

**Minutes of the Meeting of the
Arkansas Home Inspector Registration Board
Attorney General Building, Little Rock
October 5, 2016**

Board Members present:

Wayne Pace, Chairman	Robert Neal	Joe Kanopsic (<i>Attended by Teleconference</i>)
Anthony Utsey (<i>Absent</i>)	Cheryl Payne-Nesuda	Bob Downum
Allen Trammell		

Board Administrator: Charlotte London

Others Present:	Assistant Attorney General:	Julie Chavis
	Law Clerk:	Shasta Williams
	AAREI Lobbyist:	Bob Balhorn
	ABC	Joe Maxwell
	Home Inspector	Duane Vanderpluym
	DFA	Melanie Hazeslip
	Applicant	Rob Miller

I. Agenda Item I: Call to Order/Roll Call

Meeting called to order at 9:40 am.

Roll call by Mr. Pace included Board members in attendance with Mr. Utsey absent.

Immediately after Roll Call, Mr. Pace presented Ms. Hazeslip with a plaque to show the Board's appreciation for her help during the months when there was no one to perform the administrative duties for the Board..

II. Agenda Item II: Approval of October Meeting Agenda

Motion was made by Mr. Downum to approve agenda and seconded by Mr. Neal.

All board members voted in favor of motion with aye.

III. Agenda Item III: Approval of Minutes

Motion was made by Mr. Neal to approve the meeting minutes of September 7, 2016 and seconded by Mr. Kanopsic. All board members voted in favor of motion with aye.

IV. Agenda Item IV: Financials

The Financials were review by the Board members. Ms. Payne-Nesuda made a motion to approve the financials, Mr. Trammell seconded and all board members voted in favor of motion with aye.

September Available Cash	\$384,108.70
Revenue	\$3,180.00
Salary Expense	(\$5,681.68)
AETN Expense	\$0.00
Postage/Cell Phone	\$56.56
Utilities & Rent	\$625.00
Board Member Travel	\$0.00
Background Checks	\$66.00
Refunds	\$0.00
Total of Expense	\$747.56
Burn Rate of	\$1,048.51

V. Agenda Item V: Review of New Applicants

The board reviewed three new applicants and four applicants tabled from previous meetings

1. **Dagian Barker** – Mr. Pace noted that the insurance agent’s name and phone number were not on Mr. Barker’s Certificate of Insurance. Mr. Trammell made a motion to approve Mr. Barker’s application pending receipt of the agent’s name & phone number. The motion was seconded by Mr. Downum and all board members voted in favor of the motion with aye.
2. **Anthony Eliasen** – Ms. Payne-Nesuda made a motion to approve Mr. Eliasen’s application. The motion was seconded by Mr. Neal and all board members voted in favor of the motion with aye.
3. **David Kruse** – Mr. Neal made a motion to approve Mr. Kruse’s application. The motion was seconded by Mr. Kanopsic and all board members voted in favor of the motion with aye.
4. **Timothy Cooper** – Mr. Cooper’s application had been tabled from the September Board meeting until additional documents were received. Ms. Chavis reviewed Mr. Cooper’s documents and concluded that his past criminal history had been resolved. Mr. Neal made a motion to approve Mr. Cooper’s application. Mr. Downum seconded the motion and all board members voted in favor of the motion with aye.
5. **William Taylor** – Mr. Taylor had received incorrect information about the documents required for him to become a licensed Home Inspector in Arkansas. Due to the misinformation, Mr. Taylor requested (*via email*) withdrawal of his application and a refund of his registration fee. Mr. Neal made a motion to refund \$375.00 to Mr. Taylor. Mr. Trammell seconded the motion and all board members voted in favor of the motion with aye.
6. **Robin C. Miller** – Mr. Miller’s application was tabled from the September Board meeting due to discrepancies in his initial documents and not sending in an official Texas background check. Mr. Pace asked Mr. Miller about the discrepancies with his Social Security number and date of birth. Mr. Miller said it was just a mistake and he was not aware that it had been done. Mr. Pace then asked him if he had a construction license and Mr. Miller replied that he did not. Mr. Neal made a motion to approve Mr. Miller’s application. The motion was seconded by Mr. Trammell and all board members voted in favor of the motion with aye. Mr. Pace thanked Mr. Miller for coming to the meeting and answering questions. Mr. Miller asked Board members if there were any Home Inspectors in Northwest Arkansas that he could contact about observing them while they perform home inspections. Mr. Pace told Mr. Miller to contact a licensed Home Inspector and ask him if he would mind having him tag along on a home inspection. Mr. Downum recommended that Mr. Miller contact Mitch Erwin and Mike McDonald in Northwest Arkansas. Mr. Pace told Mr. Miller that he thought

it was a great idea for him to shadow an experienced Home Inspector to learn more about the business.

7. **Alan Koska** – Ms. Chavis has a statement from Mr. Koska detailing his background. Ms. Payne-Nesuda asked about his bypassing the city water meter in order to get water to his home without paying for it. Mr. Pace said Mr. Koska should come to a Board meeting to answer questions. Ms. Chavis said if the Board does not approve Mr. Koska, she would notify by letter that he has the right to appeal. She added that Mr. Koska has agreed to sign a Consent Agreement and pay a \$100.00 Civil Penalty. Mr. Trammell asked Ms. Chavis what the Board could do if Mr. Koska is not approved but continues to perform home inspections. Mr. Pace said that Mr. Koska should be sent a Consent Agreement and advised about being fined up to \$1,000.00 for each home inspection he does without being licensed. Ms. Chavis said that if Mr. Koska is approved for a license, then he would be compelled to answer to the Board. Mr. Downum asked Ms. Chavis why would the Board have a hearing and she said it was 'due process.' Ms. Chavis said if the Board denies Mr. Koska's application, she would send him a letter advising him that he has thirty days to appeal. She said the Board should just wait to see how Mr. Koska would respond. Mr. Downum said Ms. Chavis should send the letter to Mr. Koska. Mr. Trammell made a motion to deny Mr. Koska's application for a license and that he should be notified of his right to appeal. Mr. Neal seconded and all board members voted in favor of the motion with aye.

After the vote, Mr. Kanopsic (attending by teleconference) had to leave the meeting.

Ms. Chavis said that she would write the letter and send it to Mr. Pace for review. Ms. Payne-Nesuda commented about how Mr. Koska could attend all of his classes and not know that he should be licensed. Mr. Maxwell said that one problem we have is with home inspectors who come to Arkansas from other states to perform home inspections and they are not licensed in Arkansas. Mr. Neal said the Board is doing better at controlling unlicensed inspectors. Ms. Chavis asked Mr. Trammell about informing realtors about the consequences of using unlicensed inspectors. Mr. Trammell said that by using licensed inspectors, the buyer is more informed and can make better decisions when purchasing a home.

BREAK 11:05 – 11:15

VI. Agenda Item VI Status of Complaints

Julie Chavis, Assistant Attorney General, reported on updates to the old complaints.

OLD COMPLAINTS

1. McCormick
 - a. Mr. McCormick has paid his civil penalty, but did not return his signed Consent Agreement.
2. Bevill
 - a. Ms. Chavis has contacted the complainant's attorney to find out what his expectations are.
3. Hall
 - a. Ms. Chavis has spoken with Daniel Faulkner about how the Board should handle Mr. Hall while he is performing unlicensed home inspections.
4. Stoufer

- a. Mr. Stoufer has paid his civil penalty and returned his signed Consent Agreement. Mr. Pace signed the agreement and a copy of the agreement along with a letter drafted by Ms. London will be mailed back to Mr. Stoufer.
- 5. Williams
 - a. Ms. Chavis and her Law Clerk, Ms. Williams are creating a spreadsheet of all of Mr. Williams' complaints that will be presented to the Board in November or December.
- 6. Koska - No additional discussion.

NEW COMPLAINTS

- 1. Mr. Neal spoke about a handwritten letter mailed to the Board in which the writer complained about a Home Inspector's inspection of a commercial building and also wrote that his letter was not a formal complaint. Ms. Chavis said that Ms. London should send the writer a letter informing him that he has the option to file a formal complaint; however, the Board does not regulate or license the inspection of commercial buildings.

Mr. Downum said that the Board should have some way of publishing disciplinary actions imposed by the Board. Mr. Pace said the notification should be in the renewal packets and inform the Home Inspectors that any disciplinary action they incur will be posted on the website. Ms. Chavis said the Board needs to have a letter that includes updates by the Board.

VII. Agenda Item VII Continuing Education/Pre-Registration Courses

- 1. InterNACHI – How to Inspect for Moisture Intrusion
Board members reviewed the latest CE course. Mr. Downum moved to accept the course if Mr. Neal and Mr. Utsey (absent) approved. Mr. Pace also approved the course. Mr. Neal made a motion to approve the course, Mr. Downum seconded and all board members voted in favor of motion with aye. Mr. Neal added that the course should be categorized as General Education.

Mr. Neal made a motion to confirm the disapproved courses because they did not comply with the Standards of Practice for Arkansas. The motion was seconded by Ms. Payne-Nesuda. All Board members except Mr. Kanopsic voted in favor of the motion with aye. Mr. Kanopsic voted 'nay' because of the Ladder Safety course. Several additional courses are still being reviewed by Mr. Utsey and will be discussed at the November meeting.

VIII. Agenda Item VIII New Business

- 1. Status of Transfer of Responsibilities
 - a. Continues as an ongoing process
- 2. Website Rebuild
 - a. Mr. Neal has been updating the website.
- 3. David Moon
 - a. Mr. Neal read from the Code of Ethics about inspectors not doing any type of advertising that could be a conflict of interest. Mr. Neal made a motion that a letter be sent to Mr. Moon informing him that his promotional idea would be a conflict of interest and therefore was denied by the Board. Mr. Downum seconded the motion and all board members voted in favor of motion with aye.
- 4. Other

- a. Mr. Pace told Board members that he was asked to speak before Coldwell Banker Realtors.

IX. Agenda Item IX Old Business

1. Mr. Pace called Ms. Hazeslip on speakerphone to inquire about any additional information that may be needed for the October 12th Budget Hearing.
2. Other

X. Agenda Item X Administrator's Update to Board Members

1. Mr. Neal proposed to have a 10-day grace period after the expiration of Home Inspector's Certificates of Insurance. This was due to problems with insurance carriers not releasing updated certificates in a timely manner that would put Home Inspectors at risk of being suspended.
2. Ms. London will get pricing for registration renewal cards and present it at the November Board meeting.

XI. Agenda Item XI Schedule Next Meeting

1. The next board meeting is Tuesday, November 1, 2016 @9:30 am

XII. Agenda Item XII Adjournment

Mr. Pace adjourned the meeting at 1:05 pm.