



NC DEPARTMENT OF  
**INSURANCE**  
OFFICE OF STATE FIRE MARSHAL

# North Carolina Code Officials Qualification Board





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# Sam Whittington, PE

## Investigator

Standard Level III's in Building, Fire Prevention, and Plumbing



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# **Review of Complaints for last 10 years**

The goal was to develop empirical data on the number and nature of the complaints, the issues most involved, and the nature of disciplinary actions taken by the Board.



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A Complaint may contain multiple allegations of both violations of Technical Codes and of Administrative Codes and Policies, and may pertain to multiple trades and/or Inspectors.



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## **Technical Code (Code)**

- Missing Flashing
- Wall not Bearing on Piers
- Over-notched Floor Joist
- No Dishwasher Disconnect
- Clearances not Met
- Inadequate Drainage

## **Administrative Code and Policies (Admin)**

- No Inspections
- Insufficient Inspections
- No Certifications
- Above Certifications
- Failure to Perform Duties
- No Records
- Conflict of Interest



## Complaints

- Reviewed      139
- Basis            52 (37%)
- No Basis        87 (63%)
  
- Code            36 (26%)
- Admin           63 (45%)
- Both            40 (29%)

## Allegations

- Total            988
- Code            724 (73%)
- Admin           264 (27%)



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- Number of Complaints that Allege a Code Violation
  - 76 (55%)
- Number of Complaints that Allege an Administrative violation
  - 103 (74%)
- ❖ Why is this, Code Complaints average 9.7 allegations per complaint while Admin Complaints only average 2.6 allegations per complaint



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## All Cases (regardless of Basis)

• Failure to Perform Duties	32
• No / insufficient Inspections	31
• Ethics	28
• No Permit	23
• Actions Above / No Cert	16
• Cert. of Occupancy Issues	14
• Records	10
• Plan Review	9
• Stop Work	7
• NOV	2

## Basis Cases

• Failure to Perform Duties	15
• No / insufficient Inspections	14
• Actions Above / No Cert	11
• Ethics	10
• Records	8
• No Permit	7
• Plan Review	6
• Cert. of Occupancy Issues	6
• Stop Work	1
• NOV	1





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Cases where the Inspectors Certificates were Reduced in Level, Suspended, or Revoked/surrendered.

- No / Insufficient Inspections 8
- Ethics 7
- Failure to Perform Duties 6
- Actions Above / No Cert 6
- Records 6
- No Permit 4
- Cert. of Occupancy Issues 4
- Plan Review 3
- Stop Work 1



## Disciplinary Actions Taken by the Board over the last 10 years

- Letter of Caution/Reprimand 7 (13%)
- Class, Training, or Testing 28 (54%)
- Reduced Level of Cert 4 (8%)
- Suspension 8 (15%)
- Lost or Surrendered Certs 9 (17%)



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Of the Nine Inspectors whose Certificates were revoked/surrendered.

- Actions Above / No Cert 3
- No / Insufficient Inspections 3
- Records 3
- Ethics 3
- No Permit 2
- Failure to Perform Duties 1
- Cert. of Occupancy Issues 1
- Plan Review 1
- Stop Work 1



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- What guides the level of disciplinary action taken
  - Nature and number of violations
  - Past cases



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# Disciplinary Actions Taken by COQB

- Inspector M
  - Did not verify all inspections passed prior to issuing CO
  - Crawlspace Access
- ❖ Law and Admin
- ❖ Mechanical I Course



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# Disciplinary Actions Taken by COQB

- Inspector W
  - Did not inspect Floor framing system
  - Improper foundation vent to Interior
  - Stairway Clearance
  - Crawlspace Access
  
- ❖ Building I suspended until inspector passes Law & Admin and Building I Standard Course, but not less than three months.



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# Disciplinary Actions Taken by COQB

- Inspector D
  - Conducting Inspections with Suspended Certification
    - ❖ (Law and Admin, retake Fire III, 80 hours training with another jurisdiction)
- Inspector S
  - Inadequate Record Keeping (No Records)
  - Failure to Conduct Required Inspections.
    - ❖ (Law and Admin, Permanently Surrendered Fire III, retained BMPE III's)



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# Inspector Lost Certifications

- Item 1 – Inadequate Foundation System
- Item 3 – Inadequate Beams
- Item 4 – Insufficient Girder Bearing
- Item 5 – Inadequate Foundation Anchorage
- Item 6 – Foundation Not Dampproofed
- Item 8 – No Crawl Space Drain
- Item 10 – Missing Beams
- Item 11 – Inadequate Wall Support
- Item 13 – Missing Bearing Wall
- Item 14 – Inadequate Floor Framing and Pier Supports
- Item 15 – Egress Window Height Insufficient
- Item 16 – Inadequate Ceiling Joist Support
- Item 18 – Inadequate Bearing Wall Support
- Item 19 – No Engineering for Holes Drilled in LVL Beams
- Item 21 – Inadequately Nailed Sheathing
- Item 22 – Inadequate Stud Bearing
- Item 25 – Inadequate Rafter Support Above Bedroom
- Item 26 – Rafter Support Installed Incorrectly
- Item 27 – Rafters Not Tied to Ceiling Joists
- Item 30 – Inadequate Rafter Support
- Item 31 – Rafters Not Nailed to Support
- Item 32 – Rafters Missing Ties
- Item 33 – Ceiling Joists Over-Notched
- Item 34 – Ceiling Joists Notched Incorrectly
- Item 35 – Rafters Not Nailed to the Band
- Item 36 – Column Anchored Inadequately
- Item 37 – Water Intrusion
- Item 42 – Voids in Bed Joints at Pier
- Item 44 – Safety Glazed Window Required for Master Bath Tub
- Item 45 – Safety Glazed Window Required at Stairs
- Item 47 – No Toilet Facilities for Workers
- Item 49 – Ridge Board Inadequate





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# Complaint Process

- Complaint received, checked and processed
- Complaint forwarded to inspector to respond
- Site Visit
- Report
  - No Basis => present to Board
  - Basis => VSA



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