

Supervision of dangerous buildings in municipalities, towns and cities

Do local governments make every effort to ensure that the buildings in their territories are safe for people and the surroundings?

Summary of audit results

What did we audit?

The National Audit Office audited whether local governments make every effort to ensure that the disused buildings located in their territories pose no threat to people or the surroundings. 15 local governments were analysed to ascertain whether they had identified the dangerous buildings located in their territories and demanded that their owners eliminate the primary threat. For example, owners should fence off such buildings or board up their doors and windows to make sure the buildings cannot be entered. The local government should eliminate the threat itself if necessary. The steps taken to renovate or demolish dangerous buildings were also investigated.

The audited local governments and the buildings inspected during the audit were selected on the basis of the data collected by the Rescue Board about dangerous buildings from 2008-2014. 79 problematic buildings in the 15 audited local governments were selected and the auditors investigated the causes of the problematic situation and tried to find solutions to improving it. All of the buildings selected by the National Audit Office could have posed an actual threat to people, because they were located in busy centres. Buildings located in remote and abandoned places were not included in the audit. 20 of the 79 dangerous buildings were owned by the local governments themselves.

The activities and cooperation of the state agencies that are expected to supervise the condition of buildings were also analysed in the audit. The main such agencies are the Technical Surveillance Authority, the Rescue Board and the National Heritage Board.

Why is this important to taxpayers?

Safe public space is an essential characteristic of a quality living environment. People who visit municipality, town and city centres want to be sure that they will not fall into open manhole or get hit by building material falling off an abandoned building. The environment must also be safe for children who can injure themselves seriously in disused buildings that can still be accessed. Rescue workers must be able to react quickly to events that actually threaten the lives of people, not waste their valuable time on putting out fires in abandoned buildings. The aesthetic value of public space cannot be discounted either, and dangerous buildings are also eyesores.

What did we find and conclude on the basis of the audit?

According to the Rescue Board there were over 1200 dangerous buildings in Estonia in 2015. 55 of the inspected 79 buildings of 15 local governments were still in a dangerous condition, five had been demolished and in 19 cases, the threat had been eliminated in another manner. As for the 59 buildings located on private or state land, the local governments had not reacted to the threat at all in 22 cases, e.g. no proceedings were initiated against the owners of dangerous buildings.

The National Audit Office found that none of the audited local governments deal with such buildings as much as required by law. Most of them have not set this as a goal for themselves and they have failed to prepare plans for dealing with dangerous buildings. The National Audit Office is of the opinion that the problems are the result of the following circumstances:

- dealing with and supervising dangerous buildings is not considered a priority, and local governments usually plan no separate people or funds for this purpose. The priority local governments have set themselves in the area of construction supervision is processing planning and usage permits according to requirements, which means that the officials working in the area of construction don't have the time or the desire to identify dangerous buildings and initiate proceedings against negligent owners;
- local governments tend to not discipline the irresponsible owners of buildings, as they are afraid to lose in disputes due to their inadequate legal competence;
- even if the local government exercises supervision, issues precepts to owners and imposes penalty payments for failure to comply with them, this does not always lead to the elimination of the threat in the long run. Boarded doors and windows are quickly broken, but more permanent solutions such as reconstruction or demolition of the buildings are expensive. In the case of 13 of the 79 buildings inspected by the National Audit Office, the local government had issued a precept to the owner, but the building was still a threat to the environment;
- the situation is no better when the local government itself is the owner of the dangerous building. Access to seven of the 20 buildings belonging to local governments that were inspected by the National Audit Office is still not restricted. Local governments tend to overlook the fact that disused buildings must be maintained and instead, use their money for reconstructing buildings that are being used or for developing different services. It is possible to apply for support for the demolition of disused buildings, but there is not enough money for demolishing all of them;
- the National Audit Office is of the opinion that the Building Code does not stipulate a clear division of duties between local governments and the Technical Surveillance Authority in the supervision of dangerous buildings;
- cooperation between local governments and the other agencies that supervise buildings (Rescue Board, Technical Surveillance Authority, National Heritage Board) is not working. They often fail to inform each other about the proceedings they have initiated, which means that oftentimes, local governments do not have adequate information about all of the problems related to dangerous buildings;
- there is no central record of dangerous buildings in the building register as a central database, which is why the agencies concerned cannot obtain objective information about the status of buildings from there. Local governments do not think that entering the data of dangerous and disused buildings in the register is important. The Rescue Board and the National Heritage Board do not log their proceedings in the register either.

What did we recommend as a result of the audit?

The main recommendations made by the National Audit Office are as follows:

- local governments should identify in their territories any disused buildings that have become dangerous, guarantee that access to these buildings is blocked and plan goals and actions for reducing the number of dangerous buildings;
- the Ministry of Economic Affairs and Communications should send a memo to local governments that outlines in greater detail the competence of state supervision arising from the Building Code to explain the division of work between the Technical Surveillance Authority and local governments;
- the Ministry of Economic Affairs and Communications should also analyse with other ministries (Ministry of Finance, Ministry of the Environment) whether additional national support measures are required for the demolition of disused buildings;
- the Ministry of Culture should initiate a broad-based discussion of architectural monuments in dangerous condition and their prospects, and give more attention to the construction aspects than before.

Responses of the auditees: the majority of local governments agreed with the recommendations made by the National Audit Office, but pointed out that the supervision competence granted to them in the Building Code is still unclear and they do not understand fully how they are supposed to exercise supervision.

The Ministry of Economic Affairs and Communications did not agree to send a memo to the local governments to specify their supervision competence, but promised to analyse this upon the development of an adequate building supervision practice and inform the local governments about the results.

The Ministry of Culture stated that the composition of the National Heritage Council is sufficiently broad-based and relevant specialists have already been included in its work to guarantee building competence. The technical condition of dangerous architectural monuments is assessed and terminating their protection is considered where justified.