

**KENTUCKY BOARD OF HOME INSPECTORS
BOARD MEETING MINUTES**

July 14, 2009

A meeting of the Kentucky Board of Home Inspectors was held at the Division of Occupations and Professions, Frankfort, KY on July 14, 2009.

MEMBERS PRESENT

D. Michael Green – Chairman
William Welty
Mark Schmidt
Michael Patton
Mike Powers, Division of Housing, Building &
Construction

OCCUPATIONS AND PROFESSIONS STAFF

Jeff Boler, Board Administrator
Carolyn Kyler, Board Administrator
Barbara Rucker, Admin. Section Supervisor
Frances Short, Executive Director

MEMBERS ABSENT

Richard Flora
James R. Bone

OTHERS

Michael Bennett, Board Attorney
Wendy Anderson, Division of Housing, Building
& Construction
Kathy Wolfe, Home Inspector
Steve Wolfe, Home Inspector
Lorri Keeney
Steve Keeney
Don Gaines

Call to Order

Mr. Green called the meeting to order at 9:10 a.m. and introductions were made.

Approval of Minutes

Minutes of the June 9, 2009 meeting were presented for the Board's review. Mr. Patton made a motion to approve the minutes pending amendments. The motion, seconded by Mr. Welty carried unanimously.

Director's Report

Ms. Short, Executive Director of the Office of Occupations and Professions welcomed the Board to the Division. Ms. Short explained the functions and role of the Division as it pertains to the Board.

Ms. Short informed the board that the Executive Branch Ethics Commission will be holding ethics training for the board members at the next scheduled meeting. This training session is expected to last approximately twenty minutes.

Chairperson's Report

Mr. Green explained to the board the reasons behind the transfer from the Division of Housing, Building and Construction to the Office of Occupations and Professions. He noted that he had a conversation with the Commissioner expressing concerns with the administrative functions of that Division, and a decision to move the board was made.

Board Administrator Report

Mr. Boler gave an update on the status of the board transfer to the Office of Occupations and Profession. He noted that the website for the Home Inspectors Board had been finalized at its new address: <http://bhi.ky.gov>.

Mr. Boler informed the board that the filing system and database for the board is currently being developed.

Mr. Boler informed the board that the Office of Occupations and Professions is currently unable to accept credit card payments. He recommended that the board remove the portion of the application form that requests credit card information. He noted that in addition to the fact that this office does not accept these types of payments, there is a large security risk in listing credit card information on a form. Mr. Boler noted that a notification will be placed on the board website noting this change.

Board Counsel Report

Mr. Bennett informed the board that the current forms that are incorporated by reference are from 2006, even though some forms from 2008 are in circulation. He informed the board that the forms will need to be filed with the upcoming regulations.

Old Business

The board discussed an issue in the renewal of license for Ms. Kathy Wolfe. After discussion, Mr. Schmidt made a motion to back-date and re-instate the license due to an administrative error. The motion, seconded by Mr. Powers, carried unanimously.

The board discussed the need for a regulation to handle complaints. After discussion, Mr. Patton made a motion to have the board counsel draft a regulation to fit the requirements and format listed in the current complaint form. The motion, seconded by Mr. Welty, carried unanimously.

The board discussed amendments to 815 KAR 6:030. After discussion, Mr. Schmidt made a motion to use the three standards of practice from the National Association of Certified Home Inspectors (NACHI), the American Association of Home Inspectors (ASHI), and National Association of Home Inspectors (NAHI) as part of the environmental hazards regulation. The motion, seconded by Mr. Welty, carried unanimously.

The board was given an update from Housing and Urban Development. It was noted that there are issue sover non-licensed inspections on foreclosed properties. No action was taken nor required.

Mr. Bennett gave an update to the board on the Rumancik complaint, which involves the practice of home inspection without a license. After discussion, Mr. Patton made a motion to have a hearing officer assigned to the case by the Division of Housing, Building, and Construction. The motion, seconded by Mr. Welty, carried unanimously.

Mr. Powers informed the board that the request for proposal (RFP) for workshops has been sent to the Office of Occupations and Professions for review, and will be issued through that Division. He noted that one of the requirements is that the providers be pre-approved licensed providers of the board. The deadline for proposals is August 4, 2009. The seminar dates will be October 24, October 31, and November 7, 2009.

New Business

The board discussed the advertising requirements for 815 KAR 6:020. After discussion, Mr. Powers made a motion to allow staff to draft and send letters notifying licensees of violations to the aforementioned regulation. In addition, the letters are to notify licensees that they have thirty days to come into compliance. The motion, seconded by Mr. Patton, carried unanimously.

Mr. Patton made a motion to allow the legal counsel to draft letters to unlicensed individuals informing them of the legal requirement to have a license. The motion, seconded by Mr. Powers, carried unanimously.

The board discussed the administrative procedures for licensing. After discussion, Mr. Patton made a motion to allow board staff to approve and issue licenses for individuals who meet all of the requirements of the checklists. In addition, the administrator is to provide a report on individuals receiving licenses in between board meetings. The motion, seconded by Mr. Welty, carried unanimously. It was noted that the renewals continue to be approved in the board meeting setting by the individual board members.

The board discussed the ethics code as it exists in the board by-laws. After discussion, Mr. Welty made a motion to have the legal staff look at the current ethics code, and determine if there is any conflict with the current statutes and regulations. The motion, seconded by Mr. Schmidt, carried unanimously.

Complaints Committee

Mr. Welty made a motion to dismiss case #HIC05051909. The motion, seconded by Mr. Schmidt, carried unanimously. A request was made to the legal staff that a letter of dismissal be issued prior to the next meeting.

Mr. Powers made a motion to issue a letter of reprimand in case #HIC04050809, for Rick Beasley, License #2196, Lexington, KY. The motion, seconded by Mr. Welty, carried unanimously.

Mr. Green appointed Mr. Schmidt to serve on the complaints committee from this point forward.

Application Review

Mr. Welty made a motion to approve the renewal applications for the following home inspectors:

- Gordon McPherson, License #2500
- Peter Brant, License #2478
- Chris Gothit, License #2446
- Ralph King, License #2450
- James Williams, License #2498
- Steve Bledsoe, License #2453
- Chris Ivy, License #2483

The motion, seconded by Mr. Schmidt, carried unanimously.

Travel and Per-Diem

Mr. Patton made a motion to approve travel and per-diem for today's meeting. The motion, seconded by Mr. Powers, carried unanimously.

Mr. Patton made a motion to adjourn the meeting at 1:10 PM. The motion, seconded by Mr. Welty, carried unanimously.

Approved by the Board,

Jeff Boler
Board Administrator