Information:
The Building Services Division recently received a media inquiry from CBC’s Marketplac for an interview and follow-up on the issues reported by The Hamilton Spectator back in 2007 with respect to Building Permits and inspection of homes prior to the issuance of permits. This information report has been prepared in order to update Council on what has been done by the Building Services Division since these articles came out and to provide building permit statistics showing the improvements that have taken place since 2007.

Background:
In May of 2007 information obtained through Freedom of Information was provided to the Hamilton Spectator which showed that out of a random sample of 120 Building Permits issued for Single Family Dwellings (issued between April 2006 and March 2007), 80 had permits prior to the first inspection while 40 had started construction prior to the issuance of the Building Permit. This appeared to indicate that 33% of the sampled properties had their first inspection prior to the Building Permit being issued. It was also noted that no Orders to Comply had been issued to any of the 40 properties. However, voluntary compliance was obtained on 37 of these properties and no further required inspections were requested until the permits were issued. The 3 remaining properties in this sample all had permits prior to Occupancy inspection.

As a proactive measure the Building Services Division has carried out two additional random samplings of building permits since 2007. The first random sample of 120
building permits was taken from April 2007 to December 2007 and the other from January 2008 to July 2008. As can been seen from the attached chart there has been a marked improvement since March of 2007. The number of single family dwellings started with a Building Permit has gone up from 67% in the 2006/07 sample to 83% in the most recent sample of 2008. This can be attributed to increased monitoring as recommended by the recently completed Operational Review of the Building Services Division and also to an updated Policy and Procedure dealing with the issuance of Orders to Comply when construction has started without a permit. Based on this new Policy if we look back at the 2006/07 sample, Orders should have been issued for starting construction without a permit in 24% of the cases. However, if we look at the most current sample (see attached chart), it shows that out of the 120 permits sampled only 9% of starts without a permit did not have an Order to Comply issued as per this updated Policy. In other words, looking at the most recent 2008 sample, construction is starting with a Building Permit, or Orders are being issued as per our Policy, in 91% of the sampled permits versus 76% in 2006/07. While these numbers shows a marked improvement it is the Building Services Division’s goal to continue to improve our processes and procedures to ensure that a Building Permit is issued prior to construction starting and that when construction does start without a permit that Orders to Comply, and if required, that Stop Work Orders are issued in all such cases in a timely manner.
Next Steps:
The Building Services Division hired two additional Co-ordinators for the Inspection Section in the spring of this year and they are currently in the process of developing and implementing an auditing and monitoring system. This will allow the Division to address performance management issues with any specific staff as required. Individual performance management meetings have been instituted. The Building Services Division will continue to remind staff at regular inspector’s meetings of the importance of timely data entry and adherence to Divisional Policy and Procedures. It is anticipated that this auditing and monitoring process as one of our performance management tools will produce positive results and help the Division achieve full compliance with Policy and Procedures related to proper enforcement when construction commences without the required permit.

Tim McCabe
General Manager
Planning and Economic Development Department