

## XI. APPENDIX B

### COMPLIANCE AND ENFORCEMENT

#### Compliance/Re-Inspection Dates

Compliance dates vary depending on the public health risk associated with the violations observed. When there are multiple violations that require different compliance dates, the compliance date listed is the first date the EHS is scheduled to return. For example, if the EHS observes a sewage discharge that requires immediate correction, the EHS would indicate the compliance date of the following day. The EHS shall document additional compliance dates for other violations as part of the corrective text for the violation, writing the earliest date in the compliance field.

**NOTE:** To prevent delays in compliance, the EHS **shall** attempt to contact the owner, manager, or management company by phone to inform them of any emergency and/or priority violations and confirm their mailing address or email address.

The reinspection schedule is based on the nature of the threat to health and safety.

**Emergency Violation** – Means a violation that may pose an immediate danger to health and safety of occupants that should be treated as an emergency.

This includes:

- No water
- Sewage discharge
- Non-functioning toilets in multiple units
- Natural gas leaks at gas burning appliances
- Lack of electricity
- Faulty or exposed electrical wiring (danger of electrocution or fire)
- Structural damage (danger of collapse)

**Priority Violation** – Means any violation that poses a significant danger to health and safety.

This includes:

- No hot water at all units
- Lack of comfort heat during cold weather

**Other Violation** – Means any violation that is not a priority violation or an emergency violation.

This includes:

- Vermin in dwelling units
- Peeling paint in unit occupied by a child at pre-1978 building
- Mold impacting 10 sq. feet or more of wall/floor/ceiling
- Vermin in common areas/outdoors
- Missing/non-functional toilet (another toilet available in unit) or minor water leak violations
- All other violations

VIOLATION	EXAMPLE	REINSPECTION DATE
<b>Emergency Violations</b>	The following "Critical" violations are considered <b>EMERGENCY</b> violations with respect to the compliance date: <ul style="list-style-type: none"> <li>• No water</li> <li>• Sewage discharge</li> <li>• Only or all toilet(s) non-functional/missing</li> <li>• Natural gas leaks at gas burning appliances</li> <li>• Lack of electricity</li> <li>• Faulty or exposed electrical wiring (danger of electrocution or fire)</li> <li>• Structural damage (danger of collapse)</li> </ul>	<b>24 Hours/ next calendar day</b> (Attempt to notify property owner / manager / HOA President by phone before end of inspection)
<b>Priority Violations</b>	The following "Critical" violations are considered <b>PRIORITY</b> violations with respect to the compliance date: <ul style="list-style-type: none"> <li>• No hot water at all units</li> <li>• Lack of comfort heat during heater season (October to March)</li> </ul>	<b>3 days</b> (Attempt to notify property owner / manager / HOA President by phone before end of workday)
<b>Other Violations</b>	The following "Critical" violations are considered <b>OTHER</b> violations with respect to the compliance date: <ul style="list-style-type: none"> <li>• Vermin in dwelling units</li> <li>• Peeling paint in unit occupied by a child at pre-1978 building</li> <li>• Mold impacting 10 sq. feet or more of wall/floor/ceiling</li> <li>• Vermin in common areas/outdoors</li> <li>• Missing/non-functional toilet (another toilet available in unit)</li> <li>• or minor water leak violations</li> <li>• All other violations</li> </ul>	<b>21 calendar days</b>

### Progressive Enforcement

Before any enforcement action is taken, the EHS shall contact the owner to verify receipt of the initial HOIR.

For all uncorrected violations, the EHS must evaluate the progress and amount of effort towards compliance before determining the next step. Progress towards compliance will usually warrant consideration of a suitable time extension before taking progressive enforcement. Emergency and priority violations must still be corrected as quickly as possible following the initial compliance date.

If the owner fails to make progress towards compliance, the EHS shall take the following progressive enforcement actions:

Revisit	Emergency or Priority Violations	Other Violations
1 <sup>st</sup>	Compliance Review for next day	Schedule 2 <sup>nd</sup> revisit
2 <sup>nd</sup>	Refer to City/District Attorney, and County Counsel for emergency hearing	Schedule Compliance Review
3 <sup>rd</sup>	Elevate to Branch Director	Refer to City/District Attorney

### Notes:

- Delays in compliance pending the owner obtaining necessary Building and Safety permits may not result in progressive enforcement. The EHS shall discuss the situation with their supervisor and determine a reasonable timetable for compliance.
- The EHS should not include violations in units that were unavailable during a reinspection when determining whether enforcement actions should be initiated.