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K. Gail Russell, Secretary
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H.E. Corder II, Director
Kentucky Real Estate Authority

Kentucky Board of Home Inspectors
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VOTING MEMBERS
Welford "Bud" Wenk, Chair
Mitch Buchanan, Vice Chair
Steven Cunningham
Larry Joe Walden
Paul Ogden

STAFF
Nathan L. Burton, Board Administrator
Marc Manley, Acting General Counsel

October 15, 2019
10:00 A.M

BOARD MEETING MINUTES

A regular meeting of the Board of Home Inspectors was held at 656 Chamberlin Avenue, Suite B in Frankfort, Kentucky on September 17, 2019.

MEMBERS PRESENT

Mitch Buchanan, Vice Chair
Larry Joe Walden
Paul Ogden
Steve Cunningham

KENTUCKY REAL ESTATE AUTHORITY

Marc Manley, Acting General Counsel
Nathan L. Burton, Board Administrator

MEMBERS ABSENT

Bud Wenk, Chair

GUESTS

Peyton Jones- Initial Applicant
Brad Easley- Easley Home Inspections
Steve Keeney- PLI Provider Representative
Mark Hilton- KREIA Representative

CALL TO ORDER AND GUEST WELCOME

Board Chair Wenk called a regular meeting of the Kentucky Board of Home Inspectors to order at 10:03 a.m. All members were present and a quorum was established. Introductions were made, and guests in attendance were welcomed.

Review and Approval of Meeting Minutes

Member Walden made a motion to approve the September 17, 2019 Board meeting minutes. The motion was seconded by member Cunningham. With all in favor, the motion carried.

Review Financial Report

The Board reviewed the Financial Report from the month of September.



Licensure Report

Board Administrator Nathan Burton gave the licensure report. As of October 15, 2019 there are 520 Active Licensees, eight (8) active pending renewal. In addition, there are eleven (11) inactive licensees, and 11 pending initial applications. Five (5) licensees are Inactive for Non-Renewal. The total licensure report being 555 licensees.

Executive Session Legal Matters and Case Deliberations

At 10:34 a.m., Vice Chair Buchanan moved for the Board to enter executive session, pursuant to KRS 61.878(1)(k) and (l) and to KRS 61.810, (1)(c), 1(j), and 1(k), to deliberate on individual adjudications, proposed or pending litigation, and to review records exempt from public disclosure regarding applicant Jones. The motion was seconded by Member Walden.

At 10:49 a.m. Vice Chair Buchanan moved to come out of executive session, and Member Cunningham seconded. The motion carried.

Once executive session was adjourned, Member Ogden made a motion to deny the approval of the application discussed in Executive Session. Vice Chair Buchanan seconded, and the motion carried.

Applications Committee Report

Vice Chair Buchanan, of the Applications Committee, reported the following committee recommendations:

10 Initial License applications were reviewed. Nine (9) of the 10 were recommended for approval, with the other recommended for denial (as previously discussed and moved after executive session.)

There were six (6) renewal applications reviewed. Five (5) were recommended for approval, with the other deferred for administrative approval after necessary documentation was supplied.

Vice Chair Buchanan made a motion to accept the recommendations of the Applications Committee, and Member Cunningham seconded. All in favor, the motion carried.

Complaint Review Committee

Member Cunningham of the Complaint Review Committee made the following recommendations:

In the issue of 19-KBHI-02- To dismiss with a warning letter to the Home Inspector

In the issue of 19-KBHI-03- To dismiss with a warning letter to the Home Inspector

In the Issue of 19-KBHI-04- To dismiss due to the untimeliness of the complaint

Education Review Committee



Member Walden of the Education committee reported the following recommendations of approval for the hours allotted:

InterNACHI

- **How to Inspect Attic, Insulation, Ventilation, and Interior Course- 3 hours**
- **How to perform Deck Inspections-3 hours**
- **How to Inspect for Moisture Intrusion-3 hours**

Member Walden recommended denial of the following course renewal based on the reason the course is outside the scope of Home Inspections in Kentucky:

InterNACHI

- **How to Inspect Lawn Irrigation-3 Hours**

Member Walden made a motion to accept the recommendations of the Education Committee, and Vice-Chair seconded. All in favor, the motion carried.

Legal Report

General Counsel Marc Manley outlined in his report his views on a question that was posed to the Board about the role of helpers in a home inspection. In summary, he opined that a Home Inspection is a *visual* inspection. The home inspection could be considered deficient unless the licensed home inspector visually inspects all components himself. Therefore, a helper's role during a home inspection should be limited to performing actions things that do not require a home inspector license, and not required by a specific standard of practice. The helper can do administrative tasks such as scheduling, timekeeping, maintaining the office, helping with the tools on site, driving to the site, and similar tasks.

Board Administrator Report

Board Administrator Nathan Burton gave the Board Administrator report:

- KREIA education conference- Board Administrator Burton stated that while the KREIA education conference was very informative and extremely pleasant, there were some questions he had of the Board.
 - Regarding the Kentucky Law course, Burton stated the course that he attended did not cover Kentucky licensure law in detail. Instead, the course provided information regarding risk management and business protection procedures to mitigate the risk of lawsuits. Burton requested the Board provide an opinion regarding concepts that should be covered in legal education courses. The Board opined that the course should have covered Kentucky licensure law extensively and this issue should be addressed when the Board revisits regulatory reform.



- Regarding the Report Writing course, Burton stated that the course did not cover what may or may not be in a report, and it was more of a grammar course on how to write. The Board stated that this was the normal format of the course, but that it may want to reexamine this issue when the Board revisits regulatory reform.
- Newsletter- Burton announced that the first KBHI newsletter had been released at this time.
- Reform Memos- Burton gave each Board member a copy of the current regulations to review in preparation for revisiting regulatory reform.
- Dates for the 2020 meetings- Burton announced that as the KBHI office is moving within the next month, he is needing to gather the meeting dates for the 2020 year so he can schedule the meeting rooms as they are available and are on a first-come first-serve basis.

KREA Executive Director Comments

Director Corder stated that he was in the process of working on reciprocity agreements for all of the Boards in the Kentucky Real Estate Authority, including the KBHI.

Director Corder also suggested the Board consider initiating an Apprenticeship Program with the Home Inspector licensees. This would help potential licensees learn the business before incurring training and expenses for full licensure so a potential licensee can determine if they wish to proceed further in the industry. Apprenticeship and mentorship programs would also help fulfill the Board's public protection mandate by providing real world experience to a potential licensee under the supervision of a home inspector.

Board Chair Comments

Vice-Chair stated his regards from Board Chair Wenk that he could not be here, but that he had no further business at this time.

Open Forum- Public Comments

There were no public comments at this time.

Travel and Per Diem

Vice Chair Buchanan made a motion to accept the travel and the per diem of the board, and Member Cunningham seconded. The motion carried.

Meeting Adjournment

As there was no further business to discuss, Member Walden moved to adjourn at 12:02 a.m. The motion was seconded by Member Buchanan, and the motion carried.

