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## **AUDIT REVEALS THREE YEARS AFTER GHOST SHIP, FIRE PREVENTION REFORMS STILL NOT IMPLEMENTED**

***Even after identifying specific needed reforms and adding inspection staff, 51% of all known properties requiring an annual inspection have not been inspected in the last 3 years***

OAKLAND, Calif. (September 30, 2020): Today, Oakland City Auditor, Courtney Ruby, released a performance audit of the Fire Prevention Bureau (Bureau), a division of the Oakland Fire Department (OFD). This report examines whether the Bureau implemented the 2017 recommendations from the Mayor’s Task Force established after the tragic Ghost Ship Fire in 2016 and whether the Bureau has established adequate controls to ensure all state mandated inspections are completed and fire safety laws are adequately enforced.

The mission of Oakland’s Fire Prevention Bureau is to reduce the risk of fire throughout the City. The Bureau conducts fire safety inspections of the City’s buildings, structures, and vacant lots and performs “state-mandated inspections,” which include buildings used for public assemblies, educational purposes, institutional facilities, multi-family residential dwellings, and high-rise structures. The Bureau also oversees the City’s commercial inspection program of smaller apartment buildings and retail businesses, inspects cannabis operations, and reviews building, and tenant improvement plans to ensure new construction includes all required fire safety components. Furthermore, they are responsible for fire safety in the high danger zone of the Oakland hills.

The audit found that more than three years after the City launched a major reform effort to improve fire and life safety throughout the City of Oakland, the City has made only limited progress in fully implementing the reforms set forth by the Mayor’s Task Force. The Fire Department implemented processes to identify and address high risk properties and improve communication between the Bureau and the engine companies to report potentially unsafe properties for further investigation.

The Fire Department, however, has yet to fully implement critical organizational improvements such as filling staff vacancies, creating permanent supervisor positions, implementing more robust quality control processes, establishing performance measures for inspectors, and developing operating procedures for inspections.

The audit found the Bureau inspected only 26 percent of all state-mandated facilities between September 2018 and September 2019, even though the Bureau’s staffing for fire inspectors has increased significantly. Furthermore, the audit revealed the Bureau had not inspected 51 percent of the state-mandated facilities in the last three years we reviewed. The audit also noted the Bureau lacks sufficient staffing to inspect the growing number of cannabis operations in the City. The nature of cannabis

operations poses significant fire risks to the operators, neighboring properties, firefighters, and the community.

Additionally, the Bureau's enforcement efforts are often ineffective. The Bureau's practice has been to try and coax property owners to correct fire safety violations by re-inspecting properties. Between September 2018 and September 2019, the Bureau conducted over 800 re-inspections of state-mandated properties to ensure property owners corrected various fire safety violations. Although 236 properties implemented the appropriate corrective action, inspectors re-inspected these properties up to seven times to obtain corrective action. On the other hand, the Bureau was unable to obtain corrective action on another 493 properties, even though inspectors re-inspected these properties up to seven times.

The audit also found the Oakland Unified School District has not been responsive in correcting fire safety violations such as missing fire extinguishers and non-functioning fire alarm systems. Also, the Bureau has not operationalized its appeal process to provide property owners an opportunity to dispute the Bureau's findings of violations in the City's wildlife interface areas. Not operationalizing the appeals process delayed the assessment of approximately \$300,000 in inspection fees in 2018 and 2019 has yet to be assessed as a result.

In response to the audit results, Auditor Ruby noted, "Two of the deadliest fires in US history have been in Oakland: The 1991 Oakland Hills Fire and the 2016 Ghost Ship Fire. Collectively these fires killed 61 of our residents. Completing this audit has been of the utmost importance to me to ensure the City is doing all it can to protect our residents—unfortunately, the audit found OFD has been slow to learn from the past and critical work remains to be done—a sense of urgency and accountability must be ignited in OFD—there is no excuse for the lack of progress."

During this time, the Bureau's personnel have been stretched thin from meeting its annual state-mandated inspections by other work, such as inspections required by the City's building boom, addressing safety issues at the many homeless encampments throughout the City, and the hiring and training of new inspection staff. Additionally, the Bureau's practice to repeatedly re-inspect properties to bring them into compliance has also diverted significant time away from conducting mandated inspections.

While the lack of progress can be partly attributed to high turnover in the Fire Department's leadership (since 2017, the City has had three Fire Chiefs and three Fire Marshals), Auditor Ruby, stated, "In 2013, I released an audit reviewing the Department's vegetation management inspection practices and some of these very same problems were identified, such as the need for consistent training, stronger supervision, quality control measures and clear policies and procedures to ensure the accuracy and completeness of inspections. Almost 10 years later, the current audit shows these same issues persist with building inspections."

On a positive note, the Department has agreed to implement 29 of the 30 recommendations in the audit report. Moreover, the Department and the Bureau have begun employing a more strategic focus on implementing management and accountability systems called for by the Mayor's Task Force and the Bureau is in the process of converting to a more advanced database, which will improve the efficiency and effectiveness of the Bureau's inspection efforts.

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To read the full report please click [here](#).



#### **ABOUT OAKLAND CITY AUDITOR COURTNEY RUBY**

City Auditor Courtney A. Ruby, CPA, CFE, was re-elected in November 2018, and took office in January 2019. She previously served as Oakland's City Auditor for eight years, between 2007 and 2014. In 2014, Courtney was recognized by the American Center for Government Auditing as one of the most influential professionals in Government Auditing. In April 2019, an Association of Local Government Auditors peer review team found the Office of the City Auditor met the highest standards in performance auditing. Performance audits of Measure D and Q, M and N, and Homeless Services are in progress. Some earlier audits released include Oakland Police Department Overtime, the City of Oakland Financial Condition, Police Commission & Community Police Review Agency, Workforce Development Board Follow-Up, Business Tax Refunds FY 2017-18, Rent Adjustment Program Follow-Up, and Limited Public Financing Act. Notable Investigations include Oakland Promise and Controlled Substances. Ballot Measure Financial Analyses for the upcoming election include Measure QQ (Youth Voting), Measure RR (Removing Fine Limit), and Measure S1 (Amending Powers of the Police Commission).

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