



## **PRIVATE PROVIDER AUDITING**

### **PURPOSE:**

A fee owner of a building or their contractor may elect to use a Private Provider to provide alternative plans review and/or inspections in place of the City of Sebastian building department for the purpose of enforcing the Florida Building Code. Building permits must be obtained from the City of Sebastian as required under the Florida Building Code and all applicable Florida Building Codes need to be adhered to and enforced. The purpose of an audit is to confirm that the building code plans review, and inspection services have been properly performed, and all required documentation have been properly recorded. Should a fee owner or fee owner's contractor use a private provider for plans review services, the same private provider must also perform the required inspections associated with that project.

*NOTE:* According to Florida Statute 553.791(1)(b), the following actions do not constitute an audit and shall not be limited: investigation of complaints reported to the building official and site visits to ensure private providers are performing required inspections.

### **SCOPE:**

The auditing of plans, review and/or inspections performed by a private provider is to ensure building code compliance and shall be performed as needed. The audit of a private provider or private provider firm shall take place up to a maximum of four times a year unless a condition of a building is discovered that constitutes an immediate threat to public safety and welfare as defined in Florida Statute 553.791.

### **FOCUS OF AUDIT:**

An Audit, as it relates to Private Providers under Florida Statute 553.791, is a formal review process conducted by a local building enforcement agency. The audit focuses on evaluating the quality and accuracy of the services provided by a Private Provider, including:

- Reviewing the Private Provider's completed plan reviews and inspections.
- Ensuring that the required affidavits and documentation have been submitted properly.

- Verifying compliance with the Florida Building Code through a review of records and documentation.
- Observe the actual conditions of the construction work.
- Verify that construction activities align with approved plans, permits, and building codes.
- Identify any immediate safety issues or potential code violations in real-time.

**AUDIT PROCEDURE:**

1. An audit may be performed, as needed, during construction and construction work on the structure may continue, without delay, while the inspection audit is completed.
2. Once a project has been identified as requiring an inspections audit, staff will notify the permit holder.
3. Staff will contact the permit holder and/or their representative to coordinate the required access to the job site.
4. Once on site, staff will begin the audit process.
5. The permit holder and private provider will be notified as soon as practical regarding the audit findings via a completed Audit Report that is uploaded to the record with associated comments added to the inspection summary.
6. If no issues are identified, then the audit process is completed.
7. If discrepancies, omissions, or code violations are identified during the audit, then the parties involved will be notified of the compliance issues requiring correction, along with the associated code references. Any required code compliance corrections and inspections will be the responsibility of the private provider and the permit holder.
8. The private provider shall provide a copy of all subsequent inspection reports. Additionally, if the Certificate of Completion were previously generated by the private provider, it would be nullified, and a valid Certificate of Completion must be provided upon completion of any additional inspections. *(See Below Audit Results and Reporting)*
9. Either the private provider or the permit holder will notify staff once any required corrections have been made. Staff will then confirm the corrections for compliance, repeating steps 4 through 6 as outlined above.

**RECORD KEEPING:**

Audits performed of private providers on construction projects shall be documented on an Audit Log developed by the Town of Indian River Shores. In the event of a failed inspection and/or plans review audit, a notice with detailed findings will be provided to the contractor and the private provider as soon as possible. Summaries of audit results from the previous two quarters should be available on the local building authority's website for transparency (compliance with FOIA/Public Records Requests). Audit records must be kept pursuant to Florida's record retention laws.

**AUDIT RESULTS AND REPORTING:**

In the event of a failed inspection and/or plans review audit, a notice with detailed findings will be provided to the contractor and the private provider as soon as possible. Indian River Shores building department staff will make every effort to assist in the resolution of the deficiencies with the private provider and the contractor. A stop work order may be issued by the Building Official or their representative should the nature of the deficiency constitute an immediate threat to public safety and welfare. If deficiencies are found, the Private Provider must submit a corrective action plan detailing resolution. Upon receipt of a corrective action plan, a follow-up audit or site visit may be scheduled to ensure compliance.

Dispute Resolution: If a Private Provider disputes the findings of an audit, they may request a review by the local designated building official. The designated building official must respond within 15 business days. Further disputes can be escalated to administrative or legal channels (e.g., DBPR, FBPE). 8. Compliance with Florida Statute: All audits must adhere to the requirements of Florida Statute 553.791.