

Home Inspection Advisory Committee

Minutes of October 8, 2002 Public Session

CALL TO ORDER

The meeting of the Home Inspection Advisory Committee was called to order by Chairman Robert Corrado at 9:45am in the Union Conference Room, 3rd 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

William Mandeville, Program Development Assistant, 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: Robert Corrado
Michael Fitzpatrick
Thomas Kraeutler

CM absent: Randy Ortiz

Others present: Arthur Russo, Executive Director, William Mandeville, Program Development Assistant, Joseph Grabowy, Auditor/Accountant Assistant, Ernest Gonzalez, Senior Clerk Transcriber, DAG Olga E. Bradford, and five members of the public.

ELECTION OF OFFICERS

On a motion by Chairman Corrado, second by CM Fitzpatrick, the Committee unanimously voted to elect BM Kraeutler as Chairman.

On a motion by BM Kraeutler, second by Chairman Corrado, the Committee unanimously voted to nominate and elect CM Fitzpatrick as Vice-Chairman.

Chairman Kraeutler appointed CM Corrado to the Application Review Sub-Committee, along with VC Fitzpatrick.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

A) ED Russo informed the Committee that 109 home inspector applications under the grandfather provision have been received to date, of which 15-20 are complete. So far 9 applications have been reviewed by Committee members.

B) ED Russo stated that David Goldstein, Building Inspection Career Institute (BICI), has informed the Committee office of the DOE approval of BICI to administer the approved home inspection curriculum. The Committee requested

that its administrative office obtain notification and confirmation of this information directly from DOE prior to advising the public of BICI's approval to provide the approved course of study required by N.J.S.A. 45:8-69.

Incoming Correspondence

Domenic Marino

**RE: Home Inspection Licensure
(September 11, 2002)**

Mr. Marino requested that the Committee address two inquiries: (1) if an employer hires a licensed home inspector, could that licensed individual provide supervision to the employer; and, (2) will a mentor program be established to aid those who wish to fulfill the 50 inspection requirement for licensure as an associate home inspector.

The Committee concluded that it could not provide Mr. Marino with legal advice or an opinion concerning this matter, and therefore, cannot answer his first inquiry. It suggested that he seek legal advice and counsel on this issue. On the second matter, the Committee directed that Mr. Marino be advised that the State will not provide a mentor program.

Francis V. Tholenaar/ AMBIC Building Inspection Consultants

**RE: Home Inspection Licensure
(August 1, 2002)**

In his correspondence, Mr. Tholenaar outlined his work experience and requested the Committee to determine whether he is qualified for licensure under the grandfather provision of the law.

The Committee directed Mr. Tholenaar to the Committee's statutes and regulations. If he feels that he does not have the required number of home inspections and the number of years of experience required under the grandfather provision, he must then attend an approved course of study and follow the rest of the stated licensure requirements.

Regina M. Garb/ Citizens' Service/ Office of the Attorney General

**RE: James F. Wagner
(September 17, 2002)**

In this referral, Mr. Wagner stated that he does not meet the requirements as set forth in the grandfather provision. He further stated that in his opinion a competitor will not train someone as a home inspector for fear that they will be his competitor in the future.

The Committee will inform Mr. Wagner that it must enforce, and cannot change, the requirements within the legislation.

Assemblyman Jeff Van Drew/ NJ General Assembly

**RE: Home Inspection Curriculum in Cape May County
(August 15, 2002)**

On behalf of his constituents, Assemblyman Van Drew requested that the Committee consider expanding the geographic coverage area of vocational schools offering the Home Inspector Curriculum by adding a fifth vocational school within or bordering Cape May County. He stated that it takes an individual six hours of travel time per week to attend one of the four approved schools.

Following its consideration of this letter, the Committee decided to research the class availability at the Burlington County Vocational School, as well as the distance from Cape May County to the school, and will address Assemblyman Drew's concerns at a later date.

Outgoing Correspondence

Anne Freeman/ NJ Department of Education

Loretta Keimel/ Middlesex County Vocational School District
Dr. Gene Pollis/ Morris County Vocational School District
John Karaska/ Burlington County Vocational School District
Nicholas V. Sodano/ Bergen County Vocational School District
RE: Invitation
(September 17, 2002)

This correspondence from ED Russo invited all the department heads of the four approved vocational schools to appear before the Committee on November 12, 2002 to discuss and provide feedback on the status and overall effectiveness of the home inspector program.

REVIEW APPROVAL SUB-COMMITTEE

The Committee continued the meeting in the Committee office where the use of a speaker phone was required to contact CM Ortiz to proceed with the approval of applications for licensure.

The Division of Consumer Affairs found that the review of Committee member applications by the Sub-Committee was inappropriate and required that these applications be forwarded to Deputy Director Anthony Miragliotta for review.

Robert Corrado - # 904813

CM Corrado recused himself and left the meeting room during the review of his application.

Chairman Kraeutler reported that Deputy Director Miragliotta reviewed Robert Corrado's application for licensure and recommended approval.

On a motion by Chairman Kraeutler, second by VC Fitzpatrick, based on the recommendation by the Deputy Director, the Committee unanimously voted to approve Robert Corrado's application for licensure.

F. Michael Fitzpatrick - #904681

VC Fitzpatrick recused himself and left the meeting room during the review of this application.

Chairman Kraeutler reported that Deputy Director Miragliotta reviewed F. Michael Fitzpatrick's application for licensure and recommended approval.

On a motion by Chairman Kraeutler, second by CM Corrado, based on the recommendation of the Deputy Director, the Committee unanimously voted to approve F. Michael Fitzpatrick's application for licensure.

Martin Richstein - #904845

Stephen R. Sliwka - #904745

Based upon a recommendation by the Application Review Sub-Committee and on a motion by VC Fitzpatrick, second by CM Corrado, the committee unanimously voted to approve the above two applications for licensure.

APPLICATION REVIEW

After a discussion on this subject, ED Russo informed the Committee that OCP can only be used for investigative reasons in cases involving business corporation matters. Any other investigative efforts must be undertaken by the Enforcement Bureau.

LEGISLATION

S1685 - Revises "grandfathering" provisions for eligibility to be a licensed home inspector

The Committee reviewed this bill and discussed its concerns with Tisha Adams, Legislative Liaison. It informed her that the creator of the bill is misinformed on the dates of implementation and of the Attorney General's opinion on the "effective" date of the law, which is June 3, 2002. The Committee finds that the three year experience requirement is adequate.

Ken Salvo, a public meeting attendee, stated that a proposed amendment to this bill is being considered that will require the completion of 400 inspections and eliminate the three year experience requirement. Peter Danielle, public meeting attendee, stated that this proposed amendment, if ultimately passed by the Legislature, would harm those individuals, who are presently enrolled in the home inspection course because they did not meet the 3 year experience requirement, who had over 300 inspections. The proposed bill, opined Danielle, would enable these individuals to meet the grandfather requirements.

The Committee thanked the public for their concerns and will continue to monitor the situation.

MOVE TO EXECUTIVE SESSION

On a motion by CM Corrado, second by VC Fitzpatrick, the Committee unanimously voted to enter into Executive Session for the purpose of completing the Executive Session agenda.

RETURN TO PUBLIC SESSION

On a motion contained within the Executive session minutes, the Committee re-entered into Public Session for the purpose of adjournment.

ADJOURNMENT

On a motion by VC Fitzpatrick, second by CM Corrado, the Committee unanimously voted to adjourn at 2:00pm.

APPROVED BY:

Thomas Kraeutler
Chairman

Arthur Russo
Executive Director

Posted March 2003