

Home Inspection Advisory Committee

Minutes of November 9, 1999

Public Session

CALL TO ORDER

The meeting of the Home Inspection Advisory Committee was called to order by Chairman Michael Fitzpatrick at 9:25 am in the Sussex Conference Room, 6th 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

Michael Fitzpatrick 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, and the Bergen Record and the Atlantic City Press.

ROLL CALL

CMs present:

Thomas Kraeutler F. Michael Fitzpatrick
Randy Ortiz Robert Lacovara (arrived at 9:40am)
Robert Corrado

Others present: Arthur Russo, Executive Director, William Mandeville, Management Assistant, Joseph Grabow, Management Assistant, Ernest Gonzalez, Recording Secretary, Deputy Attorney General Olga E. Bradford, Eileen Rainey, Regulatory Analyst, and seven members of the public.

APPROVAL OF MINUTES

October 12, 1999

On a motion by CM Kraeutler, seconded by CM Ortiz, the Committee unanimously voted to approve the minutes of October 12, 1999 with modifications.

CORRESPONDENCE

AMERICAN SOCIETY OF HOME INSPECTORS (ASHI) (10/04/99)

Summary _ Pertains to an acknowledgment agreement that ASHI is requesting be completed by the entity which chooses to use the ASHI training curriculum.

Action _ The Committee is still in the process of evaluating the curriculum and until such time as the Committee decides it will make use of this curriculum, the acknowledgment agreement will not be further

addressed. A draft response by ED Russo to ASHI explaining this position will be prepared.

JUDY MORGAN, OUTREACH COORDINATOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF ENVIRONMENTAL SAFETY, HEALTH AND ANALYTICAL PROGRAMS, RADON PROGRAMS (10/25/99)

Summary _ Ms. Morgan makes a point of stressing the importance of radon testing by home inspectors. She requests permission from the Committee to attend a Public Session meeting to further present her concerns.

Action: _ The Committee requested ED Russo to draft a response to Ms. Morgan to inform her that the Committee will be inviting her to a future meeting to express her concerns.

GERALD ROSADO, K&J ENVIRONMENTAL SERVICES (10/19/99)

Summary _ Mr. Rosado expresses concerns about the grandfather clause in the Home Inspection Professional Licensing Act.

Action: _ ED Russo will draft a response to Mr. Rosado explaining the role of the Committee in promulgating rules and regulations to implement the Act. He will also inform Mr. Rosado that once the rules and regulations are adapted and the licensure process commences, the Committee will review each application for licensure on a case-by-case basis.

KEVIN YOUNG/OWNER/INSPECTOR, ACTION INSPECTION SERVICES (10/21/99 & 10/14/99)

Summary _ Mr. Young expresses concerns in this correspondences about the grandfather clause in the Home Inspection Professional Licensing Act.

Action _ ED Russo will draft a response to Mr. Young explaining the role of the Committee in promulgating its rules and regulations and explaining that the Committee will review each application for licensure on a case-by-case basis. A copy of this correspondence is to be mailed to Senators Anthony Bucco and Robert J. Martin.

ETHICS AND STANDARDS IN HOME INSPECTION (BROCHURE FROM THE HOME INSPECTION INSTITUTE OF AMERICA)

Summary _ This brochure includes information regarding HUD's new forms to be used by Real Estate Appraisers when performing home inspections.

Action _ The Committee noted this correspondence for the record.

STATUS OF CURRICULUM DESIGN PROJECT

The Committee continued the discussion on the draft of the ASHI Home Inspector Training Curriculum. The Curriculum Sub-Committee of CM Kraeutler and Vice Chairman Ortiz will continue to work on the curriculum. It plans to gather information from Community Colleges and Technical Schools pertaining to their curriculum structure to assist them in this task. VC Ortiz will inform the Committee as to a tentative Sub-Committee meeting date for this purpose of discussing this matter.

DISCUSSION ON ASSEMBLY BILL 3259

This Bill, which grants Construction Code Officials blanket licensure under the Home Inspection Professional

Licensure Act, has not moved any in the Assembly.

CONGRATULATIONS TO ANTHONY MIRAGLIOTTA, DEPUTY DIRECTOR

The Committee would like to congratulate Anthony Miragliotta on his promotion to Deputy Director. The Committee is confident that Mr. Miragliotta will pursue this new position with the same enthusiasm and vigor he has shown in handling his prior duties as Chief, Regulatory Affairs.

CONGRATULATIONS MR. MIRAGLIOTTA

MOVE TO EXECUTIVE SESSION

On a motion by CM Corrado and a second by Vice Chairman Ortiz, the Committee unanimously voted to move to Executive Session for the purpose of reviewing the Executive Session agenda.

RETURN TO PUBLIC SESSION

In accordance with a motion contained in Executive Session, the Committee unanimously voted to return to Public Session to complete the Public Session Agenda.

COMPLAINT FROM ENRICO TOGNA

SUMMARY _ Correspondence was received from the Attorney General' s office concerning a letter addressed to the Attorney General by Enrico Togna in which he set forth his opinions as to the duties and responsibilities of present/ future home inspectors.

ACTION _ The Committee noted this correspondence for the record. ED Russo will prepare a response to Mr. Togna and copy Regina Garb in the Office of the Attorney General.

DISCUSSION OF PROMULGATING REGULATIONS

Eileen Rainey, Regulatory Analyst, appeared before the Committee to continue the discussion of rulemaking for the purpose of implementing the "Home Inspection Licensing Act" in general and for the purpose of drafting rules and regulations in particular.

An appearance by Anthony Miragliotta, Deputy Director, was made from 11:00am to 12:00pm and from 1:00pm to 3:00pm to help in the process of promulgating the regulations.

DISCUSSION OF DRAFTED APPLICATIONS

The Committee reviewed drafts of applications for licensure. This process will continue at the next meeting.

ADJOURNMENT

The Committee unanimously voted to adjourn at 3:20 pm.

Approved by:

Approved by:

Michael Fitzpatrick,
Chairman

Arthur Russo
Executive Director

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