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Ohio's 37th House District

HB128 Third Party Inspector
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Chairman Young, Vice Chair DeVitis, Ranking Member Lepore-Hagan and members of the Economic Development, Commerce and Labor Committee, thank you for the opportunity to provide sponsor testimony this afternoon for HB128.

In construction there is one process critical to the schedule and flow of a project that is out of the builder's control: building inspections. No matter how efficient and organized a construction company may be, if the inspections are delayed, this holds up progress on the project. The delays are costly not only for the construction company and their subcontractors, but also for the customer of the project who, in turn, might have customers of their own; all put on hold as the critical path to building is hamstrung by inspection delays. HB128 provides a common sense solution to expanding the base of inspection so as to avoid these costly delays.

A quick background: currently in the state of Ohio, the Board of Building Standards formulates and adopts the rules governing the erection, construction, repair, alteration and maintenance of buildings. These rules are incorporated into residential and non-residential building codes. These codes (standards) relate to the conservation of energy and the safety and sanitation of buildings. The Board then certifies local building departments and the personnel of these departments as well as individuals, corporations

and firms to approve plans and perform inspections. Currently, the building inspections must be performed by the local building department and, in most cases, this works well. However, in the instances where there are backlogs or personality conflicts, this lack of choice can lead to unnecessary and expensive delays.

HB128 proposes several common sense solutions:

- To ensure a timely process, it specifies that inspections, performed by the building department having jurisdiction, must be performed within 24 hours of a request.
- To enhance flexibility, the general contractor or owner of a building may request an independent inspection. Upon request, the Board of Building Standards shall provide a list, which they maintain, of board certified, third party, private inspectors AND certified building departments, from which the contractor may choose. If a contractor utilizes the inspection services of a third party contractor, it should be noted that:
 - The general contractor/owner is responsible for any inspection fees to the third party.
 - The local building department may still charge the general contractor/owner any standard fee customary for approval including administrative and filing fees.
 - The third party inspector shall send a copy of the inspection results within 24 hours post inspection to the local building department.
 - The Board of Building Standards may investigate and evaluate the local building department and department's employees.
- To provide a benefit to the local building departments, HB128 specifies that the local building departments:
 - May enter into a contract with the division of industrial compliance to exercise enforcement authority, accept and approve plans/specifications, and perform inspections for non-residential buildings
 - May also elect proactively to request from the Board of Building Standards the list of independent third party private inspectors to support their work as needed.

- To ensure successful completion, the general contractor/owner may request a certificate of occupancy from either the building department having jurisdiction or the Board of Building Standards.
- To resolve conflicts, the bill provides for an expedited arbitration process in which a general contractor/owner may appeal inspection results.

I would like to take a moment to thank the many interested parties, who came to the table to provide input, as well as my legislative aide, James Shambin, and Carla Napolitano from LSC for her patient tenacity as we worked through four draft versions of the bill. I would also like to thank this committee for your attention and look forward to working with you as thought partners as we strive to create an environment in our Buckeye state that enhances our economy and encourages job growth as this bill does. I would be happy to entertain questions the Committee might have at this time.