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Report Highlights

Inspection, Enforcement, and Complaint Processes

Office of State Fire Marshal

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Why We Conducted This Audit

We conducted this audit to determine whether the Office of State Fire Marshal (OSFM) has developed sufficient processes to ensure buildings are in compliance with applicable codes and regulations.

What We Found

We evaluated OSFM's inspection, enforcement, and complaint processes from calendar years 2011 through 2013 and found that OSFM management needs to strengthen these processes to ensure buildings are in compliance with applicable codes and regulations. Specifically, we found:

- **OSFM needs to develop a risk-based strategy that includes timeframes for inspecting schools, universities, state buildings, and licensed outpatient facilities to ensure it conducts timely inspections.** Of the 25,868 structures under OSFM's jurisdiction, 17,977 (69%) were schools, universities, state buildings, and licensed outpatient facilities. Of the 278 structures we reviewed, 65 (23%) were not inspected during calendar year 2013 and 20 of the 65 were not inspected over a three-year period.
- **OSFM needs to monitor fire prevention bureaus to ensure they are conducting all required inspections.** As of June 2014, 18 of 47 fire prevention bureaus in Louisiana were certified by OSFM to perform inspections. These bureaus cover 40% of the state's population, or approximately 1.8 million Louisiana citizens. State law requires fire prevention bureaus to submit copies of inspection reports to OSFM and requires that OSFM revoke a bureau's certification for failing to submit these inspection reports for six consecutive months. However, during calendar year 2013, OSFM only received inspection reports from one of the 18 certified fire prevention bureaus but did not revoke the certification for any of them. These inspection reports are the only monitoring tool OSFM has to ensure fire prevention bureaus are conducting required inspections.

OSFM's Mission

To protect life and property from the hazards of fire or explosion, to ensure the safety of our citizens in the constructed environment, to provide equal access to disabled individuals, and promote the efficient use of energy in commercial buildings.



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What We Found (Cont.)

- **OSFM needs to conduct timely re-inspections to ensure violations identified during inspections are corrected.** Of the 385 violations we reviewed involving 149 structures, OSFM did not follow up on 81 (21%) of the violations or re-inspect the 33 different structures with these violations to determine if the violations were corrected before the next annual inspection.
- **OSFM needs to develop and implement a penalty and enforcement structure for violations identified during inspections to deter structure owners from repeatedly violating life safety codes.** Of the 149 structures with violations, 47 (32%) had repeat violations over multiple re-inspections but received no enforcement action from OSFM. Penalties may deter structure owners from repeatedly violating life safety codes.
- **OSFM needs to comprehensively track the number of complaints and impairment notifications received, investigated, and resolved to ensure that complaints are addressed timely.** Of the 129 complaints/impairments we reviewed, we found that OSFM did not follow up on 16 (12%) of them, including four complaints and 12 impairments. In addition, OSFM could not provide us with how long it took from the time of the complaint or impairment notification to investigate 62 (48%) of them because it does not comprehensively track this information.

Number and Description of Complaints/Impairments Calendar Years 2011 through 2013		
Violation	Description*	Number of Complaints/Impairments
Exit	Emergency or exit lighting, locking systems, exit sign	2
Fire protection system	Fire alarm, sprinkler system, hood suppression system, fire extinguisher, smoke detector, fixed system	109
Mechanical systems	Equipment, self-closing cover, ventilation, wiring	3
Occupant responsibility	Plan review, fire drills, maintenance, no smoking signage, fire watch, illegal storage of combustible or flammable materials	14
Other	Unknown violations	1
Total		129

* These descriptions are examples of code violation areas identified in the complaint files.
Source: Prepared by legislative auditor's staff using OSFM complaint reports.

- **OSFM needs to ensure that its data system contains accurate information to effectively manage its inspection, enforcement, and complaint processes.** OSFM uses its current data system, MAPPER, to track structures requiring an inspection, inspections completed, and complaints. However, we found that OSFM management does not ensure inspectors and administrative staff enter accurate inspection information into MAPPER.