

**HOME INSPECTION
ADVISORY COMMITTEE
Minutes of January 10, 2006
Public Session**

CALL TO ORDER

The meeting of the Home Inspection Advisory Committee was called to order by Chairman Michael Del-Greco, at 10:005 A.M. in the Union Conference Room, third floor, 124 Halsey Street, Newark, New Jersey. All parties were duly notified of the time, date and place and all pertinent material had been provided.

SUNSHINE LAW ANNOUNCEMENT

Joseph Grabowy, read the statement required by Chapter 231, Laws of 1975, known as the Open Public Meetings Act, and announced that notice of the meeting was prepared in the office of the Committee and mailed to the Secretary of State, the Star Ledger, the Courier Post, the Bergen Record and the Atlantic City Press.

ROLL CALL

CMs present: Michael Fitzpatrick
Michael Del Greco
Thomas Kraeutler

CMs absent: None

Others present: Arthur Russo, Executive Director, Olga E. Bradford, Deputy Attorney General, staff members Joseph Grabowy, Ernest Gonzalez, Robert Welsh, and Lyann Hope, Barbara Cook, Managing Executive Director, and fourteen members of the public.

REVIEW OF MINUTES

The Committee reviewed the December 27, 2005 and January 3, 2006 minutes and made substantial modifications. The Committee directed staff make those amendments and place these minutes on the February 14, 2006 agenda.

REPORT OF THE EXECUTIVE DIRECTOR

ED Russo informed the full Committee that at its January 3, 2006 meeting with Kathleen Alexander, from the Department of Education and Sandy Fountain, from the Department of Labor and Workforce Development they discussed its draft recommendations to home inspection schools seeking approval by the Department of Education. ED Russo stated that the draft recommendations discussed by the Committee at this meeting are not requirements. Rather these recommendations are ideal goals and objectives that the Committee feels would assist home inspector schools in producing qualified home inspector graduates and obtaining approval from the Department of Education to offer a home inspector school program. This document was titled "Home Inspector School Curriculum Addendum." The Committee Chairman then initiated the review of the Curriculum Addendum to correct grammatical errors and to discuss various substantive components. This document was discussed with the public attending.

On a motion by CM Fitzpartick, seconded by Chairman Del-Greco the Committee unanimously voted to approve its Home Inspector School Curriculum Addendum/ recommendations and authorized Chairman Del Greco to provide Kathleen Alexander with this amended document and submit it to the Board of Professional Engineers and Land Surveyors for review and approval.

CM Fitzpatrick stated that only Professional Engineer can design septic systems. He also stated that only a Professional Engineer and or Registered Health Specialist can approve, review, and install a septic system. He

stated that N.J.A.C. 13:40-15.22 which states that licensed home inspectors are prohibited from inspecting septic systems unless they are licensed as a Professional Engineer and or a Registered Health Specialist, was put into the home inspector regulations for these reasons.

INCOMING CORRESPONDENCE

#1 Edgar Woodson
Re: Home Inspector Licensure
(December 30, 2005)

Mr. Woodson writes to the Committee requesting a meeting to discuss the home inspector curriculum and numerous issues related to the licensure of home inspectors.

The Committee reiterated that it would accept the 300 hour home inspector course of program study certificates in lieu of the 140 hours of home inspector course work for new applicants pursuant to P.L. 2005.,201 until October 26, 2006. The Committee stated that under the current law applicants who already completed or are currently in the process of completing a 300 hour home inspector course program are now required to complete 40 hours of unpaid field based inspections as offered by the school they completed the 300 hours under in accordance with P.L. 2005,c. 201. The Committee also stated the P.L. 2005.,201 does not become effective until on or about February 16, 2006, hence home inspection schools are not offering the 40 hours of unpaid field based inspections currently because they are not required to until that date. The Committee reiterated its position as stated at its November 15, 2005 meeting that it would not initiate the enforcement of unlicensed practice against unlicensed home inspectors until April 26, 2006 to accommodate provisions in P.L.2005.,2006. Lastly, the Committee advised Mr. Woodson that once the home inspector curriculum was completed that it would be made available to all interested parties.

#2 Patricia Katz
Re: X-Ray Home Inspection and Ronald Lucas
(December 20, 2005)

Ms. Katz requested information regarding any reprimands and or provisional orders.

This matter was moved to executive session.

#3 Fred Ensminger
Re: P.L. 2005,c.201
(November 1, 2005)

Mr. Ensminger writes the Committee to suggest it reconsider its initial interpretation of the new law.

The Committee advised Mr. Ensminger that his concerns have already been addressed and rectified.

#4 Anonymous
Re: Preferred Vendor Partnerships
(Dec 30, 2005)

The writer alleges that several home inspector companies are engaged in preferred vendor relationships.

This matter was moved to executive session.

#5 John Cagliostro
Re: Coldwell Banker Agreement
(December 3, 2006)

Mr. Cagliostro writes the Committee to ascertain whether or not an agreement Coldwell Banker requires a

licensed home inspector to sign is in violation of N.J.A.C. 13:40-15.19 (2a).

This matter was carried to the Committee's February 14, 2006 meeting.

Outgoing Correspondence

#1 Paul P. Josephson, Esq.
Hill Wallack, Attorneys at Law
Re: NJ NACHI

The Committee responded to Mr. Josephson's December 8, 2005 regarding the licensing of home inspectors.

The Committee noted this correspondence for the record.

REVIEW OF GRANDFATHERING APPLICATIONS FOR LICENSURE

On a motion by CM Fitzpatrick, seconded by VC Kraeutler, the Committee unanimously voted to approve the following applications for licensure:

Name	App #
William Weschler	1001505
Michael Curran	955072
Tomasz Smietanka	1164826

PUBLIC COMMENTS AND ATTENDANCE

Robert Fico; J. Phillip Barry; Graig Lynch; Rod Hayes; Peter Daniele; Eileen Rowe, Mr. Inside Out; Robert Rowe, Mr. Inside Out; David Goldstein, Building Inspector Career Institute; Dee Goldstein, Building Inspector Career Institute; Edgar Woodson; Paul Josephson; Philip Hinman, NJ NACHI; Charles Meyer, Howard Woodbury, Frank Fiorello; Mark Depree.

David Goldstein asked how long the Committee would accept the 300 hour home inspector program in lieu of the 140 hour program in the new law.

The Committee reiterated that it would accept the 300 hour home inspector course of program study certificates in lieu of the 140 hours of home inspector course work for new applicants pursuant to P.L. 2005.,201 until October 26, 2006. Robert Rowe asked how should an applicant who was not approved by December 30, 2005 proceed.

The Committee stated that its reviewing all documents and situations on a case by case basis. DAG Bradford stated that the new law is hard to apply to real life situations but that the Committee would do its best to review all applications.

Pete Daniele asked if applications under the new law were available now and will they be ready on February 16, 2006.

The Committee stated that applications to apply for home inspector licensure under P.L. 2005.,201 may be available by February 16, 2006.

Rod Hayes stated that he is one of the individuals who is currently in home inspector school or has completed the course program but has not completed the 40 hours of unpaid field based inspections because the curriculum is not complete and home inspector schools are not offering the 40 hours currently.

The Committee stated that it was confident that all home inspector schools would offer 40 hours of unpaid field based inspections to previous students in this situation.

Craig Lynch stated that he is an instructor at Bergen County Vocational Tech and inquired if they can submit a home inspector curriculum.

The Committee stated that it would discuss that matter at a later point.

Philip Barry also stated that he is one of the individuals who is currently in home inspector school or has completed the course program but has not completed the 40 hours of unpaid field based inspections because the curriculum is not complete and home inspector schools are not offering the 40 hours currently.

The Committee reiterated that it would do all it could under the new law to review this matter.

Robert Fico asked when unlicensed home inspectors have to be licensed.

The Committee stated that unlicensed persons have to be licensed by January 1, 2006 but repeated that it would not pursue unlicensed practice actions against unlicensed persons performing home inspections until after April 26, 2006 in light of P.L. 2005.,201.

Mark Dupree stated that he too is one of the individuals who is currently in home inspector school or has completed the course program but has not completed the 40 hours of unpaid field based inspections because the curriculum is not complete and home inspector schools are not offering the 40 hours currently.

Philip Hinman stated that he knows 50 -70 persons who fall into the category of individuals who have completed the 300 hour home inspector school course of program study or are currently in school and are scheduled to complete the program soon but not completed the 40 hours of unpaid field based inspections because the curriculum is not complete and home inspector schools are not offering the 40 hours.

The Committee thanks Mr. Hinman for his comments and assured him that it would do all that it could to address his concerns.

EXECUTIVE SESSION

Executive Session was carried to the Committee's February 14, 2006 meeting.

ADJOURNMENT

On a motion by CM Fitzpatrick, seconded by VC Kraeutler, the Committee voted to adjourn the meeting at 3:35PM.

APPROVED BY:

Michael Del Greco
Chairman

Arthur Russo
Executive Director