, officers receive a permit/identification badge from the police license and permits unit, which facilitates the recertification process. A digital version of the badge and supporting records, which include a permit expiration date and the officer's photo, are digitally stored in the division's police central database system.

Code enforcement staff could not locate evidence in the database that 15 officers possessed current badges. During our review of officers' files, we found that there was no evidence of a current permit badge for 15 officers (or 58%), and one of those officer's application did not contain documentation that the officer had undergone required training and received a satisfactory criminal history report. Staff were unable to locate records for 11 of the 15 officers in the system; also, the system indicated permits had expired for 4 of the 15 officers.

In response to our follow-up request, staff provided badges for 14 of the officers; however, code enforcement staff were unable to provide a badge for the remaining officer, who is on medical leave.

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## Recommendations

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To ensure that the code enforcement section's performance is accurately measured and that the section is able to direct resources appropriately to expedite the processing of cases, particularly highly hazardous cases, the commander of the code enforcement section should:

1. improve procedures to ensure that code violations are accurately categorized.
2. work with the Human Resources Department to make any needed salary adjustments based on the results of the classification and pay study authorized by Resolution 19-R-3759.

To improve controls over tasks performed in Accela and mitigate the risk that documentation for officers' current permit badges are deleted in the police central database, the commander of the code enforcement section should:

3. request that the Accela software be programmed to require supervisory approval before code violation cases are closed.
4. work with AIM to ensure that access to Accela is promptly deleted after employee separation or transfer and that only current section employees have access to the system.

To ensure that code enforcement officer qualifications are up-to-date, the section commander should:

5. ensure that the police central database and physical certification files are reviewed periodically to ensure that required documents, including permits, are maintained.



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## Appendices

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## Appendix A: Management Review and Response to Audit Recommendations

Report # 19.02	Performance Audit: Atlanta Police Department—Code Enforcement Section	Date: September 2019
<b>Recommendation 1:</b> We recommend that the code enforcement section improve procedures to ensure that code violations are accurately categorized.		
<b>Proposed Action:</b> To ensure we are prioritizing the complaints (Highly Hazardous vs Property Maintenance), staff receives and will continue to receive ongoing Accela training. In 2016, a reference guide was created for staff to reinforce the Accela process.		<b>Response:</b> Agree
<b>Person Responsible:</b> Management		<b>Implementation Date:</b> Ongoing
<b>Recommendation 2:</b> We recommend that the code enforcement section work with the Human Resources Department to make any needed salary adjustments based on the results of the classification and pay study authorized by Resolution 19-R-3759.		
<b>Proposed Action:</b> We concur with the necessity of a pay study and anxiously await the results. We also feel that if a salary range is approved, a mechanism must be put in place to allow employees to advance through the range.		<b>Response:</b> Agree
<b>Person Responsible:</b> Management		<b>Implementation Date:</b> January 2020

**Recommendation 3:**

We recommend that the code enforcement section request that the Accela software be programmed to require supervisory approval before code violation cases are closed.

**Proposed Action:** APD Code Enforcement has a meeting scheduled with representatives from AIM on September 4, 2019 to discuss the required Workflow change in Accela. The goal is to have all cases status **Complied, No Violation Found** and **Transfer to Another Agency** routed to **Supervisor Review** in Accela. This will allow the case to remain active until a Supervisor can establish that all requirements are met such as photos of all four sides of the property are added to the Accela case when possible and that the complaint is transferred or reassigned to the proper department/agency.

While this may add to the Supervisors' already demanding workload, it will ensure properties are thoroughly inspected and violations are addressed. This may also reduce the number of complaints received from constituents regarding **No Violations Found** status.

**Person Responsible:** Management

**Response:**

Agree

**Implementation Date:**  
December 2019

**Recommendation 4:**

We recommend that the code enforcement section work with AIM to ensure that access to Accela is promptly deleted after employee separation or transfer and that only current section employees have access to the system.

**Proposed Action:** The accounts for all non-city employees have been disabled except for one. The position was vacated on August 23, 2019. Current employees with access to the Accela module are authorized. In addition to APD-Code Enforcement staff, ATL311 representatives and Quality of Life Officers have access to the module.

**Response:**

Partially Agree

The accounts will need to remain active until staff and AIM can reassign inspections. This could take up to 30 days or more to resolve.

**Person Responsible:** Management

**Implementation Date:**  
June 2019 and ongoing

**Recommendation 5:**

We recommend that the code enforcement section ensure that the police central database and physical certification files are reviewed periodically to ensure that required documents, including permits, are maintained.

**Proposed Action:** With exception of one, all Code Enforcement Officers' credentials are current. The credentials for the Officer will be current by mid-September. The Officer will not issue citations until the credentials are current.

To safeguard that no APD Code Enforcement Officer credentials expire in the future these steps will be put into place immediately:

1. All CE Officers will be made aware of their expiration date.
2. The Direct Supervisor will be given a list of their CE Officers and Dates.
3. The Administrative Sergeant will keep a current listing for CE Officers credentials.

The Code Enforcement Officer should apply 30 days prior to expiration, to obtain all necessary classes, complete paperwork, and have background investigations completed.

**Response:**

Agree

**Person Responsible:** Management

**Implementation Date:**

June 2019 and ongoing