CITY OF ATLANTA

OFFICE OF THE INSPECTOR GENERAL

OIG INVESTIGATION INTO BRIBERY WITHIN THE LIGHT COMMERCIAL DIVISION OF THE DEPARTMENT OF CITY PLANNING OFFICE OF BUILDINGS

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EXECUTIVE SUMMARY

In March 2023, the Compliance Division of the City of Atlanta Office of the Inspector General initiated an investigation into a complaint that a (now-former) City of Atlanta Department of City Planning Office of Buildings permit technician, Sheaner Magee, had solicited a payment from an OOB customer to have a permit application reviewed by OOB. Upon investigation, OIG discovered evidence that Magee and another former OOB permit technician who worked in Magee's unit, Shaniecia Tucker, received payments from OOB customers whose permit applications were under review. In addition, OIG found evidence that the two employees' supervisor, Angela Epps, also accepted payments from an OOB customer.

This case stems from an encounter reported to OIG in which Magee contacted an OOB customer and told the customer that if the customer gave Magee $500, the customer's permit application would be reviewed. Magee also reportedly told the OOB customer that for $1,500, the customer could receive an expedited review. Unbeknownst to Magee, the OOB customer had a personal acquaintance who was employed at OOB. The customer informed the OOB employee what had transpired and the OOB employee reported the customer's concerns to OOB management, which alerted OIG.

Through the course of its investigation, OIG confirmed that Magee contacted the OOB customer via her personal email account and personal cellular phone, actions that deviated from OOB permit technician protocols. OIG also found that Magee contacted other OOB customers via her personal email address to accept building plans and other documents from OOB customers. An OIG review of Magee's financial records revealed that Magee accepted at least five Zelle payments from OOB customers, ranging from $75 to $450, from January 2022 through February 2023. All of these customers had active OOB permit applications on which Magee was assisting at the time of payment. For one of these payments, the OOB customer left a comment that the payment was for "plans."

During the investigation, OIG was alerted by OOB that another OOB permit technician, Tucker, had been terminated due to her departure from OOB protocols on a permit application that she had processed. OIG reviewed this matter and, as a result, discovered that Tucker accepted at least four payments from OOB customers, ranging from $200 to $1200, from November 2022 through April 2023. As was the case with Magee, all of these customers had active OOB permit applications on which Tucker was assisting near the time of payment. For one of these payments, the OOB customer wrote in the comments "expeditor."

Having found two permit technicians within the same unit accepting payments from OOB customers, OIG expanded its review to include other employees within Magee's unit. As a result, OIG discovered that Magee and Tucker's former supervisor, Epps, received five payments from an electrician, ranging from $50 to $200, from July 2021 through August 2022, whose company had multiple permit applications with OOB over several years. All of these payments were accompanied by the comment "permit" or "permits." OIG cross-referenced the payments with permit applications filed by the electrician and discovered that three out of five of the payments occurred within the same month that Epps assisted with a permit application.

OIG issued recommendations to OOB to address vulnerabilities OIG identified in the processing of permit applications and the reporting of potential criminal misconduct.

BACKGROUND

In March 2023, the Department of City Planning (DCP) Office of Buildings (OOB) contacted the Compliance Division of the City of Atlanta Office of the Inspector General (OIG) and told OIG that OOB had received notice from an OOB employee (the Complainant) that Sheaner Magee had solicited a payment from an associate of the Complainant (Customer 1).[1] The Complainant informed OIG that Customer 1, who the Complainant identified as a personal acquaintance, operates a business that advises food and beverage businesses on the licenses and permits required to operate. The Complainant told OIG that Customer 1 submitted a project application to OOB on behalf of one of Customer 1's clients. The Complainant informed OIG that Customer 1 contacted OOB for an update on the application and reportedly spoke with Magee. According to the Complainant, Customer 1 said that after Customer 1 contacted OOB, Customer 1 received a call from a different telephone number from a person who identified herself as "Sheena."

The Complainant told OIG that Customer 1 said that Magee said for Customer 1's project to be reviewed, Customer 1 could pay her $500.00 or $1,500.00 for an "express review." The Complainant told OIG that Magee instructed Customer 1 to make the payment via the electronic payment processing application Zelle. According to the Complainant, after Customer 1 expressed reservations about this arrangement, Magee terminated the call.

After being contacted by Magee, Customer 1 reportedly contacted the Complainant to discuss what had occurred. The Complainant told OIG that the Complainant reported the conversation to OOB management and was instructed by OOB management to tell Customer 1 to submit the application request again to OOB.

During OIG's conversation with the Complainant, the Complainant recalled Magee approaching the Complainant several times within a four-to-six-month period stating that certain project reviews were overdue and needed to be reviewed immediately. The Complainant told OIG that, upon reflection, the Complainant believed that Magee's instructions could have been for projects Magee had expedited in exchange for payments.[2]

OIG initiated an investigation and took a number of investigative actions, including, but not limited to, reviewing City records and databases, employee personnel files, emails and internal communications, and financial records; and interviewing City employees.

FINDINGS

While the investigation was ongoing, in July 2023, OOB informed OIG that OOB had fired Shaniecia Tucker, a permit technician, who worked in the same unit as Magee, for issuing a permit based on false/unsatisfactory contractor license credentials. According to OOB, Tucker issued a permit to a residential contractor for a commercial project on behalf of a customer. The contractor

[1] The Charter of the City of Atlanta prohibits retaliation against an employee who has provided information to OIG in connection with an OIG investigation. §§ 3-508(d) and 8-101(k)

[2] The Complainant provided OIG with Customer 1's contact information. OIG attempted to contact Customer 1 several times with no success. In April 2023, OIG contacted the Complainant and was informed that Customer 1 did not want to be involved in OIG's (or any governmental entities') investigation.

provided no identification, and Tucker relied only on a screenshot of an affidavit from the contractor that stated that the contractor was the customer's contractor. The customer later alerted OOB that the affidavit was false and that the contractor did not represent the customer.

OOB told OIG that when OOB conducted a review, they discovered the faulty/missing documents in the customer's application. When Tucker was asked to explain why she deviated from OOB policies, Tucker reportedly told OOB that OOB sometimes issues permits without identification (which OOB said was false) and that she wanted to help the customer out. Due to Tucker's extensive experience and training as a permit technician, as well as Tucker's supervisors verifying that Tucker knew OOB's correct permit processing procedures, OOB felt that "something was not right" about the situation. OOB felt that Tucker's behavior was "very questionable" and told OIG that it "was enough evidence for [OOB] to go to HR." OOB told OIG that Tucker's employment was terminated shortly thereafter.

During the July 2023 interview, OOB also informed OIG that Magee, who had transferred from OOB to the City of Atlanta Department of Finance (Finance), had contacted OOB to ask to continue to work for OOB in a part-time capacity while employed with Finance because she needed compensatory hours. OOB said that it declined her request. According to OOB, Magee mentioned during the meeting that she had noticed that OOB was behind on some projects. This led OOB to wonder how Magee could know that, as she would need to have access to OOB's electronic database and case management system, Accela, to know this information. OOB said that it asked its system administrator to run an Accela report, and discovered that, after Magee had transferred to Finance, Magee had accessed Accela to issue a permit to one OOB customer and to accept plans on another OOB project.

OOB told OIG that Magee's Accela rights had been deactivated upon Magee's transfer to Finance, so it should not have been possible for her to work on these projects through Accela. OOB said the system administrator informed OOB that Magee had contacted the system administrator to request that her access to Accela be restored. The system administrator reportedly told OOB that the system administrator was unaware that Magee was no longer an OOB employee, so the system administrator restored her access to Accela. As a result of this, OOB instituted a policy that when a City employee's Accela rights have been terminated, to restore the employee's Accela rights, the employee must submit a written request to the system administrator with their supervisor's permission.

OOB

According to OOB's website OOB:

> …is responsible for overseeing and regulating construction activities within the City of Atlanta. Its primary functions include issuing building permits, conducting inspections and code enforcement to ensure compliance with building codes and safety standards, and enforcing regulations related to construction and development. The Office of Buildings plays a critical role in promoting public safety, maintaining quality standards in construction, and ensuring that buildings meet relevant

> zoning and land use requirements. Additionally, it may provide guidance and assistance to developers, contractors, and property owners regarding building codes, permit applications, and regulatory compliance.

OIG spoke with OOB staff and was informed that OOB permit technicians are OOB's customer-facing staff. OIG was informed that permit technicians do not review OOB customer project plans directly. Rather, they act as intermediaries between OOB's plans review specialist and the customer. OIG was also told that permit technicians handle the initial intake for the customer; review submissions to ensure that customers have included all the necessary documents, forms, and plans in their submissions; and forward the customers' plans to the plans review specialists for review. After the plans review specialist approves the customer's plans, the OOB permit technician then further reviews the customer's application to ensure that all documents are included (including any changes requested by the plans review specialist) and all associated fees are paid. Once this task is completed, the permit technician generates the customer's permit and issues it to the customer.

In interviews with OOB staff, OIG was informed that OOB is divided into separate disciplines (e.g., arborist, light commercial, and others) to handle different assignments. OOB staff informed OIG that OOB permit technicians are required to acquire and maintain permit technician certification as a condition of employment. According to the City's online financial transparency website, Checkbook, in January 2020 the City reimbursed Magee $1,620 for expenses associated with her permit technician certification. In January 2023, the City reimbursed Tucker $1,452 for expenses associated with her permit technician certification.

OOB informed OIG that it had implemented changes to OOB permit processing units in 2023. OOB informed OIG that before its changes, a single manager was responsible for a large group of plans review specialists and permit technicians.[3] OOB stated that there were "maybe five to seven permit technicians and five to seven plans review specialists all reporting to the same manager." OOB said such an arrangement did not allow for quality assurance or control over operations. OOB told OIG that now each team is capped out at eight permit technicians to one manager, and there is a lead between each of those managers. OOB explained that OOB is now divided into teams of permit technicians and teams of building and development coordinators, who each have defined roles.

OOB stated that it shifted responsibilities previously assigned to permit technicians to building and development coordinators (whom it described as essentially a promoted permit technician). Building and development coordinators handle the intake and issuance of building permits only. All other permits (trade, business, and arborist) are handled by permit technicians. OOB told OIG that not all OOB staff responded well to these changes. OOB specifically identified Tucker and Magee as employees who were resistant to these changes. OOB told OIG that Magee cited the changes as a reason for her departure from OOB. According to OOB, some OOB staff did not like that OOB had implemented changes because they increased employee visibility and made it easier to hold employees accountable for errors and deviations from protocol.

[3] According to personnel records submitted by OOB there were approximately 25 permit technicians around the time of the change.

OOB customers and contractors are required to submit identification and credentials to OOB for review. OOB informed OIG that, before the 2020 Coronavirus Pandemic, OOB only accepted hardcopies of plans, and all documents needed to be submitted in person. However, during the 2020 Coronavirus Pandemic, OOB employees were required to telework and, as a result, OOB only accepted documents electronically. OOB staff returned to their office in 2023, however, OOB still only accepts documents electronically. In communications with OOB staff, OIG was told that there were positives and negatives to OOB's switch from hardcopy to electronic document submissions. On the positive side, electronic submissions have increased efficiency as physical copies of building plans were often cumbersome to handle. However, one OOB employee informed OIG that the drawback to this efficiency is that customers have begun to inundate OOB with submissions.

OIG asked OOB whether the switch to electronic document submission raised concerns about security (e.g., forged documents, false credentials). Most staff interviewed did not express any security concerns related to the transition from hardcopy to electronic documents. OIG was informed that security risks such as forged documents and misused credentials were an issue even when hardcopy documents were required. For example, one OOB employee told OIG that OOB would sometimes receive plans with falsified approval stamps. Although most employees expressed no reservations about the change, one OOB employee interviewed told OIG:

> [T]he type of business that we're in and there's so much fraud in this industry and the only way to be able to mitigate it is to have it in a space where you can control it, and you can control it when it's in your face. I can't control you giving me somebody else's signature through the internet, but you can't sign for somebody else if you're standing in front of me…

OIG was informed that, once, OOB customers had the option to pay the City extra for expedited service. However, the practice was discontinued years ago. OIG was informed by several OOB employees that certain projects, such as those from the mayor's office, or other notable persons, could be prioritized by OOB management and staff for review.

OIG was told that there was no queue or ticketing system for customers. In addition, OIG was informed that there was no requirement that permit technicians address customer submissions in the chronological order received. Rather, permit technicians have some discretion in managing their workload and may address submissions out of order for reasons such as the complexity of the project, the amount of customer tasks outstanding for completion, and other efficiency-based notions. Permit technicians are not assigned to customers. It was explained to OIG that permit technician assignments are based on who is available to assist the customer. OIG was informed by parties interviewed that some customers only dealt with their preferred permit technicians.

All OOB staff interviewed (including Magee) informed OIG that there were no means for a permit technician to expedite permit processing for OOB customers. Some explained that permit technicians could not expedite plans because all plans require a separate review and approval by a plans review specialist. Despite this, one OOB employee told OIG that they had been approached by a customer offering money to expedite their plans.[4] Another OOB employee told OIG that they

[4] The employee told OIG that they reported the attempt to OOB management.

had heard office talk where it was alleged that a customer offered money to an OOB employee. Another employee informed OIG that "years ago," OOB was put "under the microscope" due to an allegation that a permit technician received a bribe,[5] but, to their knowledge, nothing came of it.[6]

OIG was told that OOB takes no corrective action against OOB customers who attempt and/or commit fraud. For example, one employee described to OIG the following situation where OOB received a fraudulent contractor's license from an OOB customer. The employee said:

> [I]t turned out that the contractor was deceased. Yeah, and it was discovered… He's been dead for six months and someone has given us his contractor's license today. So, we had to go through the system and put a hard hold on his license. I went to our commissioner and explained to her what was happening and…we have proof of who is giving these documents after [the contractor] has died. So that's clear fraud. What can we do? Can we stop this person from submitting applications...No. We are public facing. Our office drives the money for the City…we have no recourse. We have no recourse other than I; I mean I don't know. I don't know, but at our level, there's nothing we can do. This is what I'm told.

The Light Commercial Division

Tucker and Magee worked as permit technicians within OOB's Light Commercial Division (the LC division). Angela Epps was the LC division's project manager in 2022 and 2023. OOB told OIG that Magee and Tucker "were very close."

In interviews with several current and former LC division employees, OIG was told that there is an assigned email inbox for customers to contact the LC division. OIG was also told that the LC division mailbox is monitored on a rotating basis by LC division staff. Despite the existence of a shared mailbox, OIG was informed that permit technicians also will contact customers via their city-issued email addresses as well as their city-issued cellular phones.

It was explained to OIG that the process for a permit issuance typically began when a customer contacted the LC division, either in person or via the LC division's inbox, and then a

[5] The employee told OIG that they believed that the City of Atlanta Ethics Office (Ethics) had investigated the allegation.

[6] OIG found a June 2016 settlement agreement, City of Atlanta Board of Ethics Case No. CO-16-007, between Ethics and a former OOB permit technician. The agreement stemmed from a complaint filed by Ethics against the permit technician after an investigation conducted by the Compliance Division of the City of Atlanta Law Department (Law). In that investigation, Law found that the permit technician had accepted three cash loans from an expeditor whose permit applications were processed by the permit technician. According to the terms of the settlement agreement, the permit technician told Ethics that she "never solicited funds or gratuities of any form from [the expeditor] and that the permit technician and expeditor "were close friends and had a personal relationship outside the office." The expeditor reportedly loaned the money to help the permit technician address financial hardship. Although the permit technician was found to have "frequently" processed the expeditor's permit applications, Ethics concluded that there was no evidence that any special favors or privileges were granted in exchange for the loans. The permit technician was issued a $150 fine. Oracle records show that the permit technician's employment with the City was terminated March 4, 2016.

permit technician would reach out directly to the customer with an introduction email. From the introduction email, communications tended to be directly between the permit technician processing the customer's submissions and the customer. OOB staff told OIG that there was no reason for a permit technician to contact OOB customers using their personal email address or personal cell phone.

During its review, OIG found standardized "introduction" letters Magee and Tucker emailed to customers. In these emails, they identified themselves to the customer, provided a list of documents that the customer would need to provide, and provided links to Accela's (OOB's online database and case management system) customer portal.

Magee

Records from the City's online database, Oracle, show that Magee was employed with the City as a permit technician from July 2019 to May 2023. In May 2023, Magee transferred from OOB to Finance, where she worked as an accounting technical specialist. Magee resigned from City employment in April 2024.

In an April 10, 2024 interview with OIG, Magee informed OIG that she transferred from OOB to Finance because she did not like the changes that an OOB manager (the Manager) had introduced to the office. Magee told OIG that she and other OOB employees resented the Manager's promotion to a leadership role. Magee also expressed discontentment with the fact that the Manager earned more money than other OOB employees who, according to Magee, had more operational experience than the Manager. Magee told OIG that several OOB employees felt the Manager's promotion was a "slap in the face" and "disrespectful" and said that there were whispers among OOB staff that the Manager's promotion "clearly [had] to be nepotism or something." Magee also expressed reservations about the Manager's management style and interpersonal skills and accused her of being biased against certain employees.

In addition, Magee expressed frustration with OOB. Magee told OIG that OOB was "bragging" about how much revenue the City had generated due to permits, but when OOB staff asked for pay raises, they were told by OOB management that there was no money in the budget and, also, were accused by OOB management of creating a hostile work environment by asking.

As part of the investigation, OIG reviewed Magee's communications, City and personal cell phone records, and banking records. OIG reviewed messages from Magee's City email address, smagee@atlantaga.gov, and found that Magee forwarded OOB information to and from her City email address to her personal email address, [redacted] (Magee's Gmail account). From these communications, OIG also found that Magee contacted OOB clients, and accepted plans from OOB customers, via her Gmail address. OIG reviewed Magee's Zelle account records and found payments from OOB customers to Magee. Specifically, OIG uncovered the following:

- On January 31, 2022, an organizer for an Atlanta-based showroom (Company A) emailed Magee an OOB Affidavit Concerning Exception to Contractor Licensing Requirements form. On February 1, 2022, Magee emailed a building

permit for Company A.[7] On February 4, 2022, Company A's organizer deposited $150 into Magee's Zelle account.

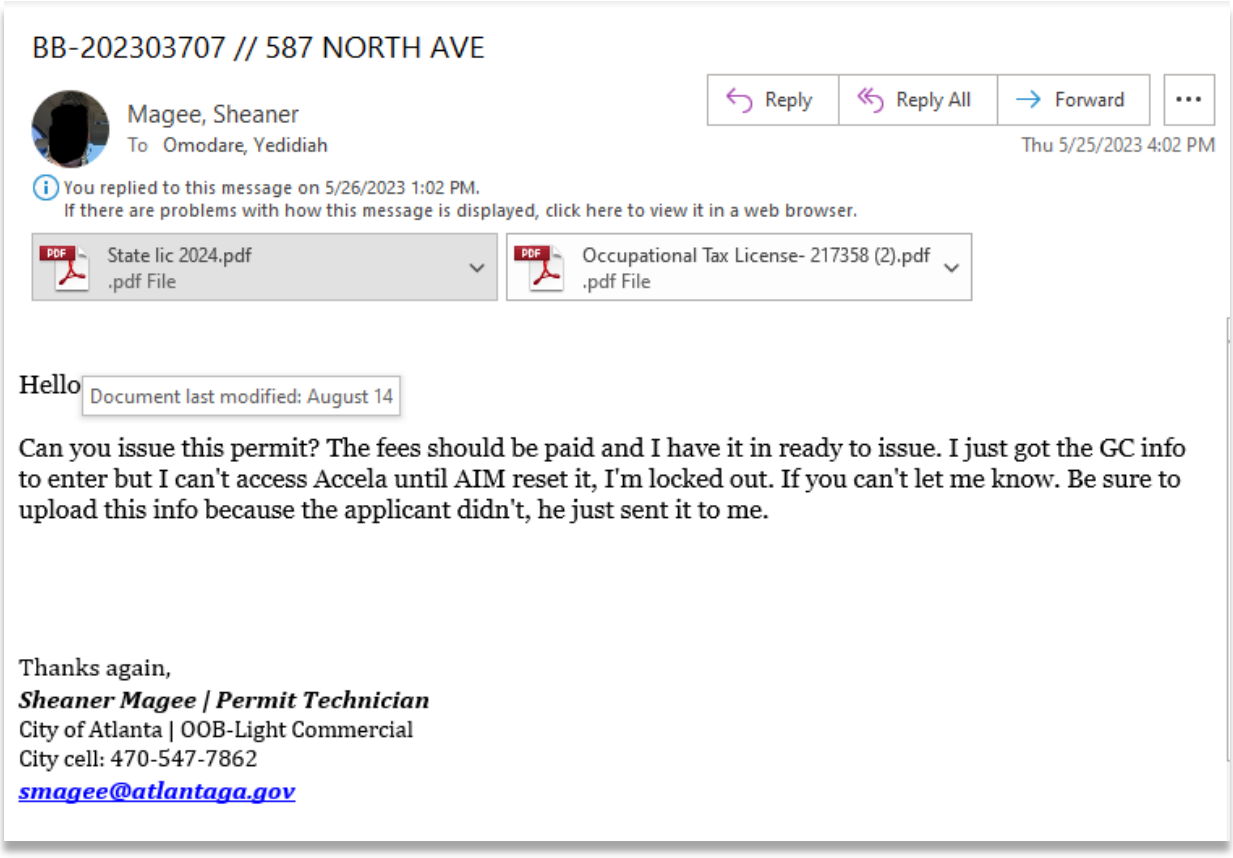
- From January 2022 through September 2022, Magee communicated with the registered agent for a development limited liability corporation (Company B) at least eight times via City email. In those emails, Magee sent the registered agent items such as building permits or OOB documents for the registered agent to complete. Magee's Zelle account showed three payments in June, August, and October 2022 (for $75, $100, and $450 respectively) from the registered agent.

- On February 21, 2023, the registered agent for a limited liability corporation (Company C), emailed Magee's Gmail account a message titled: "Fwd: Bb-202300047 – 338 West Peachtree St – Mechanical Plans Are On Hold, Need Gas Line Plans Uploaded And Opened In Workflow." Attached to the email was a set of building plans. On that same day, Company C deposited $200 into Magee's Zelle account with the comment "plans."

In addition, using the contact information provided by the Complainant, OIG was able to confirm that Magee contacted Customer 1 via her personal cell phone. OIG found that from January 2023 through May 2023, Magee sent Customer 1 multiple text messages from her personal cell phone. On February 24, 2023, Customer 1 emailed building plans to Magee's Gmail address; that same day Magee forwarded the plans from her Gmail account to her City email address.

On May 25, 2023, Magee's first day with Finance, Magee contacted a former OOB coworker and asked the coworker to issue a permit for BB-202303707 in her stead. Magee told the employee that she "can't access Accela until AIM reset [sic] it, I'm locked out." OIG reviewed Accela records and found that on May 26, 2023, Magee issued a permit for BB-202303707. The contractor for the project was Company B's registered agent. On May 26, 2023, Magee emailed plan revisions to a contractor from an architectural company (Company D). These plans concerned OOB project BB-202205585. On May 30, 2023, Magee accessed Accela to upload structural drawings into the case file. According to records obtained from AIM, Magee's last reported Accela login occurred on June 7, 2023.

[7] OOB Case BB-202107543.


BB-202303707 // 587 NORTH AVE

Magee, Sheaner
To Omodare, Yedidiah

Reply | Reply All | Forward | ...

Thu 5/25/2023 4:02 PM

You replied to this message on 5/26/2023 1:02 PM.
If there are problems with how this message is displayed, click here to view it in a web browser.

State lic 2024.pdf
.pdf File

Occupational Tax License- 217358 (2).pdf
.pdf File

Hello Document last modified: August 14

Can you issue this permit? The fees should be paid and I have it in ready to issue. I just got the GC info to enter but I can't access Accela until AIM reset it, I'm locked out. If you can't let me know. Be sure to upload this info because the applicant didn't, he just sent it to me.

Thanks again,
Sheaner Magee | Permit Technician
City of Atlanta | OOB-Light Commercial
City cell: 470-547-7862
smagee@atlantaga.gov

(Magee email to an OOB employee while employed by Finance)

In an April 2024 interview with OIG, OIG asked if Magee ever contacted OOB customers using her personal email or personal cell phone. Magee responded, "No, No, No." OIG repeated that question, and Magee again indicated that she did not contact customers on her personal email or personal cell phone. Magee also told OIG that it was impossible for a permit technician to expedite a customer's permit application "and the reason why is that they don't hold the stamp to get those plans approved to get out the door."

OIG asked if Magee maintained contact with OOB customers after leaving OOB. Magee confirmed that she had and told OIG that she receives emails from OOB customers "to this day." Magee said that initially she was forwarding these communications to the light commercial inbox, "but of course, they weren't doing nothing in there," so she would further implore the LC division to contact the customer. Magee was asked if she ever processed any customer's applications while at Finance. Magee answered "No." OIG showed Magee screenshots of her accessing Accela on May 26 and May 30, 2023, as well as her communication to the OOB employee when she mentioned the City of Atlanta Information Management (AIM) resetting her Accela access. When asked to explain this conflicting information, Magee told OIG that she "can't explain that."

Magee informed OIG that, while at Finance, she worked 20 hours a week as a paid consultant where she advised OOB permit applicants on the status of properties and provided parties information on matters such as zoning. One of the parties Magee identified as a client was the registered agent for Company B. OIG asked Magee if she did this consulting work at OOB.

Magee responded "No." OIG also asked if an OOB customer ever paid her to do any work while she was employed at buildings. Again, Magee answered "No."

OIG showed Magee the payments made by OOB customers to her Zelle account and told Magee that OIG had received a complaint alleging that she had taken payments to expedite the process. OIG also showed Magee communications from her personal cell phone and Gmail account where she contacted OOB customers about their permit applications. Magee denied taking payments to expedite the process, but when asked to explain the nature of the payments, Magee claimed that the payments, as well as the communications from her personal cell phone and Gmail account, were for "personal business" unrelated to her duties at OOB. Magee refused to describe this "personal business" further and told OIG to contact the customers if OIG wanted to know more.

The Referred Contractor Incident

As discussed, on May 30, 2023, Magee accepted documents from Company D. Company D's contractor would later separately be accused of extorting a bribe from an OOB customer. According to a complaint OOB received on July 12, 2023, an OOB customer (Customer 2), on an unknown date, contacted OOB to obtain a building permit. Customer 2 alleged that Customer 2 was told by an OOB employee that Customer 2 would need measurements done by the architect to obtain a building permit and was referred to Company D's contractor by the OOB employee. Customer 2 alleged that Company D's contractor provided the measurements to the customer on February 27, 2023, and Customer 2 was able to obtain a building permit based on Company D's contractor's measurements.

However, reportedly, when another contractor reviewed the measurements, it was discovered that Company D's contractor's plans contained numerous errors and were not ADA-compliant. Customer 2 alleged that Customer 2 was initially unsuccessful in trying to contact Company D's contractor to fix the problems. However, with the assistance of an OOB plans review specialist, Customer 2 was able to arrange a meeting with Company D's contractor. At this meeting, Company D's contractor allegedly told Customer 2 that "he did the measurements incorrectly to get the permit. He also said he was also a third-party inspector for the City of Atlanta and, if [Customer 2] paid him $350.00 he would pass the inspection for [Customer 2]." When Customer 2 declined to pay Company D's contractor, according to Customer 2, Company D's contractor "refused to do a revision to get the proper permit and would not release the CAD drawings for [Customer 2] to get a plumbing engineer. He also refused to reimburse [Customer 2] any of the money [Customer 2] paid him for drawings and permit [Customer 2] cannot use."

On July 13, 2023, OOB forwarded the complaint to staff with the message:

> Good morning team,
>
> This is just a friendly reminder to pass along to your staff. We do not recommend contractors, architects or engineers. This can come back to bite us in the long run. After speaking with the customer, she also told me that she had never heard of this engineer prior to trying to get a permit.

It also concerns me, that he first submitted the wrong size, admitted that after she got the permit in order to get more money out of the citizen and they stated he would just sign off on it as a third-party inspector.

Please remind your staff that we do not want to get caught up in this type of issues.

Thanks.

OIG discovered this incident by reviewing OOB communications. On August 8, 2023, OIG contacted OOB to ask if it knew who the employee was that referred Company D's contractor. OOB told OIG that it believed it was Magee. However, on August 10, 2023, OOB informed OIG that it did not know who recommended Company D's contractor. OIG was also told that OOB could not find any information about Company D's contractor in OOB's database.

On August 10, 2023, OIG contacted Customer 2. Customer 2 informed OIG that Customer 2 did not remember the name of the OOB employee who referred Company D's contractor. Customer 2 said that it was "whoever worked at the front desk." Customer 2 told OIG that Customer 2 was trying to figure out how to get a building permit done and had informed the OOB employee of money problems and difficulty obtaining a loan. The OOB employee reportedly said she could recommend someone and gave Customer 2 Company D's contractor's telephone number. Customer 2 recalled to OIG observing "it was a little bit weird in the moment" and said that the OOB employee was "kind of whispering." Customer 2 told OIG that the OOB employee did not call, text, or email Customer 2.

Tucker

Oracle records show that Tucker was employed with the City as a permit technician from December 2019 to July 2023. From December 2019 to March 2023, Epps was Tucker's supervisor.

OIG reviewed Tucker's City email, shtucker@atlantaga.gov, and discovered that on March 16, 2023, Tucker sent an email from her Gmail account to her city email address with a Wells Fargo bank account statement attached. OIG reviewed the statement and discovered a February 9, 2023, $1,200.00 Zelle payment from a restaurant company (Company E). Company E's name matched the customer name for an OOB application for which Tucker provided assistance. Based on this discovery, OIG reviewed Tucker's financial information. In its review, OIG found the following:

- On November 3, 2022, Tucker emailed the organizer for Company E to inform Company E that she would be assisting on its building permit application, BB-202205341. According to records from Accela, Company E had an active permit application under BB-202205341 with OOB from July 28, 2022, to February 22, 2023. Tucker was assigned to plan coordination on November 3, 2022. On November 4, 2022, according to Accela, Tucker issued a permit to Company E. On February 22, 2023, Company E was issued a Certificate of Occupancy (not by Tucker), that same day BB-202205341 was

marked closed in Accela. On February 9, 2023, 14 days before BB-202205341 was marked closed, Tucker received a $1,200.00 Zelle payment from Company E.

- On March 27, 2023, Tucker emailed the organizer and registered agent from a Georgia business (Company F). Tucker informed Company F's registered agent (RA1) that RA1's building permit application, BB-202302100, had been placed on hold for additional corrections. Six days earlier, on March 21, 2023, Tucker received a $200 Zelle payment from Company F.

- On April 25, 2023, Tucker emailed the organizer and registered agent for a real estate company (Company G). In the email, Tucker provided instructions to Company G's registered agent (RA2) on how to submit a permit to OOB. Accela records report that Company G had a permit application request with OOB in April 2023 under BB-202303162. On April 26, 2023, Tucker received a $600 Zelle payment from Company G. In the "Payment Memo" section for the payment, Company G wrote "expeditor." That same day, Tucker emailed RA2 advising that Company G's project had been accepted. According to Accela records, on May 15, 2023, Tucker issued a permit to Company G.

- On April 28, 2023, Company G applied for a removal permit with OOB. Company G was assigned project number BB-202303294. On May 11, 2023, Tucker was assigned as the plan coordinator for the project. On May 12, 2023, Tucker received a $600 Zelle payment from Company G. That same day Tucker issued the removal permit to Company G.

In addition, a review of City emails revealed several communications with RA1 between March 2023 and July 2023. On April 18, 2023, RA1 emailed Tucker the name and number of the general contractor for an Atlanta-based retailer (GC1). On April 19, 2023, Tucker emailed RA1 to let RA1 know that she would be assisting RA1 in issuing a building permit. On May 5, 2023, RA1 emailed a screenshot of a City Contractor License Affidavit and a Contractor Agent Affidavit, both purportedly filled out by GC1. RA1 also emailed a screenshot of GC1's contractor license status from the Georgia Secretary of State's website. Tucker responded by telling RA1 to "submit a copy of the business license."

In June 2023, a customer emailed OOB advising that a permit had been issued under GC1's license that GC1 did not authorize. The customer's email regarded BB-202301439. On June 30, 2023, RA1 contacted Tucker to inform her that a law enforcement officer had come to the Atlanta-based retailer and revoked its permit. On July 5, 2023, Tucker contacted RA1 to inform RA1 that the permit was revoked because OOB had been notified that the wrong contractor had been assigned to the customer's case. Tucker informed RA1 to tell the owner that a change of contractor form would need to be submitted to OOB. Oracle records report that Tucker's employment with the City was terminated that day.

In an interview with Epps, she could not explain why Tucker had processed a permit application without the correct documentation. Epps informed OIG that when OOB investigated

the matter she was asked about Tucker's behavior, but all she could say was that she had trained Tucker on the proper procedures.

OOB told OIG that Tucker issued a permit without any documentation. OOB explained that on commercial projects, OOB cannot release a permit to anyone but a contractor or an agent for the contractor because it is the contractor's license that allows the work to be permitted. OOB said:

> [I]n this particular instance, we received an email from someone that works with our office rather frequently, saying that one of the contractors that he works with got notification that a permit was issued using his license and he was not aware of it. So, we located the project and figured out who issued the permit. We had to put a hard hold on the project, and it turned out that there were no documents on file. Immediately an investigation was opened up and was sent to HR shortly thereafter…when we were notified that there were no documents Shaniecia uploaded documents after the fact to the record. The documents she uploaded were a screenshot of like a picture of someone's phone showing the Secretary of State's website.

OOB said that it does not accept screenshots for permit issuance. The only document OOB accepts is the actual license that the state issues to that license holder. OOB said that Tucker knew that. OOB, in describing the situation said, "Probably every rule for issuance of a permit was violated in this particular instance, not to mention the contractor saying that his information was being used fraudulently." OOB told OIG that it investigated the matter further and in the investigation another instance of Tucker issuing a permit without proper credentials was discovered. At that point, according to OOB, the Department of Human Resources determined that no further investigation was needed and that OOB needed to terminate Tucker's employment.

OIG asked OOB what Tucker's explanation was for her deviation from OOB protocols. OOB told OIG that Tucker first said that she forgot, and then, when pressed further, provided varying explanations. OOB told OIG that it could not recall exactly what Tucker said and described Tucker's explanations as "a little bit of everything."

OIG interviewed Tucker on March 27, 2024. In the interview, Tucker informed OIG that the Manager had implemented changes to OOB's procedures and that because of these changes, she improperly processed someone's permit application. Tucker said, "we were just transitioning, but we had not trained on anything new that [the Manager] wanted." Tucker told OIG that she collected the applicant's identification the way that she always had but was told that she did not "save a copy of the general contractor's driver's license." Tucker said that she guessed that it was "a new step that [she] missed." Tucker told OIG that RA1 sent her RA1's general contractor information to be processed, which she processed the way she normally did, "and then what happened was the general contractor from another job who was trying to fight [RA1] for a job" sent an email saying that RA1 "didn't verify something or that [RA1] didn't want to be on the job."

Tucker told OIG that shortly after the incident, she was asked to leave. Tucker explained to OIG that she believed that the Manager was going to figure out a way to have her employment

terminated because there had been problems (over unrelated issues, e.g., tardiness) between her and the Manager in the past.

OIG asked Tucker about her relationship with RA1. Tucker described RA1 as a "new expeditor" and said that "RA1 really didn't know much." Expeditors are private parties who assist OOB customers in processing their permit applications. Tucker said that RA1 would ask different OOB staff for information. OIG asked if Tucker was friends with RA1. Tucker said, "No, I met [RA1] there at the City Hall, just like with any other expeditor." OIG asked if she was familiar with RA1's company, Company F. Tucker answered that she did not know Company F.

OIG twice asked Tucker if she knew why Company F had sent her $200 in March 2023. Tucker twice answered "No." When asked about the $1,200 payment Tucker had received from Company E, Tucker answered, "No, I don't remember receiving $1,200." After being shown the payment in her Zelle account, Tucker said the payment probably was "because I got overcharged. I know I went [to Company E] one time and bought some stuff, ate there, and was overcharged. So, this may be a refund of my money back that I was overcharged, $1200, yeah." Tucker could not explain why she had received two $600 payments in April and May 2023 from Company G.

After OIG explained to Tucker that it had matched these payments to Tucker's assignment to these customers' permit applications and noted that this was an opportunity for her to tell OIG what was happening in the LC division, Tucker told OIG that she would need a lawyer present to discuss anything. OIG terminated the interview and invited Tucker to contact OIG when she had an attorney.

In April 2024, OIG discovered evidence that, after her employment with the City was terminated, Tucker acted as an expeditor for OOB customers. Specifically, OIG found several cases[8] between August 2023 and April 2024 where a "Shani Tucker" was listed as the applicant for several different OOB customers, including the organizer for Company E. OIG spoke with OOB and confirmed that Tucker had been doing work for OOB customers since leaving the City. As these activities appeared to have fallen within the City's one-year "cooling off" period for former employees, OIG forwarded OOB a link to the City of Atlanta Ethics Department's website.

Epps

After discovering two LC division permit technicians receiving payments from OOB permit customers, OIG expanded its review of employees who worked within the LC division. Epps was Magee and Tucker's direct supervisor from 2019 to 2023. OIG reviewed Epps' financial records and discovered five separate Zelle payments (July 2021, August 2021, August 2022, September 2022, and November 2022) ranging from $50 to $200, for a combined total of $450, made by an electrician (the Electrician). Each of these payments included the note "permits" or "permit."

OIG interviewed Epps on April 2, 2024. During the interview, OIG asked Epps about these payments. Epps informed OIG that the Electrician is "someone that used to try to date [Epps]" and

[8] BB-202306728, PLN-ONLINE-23-002249, V-23-200, and BS-202400325.

that, as part of the Electrician's romantic pursuit, the Electrician would try to gift her money. Epps told OIG that the Electrician does electrical work for an electrical company (Company H.) Epps told OIG that she does not know why the Electrician used the word "permit" in payments to her.

Epps told OIG she was "annoyed" with the Electrician's use of the word "permit." Epps said that she had spoken to the Electrician about this and asked that the Electrician not use that word because it could make her appear improper and have consequences on her employment. Epps informed OIG that she returned the Electrician's money each time and had the Electrician blocked from depositing money into her Zelle account. In the interview, Epps also remarked that "[the Electrician] couldn't get a permit for $75.00 in the City of Atlanta."

OIG reviewed Accela's records and found Company H's Accela profile page. The primary contact's name for Company H matched the Electrician's name. OIG found in Accela several projects associated with Company H from 2010 through 2024. OIG cross-referenced these projects with the five Zelle payments made by the Electrician and discovered that three of the five payments occurred within the same month that Epps had issued a permit to the Electrician.[9, 10]

CONCLUSION AND RECOMMENDATIONS

In March 2023, OIG received a complaint alleging that permit technician Magee solicited a payment from an OOB customer to process the customer's permit application. As a result of the investigation, OIG also found evidence that Magee's former colleague, Tucker, and former supervisor, Epps, also received payments from OOB customers. In light of the evidence of bribery and possible extortion, OIG referred these findings to the Fulton County District Attorney's Office for potential criminal charges.

OIG was able to confirm that Magee contacted Customer 1 using her personal cell phone and Gmail account. In addition, OIG found that Magee contacted several OOB customers via her Gmail account to accept building plans and other permit application paperwork. OIG was informed by OOB management and staff that there was no legitimate reason for a permit technician to contact OOB customers using their personal cell phone or personal email address.

OIG reviewed Magee's financial records and discovered several payments from OOB customers into her Zelle account. Magee told OIG that the payments she had received were for "personal business," unrelated to her OOB responsibilities. However, these customers all had active permit applications with OOB on which Magee was assisting around the time she received these payments. For example, on February 21, 2023, Company C emailed Magee's Gmail account a message with the subject "Fwd: Bb-202300047 – 338 West Peachtree St – Mechanical Plans Are On Hold, Need Gas Line Plans Uploaded And Opened In Workflow." That same day Company C deposited $200 into Magee's Zelle account with the message "plans."

[9] BE-202208516, BE-202211875, and BE-202209390.

[10] OIG found permits/payments for August, September, and November 2022. OIG found permit applications from the Electrician submitted to OOB in July 2021 and August 2021, however, Accela does not show any involvement from Epps on those applications.

Tucker told OIG that she did not know what the payments were for and that she did not remember receiving the payments. Tucker also suggested that one of the payments may have been a refund from dining at the OOB customer's establishment. However, as was the case with Magee, the customers who were discovered to have given Tucker money all had active permit applications that Tucker was assisting with at the time of the payment. For example, on April 25, 2023, Tucker emailed Company G instructions on completing its permit application with OOB; the next day, Company G deposited $600 into Tucker's Zelle account with the message "expeditor."

OIG discovered that Epps received at least five payments from an electrician who had recurring OOB permit applications. Each of the Electrician's payments referenced "permits." OIG discovered that, for three of the five payments, Epps had issued a permit to the Electrician within the same month that the Electrician deposited money into Epps' Zelle account. Epps denied that the payments were for permits and told OIG that the Electrician gave her the money as (unaccepted) gifts to establish a romantic relationship with Epps. However, Epps could not explain why the Electrician referenced "permits" with each of the payments. Epps issued permits to the Electrician the same month as several of the Electrician's Zelle payments—this suggests that the payments were for processing permits.

OOB has made changes in its organization to improve quality assurance including, but not limited to, reducing the amount of direct reports upon which a supervisor has to focus oversight; requiring routine quality assurance and quality control audits; and adding more accountability for mistakes and errors in the permitting process. These changes may mitigate future employee misconduct like what has occurred in this instance. Further changes may be needed. As OIG was told that OOB customers are not assigned to specific OOB staff,[11] and with the existence of a shared division-wide email inbox, staff may effectively communicate directly with customers without the use of their individual city-issued email addresses or city-issued cell phones. Communications on the city-issued email and cell phone allow for covert communications between OOB customers and OOB staff and for OOB customers to target a specific OOB employee to process their permit applications. To improve transparency in communications, and accordingly, mitigate these vulnerabilities, OIG recommends that OOB require that all email communications between OOB customer-facing staff and OOB customers go through its shared email inbox and in-office telephone system.

Although OIG was told that a customer could not pay for an expedited review, given the lack of a queue or ticketing system, and the fact that OOB staff exercise some discretion in the order in which tasks are completed, an OOB employee could shift focus to certain projects for completion without raising an alarm. The Complainant informed OIG that in retrospect, the Complainant had noticed that Magee had flagged certain projects to the plans review specialists as "overdue" and in need of immediate review. OIG was also told that OOB receives special projects that are prioritized by staff for completion.

OIG acknowledges that the variability in project complexity, and the lack of uniformity in how quickly customers submit documents and other items, may prevent a rigid sequential system of dealing with projects. However, to detect potential misconduct, OIG recommends that OOB

[11] OIG was told that this was to avoid instances where OOB customers' applications are delayed due to the unavailability of a specific OOB permit technician.

devise a system to identify cases that move unusually quickly through the permitting process or otherwise raise concerns regarding deviation from OOB protocol.

Proposed changes to the order in which plans review specialists complete tasks should be made through supervisory staff. Plans review specialists, who are removed from the customers, may not have reason to question a permit technician's assertion that a project is overdue or otherwise in need of urgent review. If adjustments to the plans review specialist's workflow are made by supervisors only, this would help ensure that applications are prioritized based solely on operational concerns and not because the plans review specialist was supplied false information, or because of a relationship between OOB staff and the customer, or other improper concerns.

OIG received reports that DCP management received notice of misconduct committed by OOB customers, including identity theft and fraud, and did not refer the matter to law enforcement or an investigative body. In July 2023, OOB received a complaint from a customer regarding a reported third-party inspector for the City of Atlanta who solicited a bribe to pass the customer's building inspection. OIG only discovered this incident by reviewing files related to this case. OIG reviewed Accela records and confirmed that Company D's contractor continues to provide third-party inspections for OOB customers, despite the allegation that Company D's contractor solicited a bribe to pass an OOB customer inspection. This raises concerns about the validity of other inspections this contractor has provided to OOB customers.

OOB has switched policy from accepting only hardcopy documents to only electronic documents, despite the increased risks of receiving forged, false, or misused documentation that comes with electronic submissions. This policy shift may have contributed to the incident involving Tucker and RA1, where Tucker issued a permit based on, what was later determined to be, misappropriated documentation. RA1 continues to file permit applications on behalf of OOB customers, despite being identified by OOB as a person who submitted misappropriated documents, an offense serious enough that OOB revoked the permit that was issued as a result of RA1's documents, and also fired the employee who handled RA1's permit application.

Failing to respond to misconduct (whether it is internal or external) exposes the City to risk and invites bribery, extortion, and corruption into the City's permitting process. It is critical to the operations of OOB, and to the safety and health of Atlanta citizens, that the permit and licensing process be free of misconduct and corruption. OOB employees and customers should forward any complaints of potential criminal misconduct, regardless of origin, to OIG or the Atlanta Police Department so that these issues may be further addressed.

Accordingly, OIG recommends that OOB:

1. Require, as practicable, that communications between customer-facing staff and OOB customers take place over more transparent mediums such as the shared office inbox, and/or via office/desk telephones.

2. Ensure that the prioritization of and/or any adjustments to the plans review specialist workload are determined and communicated by supervisory staff only.

3. Develop a process to detect and review irregularly processed permit applications.

4. Train employees to report allegations of potential criminal misconduct to OIG and/or the Atlanta Police Department.

5. Inform customers how to report allegations of potential criminal misconduct to OIG and/or the Atlanta Police Department.