

**Minutes of the Meeting of the
Arkansas Home Inspector Registration Board
Attorney General's Building, Little Rock
April 3, 2019**

Board Members:

Wayne Pace, Chairman	Robert Neal	Bob Downum (<i>Absent</i>)
Tom Allen, Vice Chairman	Allen Trammell	Marliese Kerr
WC McBride, Secretary/Treasurer		

Board Administrator:	Charlotte London
Assistant Attorney General:	Julie Chavis
Board's Subcontractor:	Dan Smith
Others Present:	Brad Esch, Joey Kaegi, Ted Wammack, Gwen Wiggins

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

Mr. Pace called the meeting to order at 9:35 a.m.
Roll call - All Board members are present except for Mr. Downum.

II. Agenda Item II: Approval of April 3, 2019 Meeting Agenda

Motion was made by Mr. Neal to approve the agenda and seconded by Mr. Allen.
All Board members voted aye in favor of the motion to approve the Agenda.

III. Agenda Item III: Approval of Minutes

1. December 12, 2018

Mr. Neal made a motion to approve the December 12th minutes, Mr. Allen seconded and all Board members voted in favor of the motion with aye.

2. January 16, 2019

Mr. Neal made a motion to approve the January 16th minutes, Mr. Allen seconded and all Board members voted in favor of the motion with aye.

3. February 6, 2019

4. February 25, 2019

Mr. Neal made a motion to approve the minutes for February 6th and February 25th, Mr. McBride seconded and all Board members voted in favor of the motion with aye.

IV. Agenda Item IV: Financials

The Board reviewed the Financials for February and March.

February Available Cash	\$467,933.38
Revenue	\$49,815.00
Expense - Salary	(\$4,058.00)
Postage/Office Phone	(\$33.96)
Utilities & Rent	(\$625.00)
Travel & Subsistence	(\$60.06)
Background Checks	(\$132.00)
Office Supplies	\$0.00
Professional Services	\$0.00
Total of Expense	(\$851.02)
Burn Rate of	(\$106.38)

March Available Cash	\$467,925.98
Revenue	\$5,160.00
Expense - Salary	(\$5,891.57)
Postage/Office Phone	(\$66.00)
Utilities & Rent	(\$625.00)
Travel & Subsistence	\$0.00
Background Checks	(\$66.00)
Office Supplies	\$0.00
Professional Services	\$0.00
Total of Expense	(\$757.00)
Burn Rate of	(\$84.11)

The February and March Financials were reviewed by the Board. Mr. Neal made a motion to approve the financials, Mr. Trammell seconded and all Board members voted in favor of the motion with aye.

V. Agenda Item V: Review of New Applicants / Registration Renewals

The Board reviewed seventeen (17) new applicants.

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|--------------------|----------------------|-------------------------|
| 1. Lorchid Benson | 7. Dale Foster | 13. Stephen Paulson |
| 2. Bud Boman | 8. Mitchell Fusilier | 14. Tom Pennel |
| 3. Aaron Bradsher | 9. Josh Hubbard | 15. Mark Smith |
| 4. Chatham Cornell | 10. Justin Ibbotson | 16. Christopher Stewart |
| 5. Kenneth Davis | 11. Jack Kersey | 17. Danny Joe Wolfe |
| 6. Brad Esch | 12. Kirk McDonald | |

Applicants #1, 2, 3, 4, 5, 10, 11, 15, 16 - Mr. Neal made a motion to approve the applications of Ms. Benson, Mr. Boman, Mr. Bradsher, Mr. Cornell, Mr. Davis, Mr. Ibbotson, Mr. Kersey, Mr. Smith and Mr. Stewart. Mr. Allen seconded and all Board members voted aye in favor of approving the applications.

Applicant #6 – Brad Esch - Mr. Neal made a motion to approve Mr. Esch with further discussion. Mr. Neal asked Mr. Esch about his contractor’s license that he had listed on his application. Mr. Esch stated that he no longer held the license and that it had not been suspended or revoked. Mr. Pace also asked Mr. Esch to submit a revised Certificate of Insurance with his name listed separately from his company name. Mr. McBride seconded all Board members voted aye in favor of approving the application of Mr. Esch.

Applicant #7 – Dale Foster - Mr. Neal made a motion to approve Mr. Foster pending his providing the Board with background checks from North Carolina and Illinois or a copy of his federal background check from the military. Mr. Allen seconded and all Board members voted aye in favor of approving the application of Mr. Foster.

Applicant #8 – Mitchell Fusilier - Mr. Neal made a motion to approve Mr. Fusilier. Mr. Allen seconded. Mr. Trammell asked about the ‘home inspection exclusion’ listed on his Certificate of Insurance. Mr. Pace asked Ms. London to contact the insurance carrier for an explanation of the exclusion. All Board members voted aye in favor of approving Mr. Fusilier’s application pending a satisfactory explanation is received from the insurance carrier.

Applicant #9 – Josh Hubbard - Mr. Neal made a motion to approve Mr. Hubbard, Mr. Allen seconded and all Board members voted in favor of the motion with aye.

Applicant #12 – Kirk McDonald - Mr. Neal made a motion to approve Mr. McDonald, Mr. Trammell seconded and all Board members voted in favor of the motion with aye.

Applicant #13 – Stephen Paulson - Mr. Neal made a motion to approve Mr. Paulson, Mr. Trammell seconded and all Board members voted in favor of the motion with aye.

Applicant #14 – Tom Pennel - Mr. Neal made a motion to approve Mr. Pennel pending receipt of a background check from Louisiana, Mr. McBride seconded and all Board members voted in favor of the motion with aye.

Applicant #17 – Danny Joe Wolfe - Mr. Neal made a motion to approve Mr. Wolfe pending clarification from his insurance carrier about the ‘home inspection exclusion,’ Mr. McBride seconded and all Board members voted in favor of the motion with aye.

2019 Registration Renewals

The Board reviewed six (6) registration renewals.

1. Mark Callahan
 2. Stephen Edwards
 3. Jake Moore
 4. Aaron Tripp
 5. Frank Yakopec
 6. Brian Yarbrough
1. **Mark Callahan** - Mr. Trammell made a motion to approve the license renewal of Mr. Callahan and Mr. Allen seconded. All Board members voted aye in favor of approving the motion.
 2. **Stephen Edwards** - Mr. McBride made a motion to approve the license renewal of Mr. Edwards and Mr. Neal seconded. All Board members voted aye in favor of approving the motion.
 3. **Jake Moore** - Mr. Neal made a motion to approve the license renewal of Mr. Moore pending when he went on Inactive Status and whether the \$25.00 fee was paid. He asked Ms. London to advise him of the status before the license is issued to determine if a late fee should be imposed. Ms. Kerr seconded and all Board members voted aye in favor of approving the motion.
 4. **Aaron Tripp** - Mr. Trammell made a motion to approve the license renewal of Mr. Tripp and Mr. Allen seconded. All Board members voted aye in favor of approving the motion.
 5. **Frank Yakopec** - Mr. Trammell made a motion to approve the license renewal of Mr. Yakopec and Mr. Allen seconded. Mr. Neal asked Ms. London to obtain a Certificate of Abstinence form from Mr. Yakopec before issuing the license. All Board members voted aye in favor of approving the motion.
 6. **Brian Yarbrough** - Mr. McBride made a motion to approve the license renewal of Mr. Yarbrough and Mr. Neal seconded. All Board members voted aye in favor of approving the motion.

VI. Agenda Item VI: Status of Complaints

1. **Richard Kaegi vs Tim Hennelly, HI-1179 (August, 2017)**
Ms. Chavis told the Board that Mr. Kaegi is planning to appeal the Board's decision to dismiss his complaint against Mr. Hennelly. Mr. Trammell made a motion to open the discussion concerning the complaint. Mr. McBride seconded the motion. Mr. McBride asked Mr. Neal about the complaint. Mr. Neal said it involved the subpanel and that it would have to be readily accessible and not hidden by picture frames or other objects. Ms. Chavis told Mr. Kaegi and Ms. Wiggins (*the brother and mother of the complainant*) that Mr. Hennelly had written in his report that he could not locate the subpanel and the buyer should contact an electrician to locate it. Mr. Neal told the complainant's relatives that the home inspector's job is to educate the consumer. He said that once a home inspector has signed off on an inspection report, they cannot tell the buyer whether or not they should buy the home. Ms. Chavis told Mr. Kaegi and Ms. Wiggins that they should advise the complainant to check whether the sellers disclosed information about the subpanel and whether they had prior problems with it. Mr. McBride amended the motion to uphold the dismissal of the complaint. Mr. Trammell seconded and all Board members voted aye to uphold the dismissal.
2. **Isaiah Thompson vs Clint Ledbetter, HI-1863 (March, 2018)** Mr. Allen made a motion to uphold dismissal of the complaint against the home inspector. Mr. McBride seconded and all Board members voted aye to uphold the dismissal.
3. **Stephen M. Ligon vs Phil Biggers, HI-1670 (May 2018)**- Ms. Chavis said the complaint has been given to Mr. Smith to summarize and assist her in preparing the Consent Agreement.

Ms. Chavis said that she would meet with Mr. Smith at 9:00 a.m. before regular scheduled Board meetings to discuss the findings on complaints. She said that Sean Ryan, HI-1664, has requested hearings on all three (3) of the complaints against him.

BREAK –10:55 – 11:05

1. OLD COMPLAINTS

- a. **Addie Holmes vs David Miller, HI-1726** (June 2018) *Notification mailed to Mr. Miller on June 25, 2018. Response from Mr. Miller received 7/2/2018.* Mr. Pace gave this complaint to Mr. Smith, the Board’s Subcontractor, for review.
- b. **Logan & Shelby Drake vs Tim Cooper, HI-1852** (August 2018) Mr. Smith recommended a Consent Agreement for the home inspector. Ms. Chavis said she would work with Mr. Smith on the details of the agreement.
- c. **Earlene Horton vs Daniel Broughton, HI-1076** – (November 2018) Mr. Smith recommended dismissal of the complaint.
- d. **Angelica McClendon vs Joe Cummins, HI-1393** – (October 2018) Mr. Smith recommended dismissal of the complaint.
- e. **Diane Gower vs Tim Hoffman, HI-1693** – (December 2018) Mr. Smith recommended a Consent Agreement for the home inspector. Ms. Chavis said she would work with Mr. Smith on the details of the agreement.
- f. **Johnathan Starnes vs Ted Wammack, HI-1704** – (December 2018) *Notification sent by Certified Mail & Regular Mail on 3/15/2019. Response received from Mr. Wammack on 3/26/2019.* The investigation has not been completed.
- g. **Irma Wilkerson vs Phillip Joyner, HI-1062** - (December 2018) *Notification sent by Certified Mail & Regular Mail on 3/15/2019. Certified letter received 3/18/2019. Response from Mr. Joyner received by email on 3/18/2019.* Mr. Smith has requested 583 photos from the home inspector.

2. NEW COMPLAINTS

- a. **David Johnston vs Michael J. Smith, HI-1538** - (February 2019) *Home Inspector was not licensed at the time of the inspection-License was renewed on 2/25/2019. Notification sent by Certified Mail & Regular Mail on 3/21/2019.*

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

Continuing Education Courses

1. American Home Inspectors Training (AHIT) – Twelve (12) Online CE Courses

a. Advanced Electrical – Understanding Arc Faults and New Protection Regulations	2 Hrs
b. Air Conditioners, Heat Pumps, Furnaces and Air Handlers	2 Hrs
c. Atoms, Conductors, Insulators and Flow	1 Hr
d. Circuits and Wires	1 Hr
e. Electricity Distribution	1 Hr
f. Expansive Soils and Their Effects	4 Hrs
g. Geothermal Energy	1 Hr
h. New Construction	16 Hrs
i. Report Writing for Risk Reduction	8 Hrs
j. Solar Energy for Electricity and Heating	2 Hrs

k. Solid Fuel Burning Appliances	2 Hrs
l. Voltage, Current and Resistance	1 Hr

Mr. Allen made a motion to approve all twelve (12) AHIT CE courses. Mr. Neal seconded and all Board members voted aye in favor of the motion.

2. **InterNACHI – Ten (10) Classroom CE Courses**

a. Chimneys, Vents & Fireplaces	2 Hrs
b. Sewer Scope Inspections	2 Hrs
c. Business & Marketing for Home Inspectors	2 Hrs
d. Advanced Detection of Cracks and Structural Indicators	2 Hrs
e. EIFS, Stucco, MSV & Water Intrusion	2 Hrs
f. The Next Level of Defect Recognition	2 Hrs
g. Modern Marketing: How to Win Over Millennial Agents & Buyers	2 Hrs
h. Boosting Your Credibility Using Infrared	2 Hrs
i. HVAC Inspection: Gas Furnaces & AC	2 Hrs
j. Commercial Systems Inspections	2 Hrs

Mr. Allen made a motion to deny approval to InterNACHI CE courses #C, G, H, and J due to their content being outside the Standards of Practice for Arkansas. Mr. Neal seconded and all Board members voted to deny approval with aye.

Mr. Allen made a motion to approve InterNACHI CE courses #A, B, D, E, F, and I. Mr. Neal seconded with further discussion. Mr. Neal asked about #B-Sewer Scope Inspections and whether a home inspector should perform them since they are not licensed plumbers. Mr. Neal made a motion to deny approval of #B based on possible issues that could come up with the HVAC Board. Mr. Trammell seconded and all Board members voted aye to approve courses #A, D, E, F, and I and deny approval to #B.

PRE-REGISTRATION TRAINING

VIII. Agenda Item VIII: New Business

1. Emailed Questions for Board discussion
 - a. Ryan James, HI-1744 – Mr. James asked the Board about filing a complaint against another home inspector who chose a company name similar to the one he has had for years. Mr. Pace said the Board does not have any jurisdiction over business names. Mr. Neal said that Mr. James could file an ethical complaint if he wanted to.
 - b. Wes Brown, HI-1903 – Mr. Brown asked the Board about performing service work on homes he has inspected. Mr. Neal said that it would be a conflict of interest. Mr. Pace said that the home inspector could not perform service work until 12 months after the home inspection was completed.
 - c. Nicholas Hubach, HI-1998 – Mr. Hubach asked if there were any home inspectors who offered apprentice positions to help him mentor or trainer as he get started in the business. Mr. Allen said that he would call Mr. Hubach.
1. **Rules and Regulations Review** – AHIRB’s review is due by July 1, 2019. Mr. Pace asked Ms. Chavis if this was the time to change or delete any obsolete rules. She said it was not and Ms. London should complete the review just like the last one was done.
2. Update on the progress of UALR compiling data on home inspectors – Dan Smith

3. **12:25 – 12:35 Executive Session** – Mr. Neal made a motion to go into Executive session to discuss personnel issues. Mr. Allen seconded and all Board members voted aye to approve the motion.
After Executive Session, Mr. Neal made a motion for Mr. Pace to complete the evaluation of the Administrator, Mr. McBride seconded and all Board members voted aye in favor of the motion.

IX. Agenda Item IX: Old Business

X. Agenda Item X: Schedule Next Meeting

1. The next Board meeting will be a Teleconference on Wednesday, May 1, 2019 at 7:30 a.m.

XI. Agenda Item XI: Adjournment

The meeting adjourned at 12:50 p.m.