

Community Trends®



www.cainj.org

November 2021



LEGISLATIVE UPDATE

GEORGE GREATREX, ESQ.
PARTNER, HILL WALLACK LLP
LEGISLATIVE ACTION COMMITTEE CHAIR

Along with CAI National's Government and Public Affairs Committee and many CAI LAC committees around the country, your New Jersey Legislative Action Committee convened a Task Force on the Structural Integrity and Inspections of condominium buildings in our state shortly after the tragic collapse of the Champlain Tower South Condominium in Surfside, Florida. Our Task Force is populated by members from various disciplines within our industry, including structural engineering, community management, reserves, law, insurance and finance. It is capably chaired by Ed San George, MPA, PCAM, a member of your LAC and President of Integra Management Corp. Ed serves as a liaison to the Federal Task Forces described by Dawn Bauman in her article in this month's issue of *Community Trends®* and has been holding frequent meetings of our state's Task Force since its inception in July.

I spoke to Ed recently about the goals of the NJ Task Force and what progress they've made in reaching those goals. Here's some of what we discussed:

George Greatrex, Esq.: What are the goals of Task Force?

Ed San George, MPA, PCAM: Our goals are to provide **legislative** input, member guidance and education, and technical expertise in the area of building inspections and structural integrity for the benefit of CAI members.

George: What will be the first output document of the Task Force?

Ed: We will issue draft legislation for review by the LAC and legislative sponsors addressing the need for building inspections and documentation at completion of new building construction.

George: Will inspections be mandatory for certain types of buildings?

Ed: Mandatory building inspections will be required for all residential buildings constructed of structural concrete, structural steel, and heavy timber in which the structure is a part of the common elements.

George: Who will be conducting the inspections?

Ed: A local municipal building inspector (**if** a licensed professional engineer) or a professional engineer hired by a condominium corporation or building owner.

George: Is there a proposed frequency for the building inspections?

Ed: Yes. For new construction, the **first inspection** shall be conducted at the latest when the building is five (5) years old. For buildings older than 10 years, the **first inspection** shall take place within 2 years. The purpose of the **first inspection** is to act as a baseline for future inspections. The study will establish a recommendation for the next periodic inspection.

Periodic inspections after the first inspection shall take place every 10 years for the first 20 years since construction and five (5) years thereafter unless the prior inspection recommends

CONTINUES ON PAGE 2

LEGISLATIVE UPDATE...

from page 1.

sooner. The purpose of the **periodic inspections** or reinspections will be to monitor progressive deterioration based on a comparison to the most recent prior inspection and to identify issues of immediate concern as well as any recommendations during the interim for the next periodic inspection.

George: If there is an emergent situation with the structure in any interim time period, what then?

Ed: The legislation will mandate that an inspection and report be conducted, immediately.

George: What will be included in the report?

Ed: The scope, protocol and standard guideline for these inspections can be found in the ASCE Standard SEI/ASCE 11-99 (latest edition) Guideline for Structural Condition Assessment of Existing Buildings or other industry standards.

George: You mentioned earlier that there may be structural documentation for newly constructed buildings...what are they?

Ed: Final architectural and engineering design drawings used for construction shall be issued. If there are any changes to the

structural components of the building, the developer shall provide the as-built drawings. The developer shall perform ongoing inspections during construction to confirm conformance to the plans and specifications. Lastly, the developer shall provide maintenance manuals and guidance for maintaining structural and operational systems and budget disclosures for them and cost for future inspections.

George: Where do we stand with our state legislators in regard to this potential legislation?

Ed: We have lined up a Senate sponsor for the legislation and are discussing options for sponsors in the Assembly. We do not believe that any legislation will be offered during the lame duck session but expect an introduction when the new legislative bodies are seated in January 2022.

Many thanks to Ed and the members of our NJ Task Force for the work they are doing on this important topic. Stay tuned... we'll keep you updated on their progress. Until then... stay safe. See you here next month. ■