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# **CITY OF SAN ANTONIO**

## **OFFICE OF THE CITY AUDITOR**



Audit of City Attorney's Office

Dangerous Assessment Response Team (DART)  
Project No. AU19-008

February 18, 2020

Kevin W. Barthold, CPA, CIA, CISA  
City Auditor

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## Executive Summary

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As part of our annual Audit Plan approved by City Council, we conducted an audit of the City Attorney's Office (CAO), specifically the Dangerous Assessment Response Team (DART). The audit objectives, conclusions, and recommendations follow:

**Determine if the Dangerous Assessment Response Team program is managed effectively and efficiently and in compliance with laws and regulations.**

DART is managed effectively and efficiently in compliance with laws and regulations. We found that it has methods to: identify appropriate targets, ensure that targeted properties meet established criteria, address targets in a timely fashion, and monitor the properties for new or continuing issues. DART personnel take appropriate precautions when performing inspections. However, we noted that the CAO should improve its case file management for targeted properties.

We recommend that the City Attorney ensure good record keeping for all DART properties by:

- Creating a checklist of all relevant documentation that should be kept for each DART target.
- Using that checklist to ensure relevant documentation is received from DART team members and filed for each DART property.

CAO management agreed with the audit finding and has developed a positive action plan to address it. Management's verbatim response is in Appendix B on page 6.

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## Background

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The City Attorney's Office (CAO) coordinates the Dangerous Assessment Response Team (DART). DART actively targets and works to abate the "worst of the worst" nuisance properties within the City. Its mission is to reclaim, restore, and revitalize neighborhoods plagued by properties which are a safety threat due to a documented history of habitual criminal or code violations of at least two years. These properties may be single residences or commercial properties. Examples of the types of problems at these properties include prostitution, drug-related activity, dilapidated structures, hoarding, animal neglect and abuse, lack of utilities, electrical hazards, liquor law violations, and health and safety standards.

DART is composed of inspectors, investigators, and officers from the Development Services Department (DSD) Code Enforcement division; officers from several units of the San Antonio Police Department (SAPD), including each substation's San Antonio Fear Free Environment (SAFFE) unit, Narcotics, and Vice; the Fire Marshal's Office; San Antonio Metro Health (SAMHD); Housing and Neighborhood Services (HNS); and Animal Care Services (ACS). DART also coordinates with the Texas Alcoholic Beverage Commission and the U.S. Attorney's Office when necessary. DART seeks to address all violations at the nuisance property at the same time. Property owners are given opportunities to address the problems voluntarily. However, if voluntary compliance is not achieved, CAO seeks legal remedies to abate the public nuisance (code violations) or common nuisance (criminal activity).

Since its inception in 2007, DART has addressed more than 450 nuisance properties.

## Audit Scope and Methodology

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The audit scope included DART properties and related documentation from October 2017 through September 2019.

We interviewed staff of the CAO, Code Enforcement, and SAPD, observed a DART inspection, and reviewed relevant laws and regulations in coordination with the CAO. We tested case files for the existence of supporting documentation. We tested whether targeted properties met the criteria for the program. We performed tests to determine whether DSD and SAPD were monitoring DART properties after intervention to ensure that they remained abated. We also performed data analysis to ensure DART properties were handled in a timely manner and to identify any properties that should have been targeted by DART but were not. Testing criteria included the Local Government Code, the Civil Practices and Remedies Code, and prudent business practice.

We relied on data in the ECCO system to validate whether properties had a two-year documented history of code enforcement complaints. We also relied on data in the Visinet system to validate whether properties had a two-year documented history of criminal activity and complaints. These two systems are the systems of record for code enforcement reports and calls for service reports. We do not believe that the absence of testing general and application controls had an effect on the results of our audit.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## Audit Results and Recommendations

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DART is managed effectively and efficiently. We found that it has methods to: identify appropriate targets, ensure that targeted properties meet established criteria, address targets in a timely fashion, and monitor the properties for new or continuing issues. DART personnel also take appropriate precautions when performing inspections.

Properties are proposed for the DART process based upon suggestions from DART members, based on their repeated presence at properties for complaints and violations. The majority of properties are suggested by SAPD officers. Bi-weekly DART meetings are held in which the suggested properties' histories of complaints and violations for code enforcement, criminal activity, health and safety violations, and animal violations are reviewed. If the properties are found to have a documented two-year history of criminal and/or code enforcement violations, they are scheduled for a DART inspection.

To ensure that properties were not being unfairly targeted, we randomly sampled 25 properties from Fiscal Years (FY) 2018 and 2019. We found that all 25 properties met the criteria for the DART program. We also reviewed the case files for the 25 sampled properties and found that they were processed in a timely manner. Additionally, we performed data analysis to ensure that the team was identifying all potential properties. We analyzed call for service data for the last two years to identify properties with high levels of criminal activity, quantified the types of criminal activity, and then determined whether or not the properties also had a history of code compliance issues. We were unable to identify any properties that met the criteria for the DART program that had not already been targeted by DART. We also observed a DART inspection of a property and found that DART personnel were taking prudent precautions to prevent injury to City personnel.

However, we did determine that the CAO needs to improve its record-keeping for the DART program.

### A. Case File Management

Administratively, the CAO does not include all relevant supporting documentation within a single case file for each property.

DART case files are not kept in a centralized location and do not contain a standard set of elements for each property, such as a copy of the documented two-year code enforcement and criminal activity, a summary of the results of the DART inspection, copies of the administrative search warrants authorizing the inspections, or copies of notices of violations, notices to vacate, orders of the

Building Standards Board (BSB), and voluntary compliance agreements entered into with the property owners.

We tested a random sample of 25 DART properties (out of the population of 87 properties for FY 2018-2019), and found:

- Five of the properties did not have a case file present on the shared directory where they are supposed to be filed. DSD personnel were able to provide the files after testing revealed they were missing.
- Six of the 25 case files were missing the documentation of the two-year history of criminal or code complaints.
- Twelve of the 25 case files were missing a summary of the inspection results.
- Nineteen of the 25 case files did not have any supporting documentation for the final resolution of the DART process (a copy of the compliance agreement with the owner, a BSB order for repair or demolition, or other relevant documentation).
- Some of the case files that indicated there was a Notice to Vacate contained copies of those notices and some did not.

The lack of complete filing is a result of several factors. The DART team itself is composed of members from several different City departments, each of which have their own standard processes and methods of filing documents. The DART process is run concurrently with these standardized departmental processes, and members of DART do not always remember to forward the relevant documentation to the CAO. DART has no staff dedicated solely to the DART process. Furthermore, when documentation is received by the CAO, it is not always filed (it may remain in email), or may be filed in the wrong case file. Additionally, the CAO has not set a policy as to what standard documentation should be kept for each property in the centralized DART case files and then ensured that the documentation is received and filed.

Properly organized case files will make it easier for the CAO to defend the DART process in a timely manner if: 1) the program becomes the subject of public scrutiny, or 2) an owner challenges the process. It is a prudent business practice to retain documentation relevant to showing that the program is in compliance with laws, regulations, and internal policies and procedures and to retain it in an easy to retrieve central location, such as a case file.

## **Recommendation**

The City Attorney should ensure good record keeping for all DART properties by creating a checklist of all relevant documentation that should be kept in a centralized case file for each DART target. Also, use the checklist to ensure those documents are received from DART team members and subsequently filed in the appropriate place for each DART property.

## Appendix A – Staff Acknowledgement

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Mark Bigler, CPA-Utah, CISA, CFE, Audit Manager  
Susan Van Hoozer, CIA, CISA, Auditor in Charge



## Appendix B – Management Response



### CITY OF SAN ANTONIO

SAN ANTONIO TEXAS 78283-3966

February 4, 2020

Kevin W. Barthold, CPA, CIA, CISA  
City Auditor  
San Antonio, Texas

RE: Management's Corrective Action Plan for Audit of Dangerous Assessment Response Team

The City Attorney's Office has reviewed the audit report and has developed the Corrective Action Plans below corresponding to report recommendations.

Recommendation					
#	Description	Audit Report Page	Accept, Decline	Responsible Person's Name/Title	Completion Date
1	<b>Case File Management</b>  The City Attorney should ensure good record keeping for all DART properties by creating a checklist of all relevant documentation that should be kept in a centralized case file for each DART target. Also, use the checklist to ensure those documents are received from DART team members and subsequently filed in the appropriate place for each DART property.	4	Accept	Jose Nino (Deputy City Attorney)  Savita Rai (Asst City Attorney)	2/1/2020
<b>Action plan:</b>  A checklist has been developed and implemented for each DART property that is investigated. The checklist will be DART location specific and maintained within the same property file as additional documentation.					

We are committed to addressing the recommendations in the audit report and the plan of actions presented above.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Segovia".

Andrew Segovia  
City Attorney  
City Attorney's Office

A handwritten date in blue ink that reads "4 Feb 2020".

Date