



CHRIS CHRISTIE  
Governor

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Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Professional Engineers and Land Surveyors  
Home Inspection Advisory Committee  
124 Halsey Street, 3<sup>rd</sup> Floor, Newark, NJ 07102  
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### HOME INSPECTION ADVISORY COMMITTEE Minutes of April 12, 2011 Public Session

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#### CALL TO ORDER

The meeting of the Home Inspection Advisory Committee was called to order by Chairman Michael Del Greco at 10:10 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 Del Greco  
Daniel Casper  
F. Michael Fitzpatrick

CMs absent: None

Others present: Joseph Grabowy, Acting Executive Director, Olga E. Bradford, Deputy Attorney General, and six members of the public.

#### APPROVAL OF MINUTES

February 8, 2011

The Committee reviewed the minutes of February 8, 2011 and on a motion by Vice Chairman Casper, second by CM Fitzpatrick, voted to approved the minutes as amended.

## REPORT OF THE EXECUTIVE DIRECTOR

Acting Executive Director Grabowy presented the following statistics as of February 1, 2011:

a. Licensing Statistics:

- Licensed Home Inspectors - Active	745
- Home Inspectors - Expired	130
- Home Inspectors - Inactive	126

- b. Acting Executive Director Grabowy discussed the issue of allowing partial credit, from the original approved number of credits, for a continuing education course if taught in some abbreviated manner. In addition, he brought up the issue of taking refresher courses based upon the original ten (10) modules required for licensure, for continuing education credit.

The Committee discussed this matter and concluded that a separate request must be submitted by a provider for consideration for continuing education partial credit, since each course will be considered on an individual case basis.

The Committee discussed the notion of changing its continuing education approval letter sent to sponsors to include that participants must be in attendance for the entire session in order to receive full credit.

The Committee discussed the concept of granting continuing education credit for retaking one of the ten modules as part of an applicant's initial licensing. After discussing this issue the Committee concluded not to allow any continuing education credit to all licenses who either qualified for their initial licensure under the grandfather provision, or otherwise, since the courses must be of a higher level than those (modules) offered for initial licensure.

CM Fitzpatrick stated that he does not have enough continuing education credits for the upcoming biennial renewal period and requested possible credit for reviewing the continuing education courses for the Committee's agenda and for serving as a member of the Committee. DAG Bradford stated that there is no statutory authority to allow credit for reviewing agendas and continuing education course submissions. Therefore, on a motion by Chairman Del Greco, second by Vice Chairman Casper, the Committee granted an extension thru December 31, 2011 for CM Fitzpatrick to complete his continuing education requirements for the 2009 - 2011 renewal period. CM Fitzpatrick was recused from all discussions on this matter.

The Committee requested that its regulation concerning continuing

education be revised to include credit for performing Board work.

Vice Chairman Casper also requested an extension of time to complete his continuing education credits for the 2009-2011 biennial renewal period. On a motion by CM Fitzpatrick, second by Chairman Del Greco, the Committee granted a six (6) month extension thru October 31, 2011, to complete his continuing education requirements for the 2009 - 2011 renewal period. Vice Chairman Casper was recused from all discussions on this matter.

DAG Bradford stated that due to employee reductions the current trend within the Division of Consumer Affairs is not to perform the biennial audit of continuing education courses for the 2009 - 2011 renewal period.

The Committee requested that its entire application be revised. It will be placed on the May agenda for further review.

c. Incoming Correspondence

- 1) Kenneth Townsend  
RE: Licensing Requirements  
March 15 2011

Mr. Townsend seeks to determine if he can qualify for home inspector licensure with a 10<sup>th</sup> grade education.

The Committee reviewed this correspondence and concluded that pursuant to its regulations, all applicants for licensure must possess either a high school education or G.E.D. equivalency.

- 2) Benjamin Duh  
RE: Field Based Inspections

Mr. Duh seeks to perform his field based inspections under the supervision of Sam Hung, a licensed home inspector.

The Committee reviewed this correspondence and concluded that Mr. Duh may not perform his field based inspections under the supervision of Sam Hung, since Mr. Hung must be either employed by or under contract with an approved home inspection school.

- 3) Eugene J. Godowski  
RE: Correction of Renewal License  
March 21, 2011

Mr. Godowski advised the Committee that he incorrectly answered two questions involving prior criminal history when renewing his license online for the current renewal period.

The Committee reviewed this correspondence and will request that Mr. Godowski provide an affidavit certifying his prior responses were incorrect.

- 4) Sergio Angione  
RE: Satisfaction of Consent Order  
March 15, 2011

Mr. Angione seeks to determine if the six (6) hour report writing courses previously taken will satisfy the requirements outlined in his Consent Order.

The Committee reviewed this correspondence and on a motion by Vice Chairman Casper, second by CM Fitzpatrick, voted to accept Mr. Angione's submission as satisfying the continuing education terms of his Consent Order.

- 5) Brian M. McDevitt, PE  
RE: Continuing Education Courses  
March 21, 2011

Mr. McDevitt seeks an extension of time to complete his continuing education courses for his home inspector's license which are due April 30, 2011, and also to determine which courses will satisfy both the Committee's and the State Board of Professional Engineers and Land Surveyor's requirements.

The Committee reviewed this correspondence and on a motion by Vice Chairman Casper, second by CM Fitzpatrick, noted to grant Mr. McDevitt, a six (6) month extension to complete his continuing education requirements.

Additionally, the Committee concluded that Mr. McDevitt shall find courses that satisfy both the Committee's and the State Board of Professional Engineer's and Land Surveyor's continuing education requirements.

- 6) Judith Kurz  
RE: Complaint #73523, against Robert Fico, Ace Home Inspections, Inc.  
March 21, 2011

Ms. Kurz expressed her displeasure with the Committee's prior decision in this matter.

After reviewing this correspondence the Committee and on a motion by CM Fitzpatrick, second by Vice Chairman Casper, denied Ms.

Kurz's request for reconsideration, and will send a clarifying letter to Ms. Kurz since the name of the home inspector involved in her inspection was incorrect.

- 7) Brian Mulvihill Vs. Christopher Burrows - #57353  
RE: Satisfaction of Consent Order  
March 18, 2011

The Committee reviewed Mr. Burrows executed Consent Order, and on a motion by CM Fitzpatrick, second by Vice Chairman Casper, concluded that Mr. Burrows has satisfied all of the terms and conditions thereof.

c. **Outgoing Correspondence**

- 1) Tina Berry  
RE: Sump Pump Inspection  
April 5, 2011

The Committee noted this correspondence for the record.

- 2) Drew L. Scerbo  
RE: Request for Advice  
April 5, 2010

The Committee noted this correspondence for the record.

- 3) Hugh John Howard  
RE: Home Inspector Licensing  
March 2, 2011

The Committee noted this correspondence for the record.

- 4) Christopher Boivin  
RE: Home Inspector Licensure  
March 2, 2011

The Committee noted this correspondence for the record.

**APPLICATIONS FOR REVIEW**

The Committee on a motion by CM Fitzpatrick, second by Vice Chairman Casper, voted to approve the following applications pending receipt of insurance.

<u>Applicant</u>	<u>Application #</u>
Shawn McGarother	1563386

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Gregory Ragona	1566526
Mark Bendit	1536144
Peter Del Rossi	1568893
William Hagerty	1570240
Michael Mess	1570233
Alan Clancy	1570441
Michael Surguy	1570427
Paul Black	1571503
Jeffrey Wozniak	1573032
Thomas Giancola	1573581
Kenneth Hartman	1574170

**REVIEW OF CONTINUING EDUCATION COURSES:**

<b><u>Sponsor</u></b>	<b><u>Course</u></b>	<b><u>PDH</u></b>
NJ Pest Management Association	WDI Credentialed Inspector Course	12
American Ground Water Trust	Ground Source Heating & Cooling for Residential And Commercial Property	4
Rutgers/DCA	Inspector of Hotels and Multiple Dwellings	20
Garden State ASHI	Radon Testing	4
Garden State ASHI	Principles of Inspection for Attic Ventilation Asphalt & Synthetic Slate Shingles	3
Garden State ASHI	Inspecting Engineered Wood Products/ Inspection Decks	9.5
Rutgers/DCA	2009 IMC Design Installation Inspection Principles	4
Rutgers/DCA	IFGC Design Installations, Inspection Principles	5
NY Metro ASHI	Newcomer's Hour Report Writing	1
NY Metro ASHI	Attic Inspections	1
Fuel Merchants Association	Oil Heating Appliance Seminar for Energy Auditors	6
NJ NACHI	Radon & The Home Inspection	2
NJ NACHI	Precast Residential Foundations	2
NJ NACHI	Basement & Below Grade Issues for Home Inspectors	2

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NJ NACHI	Chimney Issues for Home Inspectors	2
Pocono - Lehigh ASHI	Roofing	7
NJ NACHI	Inspecting Chimneys	2
NJ NACHI	Inspecting for WDI and Structural Damage	1
NJ NACHI	Structure for Home Inspectors	2
NJ NACHI	Inspecting Boilers	2
NY Metro ASHI	Hydronic Heating Systems	1.5
NY Metro ASHI	Part I - Overview of Exteriors	1
100% Education by mckissock	FHA 203K Inspections for Home Inspectors	8
Criterion Engineers	Retaining Walls	1
Criterion Engineers	Foundation inspection of Basements and Crawlspace	1
Criterion Engineers	Energy Efficient Building Envelope Design And Construction	6.5

Following its review of this matter and on a motion by CM Fitzpatrick, second by Vice Chairman Casper, the Committee voted to approve the continuing education courses listed above.

**INFORMATIONAL ITEMS**

None

**PUBLIC COMMENTS**

None

**MOVE TO EXECUTIVE SESSION**

On a motion by CM Fitzpatrick and second by Vice Chairman Casper, the Committee moved into Executive Session to review the agenda which included correspondence and one prior complaint.

**RETURN TO PUBLIC**

On a motion contained in the Executive Session minutes, the Committee re-entered

into Public Session for the purposes of adjournment.

**ADJOURNMENT**

Chairman Del Greco adjourned the meeting at 3:00 PM.

**APPROVED BY:**

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**Michael Del Greco**  
Chairman

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**Joseph Grabowy**  
Acting Executive Director