



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  
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### HOME INSPECTION ADVISORY COMMITTEE Minutes of April 13, 2010 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 9:45 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  
Michael Fitzpatrick

CMs absent: None

Others present: Arthur Russo, Executive Director, Olga E. Bradford, Deputy Attorney General, Joseph Grabowy, Assistant to the Executive Director, and sixteen members of the public.

#### APPROVAL OF MINUTES

March 9, 2010

The Committee reviewed the minutes of March 9, 2010 and, on a motion by Vice-Chairman Casper, seconded by Chairman Del Greco, voted to approve the minutes as submitted.

## REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Russo presented the following statistics as of April 6, 2010:

a. Licensing Statistics:

- Licensed Home Inspectors - Active	672
- Home Inspectors - Expired	132
- Home Inspectors - Inactive	116

ED Russo stated that the Committee office may be relocating to a new location in Newark, NJ, perhaps as early as later this year.

Executive Director Russo mentioned that there is a Department wide effort under way in which all Board/Committee documents will be electronically scanned to eliminate paper files. At this time it is not known when the Committee's files will be scanned.

b. Incoming Correspondence

- 1) Leonard S. Miller, Esquire  
RE: Reconsideration of the Final Order of Discipline - David Wilson  
March 12, 2010

Mr. Miller alleged in his letter that his client, David G. Wilson, was not afforded proper due process and therefore requests that the Committee rescind its Final Order of Discipline previously issued.

The Committee reviewed this correspondence and on a motion by Vice-Chairman Casper, seconded by Chairman Del Greco, voted to reject this request and affirm the issuance of the Final Order. Specifically, the Committee concluded that proper service of both the Provisional Order of Discipline as well as the Final Order of Discipline had been made to both Mr. Wilson and his attorney. The Committee noted that Mr. Miller can appeal its final decision to the Superior Court of New Jersey, Appellate Division. It further directed that a copy of the Final Order be sent to Mr. Wilson's new address in Arizona. Additionally a certificate of debt will be issued if payment of \$10,000 is not timely made by Mr. Wilson. Finally, Mr. Wilson's licensure status will be changed to suspended within the Committee's licensing system.

- 2) Joseph B. Schoen, Application #1490406  
RE: Acceptance of NYS Home Inspector License  
March 23, 2010

The Committee reviewed this correspondence and on a motion by Vice-Chairman Casper, seconded by CM Fitzpatrick, voted to have DAG Bradford further review this matter. This matter will be placed on the May 2010 agenda for further review. Mr. Schoen has requested that the Committee accept his education gained in New York State as equivalent to New Jersey's statutes and regulations.

- 3) Christopher Wright  
RE: Cancellation of Errors and Omissions Insurance Policy  
March 21, 2010

Mr. Wright advised the Committee that he will be taking a year off from performing home inspections and will be canceling his errors and omissions insurance policy during this time.

The Committee reviewed this correspondence and, on a motion by Vice-Chairman Casper, seconded by CM Fitzpatrick, voted to place Mr. Wright's license into inactive status and to advise Mr. Wright accordingly.

d. Outgoing Correspondence

- 1) Jim Funkhouser, President, National Home Inspector Examination Organization  
RE: Test Development  
March 26, 2010

The Committee reviewed this correspondence and noted it for the record.

- 2) Joseph W. Denneler, Esq.  
RE: Continuing Education Courses, NJ - ALPHI  
March 26, 2010

After reviewing this correspondence the Committee noted it for the record.

- 3) Robert Hahn  
RE: Pre-Inspection Agreement Terminology  
March 26, 2010

The Committee reviewed this correspondence and noted it for the record.

- 4) Susan Schleck Kleiner, Esq.  
RE: Pre-Inspection Agreement Terminology  
March 26, 2010

After reviewing this correspondence the Committee noted it for the record.

- 5) Joseph Attara  
RE: Executed Consent Order  
March 26, 2010

The Committee reviewed this correspondence and noted it for the record.

- 6) Herman Andrade  
RE: Final Decision and Order after UPL Explanation  
March 26, 2010

After reviewing this correspondence the Committee noted it for the record.

- 7) David Wilson  
RE: Final Order of Discipline  
March 26, 2010

The Committee reviewed this correspondence and noted it for the record.

### **APPLICATIONS FOR REVIEW**

On a motion by Vice-Chairman Casper, seconded by Chairman Del Greco, the Committee voted to approve the following applicants for licensure pending receipt of proof of insurance:

<u>Applicant</u>	<u>Application #</u>
Partrick Tan	1491366
Erik Zerrenner	1493097
Dennis Torres	1495230
Robert Pellegrino	1495365
Stephen Eisenberg	1495527
Neil Rainey	1496996

On a motion by CM Fitzpatrick, seconded by Chairman Del Greco, the Committee voted to approve application #1487182, for Maciej Gomolka, pending insurance.

**REVIEW OF CONTINUING EDUCATION COURSES:**

On a motion by CM Fitzpatrick, seconded by Vice-Chairman Casper, the Committee voted to approve the following continuing education courses for the credits indicated:

<b><u>Sponsor</u></b>	<b><u>Course</u></b>	<b><u>PDHs</u></b>
NJALPHI	Home Inspection Advisory Committee Regulations	6
ASHI	Roofing	2
Certainteed Corp.	The Systems Approach to Designing A House	1.5
Certainteed Corp.	The Use of Self Adhering Systems In Low Slope Roofing	1
Certainteed Corp.	Procedures for Successful Build-up of Asphalt Roofing & Repairs	1.5
Certainteed Corp.	Designing with Vinyl Siding	1.5
Garden State ASHI	Inspection of Townhouse & Brownstones 19 <sup>th</sup> Century Fundamentals of Plumbing, A/C, and Heat Pumps	7.5
NJALPHI	Structural Workshop for Home Inspectors	2
ASHI SmartTrack	Electrical Inspection Module	2
ASHI SmartTrack	Exterior Inspection Module	2
ASHI SmartTrack	Interior Inspection Module	2
ASHI SmartTrack	Heating Inspection Module	2
RobKat	Fire & Smoke Damage: Detection, Causes, Inspection & Mitigation	2

## **APPEARANCES**

### **Jim Funkhouser, President, National Home Inspector Examination Organization**

Mr. Funkhouser appeared before the Committee to discuss its concerns especially as it relates to the topic of report writing being adequately tested on the national home inspector examination.

Mr. Funkhouser explained that report writing currently comprises 26% of the national home inspector examination and that the national pass rate is approximately 63 - 64%. The test is based upon a role delineation study performed every five (5) years in order to be legally defensible.

In response to the Committee's concerns, Mr. Funkhouser suggested that the Committee consider implementing a new state specific examination which would be developed for New Jersey, in addition to the national examination, by Pearson-View, Inc., to test specifically for New Jersey's needs.

### **Joseph W. Denneler, Esq.**

Mr. Denneler, representing NJ - ALPHI, appeared before the Committee to discuss the approval of continuing education units submitted by his client. Also in attendance and representing NJ - ALPHI were Joseph Wehrhahn, Frank Vodraska, and Linda Gerzi.

Chairman Del Greco explained that partial credit is given to courses when less than 100% of a course is devoted to home inspector practice. He further stated that the Committee typically needs 3 - 6 months prior to the course offering date to allow adequate time to review each course in detail.

## **INFORMATIONAL ITEMS**

None

## **PUBLIC COMMENTS**

Stephen Bayly asked if electrical services could be offered by home inspectors as an ancillary service similar to radon, termite etc. This matter will be discussed by the Committee at its May meeting.

## **MOVE TO EXECUTIVE SESSION**

On a motion by Chairman Del Greco, seconded by Vice-Chairman Casper, the

Committee voted to enter into Executive Session.

**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**

On a motion by Chairman Del Greco, seconded by Vice-Chairman Casper, the Committee voted to adjourn the meeting at 3:30 PM.

**APPROVED BY:**

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**Michael Del Greco**  
Chairman

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**Arthur Russo**  
Executive Director