

**Minutes of the Meeting of the
ARKANSAS HOME INSPECTOR REGISTRATION BOARD**

Dept. of Labor & Licensing – 3rd Flr Training Room
Wednesday – February 3, 2021 @9:30 a.m.

Board Members:

Robert Neal, Chairman	Bob Downum (<i>via Zoom</i>)	WC McBride
Tom Allen, Vice Chairman	Daniel Burkhead	Marliese Kerr (<i>absent</i>)
Allen Trammell, Secretary/Treasurer		

Board Administrator:

Charlotte London

Assistant Attorney General:

Julie Chavis

New Applicants (*via Zoom*):

Brandon Ball, Toronto Hicks, Nicholas Kniepp, John Newton,
David Williams

Others Present:

Dan Smith-Complaint Investigator, Gayathri Arunachalam- ADLL
Software Support Analyst,

Hearing Attendees:

Hearing Officer-Attorney, Peggy Matson; Court Reporter-Michelle
Satterfield, HI-1796-Steve Miller

I. CALL TO ORDER / ROLL CALL

Mr. Neal called the meeting to order at 9:50 a.m.

II. APPROVAL OF February 3, 2021 MEETING AGENDA

A motion to approve the agenda with the following changes was made by Mr. McBride and seconded by Mr. Allen. The hearing for Complaint No. 202003-04 would be moved to Agenda Item III and the Status of Complaints would be discussed last on the Agenda. Office & Files Security will be discussed during Agenda Item IX-Old Business and the hearing previously scheduled for today on Complaint No. 202005-06 has been cancelled. All members voted aye in favor of the motion to approve the agenda with the changes as stated.

III. HEARING OF COMPLAINT NO. 202003-04 - Erica Bills vs Steve Miller, HI-1796

The Hearing began with Ms. Matson calling the Hearing to order at 10:00 a.m. Ms. Chavis distributed the complaint documents to each of the Board members so that they could review the documents.

At 10:18 a.m., Mr. Smith and Mr. Miller were sworn in by Ms. Satterfield. Ms. Chavis asked Mr. Miller about his training and work background. She then asked Mr. Smith about his experience as a former home inspector and current responsibilities as a Complaint Investigator for the Board. Mr. Miller asked Mr. Smith several questions pertaining to items he had written on his home inspection report. Mr. Smith told him that the report was not a bad report, it was just the way it was written. He explained that items about the roof should have had more details about the condition, visibility, safety concerns, etc.

Mr. Neal asked Mr. Miller several questions about his inspection of the roof and quoted sections of the Standards of Practice, which details a home inspector's responsibility when inspecting a roof. Mr. Neal also told Mr. Miller that his report should have stated the issues he said he encountered with the inspection of the roof.

Mr. Downum asked Mr. Miller about his inspection of the weatherhead and boots.

Mr. Trammell asked Mr. Miller about his inspection of the roof shingles.

Mr. McBride asked Mr. Miller if he had a signed agreement with the Complainant.

Mr. Miller answered the Board members by saying that he probably could have worded his inspection report better and he did have a signed agreement with the Complainant.

Ms. Matson asked Ms. Chavis to make her closing statement. Ms. Chavis said the problem was in the way the home inspector documented items in his report.

Mr. McBride made a motion that the Board agrees with the allegations against Mr. Miller and Mr. Burkhead seconded. Mr. Neal amended the motion to include that Mr. Miller take four (4) hours of additional CE training that will include two (2) hours of Report Writing and two (2) hours of the Standards of Practice. He said the charges are factual and the home inspector should take the additional training. Mr. Trammell seconded and all Board members voted aye to approve the motion.

The Hearing concluded at 11:53 a.m.

BREAK 11:53 -12:04 and Board Meeting will resume

IV. APPROVAL OF MINUTES

1. The Minutes for October 7, 2020 were Incomplete - A motion to table the minutes was made by Mr. McBride and seconded by Mr. Trammell. All members voted aye in favor of the motion.
2. Minutes for January 6, 2021 - A motion to approve was made by Mr. Neal and seconded by Mr. Trammell. All members voted aye in favor of the motion.

V. FINANCIALS

1. November 2020 - Incomplete
2. December 2020 – Incomplete
3. January 2021 – Incomplete

A motion was made by Mr. Trammell to table approval of the financial reports with a second by Mr. Burkhead. All members voted aye in favor of the motion.

VI. REVIEW OF NEW APPLICANTS

A. New Applicants

- | | |
|----------------------|-----------------------|
| 1. Brandon Ball | 5. Derek Rawls |
| 2. Toronto Hicks | 6. Larry Combs Stamps |
| 3. Nicholas Kniepp | 7. David Williams |
| 4. John Roger Newton | |

1. Mr. McBride made a motion to approve the applicants **#1** and **#3**, Brandon Ball and Nicholas Kniepp. Mr. Trammell seconded and all members voted aye in favor of the motion.
2. Mr. Allen made a motion to issue a refund of the application fee to applicant **#2**, Toronto Hicks. Mr. Hicks can reapply after passing the NHIE Exam. Mr. Burkhead seconded and all Board members voted aye in favor of the motion.
3. Mr. Trammell made a motion to approve applicant **#4**, John Roger Newton, contingent upon his providing the contact information of his insurance agent. Mr. McBride seconded all Board members voted aye in favor of the motion.
4. Mr. Trammell made a motion to approve applicant **#5**, Derek Rawls, contingent upon his providing the contact information of his insurance agent. Mr. McBride seconded all members voted aye in favor of the motion.

5. Mr. Neal made a motion to approve the application of #6, Larry Combs Stamps, with the stipulation that he completes 14 hours of approved CE courses for renewal of his license for 2022. Mr. Allen seconded and all members voted aye in favor of the motion.
6. Mr. Neal made a motion to approve the application of #7, David Williams, with the stipulation that he submit a new address for his website. Mr. Allen seconded and all members voted aye in favor of the motion.

VII. CONTINUING EDUCATION / PRE-REGISTRATION COURSES

A. CONTINUING EDUCATION

1. **ASHI** – Virtual Seminar (6) CE Courses – 2 Credit Hours Each

COURSE NAME	Hrs
a. Electric Panel Inspections	2
b. ASHI Standard Deck Inspection	2
c. Identifying Exterior Water Problems	2
d. 100 Most Commonly Missed Electrical Defects	2
e. Major Foundation Failures-Strategies for Diagnosis	2
f. Home Inspection Methodology and Learning from Mistakes	2

A motion was made by Mr. McBride with a second by Mr. Trammell to approve all six continuing education courses. All members voted aye in favor of the motion.

B. PRE-REGISTRATION

1. **ABC** – Pre-Licensing Training Renewal – 80 Hours

A motion was made by Mr. McBride with a second by Mr. Trammell to approve the pre-licensing training renewal of ABC. All members voted aye in favor of the motion.

VIII. NEW BUSINESS

1. HB 1219 - This bill transfers the funds from the Public Awareness Campaign to the Department of Labor & Licensing. Mr. Allen said that he is not satisfied with the Department of Labor & Licensing taking the funds from the Board and he stated that this is not what was agreed upon when he and Mr. Neal met with Executives from the Labor Department. Mr. Neal stated that the Board needs clarification on what HB 1219 means. A motion was made by Mr. Neal with a second by Mr. Burkhead that Mr. Allen is designated to represent the AHIB Board in a meeting with the Secretary of the Department of Labor & Licensing to get clarification of HB 1219. All Board members voted aye to approve the motion.
2. HB 185 – No discussion on this bill since it does not affect AHIB.
3. HB 1179 - This bill will have additional results on background checks. It was decided that the AHIB Board is in favor of this bill.
4. Dept. of Labor – Indirect Transfers / Shared Services
After discussion by the Board, a motion was made by Mr. McBride with a second by Mr. Burkhead for Mr. Neal to write a letter, to whoever is hired to replace the CFO, asking for details on Indirect Transfers and Shared Services being charged to AHIB. Mr. Neal said the letter will also invite someone from accounting to one of the Board meetings. All Board members voted aye to approve

the motion. Board members discussed how this information had been requested in the past, but no detailed response has ever been given.

5. Update on Rule Changes for Apprenticeship Training Program- No update.

IX. OLD BUSINESS

1. Lack of Office & Files Security.

Ms. London reported she still does not have a working key to the AHIB office. She also reported that the file cabinet does not have a key and cannot be locked. The files maintained by AHIB contain confidential and personal information on applicants and home inspectors that AHIB is required to protect. The Board expressed concern & disappointment that these files are not being properly protected. Ms. London was instructed to send an email to the appropriate person to request a key that will lock the office in addition to getting file cabinets that can be locked.

X. STATUS OF COMPLAINTS / APPEALS / HEARINGS

1. Old Complaints

1. **Robert Neal (AHIRB) vs Justin Hall**-Not registered as a HI in Arkansas Complaint Filed March 2018. Notification sent by Certified Mail on 3/26/2018. It was signed for and accepted on April 12, 2018. Summary received from Investigator 11/22/2019. No response to complaint as of January 13, 2020. Ms. Chavis has an update (as of 9/14/2020): Mr. Hall has requested the removal of his name from the website. Board Members voted to leave the notification on the website during the October meeting. A Hearing is scheduled for March 3, 2021 @9:30 a.m.
2. **202001-02** - Complaint Filed January 2020. Notification to HI sent by Certified Mail on 2/14/2020. The home inspector has responded and the complaint has been turned over to the Complaint Investigator. Summary received from Investigator on 3/2/2020. Recommendation: Dismissal of Complaint. Complainant has requested an appeal of the decision & would like to appear before the Board when physical meetings resume.
3. **202003-04** - Complaint Filed March 2020. Notification to HI sent by Certified Mail 4/3/2020. Summary received from Investigator 4/14/2020. The Summary was amended on 5/15/2020. The home inspector has requested a discussion with the Board about the findings. Ms. Chavis said the home inspector would like to discuss the findings when physical meetings resume. A Hearing is scheduled for February 3, 2021 @9:30 a.m.
4. **202004-05** - Complaint Filed April 2020. Notification to HI sent by Certified Mail 4/3/2020. Summary received from Investigator on 5/15/2020. Ms. Chavis said the complainant wants the Board to continue with the investigation even though a lawsuit has been filed. The Board will move forward with this complaint to protect the consumer. A Hearing is scheduled for February 3, 2021. Request for Continuance rec'd 12/31/2020.
5. **202005-06** - Complaint Filed May 2020. Notification to HI sent by Certified Mail 5/15/2020. Certified letter was received by recipient on 5/22/2020. Summary received from Investigator on 6/11/2020. Ms. Chavis has received the signed Consent Agreement, but the home inspector has not paid the fine. A Hearing was scheduled for February 3, 2021, but it has been cancelled.
6. **202010-09** - Complaint Filed October 2020. Notification to HI sent by Certified Mail 10/23/2020. Response from HI received 11/10/2020 and the complaint has been turned over to the Complaint Investigator. Summary received from Investigator 12/13/2020. Ms. Chavis has prepared a Consent Agreement, but due to consideration for unforeseen circumstances, she will hold off on the agreement.
7. **202011-10** - Complaint Filed November 2020. Notification to HI sent by Certified Mail 11/17/2020. Response from HI received 12/09/2020. Complaint given to Investigator 12/17/2020. Summary received 1/7/2021.
8. **202012-11** - Complaint Filed December 2020. Notification to HI mailed 12/18/2020. Response from HI received 12/21/2020. Complaint turned over to Investigator 12/29/2020. Complaint turned over to Investigator 12/29/2020. Summary received 1/7/2021.

2. New Complaints

None

3. Hearings Scheduled

- a. March 3, 2021 - Justin Hall (*Unlicensed*)

XI. ADMINISTRATOR'S UPDATE to BOARD MEMBERS

Ms. London told the Board that she was tired from working long hours and trying to get so much done for the Department of Labor & Licensing and the Board. She said that in addition to the daily duties of running the office, she also was trying to update all of the AHIB forms for the Dept. of Labor to add to a re-designed website. She told them that it was hard being the only employee with an increasing workload and not having any help.

1. Weekly Reports to Dept. of Labor – Ms. London told the Board that the reports are still being turned in each week to Steve Guntharp, Chief of Staff and Anita Chance, Executive Assistant to the Secretary.
2. Insurance expiration letters for February were mailed on January 14, 2021.
3. All of the license cards have been mailed out except for the ones that still have late fees or additional documents to turn in.

XII. 2021 REGISTRATION RENEWALS

1. A motion was made by Mr. Neal with a second by Mr. Burkhead to approve the renewal applications of home inspectors' number 1760, 1907, 1898 & 1744 contingent on receipt of a Certificate of Abstinence. All members voted aye in favor of the motion.
2. A motion was made Mr. Neal with a second by Mr. Burkhead to approve the renewal application of home inspector number 1538 contingent upon receipt of the \$50 late fee. All members voted aye in favor of the motion.
3. A motion was made by Mr. Allen with a second by Mr. McBride to approve the renewal application of home inspector number 2032. All members voted aye in favor of the motion.
4. A motion was made by Mr. Trammell with a second by Mr. McBride to approve the renewal application of home inspector number 1962 contingent on the receipt of a Certificate of Abstinence and an insurance certificate that shows the name of the home inspector. All members voted aye in favor of the motion.
5. A motion was made by Mr. Trammell with a second by Mr. McBride to approve the renewal application of home inspector number 2101 contingent on the receipt of an inspection report and a Certificate of Abstinence. All members voted aye in favor of the motion.
6. A motion was made by Mr. Trammell with a second by Mr. McBride to approve the renewal application of home inspector number 2089 contingent on receipt of an insurance certificate that shows the name of the home inspector.

XIII. SCHEDULE NEXT MEETING

1. March 3, 2021 @ 9:30 a.m.
Location: Arkansas Dept. of Labor & Licensing
900 W. Capitol Avenue
Little Rock, AR 72201

(Meeting date and time are subject to change at the discretion of the Board)

XIV. EXECUTIVE SESSION – Discussion of Personnel Step Increases

1:40 p.m. - Mr. Neal made a motion for the Board to go into Executive Session for discussion. Mr. Trammell seconded and all Board members voted aye to approve the motion.

XV. ADJOURNMENT

The meeting adjourned at 1:52 p.m.