



# Fire Inspection Compliance Audit

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09/2015 – 2/2017

**Lyndsey Davis**

5/1/2017



# CHAMBERS COUNTY AUDITOR

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## **Executive Summary**

The Chambers County Auditor's office has completed a compliance audit of the Chambers County Office Emergency Management / Fire Marshall. The audit was conducted from the periods of September 2015 to February 2017.

The overall objective of this audit was:

To review the Inspection Reports that were issued by the Chambers County Office of Emergency Management / Fire Marshall, during the stated period, for compliance purposes.

The Chambers County Office of Emergency Management / Fire Marshall was responsible for inspecting public buildings, commercial establishments, and multi-family residential dwellings to help reduce the risk to life and property from fire.

## **Audit Scope and Procedures**

The audit performed was to ensure all inspection reports, during the stated period of time, were issued by a certified fire inspector in accordance with Government Code 419.909.

The following documents were reviewed to complete the audit:

- Timesheets for the Fire / Safety Inspector (part time) and Deputy Emergency Management Coordinator.
- All 2015- Feb 2017 Inspection Reports
- Signatures on the Inspection Reports and dates of the Inspection Reports in relation to timesheets of the individual(s) issuing the fire inspection reports

## **Observations and Findings**

During the audit, the following observations were noted:

1. Sixteen (16) Inspection Reports were signed only by the Deputy Emergency Management Coordinator who is (was) not a Certified Fire Inspector which is in violation of Government Code 419.909 (a) "*Only an individual certified by the*



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*commission as a fire inspector may conduct a fire safety inspection required by a state or local law, rule, regulation, or ordinance.”*

2. Sixteen (16) additional Inspection Reports were signed by both the Deputy Emergency Management Coordinator and Fire / Safety Inspector (part time). However, when comparing to hours worked submitted on the employee’s timesheets, the Fire / Safety Inspector (part time) was not on a payroll timesheet on the days the Fire Inspection Reports were dated.
3. Ten (10) additional Inspection Reports were signed by only the Fire / Safety Inspector (part time) on days he apparently was not at work according to payroll timesheets.
4. On 12/10/2015, Chambers County paid \$ 700.00 for a fire inspection course for the Deputy Emergency Management Coordinator as required by his job description and he evidently did not complete the course or obtain certification. This is a violation of Chambers County’s Fraud, Waste, and Abuse Policy.
5. On 12/22/2014, Chambers County paid \$ 700.00 for a fire inspection course for then Deputy Emergency Management Coordinator and he also evidently did not complete the course or obtain certification. This is a violation of Chambers County’s Fraud, Waste, and Abuse Policy.
6. Additional courses were paid by Chambers County for various county employees where no evidence of course completion or certification is verified and will be part of an additional audit investigation and report. This is a violation of Chambers County’s Fraud, Waste, and Abuse Policy.

## **Recommendations**

1. Section 419.906 ADMINISTRATIVE AND CIVIL PENALTIES; INJUNCTION (a) states *“In addition to other penalties imposed by law a person who violates this chapter, or a rule adopted under this chapter is subject to an administrative penalty in an amount set by the commission not to exceed \$ 1,000.00 for each violation. In addition to the administrative penalty, the person must pay costs incurred by the Attorney General’s office under this subsection. The administrative penalty shall be assessed in a proceeding conducted in accordance with Chapter 2001.”* Therefore, it is recommended that Chambers County pursue administrative and civil penalties related to this report.
2. It is recommended that Chambers County contact the Texas Commission on Fire Protection and have any and all certifications held by violators revoked for unethical behavior and violation of Government Code 419.909.



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3. It is recommended that Chambers County ensure that a certified fire inspector re-inspects all affected properties and issues valid fire inspections to protect Chambers County from potential liability. The costs for re-inspections should be paid for by administrative and civil penalties fees.
4. The Office of Emergency Management, per Texas Local Government Code Section 418.1015 EMERGENCY MANAGEMENT DIRECTORS is under the direct supervision of the County Judge (a) *“The presiding officer of the governing body of an incorporated city or a county or the chief administrative officer of a joint board is designated as the emergency management director for the officer’s political subdivision.”* It is recommended that an independent HR investigation be conducted to determine the root cause of the violations to determine if the violations were of willful intent, management incompetence, or other reasons so that appropriate disciplinary action may be taken. Additionally, the HR investigation should seek to determine if reports signed by the Fire / Safety Inspector (part time) with no corresponding timesheet were pre-signed, post-signed, or fraudulent in any other way.
5. It is recommended that Chambers County seek reimbursement for uncompleted training courses cited in this report and appropriate disciplinary action taken for violating Chambers County’s Fraud, Waste, and Abuse Policy.
6. It is recommended that Chambers County implement HR procedures to audit, monitor, and verify that employees meet the requirements depicted in the job descriptions.
7. It is recommended that a corrective action plan is submitted to Commissioners’ Court for review and recommendation.

## **Conclusion**

During the period of this report multiple fire inspections were issued by non-certified personnel in violation of Texas Local Government Code Chapter 419; leaving Chambers County exposed to potential liability. Training funds were wasted by Chambers County employees by not completing courses and obtaining required certifications. Chambers County employees did not meet job requirements depicted in their job descriptions and management failed to assure that personnel were certified and qualified for their positions. The potential consequences of these violations should be taken seriously and appropriate disciplinary action taken and corrective measures taken in a timely manner to mitigate Chambers County’s liability.