



April 5, 2017

Representative Paul Holvey, Chair
House Committee on Business and Labor
900 Court St. NE
Salem, OR 97301

RE: Clair Company, Inc. Testimony – Support for HB 2907

Millie Hicks, President

Thank you, Chair Holvey and members of the committee, for taking the time to hear us today.

My name is Millie Hicks, president of Clair Company, Inc., a small business in Corvallis Oregon. Here with me today are Allan Clair, founder of our company, and David Flemings, one of our vice presidents.

We are here today to provide joint testimony in support of HB 2907 to explain how the current statute poses an unfair advantage, and why HB 2907 is important to the success of our small business, and is equally important to the success of jurisdictions throughout Oregon.

We want to thank our local legislators, Representative Rayfield and Senator Gelser, for their time and work on this issue and for sponsoring this bill. We also want to recognize all the communities from around the state, large and small, who are providing their strong support of this bill, as evidenced on the record.

Clair Company is a small business supporting 30 families from Corvallis to Portland to Hood River. We provide professional building code services throughout the State with certified and highly qualified staff. Under current statute, our certified staff are unable to provide specialized plumbing & electrical inspection services for our clients even though we hold the same certifications as jurisdictional employees. This limitation is based solely on the fact that our inspectors are not employed directly by a municipality or the Department of Consumer and Business Services. We believe current statute sets an unfair double standard. The simple language change that is proposed with HB 2907 will correct this, making the change to include properly certified inspectors who are “appointed” by a municipality.

Allan Clair, Founder

Good afternoon Chair Holvey and members of the committee,

My name is Allan Clair and I am a resident of Corvallis, Oregon. I am here to speak in support of HB 2907. I am the founder of Clair Company, Inc. (Clair), which is located in Corvallis, Oregon. Clair is a licensed Building Inspection & Plan Review Provider under ORS 455.457 which was incorporated in Oregon in 1990. Currently, Clair provides building official, building inspection, and plan review services for more than 19 jurisdictions in the State of Oregon.



I began my career in providing building inspection services in Oregon in 1977. During the past forty years, I have provided those services as a public employee for approximately twenty years and as a private sector employee for approximately twenty years. I specifically changed my employment from the public sector managing city development services to the private sector so that I could focus solely on better construction project delivery in the area of code compliance without the needed attention to other city administration duties. When I made that change to the private sector as a certified building official, inspector and plans examiner, I was selected by the State to chair the committee to assist the State in writing the administrative rules which govern the practices of licensed Building Inspection & Plan Review Providers to ensure that appropriate State oversight could be provided. I have great respect for the ethics of public safety, the certification and training rules for certified building inspectors and the ongoing need for excellence in this technical profession. Clair has been fortunate enough to be able to provide certified building official, inspection and plan review services throughout Oregon, Washington, California and New York for some of the most challenging and complex building construction projects on record.

As you may be aware, Oregon faces a shortage of certified building inspectors. In 2013, the Legislature changed ORS 455.715 and the definition of "Specialized Building Inspector." These changes have limited the availability of certified inspectors, particularly for smaller cities and counties. The current statute arbitrarily sets a double standard for individuals employed by a jurisdiction and those providing the identical services to a local government through a contract. Clair has joined with our government jurisdictional partners and other State licensed Building Inspection & Plan Review Providers to insure that this double standard is corrected.

A simple language change to the definition of "Specialized Building Inspector" in ORS 455.715 fixes this issue. The proposed language allows jurisdictions to contract with properly licensed and certified inspectors and companies to act as Specialized Building Inspectors.

Good afternoon Chair Holvey and members of the committee.

David Flemings, Vice President

My name is David Flemings, resident of Corvallis, Oregon, and here to speak in support of HB 2907.

Currently about 80 jurisdictions in Oregon utilize the services of third party contract providers for plan review and inspection services.

It typically takes three to four full-time staff to cover all disciplines of certification required to run a full building department. Many small jurisdictions want to maintain some local control and provide service to their citizens, but do not have the budget or workload to carry that staff level. They contract with companies like ours to provide those services locally. Larger jurisdictions utilize our services to cover spikes in workload and staff shortages.

The State Currently issues Specialized Building Inspector certifications for both Plumbing and Electrical Inspectors. These certifications provide for less technical inspection of light commercial work and can often be accomplished by a properly certified Building Inspector who is already on the jobsite. This



leaves the A-Level inspectors to provide oversight and handle the more technically complex inspections. There is currently a major shortfall in A-Level Plumbing and Electrical inspectors in the State.

We have met with parties who have expressed concern with the 3rd Party Service Providers like Clair Company. Their concerns range from consistency of code calls to permit fees and funding of inspection services. Our inspectors are required to hold and maintain the same certification standards as all other inspectors in the State, and follow BCD direction just as any other jurisdiction. We are also subject to even more regulation than other inspectors as a 3rd Party Service Provider. Funding for any Building Departments comes through the same fee process for all jurisdictions, whether utilizing contract providers or not. We offered explanation, and continue to be available to address any concerns other parties may have.

We believe the passage of HB 2907 will benefit Oregon by increasing cities' and counties' ability to efficiently respond to builders' needs, increasing the availability of certified inspectors, reducing inspection costs and wait times on construction projects, standardizing rules for building inspectors, and reducing construction costs to consumers.

HB 2907 is important to our work as a small company and provides assistance to jurisdictions throughout the State, especially smaller cities and rural areas. We urge you to vote yes on this bill and provide a level playing field for all jurisdictions providing plumbing and electrical inspections for their citizens.

We recommend that this bill be approved with a do pass recommendation. We are happy to answer any questions you may have.

Respectfully,

Millie Hicks
Allan Clair
David Flemings