



Rick D. Chandler, P.E.
Commissioner

November 12, 2014

Alexandra Fisher
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Mr. Michael Solomon
Audit Manager
New York State-Office of the State Comptroller
123 William Street
New York, NY 10038-3804

**Re: Audit Report Draft: Outstanding Violations
Report # 2014-F-13**

Dear Mr. Solomon:

We appreciate the opportunity to address your audit findings and concerns, and will use it as a guide to further improve our policies and procedures. We view your input as helpful in furthering our commitment to providing quality public service while maximizing our resources.

As your report indicates, the objective of the follow-up audit was to assess the extent of implementation, as of September 9, 2014, of the four recommendations included in the initial audit report issued December 1, 2011, which found that the Department managers did not have effective systems in place to ensure hazardous violations were resolved quickly.

The Department is pleased that the audit recognized the efforts of the Department in implementing two of the four prior recommendations, and the progress made in addressing the two others. Accordingly, we welcome the auditors' recommendations and the opportunity to refine our processes and further improve our services.

Recommendation Responses:

Following are the Department's responses to the two (2) recommendations.

Recommendation 1: *Communicate the plan for re-inspecting Class 1 violations to all Enforcement managers and inspectors and ensure properties are re-inspected within the required 60 days.*

Agency Response:

The Department agrees with this recommendation, and will make changes to the Hazardous Re-Inspection program by December 31, 2014. The changes will include a bi-weekly report which will include violations that are 30-44 days old as of the date



the biweekly report was produced; as opposed to our current reporting system that includes violations from two months ago. Based on these changes, we anticipate that violations would be inspected between 30 and 58 days from issuance, making it possible to inspect 100% within 60 days, as the Rule dictates, with the exception of those served after issuance. Also, Supervisors will monitor inspectors to assure return of route sheets within two weeks, in order to meet the 60 day deadline.

Recommendation 3: Complete all re-inspections for the Certificates of Correction listed in the monthly samples.

Agency Response:

The Department partially agrees with this recommendation. We will continue to make every effort to ensure that all re-inspections for the Certificates of Correction listed in the monthly samples are completed. In aiming to audit 10% of the certificates of correction, our process selects an average of approximately 13% of eligible certificates of correction. This ensures that in excess of 10% are completed despite any problems completing inspection attempts or gaining access to sites. The Department is satisfied that the results returned validate the integrity of the Certification process, with only about 1% of audited certificates resulting in the issuance of a False Certification violation.

Thank you for giving us the opportunity to respond to the audit report. We look forward to receiving your final version.

Sincerely,

A handwritten signature in blue ink, appearing to be "Alexandra Fisher", written over a large, stylized blue "e" or "A" shape.

Alexandra Fisher
Deputy Commissioner

cc: Rick D. Chandler
George Davis III
Philip Monaco
Joshua Florsheim
Kerry Castro