

May 20, 2017

## Ohio House of Representatives Commerce and Labor Committee

Chairman Ron Young

**Neal Dorenkott**

**Member:** IAEI – Western Reserve  
NCOBOA  
IBEW Local 38

**Dear Ohio House of Representatives Commerce and Labor Committee:**

Good Morning Chairman Young and the Commerce and Labor Committee. I am writing as a member of the above organizations. I wish to share my concern with the proposal of HB 128 as submitted by Representative Roegner. Some of the concerns listed by Representative Roegner may have credibility, but HB 128 is not the proper way these issues should be handled.

If “everything HB 128 provides for is presently occurring today”, and the system appears to be working properly then HB 128 is simply weighing the system down with more bureaucracy.

It may be more economical to have the Ohio Board of Building Standards (OBBS), who have maintained the current procedures in place, to address the issues agreed to both sides of the argument. The two items which stand out, and are indicated by Representative Roegner are: **1) inspections performed within 24-hours; 2) general contractor or owner of a building may request an independent inspection... from which the contractor may use.**

- 1) **Inspections performed within 24-hours:** There are many reasons for the four-day rule in place by the OBBS but those reasons have been justified by the OBBS, not specifically by the building departments, but for the contractors and the opportunity to perform the inspection as it pertains to safety. **If the 24-hour rule was mandated, then the OBBS should mandate full-time building inspectors for all certified building departments.** Building departments should not be certified unless the disciplines in which the municipality, county, village, township, etc. have been granted, have full-time inspectors employed. (i.e. Any Village, Ohio, has a certified building official who also is certified as a building inspector and electrical safety inspector. If the OBBS mandated this to be a full-time position, three disciplines would be covered; hence, the OBBS would only certify the Village for Building Official, Building Inspector and Electrical Safety Inspector and 24-hour inspections could be mandated for those three disciplines. All other inspections for the Village would be by others and subject to the four-day rule since possibly inspections would move up the chain to the county or the state.) The Building Official still has the right to call for special inspections as it pertains to the Ohio Building Code.

- 2) **General contractor or owner of a building may request an independent inspection... from which the contractor may choose:** This rule change would undermine the OBBS existence. This would send the inspection process back in time; it could be an example of the “fox guarding the hen house”. The OBBS mandates the building inspection process so local municipalities, villages, townships, etc. do not have their own building rules in place. After 2006, the OBBS did away with this practice (for Residential One, Two & Three Family) for the simple reason of local government abuse and the undermining the practice of a standard building code. At the time, with no OBBS guidelines, a local building department could adopt their own residential code, hire non-certified inspectors, and possibly for political reasons, oversee a local housing development and be pressured by politics to approve inspections and occupancies. The OBBS has recently re-created an Administrative Code which addresses many of the problems which once existed in the Building Departments throughout Ohio and the Building Inspection process. They have done a tremendous job at correcting issues which played bad for both the contractors and the building officials. Contractors choosing their own inspectors would not be good for the industry or the public.

In closing, I would like to recognize the OBBS for their hard work and professionalism in educating the building officials, building inspectors, contractors, business owners and the general public from around the state. The knowledge they share will be benefited by future building code officials, contractors, business owners and the general public, as they all navigate into the future. Fair government works best for everyone but in order for fair government to work, everyone needs to be fair and impartial.