



NYS Association of Home Inspectors
The Voice of the Home Inspection Profession in the Empire State

May 20th, 2024

Open Letter to All Members of the NYS Legislature and to the NYS Senate Labor Committee

Via Email and/or Fax

RE: Memorandum of Opposition to Bill A10086/S9430

NYS Legislators:

NYSAHI represents the ~2600 licensed Home Inspectors of New York State and we stand in opposition to this bill which would act "to amend the labor law, in relation to establishing radon measurement license and mitigation license requirements..."

While NYSAHI is in favor of appropriate regulation of radon testing and mitigation, this bill would damage many small Home Inspection businesses and substantially reduce an existing radon testing workforce, defeat Home Inspection confidentiality, enable radon business testing/mitigation conflict of interest, reduce consumer protection, and unnecessarily and substantially raise the cost to consumers of radon testing.

Owner/operator Home Inspectors using simple radon testing devices to measure radon levels in homes of 1-4 units comprise by far the largest portion of business entities testing residences for radon in this state. A similar condition exists nationwide. Despite this, Home Inspectors who do not have radon as a primary business endeavor have been essentially excluded from development of standards and related Federal EPA programs. This, when stakeholder inclusion is required by law, regulation, and standards.

It appears to us that the proposed NYS licensing law reflects only the interests of radon industry and that seems very likely to be to the detriment of the large workforce of "simple device" using Home Inspectors. It would impose unnecessary and excessive burdens on them while advancing the radon industry agenda at Home Inspector's and consumer's expense.

NYS has completely ignored Home Inspectors as stakeholders in creation of its Radon Advisory Committee established to prepare recommendations for NYS radon regulation, and that committee has essentially worked in secret. We had no response from the Committee to the many concerns and objections we have raised in writing or otherwise to the NYS Health Department and the Legislature. Only radon industry interests were represented on this committee as private sector stakeholders.

The bill on its face seems simple and for the public benefit. It is however, complex in its related standards and resulting related regulation. We urge you to engage with NYSAHI to explore that complexity so that you might understand the many problems that we foresee. We do not believe that this bill as-is will best serve the public health and welfare.

We request the opportunity to address the Labor Committee before it takes further action.

A more detailed description of our concerns is attached.

Thank You for your service and for your consideration of our request and concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Henry Jetty', with a long horizontal stroke extending to the right.

Henry Jetty, President

President@NYSAHI.org

585-362-2848

Attachment: COMMENTS ON NYS RADON LICENSING BILL A10086/S9430

CC: Governor Hochul