

**Minutes of the Meeting of the
Arkansas Home Inspector Registration Board
Attorney General Building, Little Rock
February 22, 2017**

Board Members participating:

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

Board Administrator: Charlotte London

Others Present:	Assistant Attorney General:	Julie Chavis
	AAREI Lobbyist:	Bob Balhorn
	ABC	Joe Maxwell
	Home Inspector	Dan Broughton

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

Meeting called to order at 9:09 a.m.

Roll call by Mr. Pace - All Board Members present except Mr. Trammell.

II. Agenda Item II: Approval of February 22, 2017 Meeting Agenda

Motion was made by Mr. Neal to approve the agenda and seconded by Ms. Payne-Nesuda.

All Board members voted in favor of motion with aye.

III. Agenda Item III: Approval of Minutes

The minutes from February 10, 2017 were incomplete.

IV. Agenda Item IV: Financials

The January Financials were reviewed at the February 10, 2017 teleconference.

V. Agenda Item V: Review of New Applicants

The Board reviewed six new applicants.

1. Joshua Dean Anderson – Mr. Pace asked about Mr. Anderson’s GED certificate and pointed out a typo in the amount of liability coverage. The name of his insurance agent was also missing. Mr. Downum motioned to approve Mr. Anderson’s application pending receipt of the corrected Certificate of Insurance, Mr. Kanopsic seconded and all Board members voted in favor of motion with aye.
2. Kyle Edward Franzen – Mr. Pace questioned whether Mr. Franzen’s Pre-Registration course met the 80 hours requirement. Mr. Neal asked Ms. London to contact the applicant and have him send more proof of the classroom hours. Mr. Neal motioned to approve his application pending verification of course documents, Mr. Kanopsic seconded and all Board members voted in favor of motion with aye.
3. Milton Kee Girlinghouse – Board members questioned the wording used on the applicant’s Certificate of Insurance. The document listed that his coverage was ‘...in and around Pulaski County’ and Board members said that was sentence was unnecessary since Home Inspectors are registered to perform inspections throughout the State of Arkansas. Mr. Neal motioned to approve his application pending receipt of a Certificate of Insurance with that sentence removed, Mr. Kanopsic seconded and all Board members voted in favor of motion with aye.
4. Stephen Alan Johnson – Mr. Kanopsic motioned to approve Mr. Johnson’s application, Mr. Downum seconded and all Board members voted in favor of motion with aye.

5. Kevin P. Madryga – The insurance agent’s name was illegible on Mr. Madryga’s Certificate of Insurance. Mr. Neal motioned to approve his application pending receipt of his insurance agent’s name, Ms. Payne-Nesuda seconded and all Board members voted in favor of motion with aye.
6. Frank Yakopec – Board members discussed the convictions in the background check of Mr. Yakopec. Ms. Chavis saw no problem with the violations since they occurred over 45 years ago and Mr. Yakopec had served time and resolved his convictions. She also noted that he had served in the military, worked for the federal government and not been in any more trouble since that time. Mr. Neal motioned to approve his application, Mr. Kanopsic seconded all Board members voted in favor of motion with aye with the exception of Mr. Downum, who voted nay.

VI. Agenda Item VI Status of Complaints

1. OLD COMPLAINTS

- a. Kyndal & John Wiles vs Allen, HI-1583 (2/2/2017-Notification letter mailed to Home Inspector, Mr. Allen responded by email dated 2/11/2017)
- b. Washburn vs Hoffman, HI-1500 (2/2/2017-Notification letter mailed to Home Inspector, Mr. Hoffman responded by email dated 2/27/2017)
- c. Bevill – (Gubanski vs State of Arkansas) Hearing is scheduled for February 22, 2017
- d. Hall - Ms. Chavis continues to work on this complaint.
- e. Williams – Ms. Chavis said she received a letter from Mr. Williams’ attorney and she will be contacting him. She said that she will have more information for the Board at a future meeting.

2. NEW COMPLAINTS

- a. Williams vs Mobley, HI-1497 (2/2/2017-Notification letter mailed to Home Inspector, Mr. Mobley responded by email on 2/10/2017)

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

1. Home Inspection University

- a. Ultimate Inspection Conference – Nine (9) courses were reviewed by Mr. Utsey and discussed with the Board members.

The following courses were approved by the Board:

- i. Risk Management & Report Writing for Home Inspectors
- ii. Fuel Gas Distribution Systems
- iii. Structural Defect Recognition & Analysis
- iv. The Flatter the Roof, The More Troubles
- v. Attic Ventilation, Moisture and Ice Dams
- vi. Asphalt Shingle Roof Inspection

Mr. Utsey motioned to approve the previous six (6) courses, Mr. Downum seconded and all Board members voted in favor of motion with aye.

The following courses were NOT approved by the Board:

- i. Pumps: domestic Water, Sewage and Sump Pumps
- ii. 2014 NEC Changes Update
- iii. Structural Red Flags for Home Inspectors (When to call an Engineer)

Mr. Utsey motioned to deny approval of the previous three (3) courses, Mr. Kanopsic seconded and all Board members voted in favor of NOT approving the courses with aye.

VIII. Agenda Item VIII New Business

1. Suggestions for AHIRB Advertising – Mr. Kanopsic said that he will make arrangements for a representative from Google to meet with the Board.
2. Email from a new Home Inspector concerning Unfair Practices – A Home Inspector wanted to know if he could inspect property that had work done by him for his employer. Mr. Neal said he could not perform the inspection because he could not be objective. Mr. Kanopsic said the Home Inspector should refuse any offer he receives to inspect a house where he has installed equipment. Mr. Utsey said the Home Inspector should not do this type of inspection for twelve (12) months. Mr. Pace said this matter will be discussed further after today’s hearing which is about to begin.

Break 10:05 – 10:25

Gubanski vs State of Arkansas hearing begins

Attendees in addition to those present for the Board meeting:

Complainant:	Frank Gubanski Michelle Canulla
Attorney:	Orin Eddy Montgomery, Esq.
Hearing Officer:	Peggy Johnson, Esq.
Court Reporter:	Susan B. Whitson, CCR

Mr. Gubanski had filed a complaint against Home Inspector, Steve Bevill. The Board had investigated and dismissed the complaint. After that decision, Mr. Gubanski could appeal the decision by requesting a hearing.

Opening remarks were made by Ms. Chavis who said the purpose of the hearing was to decide if the AHIRB Complaint committee’s previous decision to dismiss the complaint would stand or be overturned.

After a detailed question and answer session between the attorneys, the complainant and the Board’s witness, Mr. Neal, Ms. Johnson turned the hearing over to the Board for deliberation. Mr. Kanopsic made a motion to uphold the original decision to dismiss the complaint, Mr. Downum seconded and all Board members voted their approval to uphold the dismissal of the complaint by raising their hands.

Ms. Johnson told the complainant and his attorney of the decision and advised Mr. Gubanski that he has a right to appeal the decision and request another hearing.

A detailed transcript of the hearing is available for review in the AHIRB office.

IX. Agenda Item IX Old Business

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

1. Insurance renewal letters for March were mailed 2/10/2017.

XI. Agenda Item XI Schedule Next Meeting

1. The next Board meeting is scheduled for Wednesday, March 1, 2017 at 9:30 a.m.

XII. Agenda Item XII Adjournment

The meeting adjourned at 2:04 p.m.