



Understanding N.J.'s condo inspection law: The imperative for property managers to engage with professional engineers - by Joe DiPompeo

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Joe DiPompeo

In recent months, New Jersey has witnessed a significant legislative development in the realm of condominium ownership—the passage of a statewide condo inspection law S2760/A4384. This law mandates capital reserve studies and comprehensive inspections of condominiums to ensure structural integrity and safety. For property managers tasked with overseeing these properties, engaging with professional engineers has become imperative.

The New Jersey statewide condo inspection law:

An overview

The statewide condo inspection law in New Jersey represents a proactive approach by the state government to address concerns related to the safety and habitability of condominium units. Under this law, condominium associations are required to have a capital reserve study and funding, conduct periodic inspections of their properties, focusing on various aspects with a focus on structural integrity.

The law establishes clear guidelines for the frequency and scope of these inspections, ensuring that condominiums are maintained to a high standard of safety and quality. Additionally, it outlines the responsibilities of condominium associations, property managers, and unit owners in facilitating and adhering to the inspection process.

To secure resources for future upkeep, New Jersey's Inspections Law S2760/A4384 mandates that community associations carry out and finance capital reserve studies. They involve assessing the physical state of the property, useful life of common elements, estimating repair, maintenance, and future inspection expenses, and devising a 30-year financial plan. Scheduled updates every 5 years by qualified professionals (Architects, Engineers, Reserve Specialists or Professional Reserve Analysts) ensure ongoing accuracy and financial readiness. Condominium associations are required to complete their initial capital reserve study within two years of the law taking effect (January 8, 2024). Acknowledging the challenges of reserve management, the law also delineates clear steps for associations with insufficient funds to gradually replenish their reserves to a healthy level.

Importance of compliance for property managers

For property managers entrusted with the management of condominium properties, compliance with the new statewide inspection law is not merely a legal obligation but a fundamental responsibility towards ensuring the well-being of residents and the integrity of the property. Non-compliance can not only lead to legal repercussions but also compromise the safety and value of the condominium units.

By adhering to the requirements laid out in the law, property managers demonstrate their commitment to maintaining safe and habitable living spaces for residents. Moreover, compliance fosters trust and confidence among unit owners, reinforcing the reputation of the property management company and enhancing its competitive edge in the market.

Challenges faced by property managers

While the implementation of the statewide condo inspection law is a positive step towards enhancing safety standards, property managers encounter various challenges in navigating its complexities. One of the primary challenges is the need for expertise in conducting thorough inspections and interpreting regulatory requirements accurately.

Given the technical nature of building inspections and the diverse range of systems and components to be evaluated, property managers may lack the specialized knowledge and resources required to fulfill their obligations effectively. This is where the role of professional engineers becomes indispensable.

The role of professional engineers

Condominium Inspections must be performed by certified professionals, such as Professional Engineers and Registered Architects. Upon completion of the assessment, these qualified inspectors must submit comprehensive reports detailing the structure's condition, any necessary maintenance, and a timetable for future inspections. To prioritize transparency, these reports must be shared with building owners, residents, and relevant authorities.

To underscore the importance of structural integrity, the inspection criteria adopts a proactive stance. The law mandates early detection by requiring inspectors to flag even minor issues such as foundation cracks, material deterioration, or compromised load-bearing elements. This proactive approach is essential for preventing minor concerns from escalating into major problems over time.

Here are several reasons why property managers should engage with professional engineers:

Technical proficiency: Professional engineers possess in-depth knowledge of structural engineering principles, building codes, and construction standards. Their technical proficiency enables them to conduct comprehensive inspections, identify potential issues, and recommend appropriate remedial measures.

Regulatory compliance: Professional engineers stay abreast of the latest regulatory developments and industry best practices, ensuring that inspections are conducted in full compliance with the requirements of the statewide condo inspection law. Their understanding of relevant codes and regulations helps property managers avoid legal pitfalls and ensure adherence to mandated standards.

Risk mitigation: By proactively addressing safety concerns and structural deficiencies, professional engineers help mitigate the risk of accidents, injuries, and costly repairs. Their expertise enables property managers to identify potential hazards early on and implement corrective measures to safeguard residents and preserve the integrity of the property.

Objective assessment: Professional engineers offer an objective and impartial assessment of the condominium's condition, free from bias or conflicts of interest. This impartiality instills confidence among stakeholders and facilitates informed decision-making regarding maintenance priorities and budget allocations.

Value enhancement: Engaging with professional engineers demonstrates a commitment to maintaining high-quality standards and safeguarding the long-term value of the property. By investing in proactive inspections and preventive maintenance measures, property managers can enhance the marketability and desirability of the condominium units, thereby attracting discerning buyers and tenants.

The passage of the statewide condo inspection law in New Jersey underscores the importance of prioritizing safety and compliance in the management of condominium properties. For property managers, navigating the complexities of this legislation requires a proactive approach and collaboration with knowledgeable professionals, particularly professional engineers.

By leveraging the expertise of professional engineers, property managers can ensure thorough inspections, regulatory compliance, risk mitigation, and value enhancement. In doing so, they not only fulfill their legal obligations but also uphold their commitment to providing safe, habitable, and well-maintained living spaces for residents.

The imperative for property managers to engage with professional engineers is not just a matter of compliance — it is a strategic investment in the long-term success and sustainability of condominium communities in New Jersey.

Joe DiPompeo, PE is the president of Structural Workshop, LLC, Mountain Lakes, N.J.

New York Real Estate Journal - 17 Accord Park Drive #207, Norwell MA 02061 - (781) 878-4540