

**KENTUCKY BOARD OF HOME INSPECTORS  
MEETING MINUTES  
May 14, 2013**

A meeting of the Kentucky Board of Home Inspectors was held at the Office of Occupations and Professions in Frankfort, KY on May 14, 2013.

**MEMBERS PRESENT**

Kevin Farris, Chairman  
Mitch D. Buchanan, Vice Chairman  
Mark G. Oerther  
Ken Fister  
J.R. Bone  
James A. Chandler  
Mark Schmidt  
Robert P. Johnson

**MEMBERS ABSENT**

None

**OCCUPATIONS AND PROFESSIONS STAFF**

Diana Jarboe, Board Administrator  
Lindsey Lane, Board Administrator

**OFFICE OF THE ATTORNEY GENERAL**

Brian Judy, Office of the Attorney General

**GUESTS**

Steve Keeney  
Don Gaines

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**CALL TO ORDER**

Kevin Farris, Board Chairman, called the meeting to order at 10:23 a.m.

**MINUTES**

A motion was made by Mr. Farris to approve the meeting minutes from April 9, 2013. Mr. Chandler seconded that motion and it carried.

**MONTHLY FINANCIAL REPORT**

The financial statement for the month ending April 30, 2013 was presented to the Board for review.

**LICENSURE STATUS REPORT**

Mrs. Jarboe informed the Board that there are currently 289 active licensed Home Inspectors, 22 inactive licensed Home Inspectors, and there have been 28 new licenses issued in the fiscal year 2013.

**O&P REPORT**

Mrs. Jarboe informed all of the Board members of the Board's need for compliance with the General Assembly HB 440 that was passed and informed them that all requested licensee information had already been sent to the Department of Revenue as required. Mrs. Jarboe also notified the Board of the return of the Executive Director of O&P from maternity leave.

The Office of Occupations and Professions is currently conducting interviews to fill the vacant Resource Management Analyst II position. Until the position is filled, the operations section Supervisor, Susan Ellis, will continue to update the websites as needed.

Mrs. Jarboe informed the Board of the new meal reimbursement policy which caps meal reimbursement at \$50.00 per meal and limits tip reimbursement to 20% of the total receipt.

### **BOARD CHAIRMAN'S REPORT**

Board Chair, Kevin Farris, thanked everyone for their great efforts at the retreat in March 2013.

### **BOARD COUNSEL REPORT**

Assistant Attorney General, Brian Judy, reported on the Romancik case. Mr. Judy explained that, as of today, a summons has still not been served as the sheriff's office has been unable to find Mr. Romancik. A Constable has been recruited to help in locating and serving Mr. Romancik.

Mr. Judy gave each member a draft copy of proposed language for their new regulations at the meeting in April. There was discussion between Board members to make additions to the current complaint process which would include sending a copy of the licensee response back to the complainant for rebuttal then the complaint committee will review the file in full, after all correspondence has been received from both parties. Members may submit revisions of any open regulations to Mr. Judy before the next meeting, and at the June meeting the Board is to finalize and vote on all regulation changes to be made.

Mr. Judy informed the board that an administrative hearing in Case No. 12-KBHI-0121, KBHI Board versus Kenny Martin, has been scheduled for August 27, 2013, at 10:00am. It was agreed that a panel of board members would hear the case along with a hearing officer.

Lastly, Mr. Judy requested a \$500.00 donation from the Board to attend the FARB conference. A motion was made by Mr. Farris to give Mr. Judy the requested funds, the motion was seconded by Mr. Oerther, and the motion carried with one opposition.

### **OLD BUSINESS**

The Board discussed the option of having an entity outside of State Government design and maintain the Home Inspectors website.

Mr. Johnson gave report of the approximate annual cost and policy options of Error and Omission insurance for Home Inspectors. Mr. Farris has agreed to research more information regarding E&O insurance, including options of possible policy piggybacking with realtors and a cost discount. Mr. Farris will present the Board with any new information at the June meeting.

Mr. Judy reported that he has yet to get a response from the coordinator of the Radon Advisory Committee regarding the possibility of the Board's participation with this committee. The Board will attempt to contact the Home Inspector that is on the Radon Advisory Committee.

Mr. Johnson reported that he has scheduled a meeting with an advisor regarding the Research and Education Protection Fund and will update the Board of any progress with this matter at the meeting in June.

### **NEW BUSINESS**

The Board members reviewed the current roster of Board member information and all members approved the information to be current.

The Payroll information from the Personnel Cabinet was distributed to all board members which explained the payroll change from June 28, 2013 to July 1, 2013.

The Board discussed the procedure of immediately filing a complaint against a licensee who writes a check of insufficient funds. The complaint is to be dismissed after sufficient funds are received.

Mrs. Jarboe brought to the attention of the Board that there is no specification of the KSP background report on the licensee renewal application. That form will be amended to include the language limiting the criminal background reports to only KSP reports.

The Board discussed an issue regarding a check that was submitted by a licensee with their renewal application that has come back to the office and reported as insufficient funds. A motion was made in the April meeting to revoke the license as the fees have still not been paid. Mr. Judy is to draft a letter to be sent to this licensee immediately.

### **EDUCATION COMMITTEE REPORT**

The education committee made the following recommendations:

- Approval of The NAHI 2013 National Education Conference Technical Session courses including: Inspection Report Writing 1 hour, Chimney Inspections 2 hours, Residential Deck Inspections 2 hours, Inspecting for Water and Mold Damage 2 hours, Home Inspector Risk Management 2 hours, and Risk and Tax Management 2 hours.
- Denial of the Pre-Licensing Course of National Association of Home Inspectors until additional information is received.

Mr. Bone made a motion to accept the recommendations of the education committee, Mr. Schmidt seconded the motion, and the motion carried.

The Education Committee also advised the Board, and all course providers, that the Board does not approve CE providers in general. Courses are to be approved individually and the approval is valid for two years.

### **APPLICATIONS COMMITTEE**

The Applications Committee interviewed an applicant regarding the inspection report submitted for licensure renewal. The Committee will review the updated report from that individual at the next meeting. The Applications Committee made the following recommendations:

- Renewal applications to be approved - John Elliott, Jon Shelpman, and Charles Taylor.
- Renewal application denied - Kevin McManaway
- Initial licensure application to be approved – Randall Erskine, Derek Hensley, Elvis Ingram, Adam McClintic, John Osborne, Tracy Raisor, Donald Thompson, and Gregory West.
- Initial licensure application to be denied – Nathan Butler, whose license has expired and the pre-licensing course and national exam were completed greater than three years ago.

Mr. Schmidt made a motion to accept the recommendation of the Applications Committee, Mr. Bone seconded the motion, and it carried.

### **COMPLAINTS COMMITTEE**

No report available today as the following complaints are still ongoing:

- 2013-02
- 2013-05

### **TRAVEL AND PER DIEM**

Mr. Bone made a motion to approve the travel and per diem for members attending today's meeting. The motion, seconded by Mr. Oerther, carried.

### **NEXT MEETING**

The next meeting is scheduled for Tuesday, June 11, 2013, 10:00am at the Office of Occupations and Professions in Frankfort, KY.

### **ADJOURNMENT**

Mr. Bone made a motion to adjourn at 11:15 a.m. The motion, seconded by Mr. Chandler, carried.