



BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection

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Commission Streamlining Task Force
San Francisco Office of the City Administrator
1 Dr. Carlton B. Goodlett Place, #362
San Francisco, CA 94102

Dear Commission Streamlining Task Force Members:

The Building Inspection Commission (BIC) respectfully submits this letter for your consideration, requesting that the BIC and its subcommittees, including the Code Advisory Committee (CAC), Access Appeals Commission (AAC), and Board of Examiners (BOE), retain their independence and full authority due to the critical and unique role the BIC plays in overseeing the Department of Building Inspection (DBI).

The BIC holds a distinctive position in overseeing a department with a history of challenges. Its independent oversight is central to rebuilding and maintaining public trust in the DBI and its processes. The Commission provides a critical public forum where residents can directly engage with the department and voice concerns. Over the years, the BIC has worked diligently to streamline permit processing times, increase transparency, uphold the highest standards of ethics, and ensure the protection of San Francisco's most vulnerable residents.

Ethics and Oversight

In recent years, the BIC has collaborated closely with department leadership to implement all of the Controller's recommendations, as outlined in the [Controller's Report]. By leveraging its authority to request hearings and reports, the BIC has closely monitored the ongoing implementation of these reforms. Additionally, the commission oversaw the hiring of analysts focused on ethics and data reporting to ensure the department remains accountable in achieving its goals.

As commissioners, the members of the BIC provide independent oversight to the Department of Building Inspection, and the members are held to higher ethical standards by their annually filing Statements of Economic Interests (Form 700) with the Ethics Commission.

A core responsibility of the BIC is its unique role in reviewing and overseeing the Department of Building Inspection's annual budget. In doing so, the Commission examines departmental processes, legislation, and technical and

building standards to uphold the public trust. The Commission is an important body with policy setting ability to influence recommendations regarding the budget.

The BIC has also actively engaged with the Permit SF planning team to advocate for the integration of ethics reporting and tracking systems within the new platform, further enhancing the department's commitment to transparency and accountability.

Department Appeals and Institutional Knowledge

The Building Inspection Commission (BIC), in its capacity as the Abatement and Appeals Board (AAB), hears appeals of department decisions, often involving claims of DBI procedural error. These cases require detailed knowledge of the department's policies and protocols, and the Commissioner's institutional knowledge is critical to ensuring fair and accurate outcomes. Recent cases highlight the critical role the BIC plays in ensuring fairness: One Commissioner identified a false claim regarding the engineer of record, while another prevented a homeowner from incurring unnecessary fees by advising them on available extension programs.

Furthermore, the BIC is responsible for establishing special hearings to address the implementation of new laws, such as the hotel amortization law that took effect earlier this year. This required the commission to schedule and oversee a series of hearings to assess time extension requests and ensure compliance with new regulations.

To consolidate these appeals under the Board of Appeals would blur the distinct mandates of the AAB and BIC. While the AAB reviews whether the issuance of permits was correct, the BIC focuses on whether the department's actions in its inspection and code enforcement roles were conducted appropriately, ensuring due process for all affected parties and providing clarity on the application of new laws.

Protecting Tenants

The Building Inspection Commission is the sole body tasked with overseeing the habitability standards of San Francisco's rental housing stock. Removing the BIC's policy-making responsibilities would leave tenants without transparency or recourse regarding critical housing standards and enforcement.

Moreover, the BIC has been a staunch advocate for the continuation of the culturally competent, multilingual community-based code enforcement program. The Code Enforcement Outreach Program assists tenants and property owners in resolving housing code issues through education, mediation, and guidance, while providing essential advocacy for the city's tenants and reducing the department's administrative burden. Despite facing budget cuts in recent years, the commission has fought to preserve this essential program, which directly serves San Francisco's diverse communities. The Task Force, respectfully, has not considered any transfer of this oversight responsibility, and such a change would undermine tenant protections citywide.

Legislative Oversight

For an annual budget of less than \$24,000, the CAC and its subcommittees provide invaluable expert review and recommendations on pending legislation at minimal

cost to the City. Recent issues reviewed by the CAC include a wide range of legislative matters including: Requirements for all-electric new construction and renovations; earthquake retrofit programs; the Concrete Building Safety Program; and permitting requirements for hydrogen fueling stations. The committee's suggested amendments are frequently incorporated into final legislative drafts, offering practical, straightforward changes that enhance the feasibility and effectiveness of new laws. Eliminating this layer of technical review would limit the City's access to specialized expertise on complex building and safety regulations.

Policy and Hearing Responsibilities

The BIC is also instrumental in shaping policy and conducting hearings on matters that directly impact building safety, tenant protection, and regulatory compliance. By maintaining its current level of authority and independence, the BIC can continue to play a pivotal role in safeguarding the integrity of San Francisco's built environment and ensuring that the DBI serves the needs of the public.

For example, when the public expressed concern over the repeal of the slope protection legislation the BIC requested the department return to publicly discuss instructions to staff.

Additionally, the BIC reviews and approves Administrative Bulletins, providing a public venue for neighborhood advocates, industry experts, and the public to comment before new rules take place. On complex or controversial items, the BIC provides an open forum before rules are imposed.

In conclusion, the Building Inspection Commission's continued independence is essential for the successful oversight of the DBI and the protection of the public interest. We respectfully urge that the commission's current authority and responsibilities remain intact, so that we can continue to fulfill our mission of improving transparency, upholding ethical standards, and safeguarding the health, safety, and well-being of all San Francisco residents.

The members of the BIC would like to extend an invitation to attend one of our monthly Commission meetings if you're available on the third Wednesday of the month.

Thank you for your time and consideration. Should you have any questions or require further information, please do not hesitate to contact us through Sonya Harris at Sonya.Harris@sfgov.org

Sincerely,

Members of the Building Inspection Commission

Alysabeth Alexander-Tut, President

Catherine Meng, Vice-President

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