



# KENTUCKY BOARD OF HOME INSPECTORS

## KBHI QUARTERLY

### CHAIRMAN'S MESSAGE

MARK OERTHER

### Here is what's happening at the board!

If you have not heard, the National Association of Home Inspectors (NAHI) has ceased to exist as of August 1, 2016. The members of NAHI are now members of ASHI as per an agreement that was worked out between the organizations. Our current law allows a home inspector to choose one of the three standards listed in the law when getting or renewing a license. The board will be working on making changes to the current law to reflect the removal of the NAHI standards since they are no longer in business. For those of you who are NAHI members, it is currently lawful to continue to use the NAHI standards until any new law goes into effect. However most professional organizations require that you follow the standards of that organization if you are a member. If you choose to change the standard that you are currently using, you must notify the Board administrator. This can be done by email, regular mail or through the new state portal.

The board is having some initial discussions about starting an apprentice program. The idea was brought to the board by former board member Michael Green. The board is researching other trade fields who have apprenticeship programs. The idea is still in the initial stages and will require future discussions and hard work from the board to get this program implemented.

The board is and will continue to pursue unlicensed home inspectors in the state. There is one current case in litigation. The board attorney and myself made a special trip to meet with the Rowan County attorney in pursuit of another unlicensed home inspector. If you have any knowledge of an unlicensed home inspector, let the board know. However for the board to start a case, we must have documentation / proof of a fee paid inspection by the unlicensed individual.

### EDUCATION COMMITTEE REPORT

For A List of Approved Pre-Licensing Providers, [Click Here](#)

For A List of Approved Continuing Education Providers, [Click Here](#)

For A List of Continuing Education Courses, [Click Here](#)

ISSUE 3  
THIRD QUARTER, 2016

### MEETING DATES

2016

- January 12, 2016
- February 9, 2016
- March 8, 2016
- April 12, 2016
- May 10, 2016
- June 14, 2016
- July 12, 2016
- August 9, 2016
- September 13, 2016
- October 11, 2016
- November 15, 2016
- December 13, 2016

### COMMITTEE

#### MEETINGS

#### Applications Committee

8:00 am Conference  
Room A

#### Education Committee

9:00 am Committee Room

#### Complaints Committee

9:30 am Conference  
Room C

#### Board Meeting

10:00 am Conference

## VICE CHAIRMAN'S MESSAGE | TOP INITIATIVES FOR THE NEW YEAR

### ROBB JOHNSON

#### Apprentice Training Program

It is early in the process, but we are discussing an inspector apprentice training program. We had a special meeting this past week to discuss how this could be implemented and what the pros and cons to having a program like this would look like.

#### PSA? Yes, Public Service Announcement

The KBHI is working on a PSA to broadcast to the general public across the state to inform and educate potential homeowners, buyers and sellers regarding a range of different topics. If there is a topic you feel the public needs to be made aware of please let us know.

#### 2017 Kentucky State Fair Booth

It was brought up late last year to have a booth at the fair but with the new administration, those plans got put on hold for the time being. Now looking forward we are taking actions to have a booth for 2017 for the first time. This will take a coordinated effort from all of our inspectors in the state to help man a booth for a period of 10 days. We will keep you posted on how things progress.

#### How to locate your new license number:

Visit [http://oop.ky.gov/lic\\_search.aspx](http://oop.ky.gov/lic_search.aspx) and type in your name, and select the home inspector board for your search and in the search results you should see your legacy number (old license number) and your new 6 digit license number.

Questions? Contact Megan Woodson [Megan.Woodson@KY.Gov](mailto:Megan.Woodson@KY.Gov) 502-782-8816

## APPLICATION COMMITTEE REPORT

### KBHI Welcomes New Licensees...

#### June

Jeremy R Buchanan  
Andrew P Campbell  
Jonathan P Christner  
Douglas W. Hasse  
Charles W Phillips  
Mark E Pruitt

#### July

Terrell D Ginn  
Nicholas M Hayes

#### August

William R Blakeman, Jr  
Quentin L Clark  
Thomas E Schwager  
Scott A Weatherly  
Bradley J Walters

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## COMPLAINTS COMMITTEE REPORT

### Complaint No. 2016-02, 03, 06 & 08

This is a Complainant alleges that the home inspector acted in an irresponsible behavior in making derogatory comments about realtors and a Facebook post on the homepage for the Kentucky Real Estate Inspectors Association (KREIA) where he described a video game idea where the player would kill real estate agents.

The Board of Home Inspectors reviewed the complaint and response, and found there was no violation of KRS 198B.700 to .738 or 815 KAR Chapter 6. While the Board believes that the conduct was unprofessional and not good business practice, it did not constitute conduct that warrants disciplinary action by the Board. **Result:** Dismissed

### Complaint No. 2016-04

The Complainant alleges that the home inspector was negligent in an inspection performed on February 27, 2016, at Wharton Court, Louisville, Kentucky. The complaint alleges that the home inspector failed to inspect the HVAC system and only inspected the crawl space and roof after the client insisted both be inspected. The complaint also alleges that the report was not thorough and did not contain the details and photos that the clients were promised.

In his response, the home inspector states that he provided a report with all the pictures that he took of the areas later requested by the client and client's realtor. Additionally, he stated that he was unable to inspect the crawl space because of standing water. He believed that the standing water close to the electric for a sump pump created a safety issue for him so he did not inspect. The home inspector stated that he inspected the roof from ground level. He believed that there may be clear icing or other safety issues on the roof to not make an inspection from roof level. Finally, the temperature on the day of the inspection was a low of 35 and a high of 45. In the home inspection report, the home inspector noted that the compressor was not tested because the outside temperature was below 60 degrees and that doing so may result in damage to the compressor.

The Board of Home Inspectors reviewed the complaint, response and documents submitted and found there was no violation of KRS 198B.700 to .738 or 815 KAR Chapter 6. **Result:** Dismissed

### Complaint No. 2016-05

This is a Complainant alleges that the home inspector was negligent in an inspection performed on May 15, 2014, at Rossmoor Drive, Louisville, Kentucky. The complaint alleges that the Home Inspector upset the buyer when he found mold and other issues with the house that the Complainant believed he lacked the expertise to identify. Additionally, the Complainant alleges that the home inspector failed to identify an issue with the electrical box that was identified by an electrician at a later date.

815 KAR 6:090 Section 2(9) requires that a complaint be filed within one (1) year of the date the complainant knew or should have known of a violation of a provision of KRS 198B.700 to 198B.738 or a provision of 815 KAR Chapter 6 by the licensee. All the documents associated with the repairs and other remedies associated with the issues identified in the report occurring in May 2014. The complaint was outside the statute of limitations period to file it. **Result:** Dismissed

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## KENTUCKY BOARD OF HOME INSPECTORS

### Representing Licensed Home Inspectors

Mark G. Oerther-Chairman  
and Complaints Committee  
[markoertherinspector@gmail.com](mailto:markoertherinspector@gmail.com)

Robert P. Johnson-Vice Chairman and  
Applications Committee  
[robb@homemd.com](mailto:robb@homemd.com)

James A. Chandler-Complaints Committee  
[jimchandler@chandlerinspections.com](mailto:jimchandler@chandlerinspections.com)

Mitch D. Buchanan-Complaints Committee  
[mitchdbuchanan@gmail.com](mailto:mitchdbuchanan@gmail.com)

Welford "Bud" Wenk-Applications  
Committee  
[bwenk@twc.com](mailto:bwenk@twc.com)

Representing Kentucky Manufactured  
Housing Institute

OPEN POSITION

Representing Kentucky Home  
Builders Association

Edward C. "Neal" Tong-Education  
Committee  
[Ntong987@bellsouth.net](mailto:Ntong987@bellsouth.net)

Representing Kentucky Association  
of Realtors

OPEN POSITION

Representing Citizens at Large

OPEN POSITION

### O & P Staff

Megan Woodson, Board Administrator  
[Megan.Woodson@ky.gov](mailto:Megan.Woodson@ky.gov)

Brian Judy, Asst. Attorney General  
[Brian.Judy@ky.gov](mailto:Brian.Judy@ky.gov)

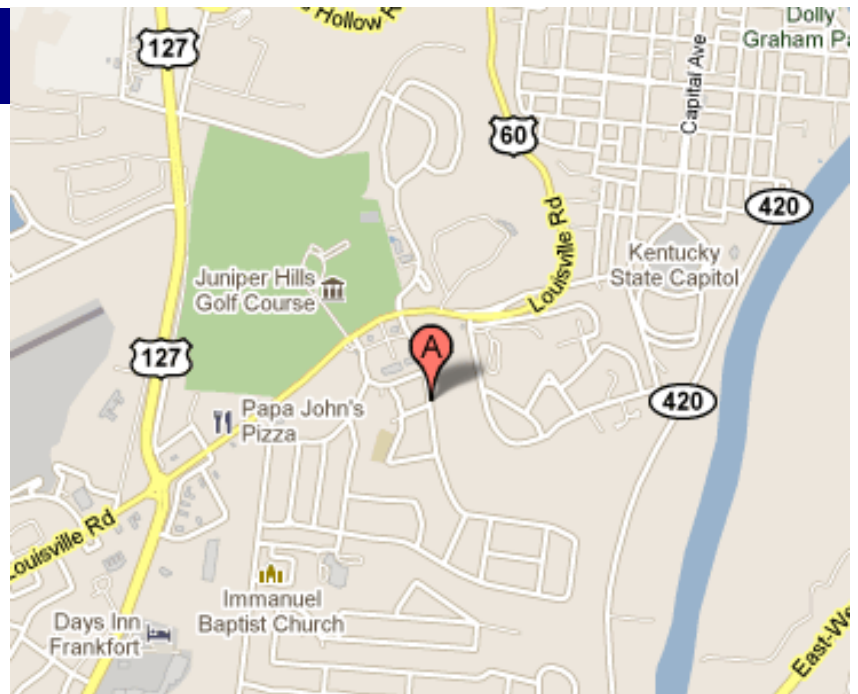
## CONTACT US

Kentucky Board of  
Home Inspectors  
[HTTP://BHI.KY.GOV/](http://BHI.KY.GOV/)

Mailing Address:  
P.O. Box 1360  
Frankfort, KY 40602

Overnight Packages to:  
911 Leawood Drive  
Frankfort, KY 40601

[Megan.Woodson@KY.Gov](mailto:Megan.Woodson@KY.Gov)  
502-782-8816 (Telephone)  
[Megan.Woodson@Ky.Gov](mailto:Megan.Woodson@Ky.Gov)



You are encouraged to attend and participate in meetings of the board which are typically held the second Tuesday of each month at 10:00. All meetings will be held at the Office of Occupations and Professions, 911 Leawood Drive, Frankfort, KY 40601. Board meetings begin at 10 a.m.

## COMPLAINTS COMMITTEE REPORT CONTINUED...

### Complaint No. 2016-07

This is a Complainant alleges that the home inspector violated KRS 198B.700 to .738 or 815 KAR Chapter 6 because the home inspector found issues that another home inspector did not find and referenced issues being in compliance or noncompliance with the Kentucky Residential Code.

The Board of Home Inspectors reviewed the complaint, response and documents submitted, and found there was no violation of KRS 198B.700 to .738 or 815 KAR Chapter 6. The Board's decision focused on the content of the report. The report disputed the allegations made against the home inspector regarding his findings and the issues about referencing referenced issues being in compliance or noncompliance with the Kentucky Residential Code. The report was well written and contained photographs of the issues found which allowed the Board to review and make a determination.

**Result:** Dismissed