

CALIFORNIA ASSOCIATION OF
CODE ENFORCEMENT OFFICERS



AB2228

CODE ENFORCEMENT OFFICER STANDARDS ACT OF 2017

ADMINISTRATIVE RULES

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ADMINISTRATIVE RULES (AB2228)

1.1 Purpose and Scope:

Purpose. These sections are intended to implement a program for the certification of code enforcement officers under the authority of the California Association of Code Enforcement Officers (CACEO).

Scope. These sections cover: definitions; fees; application procedures; certification qualification requirements; educational requirements; examinations; determination of eligibility; certification and certification renewal; grounds for suspension or revocation; certification of persons with criminal backgrounds; violations, complaints, investigations, and disciplinary actions; processing applications; exemptions; advertising; and continuing education.

1.2 Definitions:

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

Act--Code Enforcement Officer Standards Act of 2017 (AB 2228), concerning the certification of code enforcement officers.

Applicant--A person who applies for certification under the Act.

Code enforcement--Enforcement of health, safety, and welfare requirements, and authorization to issue citations or file formal complaints, as specified by local, county, State, or Federal agency.

Code enforcement officer— any person who is not described in Chapter 4.5 (commencing with Section 830) and who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county, or municipal corporation, whether incorporated or chartered, who has enforcement authority for health, safety, and welfare requirements, and whose duties include enforcement of any statute, rule, regulation, or standard, including those who are authorized to issue citations, or file formal complaints.

Board—A duly elected Board of Directors of the California Association of Code Enforcement Officers

Certified--A person certified by CACEO under the Act.

Certification--The procedure by which the CACEO accepts, processes, and approves applications for certification of a person, including the furnishing and replacement or duplication of certificates and identification cards.

Journeyman - Someone who has more than 5 years of documentable work experience in the code enforcement profession.

1.3 Fees:

- A. The schedule of fees for certifications are as follow(s):
 - 1) Each successfully completed module--\$60 each module.
 - a) beginner--\$60
 - b) intermediate--\$60
 - c) advanced--\$60
 - 2) Renewal fees:
 - a) reinstatement fee for a certification: \$180.00;
 - b) certificate replacement fee--\$60 each;
 - c) examination fee--the cost of any prescribed exam-- \$150
 - d) reexamination (amnesty) --the cost of any prescribed exam; \$150
 - e) all fees are nonrefundable.
- B. All fees shall be submitted in the form of certified checks for guaranteed funds; money orders; checks from state agencies, municipalities, counties; credit cards, or other political subdivisions of the state made payable to CACEO.
- C. All fees indicated in section (A) do not include fees that may be §1.6 of this title (relating to Educational Requirements) incurred from educational providers.

1.4 Application Procedures:

A. Purpose:

The purpose of this section is to set the application requests and procedures for certification as a code enforcement officer. Applications may be submitted for certification as a certified code enforcement officer.

B. General:

- 1) Unless otherwise indicated, an applicant must submit all required information and documentation of credentials on official CACEO forms.
- 2) CACEO must receive all required application materials at least 15 days prior to the date the applicant wishes to take an examination.
- 3) CACEO will not consider an application as officially submitted until the applicant pays the required fee. The fee must accompany the application form or proof that a form was submitted.
- 4) An application not completed within 30 days after the date of the CACEO's notice of deficiency may be voided.
- 5) An application is not considered complete until the applicant has successfully completed the required examination.

- 6) General application materials. The application contains the following items:
 - a) specific information regarding personal data, social security number, birth date, place of employment, other state certifications and certifications held, and misdemeanor or felony convictions;
 - b) the date of the application;
 - c) the education and experience qualifications of each applicant;
 - d) a statement that the applicant has read Section 1029 of the Government Code and this chapter and agrees to abide by them;
 - e) a statement that the applicant shall return to the CACEO any certification certificate and identification card upon the expiration, revocation, or suspension of the certification;
 - f) a statement that the applicant understands that fees submitted in the certification process are nonrefundable unless the processing time is exceeded without good cause as set out in §1.18 of this title (relating to Processing Applications);
 - g) a statement that the applicant understands that materials submitted in the certification process become the property of the CACEO and are not returnable;
 - h) a statement that the information in the application is truthful and that the applicant understands that providing false and misleading information on items which are material in determining the applicant's qualifications may result in the voiding of the application, the failure to be granted any certification, or the revocation of any certification issued; and
 - i) the applicant's dated signature.

1.5 Certification Qualification Requirements:

An applicant who qualifies under Section 1029 of the Government Code, may have:

- A. Successfully completed the training program described in §1.6 of this title (relating to Educational Requirements); OR
- B. At least five years of full-time experience in the field of code enforcement meeting the following requirements which may include self-employment or independent contractor status;
- C. Regularly assigned duties which must have included code enforcement. The applicant need not have had the titles "code enforcement officer"; OR
- D. passed the examination(s) as outlined in §1.8 of this title (relating to Examinations)

1.6 Educational Requirements:

CACEO Modules 1, 2 and 3 must be completed and passed in order to receive the designation of a “certified code enforcement officer.” Each module consists of 40 hours of lecture with a final exam that requires a passing grade of 75% or greater.

All modules must be completed within a five (5) year period and submitted to the California Association of Code Enforcement Officers (CACEO) requesting a “Certified Code Enforcement Officer” (CCEO) designation.

1.7 Certification

- A. Once certification is received from CACEO, all certified code enforcement officers must take a minimum of 48 hours of CACEO continuing education within a 3-year period and maintain their CACEO membership in good standing to keep their designation as a certified code enforcement officer.
- B. Certification Lapse:
 - 1) Any CACEO certified code enforcement officer whose certification expires may re-certify by passing the Module 3 exam.
 - 2) Once re-certification is received from CACEO, all certified code enforcement officers must take a minimum of 48 hours of CACEO continuing education within a 3-year period and maintain their CACEO membership in good standing to keep their designation as a certified code enforcement officer.

1.8 Examinations:

- A. In order to complete any of the certification exam modules you must be a current CACEO member in good standing and show proof of employment with a jurisdiction/municipality performing Code Enforcement related duties.
 - 1) Module 1- examination contains 120 questions in 20 subject areas and you’ll be given 2 ½ hours to complete the exam. (A minimum of 1 year Code Enforcement Experience is required to take the Module 1 certification exam)
 - 2) Module 2- examination contains 120 question in 26 subject areas you’ll be given 2 ½ hours to complete the exam. (A minimum of 2 years of Code Enforcement Experience is required to take the Module 2 certification exam)
 - 3) Module 3 -examination contains 120 questions in 30 subject areas you’ll be given 2 ½ hours to complete the exam. (A minimum of 5

years of Code Enforcement Experience is required to take the Module 3 certification exam)

1.9 CACEO Certification Amnesty Exam:

- A. Any “journeymen” Code Enforcement Officer that has over 5 years of documentable experience (“Documentable” being defined as “acceptable to the board or its designee”); current employment is not required besides the 5 years of previous experience performing Code Enforcement related duties and is a current CACEO member in good standing, may opt- in to take the Module 3 Certification exam.
- B. Once certification is received from CACEO, all certified code enforcement officers must take a minimum of 48 hours of CACEO continuing education within a 3-year period and maintain their CACEO membership in good standing to keep their designation as a certified code enforcement officer.

1.10 CACEO College Academies/Modules:

- A. Upon completion of Modules 1-3 with passing grade, the code enforcement officer will submit a request for ‘Certification” status through CACEO by submitting copies of their “certificates of completion” (Employment not required, applicable administrative fees for submittal apply)
- B. The CACEO Academy/Modules will be taught through the colleges’ Public Safety program.
- C. The Education Committee will approve the college locations where the curriculum will be taught. Facility locations will be established based on population density and proximity to other locations where the curriculum is taught.
- D. Each Module will consist of 40 hours of lecture with a final exam at the end of each Module. The minimum passing score is 75%.

Attendees who miss more than 4 hours (10%) of the class will be disqualified from taking the Module exam.

1.11 CACEO Mobile Academies:

- A. Mobile academies will be offered in regions where the curriculum is not being taught at a college within 30 miles of the region.
- B. Each Module will have 40 hours of lecture with a final exam. The minimum passing score is 75%.
- C. Attendees who miss more than 4 hours (10%) of the class will be disqualified from taking the Module exam.

1.12 Determination of Eligibility:

- A. CACEO shall receive and approve or disapprove all applications for certification as a code enforcement officer.
- B. Notices of application approval, disapproval, or deficiency shall be in accordance with §1.18 of this title (relating to Processing Applications).
- C. An application for a certification shall be disapproved if the person has:
 - 1) Not met the requirements in §1.5 of this title (relating to Certification Qualification Requirements);
 - 2) Failed to pass the examination prescribed by the CACEO as set out in §1.8 of this title (relating to Examinations);
 - 3) Failed to or refused to properly complete or submit any application form, documents, or fee or deliberately presented false information on any form or document required by CACEO;
 - 4) Violated any provisions of Section 1029 of the Government Code or this chapter;
 - 5) convicted of a felony or misdemeanor if the crime directly relates to the duties and responsibilities of a certified code enforcement officer.
 - 6) Prior certification to engage in code enforcement or a related profession that was revoked by another licensing entity in this state or another state, commonwealth, or territory of the United States for any of the following reasons:
 - a) Unprofessional conduct;
 - b) Fraud, deceit, or negligence; or
 - c) Misconduct in the practice of code enforcement or a related profession.
 - d) If after review, CACEO determines that the application should not be approved, CACEO shall give the applicant written notice of the reason for the proposed decision and of the opportunity for a formal hearing. The notice shall be in accordance with §1.17 of this title (relating to Violations, Complaints, Investigations, and Disciplinary Actions).

1.13 Code Enforcement Officer Certification:

- A. Purpose. The purpose of this section is to set out the code enforcement certification procedures of CACEO.
- B. Issuance of certifications.
 - 1) CACEO will send each applicant whose application has been approved and who has passed the examination a code enforcement officer certificate and/or a certification identification card or a code enforcement certificate containing a certification number.
 - 2) A certificate of certification issued under this Act is valid for three years, as determined by CACEO and may be renewed as provided in §1.14 of this title (relating to Code Enforcement Certification Renewal).

- 3) Any certificate or identification card issued remains the property of the CACEO and must be surrendered on demand of the CACEO.
- C. Replacement certificate. CACEO will replace a lost, damaged, or destroyed certificate or identification card upon written request from an applicant and payment of the certificate and/or identification card replacement fee. The request shall include a statement detailing the loss or destruction of the original certificate or identification card or shall be accompanied by the damaged certificate or card.
- D. Name change. Before another certification certificate and identification card will be issued by the board, notification of name changes must be mailed to CACEO and shall include a duly executed affidavit and a notarized copy of a marriage certificate, court decree evidencing such change, State issued identification card/driver's license, or a copy of a social security card reflecting the new name. The applicant shall return any previously issued certification certificate and identification card and remit the certificate and/or identification card replacement fee as set out in §1.3 of this title (relating to Fees).

1.14 Code Enforcement Certification Renewal:

- A. Purpose. The purpose of this section is to set forth the rules governing certification renewal of code enforcement officers.
- B. General.
 - 1) An applicant must renew the certification every three years.
 - 2) Each applicant is responsible for renewing the certification before the expiration date and shall not be excused from paying the reinstatement fee. Failure to receive notification from the CACEO prior to the expiration date of the certification will not excuse failure to file for prompt renewal or late renewal.
 - 3) CACEO will not renew the certification of the applicant who is in violation of the Act or this chapter at the time of application for renewal.
 - 4) Notices of renewal approval, disapproval, or deficiency shall be in accordance with §1.18 of this title (relating to Processing Applications).
- C. Certification renewal.
 - 1) At least 30 days prior to the expiration date of a person's certification, the CACEO will send notice, to the applicant at the address in the CACEO's records, of the expiration date of the certification, the amount of the renewal fee due, the number of continuing education hours required for renewal, and a renewal form which the applicant must complete and return to the CACEO with the required renewal fee.
 - 2) The renewal form for all applicants shall require the provision of the preferred mailing address, primary employment address and telephone number, category of employment, and a statement of any misdemeanor

and felony offenses for which the applicant has been convicted and a statement attesting to completion of the required continuing education hours. The certification renewal form for code enforcement officers in training shall be accompanied by a current supervision contract on department forms complying with §1.5 of this title (relating to Certification Qualification Requirements).

- 3) An applicant has renewed the certification when the applicant has mailed the renewal form and the required renewal fee to CACEO prior to the expiration date of the certification, unless selected for random audit of continuing education. The postmark date shall be considered as the date of mailing.
- 4) CACEO shall issue an applicant who has met all requirements for renewal a certificate and/or identification card.

D. Late renewal:

- 1) CACEO shall inform a person who has not renewed a certification within 30 days following the expiration of the certification the amount of the renewal fee plus reinstatement fee required for renewal and the date the certification expired.
- 2) Persons renewing late are automatically subject to audit and must submit copies of continuing education certificates.
- 3) A person whose certification has expired for not more than one year may renew the certification by submitting to CACEO the certification renewal form, copies of continuing education certificates, the renewal fee, and the reinstatement fee. The renewal must be mailed to CACEO not more than one year after the expiration date of certification. The postmark date shall be considered as the date of mailing.
- 4) The amnesty period expires after one year, at which point renewal is not possible. The person may obtain a new certification by complying with the then current requirements and procedures for obtaining a certification.

E. Expiration:

- 1) A person whose certification has expired may not claim to be a certified code enforcement officer or use the title "certified code enforcement officer."
- 2) A person who fails to renew a certification is required to surrender the certificate and identification card to CACEO after 90 days from expiration of the certification or upon demand.

F. Active duty: If an applicant fails to timely renew his or her certification because the applicant is or was on active duty with the armed forces of the United States of America serving outside the State of California, the applicant may renew the certification in accordance with this subsection.

- 1) Renewal of the certification may be requested by the applicant, the applicant's spouse, or an individual having power of attorney from the

applicant. The renewal form shall include a current address and telephone number for the individual requesting the renewal.

- 2) Renewal may be requested before or after the expiration of the certification.
- 3) A copy of the official orders or other official military documentation showing that the applicant is or was on active duty serving outside the State of California shall be filed with CACEO along with the renewal form.
- 4) A copy of the power of attorney from the applicant shall be filed with CACEO along with the renewal form if the individual having the power of attorney executes any of the documents required in this subsection.
- 5) A applicant renewing under this subsection shall pay the applicable renewal fee, but not the reinstatement fee.
- 6) A applicant renewing under this subsection shall not be required to complete continuing education for the period of the active duty service.

1.15 Grounds for Suspension or Revocation:

A. Certificate of certification may be suspended or revoked for the following reasons:

- 1) deceit in obtaining a certificate including:
 - a) Presenting false information to CACEO on any initial application or document;
 - b) Presenting false information to CACEO on any renewal document;
 - c) Gross negligence in the practice of code enforcement;
 - d) As determined in the final judgment of a civil lawsuit; or
 - e) As defined by case law
- 2) Incompetency including:
 - a) determination of mental incompetency by a court;
 - b) Commitment, emergency detention, or admission to a mental health facility under the State of California Mental Health Services
 - c) Any mental or physical condition which does not allow code enforcement to be performed with reasonable skill or safety; or
- 3) Misconduct in the practice of code enforcement including:
 - a) Presenting false information to the CACEO in any investigation or disciplinary proceeding of the CACEO;
 - b) Making deceptive, false, or misleading statements concerning professional qualifications or credentials
 - c) Failing to comply with an order issued by CACEO;
 - d) Consuming alcohol or taking controlled substances not prescribed by a licensed physician while on duty as a code enforcement officer;

- e) Aiding or abetting the practice of an unregistered person when that person is required to be registered under Chapter 20 (commencing with Section 26205) of Division 20 of the Health and Safety Code;
- f) Verbally, physically, or sexually abusing or attempting to abuse an individual while on duty as a code enforcement officer;
- g) Falsifying reports made as a code enforcement officer;
- h) Accepting or offering to accept any form of compensation for:
 - i. Not reporting a hazard as required; or
 - ii. Correcting a hazard which was found while on duty as a code enforcement officer;
- i) Failing to report a crime when the report is required by law; or
- j) Failing to report another code enforcement officer who has violated the Act or this chapter

1.16 Certification of Persons with Criminal Backgrounds:

- A. This section sets out the guidelines and criteria on the eligibility of persons with criminal backgrounds to obtain certification as a code enforcement officer.
- B. Criminal convictions which directly relate to the occupation of code enforcement shall be considered by the CACEO as follows.
 - 1) The CACEO may suspend or revoke an existing certification, disqualify a person from receiving a certification, or deny a person the opportunity to be examined for a certification because of a person's conviction of a felony or misdemeanor if the crime directly relates to the duties and responsibilities of a Certified Code Enforcement Officer.
 - 2) In considering whether a criminal conviction directly relates, the CACEO shall consider:
 - a) the nature and seriousness of the crime;
 - b) the relationship of the crime to the purposes for requiring a certification as a code enforcement officer;
 - c) the extent to which a certification might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously had been involved; and
 - d) the relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of a code enforcement officer. In determining the present fitness of a person, the CACEO shall consider the evidence described in section §1020-1043 of the Government Code
 - 3) The following felonies and misdemeanors directly relate because these criminal offenses indicate an inability or a tendency for the person to be
 - a) a misdemeanor violation of the Government Code;

- b) a conviction related to deceptive business practices;
- c) a misdemeanor or felony offense involving:
 - i. bribery;
 - ii. forgery;
 - iii. tampering with a governmental record;
 - iv. perjury;
 - v. burglary
 - vi. arson;
- 4) a conviction for practicing another profession without a license, certificate, or certification required by state or federal law;
- 5) A conviction relating to delivery, possession, manufacturing, or use of:
 - a) controlled substances; or
 - b) dangerous drugs;
 - c) a conviction involving moral turpitude;
- 6) a misdemeanor or felony offense under various titles of the California Penal Code:
 - a) §187-248 (Title 8) concerning offenses against the person;
 - b) §450-593g (Title 13) concerning offenses against the property;
 - c) §261-368.5 (Title 9) concerning offenses against public order and decency;
 - d) § 369a-402c (Title 10) concerning offenses against public health, safety, and morals; or
 - e) §Part 1 concerning offenses of attempting or conspiring to commit any of the offenses in this subsection; and
- 7) other misdemeanors and felonies which indicate an inability or tendency for the person to be unable to perform as an applicant or to be unfit for certification.
- 8) Procedures for revoking, suspending, or denying a certification to persons with criminal backgrounds shall be as follows:
 - a) CACEO shall give written notice to the person that CACEO proposes to deny the application or suspend or revoke the certification in accordance with the provisions of §1.15 of this title (relating to Grounds for Suspension or Revocation).
 - b) If CACEO denies, suspends, or revokes an application or certification under this section, CACEO shall give the person written notice of the reasons for the decision:
 - i. of the reasons for the decision;
 - c) that the person, after exhausting administrative appeals, may file an action in District Court for the Eastern District of California for review of the evidence presented to CACEO and its decision;
 - d) that the person must begin the judicial review by filing a petition with the court within 30 days after the CACEO action is final and appealable; and

- e) of the earliest date that the person may appeal.

1.17 Violations, Complaints, Investigations, and Disciplinary Actions:

- A. Purpose. The purpose of this section is to set out:
 - 1) violations and prohibited actions under Government Code, and this chapter;
 - 2) procedures concerning complaints alleging violations of the Act or this chapter; and
 - 3) CACEO actions against a person when violations have occurred.
- B. Compliance. An applicant or certified code enforcement officer? must comply with the Act and this chapter.
- C. Filing complaints.
 - 1) Any person may complain to CACEO alleging that a code enforcement officer or another person has violated the Act or this chapter.
 - 2) A person wishing to file a complaint against a code enforcement officer or another person shall notify CACEO. The initial notification of a complaint may be in writing or telephone.
 - 3) Upon receipt of a complaint, CACEO shall send to the complainant an acknowledgment letter and CACEO's complaint form, which the complainant must complete and return to CACEO before further action can be taken
 - 4) Anonymous complaints may be investigated by CACEO if the complainant provides sufficient information.
 - 5) All non-anonymous complainant information will remain confidential unless required to be released by a court order
- D. Investigation of complaints.
 - 1) CACEO may investigate any complaint.
 - 2) If CACEO determines that the complaint does not come within CACEO's jurisdiction, CACEO shall advise the complainant and if possible, refer the complainant to the appropriate governmental agency for handling such a complaint.
 - 3) CACEO shall, at least as frequently as quarterly, notify the parties to the complaint of the status of the complaint until its final disposition.
 - 4) If CACEO determines that there are insufficient grounds to support the complaint, CACEO shall dismiss the complaint and give written notice of the dismissal to the applicant or person against whom the complaint has been filed and the complainant.
 - 5) If CACEO determines that there are sufficient grounds to support the complaint, CACEO may propose to deny, suspend, revoke, or not renew a certification.
- E. Disciplinary actions.

- 1) CACEO may deny an application or certification renewal or suspend or revoke a certification.
 - 2) Prior to the institution of formal proceedings to revoke or suspend a certification, CACEO shall give written notice to the applicant of the facts or conduct alleged to warrant revocation or suspension, and the applicant shall be given an opportunity, as described in the notice, to show compliance with all requirements of the Act and this chapter.
 - 3) If denial, revocation, or suspension of a certification is proposed, CACEO shall give written notice to the applicant or applicant that the application or certification must request, in writing, a formal hearing within ten (10) days of receipt of the notice. The notice shall state the basis for the proposed action. Receipt of the notice is presumed to occur on the 10th day after the notice is mailed to the last address known to CACEO unless another date is reflected on a United States Postal Service return receipt.
 - 4) If no timely request for a hearing is received, the applicant or applicant is deemed to have waived the hearing and be in agreement with the allegations and proposed action.
 - 5) If the applicant or applicant fails to appear or be represented at the scheduled hearing, the person is deemed to be in agreement with the allegations and proposed action and to have waived the right to a hearing.
 - 6) If the hearing is waived, the application or certification shall be denied, suspended, or revoked by order of the Administrative Committee.
 - 7) The formal hearing shall be conducted according to the hearing procedures in §1.16 of this title (relating to Certification of Persons with Criminal Backgrounds).
- F. Denial, suspension, or revocation.
- 1) CACEO shall suspend or revoke a certificate issued under this Act if CACEO determines that the certificate holder engaged in fraud or deceit in obtaining a certificate or is grossly negligent, incompetent, or guilty of misconduct in the practice of code enforcement.
 - 2) If CACEO suspends a certification, the suspension shall remain in effect until CACEO determines that the reason for suspension no longer exists.
 - 3) During the time of suspension, the suspended certification holder shall return his or her certificate and identification card to CACEO.
 - 4) If the suspension overlaps a certification renewal date, the suspended certification holder may comply with the renewal procedures in this chapter; however, CACEO may not renew the certification until CACEO determines that the reason for suspension no longer exists or the period of suspension is completed.

- 5) If CACEO revokes or does not renew a certification, a person may apply for a certification by complying with the requirements and procedures in this chapter at the time of reapplication. CACEO may refuse to issue a certification if the reason for revocation or nonrenewal continues to exist.
- 6) Upon revocation, a certification holder shall return the certification certificate and/or identification card to CACEO if not previously returned.

1.18 Processing Applications:

Time periods. CACEO shall comply with the following procedures in processing applications for initial certification and certification renewal.

- A. The following periods of time shall apply from the date of receipt of an application until the date of issuance of a written notice that the application is complete and accepted for filing or that the application is deficient and additional specific information is required. A written notice stating that the application has been approved may be sent in lieu of the notice of acceptance of a complete application. The time periods are as follows:
 - 1) Letter of acceptance of application for certification of code enforcement officer --30 working days;
 - 2) Letter of application or renewal deficiency--30 working days; and
 - 3) Issuance of certification renewal or letter of renewal deficiency--20 working days.
- B. The following periods of time shall apply from the receipt of the last item necessary to complete the application until the date of issuance of written notice approving or denying the application. The time periods for denial include notification of the proposed decision and of the opportunity, if required, to show compliance with the law and of the opportunity for a formal hearing. The time periods are as follows:
 - 1) letter of approval for examination--30 working days;
 - 2) initial letter of approval for certification--30 calendar days;
 - 3) letter of denial of certification --30 calendar days; and
 - 4) issuance of certification renewal--10 working days.
- C. Reimbursement of fees.
 - 1) In the event an application is not processed in the time periods stated in subsection (a) of this section, the applicant has the right to request reimbursement of all fees paid in that particular application process.
 - 2) Application for reimbursement shall be made to CACEO. If CACEO does not agree that the time period has been violated or finds that good cause existed for exceeding the time period, the request will be denied.
 - a) Good cause for exceeding the time period is considered to exist if the number of applications for certification and certification renewal

exceeds by 15% or more the number of applications processed in the same calendar quarter the preceding year; another public or private entity relied upon by CACEO in the application process caused the delay; or any other condition exists giving CACEO good cause for exceeding the time period.

- D. Appeal. If a request for reimbursement under subsection (b) of this section is denied by CACEO, the applicant may appeal to the Administrative Committee Chairman of CACEO for a timely resolution of any dispute arising from a violation of the time periods. The applicant shall give written notice to the chairman at the address of CACEO that he or she requests full reimbursement of all fees paid because his or her application was not processed within the applicable time period. The Administrative Committee shall provide written notice of the Committee's decision to the applicant and CACEO. An appeal shall be decided in the applicant's favor if the applicable time period was exceeded and good cause was not established. If the appeal is decided in favor of the applicant, full reimbursement of all fees paid in that particular application process shall be made.
- E. Contested cases. The time periods for contested cases related to the denial of certification or certification renewals are not included within the time periods stated in subsection (A) of this section. The time period for conducting a contested case hearing runs from the date CACEO receives a written request for a hearing and ends when the decision of CACEO is final and appealable. A hearing may be completed within one to four months, but may extend for a longer period of time depending on the particular circumstances of the hearing.

1.19 Continuing Education and Continuing Education Units (CEU):

- A. Each certified code enforcement officer must meet the renewal requirements set out in this section.
- B. Code enforcement officers in training who apply to upgrade prior to CACEO's issuance of notice regarding the expiration of their certification as required by §1.14 of this title (relating to Code Enforcement Certification Renewal) are not required to submit continuing education hours in order to upgrade.
- C. Each certified code enforcement officer must obtain and show proof of not less than sixteen (16) continuing education units as set forth in this section within the twelve months preceding renewal of a certification issued for one year, or not less than forty-eight (48) continuing education hours as set forth in this section within the thirty (36) months preceding renewal of a certification issued for three years.

- D. Only continuing education activities conducted in accordance with this section shall be considered approved by CACEO and may be represented to the public as acceptable for certification renewal for certified code enforcement officers in California.
- E. Department approved continuing education activities for license renewal include the following:
 - 1) conferences;
 - 2) home-study training modules (including professional journals requiring successful completion of a test document);
 - 3) lectures;
 - 4) panel discussions;
 - 5) seminars;
 - 6) accredited college or university courses;
 - 7) video or film presentations with live instruction;
 - 8) field demonstrations;
 - 9) teleconferences; or
 - 10) other activities approved by CACEO.
- F. Only the following continuing education activities shall serve as a basis for certification renewal:
 - 1) approved by CACEO, Education Committee Chairman, or its designee in accordance with this section; or
 - 2) approved by another professional regulatory agency in the State of California as acceptable continuing education for license renewal; and
 - 3) covering one or more of the curriculum areas listed in subsection (j) of this section.
- G. Continuing education activities must meet the following criteria if they are to be acceptable for continuing education credit:
 - 1) the activity must cover one or more of the curriculum areas listed in subsection (J) of this section;
 - 2) the activity must be conducted by an organization which is:
 - a) an accredited college or university;
 - b) a governmental agency, including local, state or federal agencies;
 - c) an association with a membership of 25 or more persons, or its affiliate; or
 - d) a commercial education business;
 - 3) the activity must have a record keeping procedure which includes a register of who took the course and the number of continuing education units earned;
 - 4) the organization must implement procedures for verifying participant's attendance;
 - 5) the activity must be at least 60 minutes in length of actual instruction time. Roundtable discussions and more than one speaker for the total

- of 60 minutes per activity is permissible. No credit will be given for time used for other non-relevant activities; and
- 6) the activity must be conducted in compliance with all applicable federal and state laws, including the Americans with Disabilities Act (ADA) requirements for access to activities.
- H. Organizations shall send, e-mail, or fax notification of upcoming continuing education to CACEO at least 15 days prior to the event which includes the:
- 1) date(s) of the continuing education activity;
 - 2) time of the continuing education activity;
 - 3) location of the continuing education activity;
 - 4) title of the activity; and
 - 5) name of the instructor(s).
- I. Commercial education businesses, in addition to the items listed in subsection (H) of this section, shall submit a request for approval on department forms; and shall not represent any course as approved until such approval is granted by CACEO in writing.
- J. The curriculum of an approved activity must include one or more of the following subjects:
- 1) zoning and zoning ordinance enforcements;
 - 2) sign regulations;
 - 3) home occupations;
 - 4) housing codes and ordinances;
 - 5) building and nuisance abatement;
 - 6) nuisance violations;
 - 7) abandoned vehicles;
 - 8) junk vehicles;
 - 9) health ordinances;
 - 10) public safety;
 - 11) officer safety;
 - 12) basic processes of law related to code enforcement;
 - 13) professional, supervisory or management training related to the profession of code enforcement; or
 - 14) legislative or legal updates related to the profession of code enforcement.
 - 15) relevant code enforcement training as determined by the CACEO Board of Directors
- K. Documentation of continuing education activity shall be maintained by the organization for three years, including:
- 1) a roster which shall include the following:
 - a) name, address, phone number, code enforcement officer certification number, social security number (used to coordinate continuing

- education activity information with CACEO's records), and signature of the applicant; and
- b) number of continuing education hours earned by each individual;
- 2) copy of notification and description of method transmitted to CACEO as required by subsection (H) of this section; and
 - 3) copies of all program materials sufficient to demonstrate compliance with this section.
- L. At the conclusion of the activity the organization shall distribute to attending code enforcement officers who have successfully completed the activity a certificate of completion which shall include the name of the applicant; the name of the organization providing the training, the title of the activity; the date and location of the activity, and the continuing education hours earned. Training shall include a breakdown, if applicable, of the hours earned on each topic listed under subsection (J) of this section.
- M. Each certified code enforcement officer shall collect and keep certificates of completion of approved courses. These certificates of completion will be used to document the attendance of a certified code enforcement officer at approved courses. CACEO will conduct random audits for compliance with this requirement.
- N. Failure to comply with the continuing education hour requirements for certified code enforcement officer certifications issued by CACEO will:
- 1) result in suspension of a code enforcement officer certification until the necessary credits for continuing education are successfully completed; and
 - 2) require certified code enforcement officers to make new application for certification as a certified code enforcement officer, if the certified code enforcement officer does not renew within one year after the original certification expired.
- O. CACEO may fail to accept any or all courses for certification renewal if an organization fails to file a timely notice of upcoming continuing education, fails to retain documentation related to the activity as required by this section, or fails to comply with any other requirements that are a basis for approval or that are a part of this subchapter.
- P. A certified code enforcement officer may file a written request for an extension of time for compliance with any deadline in this subsection. Such request for extension, not to exceed 30 days, shall be granted by CACEO if the certified code enforcement officer files appropriate documentation to show good cause for failure to comply timely with the requirements of this subsection. Good cause includes, but is not limited to, extended illness, extended medical disability, or other extraordinary hardship which is beyond the control of the person seeking the extension.

- Q. (Q) Initial certification in the 12 months preceding renewal will be accepted as proof of the continuing education required by subsection (C) of this section if the certification is listed as follows:
- 1) Approved Training Organizations for CEU's. CACEO will accept up to 24 hours of CEU's within a 3-year period from the following organizations:
 - a) International Code Council (ICC)
 - b) California Building Officials (CALBO)
 - c) Police Officer Standards and Training (POST)
 - d) American Association of Code Enforcement (AACE)
 - e) Florida Association of Code Enforcement (FACE)
 - f) Code Enforcement Association of Texas (CEAT)
 - g) *Other Code Enforcement related courses may be submitted for NON-CACEO CEU'S to the Education Committee for review.

1.20 Amendment of Rules and Regulations.

An amendment to the rules and regulations of this chapter may be made by the Administrative Committee upon a majority vote and ratification by the CACEO Board of Directors.