

This document is an extract of a larger publication.

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8. Between January 2, 2010 and December 30, 2010 RMA received 457 code complaints. The status of those complaints was as follows:
  - a. 115 had verified code violations
  - b. 105 had no violations
  - c. 46 were duplicate complaints
  - d. 20 were not applicable as they belonged to other area agencies such as a city
  - e. Between June 29 and December 30, 2010 RMA **had not investigated/inspected 200 of the 457 complaints received.** Out of those 200 complaints, 53 were anonymous complaints and 13 were of unknown origin.
  
9. A partial list of information recorded in a ledger of accounts (ledger) owing fines include:
  - a. Violation number
  - b. Violation status
  - c. Parcel number
  - d. Client (actual or business name)
  - e. Date of Fine (Hearing)
  - f. Amount of fine
  - g. Total payments
  - h. Balance due
  
10. Some of the information concerning two clients recorded in the ledger of accounts includes the following:
  - a. Client Number One: the parcel number recorded is 888-888-88, client name recorded is "COUNTY VIOLATOR", Date of Fine is 1/1/2006, fine amount is \$2,500, no payments and the Balance Due is \$4,715.07. **There is no such parcel number, no such client name and the Date of Fine (Hearing) was not 1/1/2006 (New Years Day)!**

On March 24, 2011, RMA provided a revised ledger that "COUNTY VIOLATOR" is actually an example of how to fill out the ledger. **This example continues to accrue interest on the ledger.**
  - b. Client Number Two: client name is recorded as "Tulare County Deputy Sheriff", Date of Fine (Hearing) 07/17/2007, fine amount is \$270. The violations were corrected; however, there have been **no payments toward the balance due, and no interest has been charged!**
  
11. The ledger, mentioned in Findings 9 and 10, is one example of inaccurate recorded information. A second is a file log on Areas one through eight and Redevelopment. One parcel recorded in Area six, has a Site Inspection/Confirmation date of 12/30/2011 and the Courtesy Notice Mailed is 1/20/2011. This information as recorded indicates a Courtesy Notice was mailed 11 months prior to the inspection/confirmation.
  
12. The file log mentioned in Finding 11 also indicates that after the CCD was consolidated with the Building Inspection Division, a Courtesy or First

Notice would be sent to the property owner, up to 18 months **after** the violation had been inspected/confirmed.

13. RMA partially agreed with the 2006-2007 Grand Jury's E-OSCAR recommendation mentioned in the Background, fourth paragraph. Rather than use E-OSCAR, RMA used a collection agency to report delinquent accounts as the collection agency has the ability to report to all the credit reporting agencies.

## CONCLUSIONS

RMA made a recommendation to the Tulare County Board of Supervisors (BOS) to consolidate the Code Compliance Division with the Zone/Building Inspectors. Data supporting RMA's position on the CCD had not been submitted to the BOS.

In December 2008, \$1.5 million was owed to the County. Since the mid-year 2009 consolidation, monies owed to RMA have ballooned to more than \$3 million.

It is obvious, since the consolidation, RMA is not doing the job as intended. RMA is:

- a. **not** attempting to collect monies due,
- b. **not** using the contracted collection agency for past due accounts,
- c. **not** inspecting properties or serving notice on property owners for code violations,
- d. **not** having Administrative Hearings,
- e. **not** charging interest on several accounts,
- f. **not** attempting to bring confirmed past violating property owners into compliance (example, see this year's Grand Jury Report "Enforcing the Resource Management Agency's Code Enforcement").

**The County is losing money and is paying RMA employees for a job that is not being accomplished.**

## RECOMMENDATIONS

1. Separate the Code Compliance Division from the Zone/Building Inspectors and reinstate it to its former position.
2. Restructure the Resource Management Agency in such a way that supervisors are able to and doing the jobs they are employed to do.
3. Clean up the database and correct the ledgers being used for code compliance.
4. Immediately restart the monthly Administrative Hearings. Hearings may be needed twice a month until such time that RMA has caught up with its duties.

5. Immediately begin the process of bringing property owners into compliance. Should the need arise that the Court is used, property owners be held accountable for the necessary expenditures.
6. The Board of Supervisors and the Chief Administrative Officer immediately form an independent task force to aid and monitor RMA's performance.
7. Immediately begin submitting past due accounts to the contracted collection agency.
8. In addition to using the contracted collection agency, report past due balances to E-OSCAR.
9. Use Superior Court to obtain a judgment for monies due.
10. Do not place liens against properties for monies due until **exhausting all other** remedies for collection as this has proven not to be an effective collection method.

## **RESPONSES REQUIRED**

Tulare County Board of Supervisors

Tulare County Chief Administrative Officer

Director, Tulare County Resource Management Agency

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<sup>1</sup> E-OSCAR, [www.e-oscar.org/index.php](http://www.e-oscar.org/index.php) is a web-based, Metro 2 compliant, automated system that enables Data Furnishers (DFs), and Credit Reporting Agencies (CRAs) to create and respond to consumer credit history disputes. CRAs include Equifax, Experian, Innovis and TransUnion, their affiliates or Independent Credit Bureaus and Mortgage Reporting Companies. E-OSCAR also provides for DFs to send "out-of-cycle" credit history updates to CRAs.