

FINAL REPORT
CASE #0700 SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

REASON FOR INVESTIGATION

A citizen's complaint was received requesting the 2000/2001 San Joaquin County Civil Grand Jury investigate the Community Development Department and The Safe Neighborhood Enforcement Revitalization and Abatement Team for possible acts of misconduct.

BACKGROUND

The complaint alleged that building permits were denied. The complaint also alleged that within hours of the purchase of the property it was "invaded" by several county officials.

METHOD OF INVESTIGATION

Members of the SJCCGJ interviewed the complainant. He gave testimony to support the letter. The complainant stated that there are tapes and transcripts of the two appeals hearings that he attended. He was asked to produce these tapes and transcripts.

An appointment was made with the Assistant District Attorney, he gave the SJCCGJ a short history of the complainant and also advised us to review the complainant's Superior Court records.

Members of the SJCCGJ made an unannounced visit to Community Development. The counter personnel were questioned about the department policies and procedures for issuing permits for repairs on properties.

A second interview was held with the complainant. He produced the tapes and transcripts of the appeals hearings he attended. Members of the SJCCGJ reviewed the tapes and transcripts.

The SJCCGJ interviewed The Safe Neighborhood Enforcement Team and Abatement Coordinator. The Coordinator gave the SJCCGJ a complete overview of his department's policies and procedures. He also gave information about the Safe Team.

Members of the SJCCGJ interviewed an inspector from Environmental Health and Safety. He provided us with an overview of his department.

After a review of all information received members of the SJCCGJ made a visit to the property in question.

An appointment was made with the Deputy Director of Building Inspection. The members asked for and received a file containing all contacts made with the complainant.

FINDINGS

The SJCCGJ learned that Community Development relies on State and County codes as it's policy. It also learned that the Safe Neighborhood Enforcement Team Revitalization and Abatement Coordinator has organized a Safe Team that is used only in protection of the officials involved in the inspection and posting of properties. The team is used only when there is suspicion of criminal activities in the area and is comprised of four Sheriff's Officers, possibly a Highway Patrol Officer, inspectors from Community Development and Environmental Health and Safety, as well as Adult Protection Service and Child Protection Service.

The Safe Team involved in posting the complainants property was used because of past criminal activities at this location. While on scene at the complainant's property the Safe Team made three arrests of persons with felony warrants.

It was also discovered that all of the dwellings have new roofs and have been freshly painted. It was also discovered that the burned house was being rebuilt using some of the burned lumber. There had been no permits issued for any of this work.

It was found that the complainant's permits had been denied because of structural problems with many of the foundations of the dwellings and drainage problems on the property. The complainant applied for permits for painting and new roofs only.

CONCLUSIONS

The SJCCGJ feels there is no need to continue the investigation of this case. It is our conclusion that the complainant knew the condition of the property prior to the sale. There was never an escrow opened. This seems to be a matter between buyer and seller.

RECOMMENDATION

None

RESPONSE REQUIRED

None