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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
Heather L. Becker, General Counsel

April 16, 2019
10:00

BOARD MEETING MINUTES

A regular meeting of the Board of Home Inspectors was held at 656 Chamberlin Avenue, Suite B in Frankfort, Kentucky on April 16, 2019.

MEMBERS PRESENT

Welford "Bud" Wenk, Chair,
Mitch Buchanan, Vice Chair
Steve Cunningham
Larry Joe Walden
Paul Ogden

KENTUCKY REAL ESTATE AUTHORITY

Heather L. Becker, General Counsel
Nathan Burton, Board Administrator
Harold E. Corder, Executive Director

GUESTS

Tim Hendren, Clarity Home Inspections
Brad Easley, Easley Home Inspections LLC

CALL TO ORDER AND GUEST WELCOME

Board Chairman Wenk called a meeting of the Kentucky Board of Home Inspectors to order at 10:08 a.m. on April 16, 2019. All five (5) board members were present, and a quorum was established. Guests in attendance were welcomed. Each board member formally introduced themselves to the guests in attendance.

Review and Approval of Meeting Minutes

Board member Larry Joe Walden expressed concern regarding the minutes of the Special March 20, 2019 Meeting. Two items to fix on the minutes were the "Members absent" from the previous meeting, as there were none, and that there needs to be a record each motion passed on the minutes. A motion was made by



Chair Bud and seconded by Mitch Buchanan to approve the Special Meeting Minutes with the stipulation the board administrator revise the minutes to show the needed changes. The motion carried.

Review Financial Report

The board reviewed the financial report on the current status of the fiscal claims for the board. There was no action necessary to approve.

Licensure Report

Board Administrator Nathan Burton gave the licensure report. As of April 16, 2019 there are four hundred eighty-two (482) Active Licensees, eleven (11) active pending renewal. In addition, there are nine (9) inactive licensees, and eleven (11) pending initial applications. The total licensure report being five hundred five (513) licensees.

Complaint Review Committee

— 18-KBHI-0014

Deputy General Counsel Alex Gaddis advised the Board of investigation into allegations of unlicensed home inspections. It was concluded that the individual was a building contractor and making estimates of repairs. He recommended dismissal of the case because the individual was not performing home inspections as they are defined under the statutes regarding the definition of a home inspection. A motion to accept the recommendation of Deputy Counsel on the matter was made by Chair Bud Wenk, and seconded by Mitch Buchanan. The motion carried.

Education Committee Report

The education committee recommended that the following class be approved for the hours indicated below.

— **InterNACHI: How to Inspect Manufactured and Mobile Homes- 3 Hours**

Member Larry Joe Walden Made a motion to accept the course for the hours allotted, and Member Cunningham seconded. The motion carried.

Applications Committee Report

Member Wenk, Chair of the Applications Committee, reported the following committee recommendations:

Nine (9) License Renewal Applicants were reviewed. Seven (7) were recommended for approval, and the other two recommended deferred for administrative approval after necessary documentation was supplied.

Eight (8) Initial License applications were reviewed. Five (5) of the eight were recommended for approval, with the other three (3) deferred for administrative approval after necessary documentation was supplied.

Chair Wenk made a motion to accept the recommendations of the Applications Committee, and Member Buchanan seconded. The motion carried.

Legal Report

Counsel Becker shared that the Board regulations are effective as of April 5, 2019. She is drafting the press release to go on the KBHI website, as well as to the licensees. Counsel Becker also mentioned that she is drafting the request to move the Home Inspector regulations to the chapter of the Real Estate Authority, so they are easily identified, as they are currently under the HBC chapter.

Counsel Becker also stated she will resubmit the confirmation of the file sent to the Board regarding the education regulations discussed in the previous board meeting, specifically in regard to online education. Deputy General Counsel Gaddis stated he will establish a drop-box link to the documentation.

Counsel Becker brought forth the topic of Reciprocity, and how in the previous meeting a public attendee stated Indiana offered Reciprocity with Kentucky. After review, she reported that this statement was not entirely accurate. KBHI regulations are more stringent than Indiana's. However, Indiana may be interested in establishing a formal reciprocal licensing agreement. Board Chair stated he didn't see any problem with giving reciprocity with Indiana with the addition of a Kentucky Law course by the licensee.

Counsel and the Board discussed compacts, and Counsel Becker advised that a compact requires every state in the agreement has to pass the exact same law regarding the issue of reciprocity. Then only the states that did so would be part of the agreement. As such, the reciprocal agreements would be more efficient and flexible.

Board Administrator Report

Board Administrator Nathan Burton gave the Board Administrator report:

- Saville Inquiry- Board Administrator Burton advised the Board that they had received a request to waive the requirements to a licensee to become a re-licensed home inspector. The reason being is he had not received any notification regarding his renewal, therefore he believes he should not have to come back as a new licensee. However, the request was made after more than 120 days. *The board determined that they could not grant the request, as there was ample proof that the previous board administrator had tried contacting the licensee. Member Buchanan made a motion that the request be rejected because the former licensee did not keep his address current. He must re-apply as a new agent to obtain a license again. Member Walden seconded the motion and the motion carried.*
- Newsletter Template- Board Administrator Burton shared a previous KREC newsletter, and the highlights associated. He then discussed some of the possible information that the board would want on their Newsletter. Member Buchanan expressed concern on the way the KREC had listed the disciplinary actions, and asked that if the board listed disciplinary actions, they do so in a way fair to the licensee. Counsel Becker asked the board members to produce their part of the newsletter by the next (May 21st) Board meeting. She then stated that as we send out our press release in regard to the new regulations, the board could ask for questions from the licensees that they might have.
- Reciprocal Licensing Information- The remainder of this topic was deferred to the Board's next meeting.
- I.T meetings- Board Administrator Burton advised the Board that he was currently scheduled to have a meeting with both the I.T department, and the fiscal department, to see about adding payments and processing to the online site. He will give a briefing on the decisions and actions made or discussed in the next board meeting.

— PSA's- Member Buchanan addressed his updates on the PSA that was previously discussed in the March 20th, 2019 special meeting.

Board Chair Comments

Board Chairman Wenk stated that he wants to possibly pursue a way to audit our education courses, to make sure a high standard was held in the course. Counsel Becker stated she will gather the rules that the other boards have for auditing. The possibility of requiring surveys of the classes at a later time was discussed, but nothing can be set unless current regulations are updated. Counsel Becker then stated as we are reviewing our regulations for education, we could send out surveys asking for licensee opinion on classes or education. Chair Wenk stated he will draft the letter.

Clarification for how long a course could actually be was asked of Counsel Becker. She advised that while accreditation hours for continuing education hours are capped at 6 hours per course, the course itself could be however long the provider wanted or needed. There are currently no such regulation on Pre-Licensing education hours. Counsel Becker then advised that if the Board wants to cap the hours that a licensee can complete in a day, then that will need to be part of the next regulation review.

New Business

There was no new business at this time

Open Forum- Public Comments

A guest had a question on the status of his license, and also how/when he would need to renew. The board then asked his opinion on if there was anything that he would suggest to help a new licensee. He stated that he would highly suggest the surveys of the classes.

Executive Session Legal Matters and Case Deliberations

At 11:25 a.m., Member Ogden moved to enter executive session pursuant to KRS 61.815 61.810 subsections (1) (c) and (j) and (k) to discuss the pending application of Mr. Cummins. Chair Wenk seconded, and the motion carried.

At 11:43 a.m. Member Ogden moved to come out of Executive session, and Member Buchanan seconded. The motion carried.

Once executive session was adjourned, Chair Wenk mad a motion to start the process of investigation for applicant Cummins. Member Ogden seconded, and the motion carried.

Travel and Per Diem

Member 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 Ogden moved to Adjourn at 11:46 a.m. The motion was seconded by Member Buchanan, and the motion carried.