

**Minutes of the Meeting of the  
Arkansas Home Inspector Registration Board  
Attorney General Building, Little Rock  
September 7, 2016**

Board Members present:

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
	Law Clerk:	Shasta Williams
	AAREI Lobbyist:	Bob Balhorn
	ABC	Joe Maxwell
	Applicant	Shawn Marrell

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

Meeting called to order at 9:39 am.  
Roll call by Mr. Pace included all board members in attendance.

**II. Agenda Item II: Approval of September 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 August 10, 2016 and seconded by Mr. Downum.  
All board members voted in favor of motion with aye.

**IV. Agenda Item IV: Financials**

Mr. Neal made a motion to table the financial reports until the October meeting because all of the financial reports were not in. Mr Neal rescinded the motion after Ms. Chavis briefly left the meeting to print the reports for the meeting. After Ms. Chavis returned, the financial reports were then read by Mr. Pace. Mr. Neal made a motion that the Financials be accepted into the minutes, Mr. Kanopsic seconded and all board members voted in favor of motion with aye.

August Available Cash	\$385,528.04
Revenue	\$2,980.00
Salary Expense	\$2,174.15
AETN Expense	\$833.33
Postage/Cell Phone	\$49.45
Utilities & Rent	\$1,250.00
Board Member Travel	\$199.92
Background Checks	\$198.00
Refunds	\$0.00
Total of Expense	\$1,697.37
Burn Rate of	\$1,198.98

**V. Agenda Item V: Review of New Applicants**

The board reviewed eight new applicants and two applicants tabled from previous meetings

1. William Taylor –Mr. Neal said that Mr. Taylor’s Texas courses did not meet Arkansas requirements and he has not taken the exam within the one year requirement to be licensed in Arkansas. Mr. Neal said that Texas courses are not compliant with Arkansas courses. He also said that Texas and Louisiana can say that their courses are classroom even though the student is not required to be in a classroom. Mr. Utsey said that Mr. Taylor needs to provide proof of the courses that he has taken. Mr. Pace asked the Board members if they should require Mr. Taylor to take the 80 hour course since the one he has taken is not sufficient. Mr. Kanopsic said that Mr. Taylor has no signed certificate. Mr. Neal moved that Mr. Taylor’s application be tabled until a letter has been sent to him detailing the action of the Board. The motion was seconded by Mr. Downum and all board members voted in favor of the motion with aye.
2. Tim Cooper –Mr. Pace noted that Mr. Cooper’s background check had some past incidents, but there were no incidents in the past eight years. Mr. Utsey wants to know if Mr. Cooper’s past convictions have been resolved. Ms. Chavis checked to see if they were resolved and suggested that Ms. London write a letter to Mr. Cooper requesting that he obtain documents from the clerk of the court that show his past issues have been resolved. Mr. Cooper also needs to re-submit his application with a corrected answer to the question about ‘... ever been convicted of a felony or misdemeanor...’ Mr. Neal made a motion to table Mr.Cooper’s application until a letter is mailed to him by Ms. London with a request to respond within 14 days of receipt of the letter. The motion was seconded by Mr. Utsey and all board members voted in favor of the motion with aye. *(Administrator note: Mr. Cooper responded with all requested documents within the 14 day period.)*
3. Mark Veltman –Mr. Pace said Mr. Veltman’s name should be on his Certificate of Insurance as the insured. Mr. Utsey recommended approval of the application pending receipt of a corrected Certificate of Insurance. Mr. Neal made a motion to approve Mr. Veltman’s application, Mr. Downum seconded and all board members voted in favor of the motion with aye.
4. Shawn Marrell –Mr. Pace said Mr. Marrell’s name should be on his Certificate of Insurance as the insured. Mr. Neal made a motion to approve his application contingent upon receipt of a corrected Certificate of Insurance. The motion was seconded by Mr. Kanopsic and all board members voted in favor of the motion with aye. Mr. Marrell was present at the meeting and Mr. Pace advised him that he cannot work in construction for one year and one day from the time he is licensed as a home inspector.
5. Jason Baker
6. Brian Sloate
7. Hunter Mikles
8. Thomas Hall Mr. Downum made a motion to approve all four applicants, Baker, Sloate, Mikles and Hall. The motion was seconded by Mr. Kanopsic and all board members voted in favor of the motion with aye.
9. Rob Miller -
  - a. Mr. Pace said that Mr. Miller should be sent a letter requesting an official Texas background check. Mr. Pace also asked that Ms. London call Mr. Miler and ask that he come to the next Board meeting to answer questions from the board.

- b. Motion was made by Mr. Neal to table Mr. Miller's application due to having no official Texas background check and a meeting with the board. Mr. Neal stated that Mr. Miller's attendance at a Board meeting was a request and is not required. The motion was seconded by Ms. Nesuda and all board members voted in favor of the motion with aye.

10. Alan Koska

- a. Ms. Chavis has called Mr. Koska about resolving his complaint by proposing a Consent Agreement about his violation of codes by performing home inspections without a license and advertising as a home inspector. Mr. Koska told Ms. Chavis that he would sign a Consent Agreement admitting fault and pay a civil penalty of \$100.00. Mr. Koska also told Ms. Chavis that he has pulled all of his advertising off the internet. Mr. Utsey said the Board should take Ms. Chavis' advice about the Consent Agreement.
- b. Mr. Pace said that if Mr. Koska becomes licensed, he will have to submit his home inspection reports to the Board and take future courses as required by the Board. Since applying for a license in Arkansas, Mr. Koska said that he has become licensed in Florida. Mr. Neal said Mr. Koska should provide the Board with reports of all of the inspections he has performed without a license. Mr. Neal also said that realtors should be notified about making sure that any Home Inspectors they use are licensed in Arkansas. Mr. Neal said Arkansas code has that each occurrence of performing unlicensed home inspections could result in a fine of up to \$1,000.00.
- c. Mr. Pace is not comfortable with Mr. Koska's theft of property charge. Mr. Downum and Mr. Neal agreed. Ms. Chavis said a hearing could be requested for Koska instead of the Consent Agreement to have him answer questions about how he is getting his business, who is referring him, how many inspections he has done and to have him bring his inspection reports to the hearing.

**BREAK 10:54 – 11:04**

- 11. Mr. Pace said the Board's role is to protect the public and not set a precedent that the Board bargains with applicants. He said it will be best if the Board sets a hearing for Mr. Koska to answer questions and if he does not appear before the board, then realtors would be notified about his actions. Ms. Chavis said if a hearing is held or a Consent Agreement is made, either could be posted on the Board's website. Mr. Neal makes a motion to move forward with a hearing. Mr. Downum seconded and all board members voted in favor of the motion with aye.

**VI. Agenda Item F Status of Complaints**

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

**OLD COMPLAINTS**

1. McCormick

- a. Ms. Chavis said Mr. McCormick's case will not be closed until he returns the signed consent agreement. Ms. Chavis will send Ms. London the consent agreement and Ms. London will write a letter acknowledging receipt of his \$200.00 civil penalty payment and requesting his signature on the agreement. The letter will be mailed to Mr. McCormick along with the consent agreement

2. Bevill
  - a. Ms. Chavis said there has been no movement on Mr. Bevill's case. She is trying to work something out with Mr. Bevill's attorney.
3. Hall
  - a. Mr. Pace said Mr. Hall has active complaints for performing home inspections without a license. Ms. Chavis said she will send Mr. Hall a letter about his complaints and his advertising as a home inspector. Mr. Neal said the Board has one of Mr. Hall's home inspection reports that he performed for a fee. Mr. Pace asked Ms. Chavis to send letters this week to Mr. Koska and Mr. Hall about their complaints.
4. Stouffer
  - a. Ms. Chavis has sent a letter and consent agreement to Mr. Stouffer and he is to respond by September 19, 2016. The consent agreement is for him to sign and pay a civil penalty of \$200.00.
5. Williams
  - a. Ms. Chavis is reviewing a box of complaints against Mr. Williams and she will report on her findings at a later date.
6. Koska
  - a. Ms. Chavis and the Board members have discussed matters concerning Mr. Koska in ***Agenda Item V.10.***

#### **NEW COMPLAINTS**

#### **VII. Agenda Item G Continuing Education/Pre-Registration Courses**

Mr. Utsey has reviewed several of the Continuing Education courses from InterNACHI and made a motion to deny approval for the following:

1. Wood Destroying Organism
2. How to Perform Energy Audits
3. Inspecting HVAC Energy Efficiency
4. Ladder Safety
5. How to Perform Tree Inspections
6. Commercial Inspection
7. Customer Service and Communication
8. How to Inspect Septic Systems
9. Green Building Inspection
10. How to Inspect Pools and Spas

Mr. Neal made a motion to confirm the disapproved courses because they were not in compliance with the Standards of Practice for Arkansas. The motion was seconded by Ms. Nesuda. All Board member 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 October meeting.

#### **VIII. Agenda Item H New Business**

1. Status of Transfer of Responsibilities
  - a. Mr. Neal will work with Ms. London on transferring the responsibility of website updates from DFA to Ms. London. Note: Mr. Neal came to the office and has started the process. He also explained the process of what is required for November renewals.

- b. Mr. Pace asked Ms. London to draft a letter to Micki Bass of the Arkansas Realtors Association that would inform realtors about the importance of utilizing Licensed Home Inspectors.
- c. Mr. Pace mentioned that renewals are coming up in November and maybe hiring extra help to assist with the paperwork.
- d. Mr. Neal said properties with 1-4 units would comply with Arkansas Standards of Practice if inspected by a licensed home inspector.

2. Other

**IX. Agenda Item I Old Business**

- 1. AETN
  - a. Mr. Kanopsic said the picture and article for the advertisement have been turned in, but he does not know when it will be published.
- 2. Other
  - a. Need to discuss details about a letter that would be mailed out during renewal time about real estate contracted inspections.

**X. Agenda Item J Schedule Next Meeting**

- 1. The next board meeting is Wednesday, October 5, 2016 @9:30 am

**XI. Agenda Item K Adjournment**

Mr. Pace adjourned the meeting at 12:35 pm.