

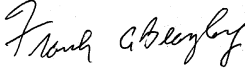


PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 3

**Halifax Regional Council
November 17, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 

Chief Frank A. Beazley, Halifax Regional Police

DATE: October 19, 2009

SUBJECT: Contractual Matter - By-Law Services Review

INFORMATION REPORT

ORIGIN

At a June 19, 2007 in camera meeting of Council, Councillor Murphy requested a staff report on contract services done on behalf of By-Law Enforcement to remedy unsightly properties.

BACKGROUND

By-Law Services staff conducted a review of a number of private properties with respect to lienable charges through the Municipal Government Act Respecting Dangerous or Unsightly Premises and By-Law S-300 Respecting Streets. Concerns were expressed that charges were not reflective of the work undertaken on the property through contractors hired to work on behalf of HRM.

DISCUSSION

File reviews were completed on a number of private properties identified by members of Regional Council and complaints that were received directly from the home owners. Staff also identified a sampling of remedy work over the past four years and reviewed those files as well.

Thorough reviews included an analysis of cost, quality of work, and business process. Invoice adjustments were made to situations where quality of work or beyond market value costs were of concern. Property owners were contacted directly and provided a thorough review of the file.

Staff completed an analysis of the work undertaken. Files that led to an adjustment as a result of internal error have been addressed. Files that led to an adjustment as a result of questionable billing by contractors resulted in review with the contractor, and in at least one case, elimination of future work going to them. Gaps were identified in business practices and they have been addressed. Process enhancements have been made in consultation with Financial Services to place greater clarity around the skills and equipment required by contractors to complete work on behalf of HRM. In addition, future issues should be minimized through established reviews by staff which will be conducted on an individual basis before any work is carried out on properties. The reviews include sign off by the Enforcement Officer and contractor prior to work being completed, and sign off by the respective supervisor once the work has been carried out. Supporting photographs are required with the invoice by the contractor to clearly demonstrate the work that was carried out on site.

As is evident in the chart below, there has been a significant increase in the number of complaints reported to HRM. At the same time, there is a significant decrease in the number of cases going to remedy. Officers have done a lot of work in recent years to improve how they manage cases. There is an increased emphasis on direct contact with home owners at the beginning in hopes of minimizing the confusion that is often reported around our complaints. If residents understand what is being asked of them, and can understand why, they most often comply with staff requests long before these files reach the remedy stage.

HRM will continue to action files that can not be resolved without doing the remedy ourselves. In these cases, we are asking a contractor to enter on lands that they were not invited by the home owner, and as a result, they will charge a premium price for this service; and in most cases, it very well could be higher than the home owner could get the work done themselves. With the adjustments and reviews that have been implemented, we can at least be satisfied that the charge appears reasonable given the circumstances and scope of work.

When reviewing the attached chart, we have seen a steady increase in the number of complaints received in the past few years; but more importantly we have been more successful at working with the home owners to have them meet the requirements of the legislation through owner compliance rather than needing remedy work done by a contractor as ordered by HRM.

The chart below provides details of the file reviews undertaken to date:

Year	Total Cases actioned	Total Remedies completed	% remedied	# reviews completed	Outcome (stands/ some credit)		% of total resulting in adjustment	% reviewed resulting in adjustment
Regional Council requests '06	N/A	N/A	N/A	16	6	10	N/A	60%
Below is a complete list of files reviewed and action taken								
Prior to '05	9,432	1,128	11.96%	6	2	4	.04%	66.67%
2005	4,831	709	14.68%	23	10	13	.27%	56.52%
2006	6,049	600	9.92%	69	34	35	.58%	50.72%
2007	8,166	553	6.77%	35	16	19	.23%	54.29%
2008	8,118	310	3.82%	12	6	6	.07%	50%
Totals	36,596	3,302	9.02%	145	68	77	.02%	53.10%

The chart below provides greater details of the types of total cases opened and remedies completed as outlined in the above table in columns 2, 3, and 4.

	cases actioned (files)			Totals	cases remedied (cleaned up)			Totals	%remedied vs. # of cases
	DUPI	SW	SSIR		DUPI	SW	SSIR		
2003-04	4096	2857	2479	9432	349	380	399	1128	11.96 %
2005	2215	1667	949	4831	203	306	200	709	14.68 %
2006	3145	2623	281	6049	278	306	16	600	9.92 %
2007	3343	4036	787	8166	242	276	35	553	6.77 %
2008	3105	3555	1458	8118	95	165	50	310	3.82 %
TOTALS	15904	14738	5954		1167	1433	700		

BUDGET IMPLICATIONS

There are no ongoing budget implications as a result of this report. The file reviews and enhanced internal processes were assigned to existing staff. Due to process changes, there should be very few invoices adjusted go forward after they have been issued to the home owner. Any future staff reviews of remedy work could result in some minor adjustments. If these reviews trigger a refund in the current year, they would be addressed through an existing funding source, and if they are outside of the current year they will need to be adjusted through the valuation allowance.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

N/A

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Superintendent Robin McNeil, 490-3888

Report Approved by:



Deputy Chief F.A (Tony) Burbridge, 490-7138