

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

Department of Labor & Licensing
Wednesday – October 5, 2022 @ 9:30 a.m.

I. CALL TO ORDER / ROLL CALL

Mr. Burkhead called the meeting to order at 9:33 a.m.

Board Members Present:

Daniel Burkhead, Chairman	Chris Perry (<i>via Zoom</i>)	Dillon Erwin
Kyle Rodgers, Vice Chairman	Edward Loveless	
WC McBride, Secretary/Treasurer		

Board Administrator:

Charlotte London

Assistant Attorney General:

Joe West

New Applicants:

Others Present:

Daryl Bassett, ADLL Secretary
Steve Guntharp, ADLL Chief of Staff
Daniel Parker, ADLL Chief General Counsel
Tyler Cain, ADLL Chief Financial Officer
Ken Anderson, ADLL Chief Information Officer
Gayathri Arunachalam, ADLL Software Support Analyst
Jocelyn Potter, ADLL Human Resources Manager
Marcia Huber, ADLL Assistant Agency Controller
Larissa Liddell, ADLL Budget Analyst
Tom Allen, Former Vice Chairman
Robert Neal, Former Chairman
Haia Zellermyer, AAREI Secretary (*via Zoom*)
Monty Freel
Ben Trotter
Eric Hile
Rickey Immel
Dale Gunter

II. APPROVAL OF October 6, 2022 MEETING AGENDA

1. Mr. McBride made a motion to approve the agenda. Mr. Rodgers seconded the motion. All Board members voted aye in favor of the motion.
2. Mr. Dillon Erwin addresses the Arkansas Department of Labor & Licensing (“ADLL”) and prepares those present to receive his presentation of documents and key points. He asks that no one interrupt until the presentation is over and then welcomes open discussion once complete.
3. (*Mr. Erwin*) Change is Good; Improvement is Better – Mr. Erwin believes the Transformation Bill will be a positive change for everyone, if it works, but he believes the Board has been met with more problems and challenges since its enactment.

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

Department of Labor & Licensing

Wednesday – October 5, 2022 @ 9:30 a.m.

4. *(Mr. Erwin)* Current Problems & Complaints

A. Fundamental Core Business Operations

- i. Lack of personnel;
- ii. Lack of respect from the ADLL;
- iii. Lack of understanding from the ADLL;
- iv. Lack of cooperation from the ADLL; and
- v. The ADLL hindering, not helping.

B. Lack of Communications and Transparency from the ADLL – Mr. Erwin proposes that the solution to this issue is to formally acknowledge Ms. Charlotte London as the AHIRB Director. As we had a title change, we went from “Administrator” to “Director”. A minimum Director salary increase of \$5,000.00 is overdue. Mr. Erwin requests the immediate hire of an additional full-time office staff employee, starting at approximately \$35,000-\$40,000/year. This may also require additional and/or larger office space. It is Mr. Erwin’s opinion that occasionally sending in ADLL staff members to assist Ms. London, is not the solution. Mr. Erwin believes that checks, balances, and accountability are a two-way street. He believes Ms. London is underpaid and that ADLL’s review of Ms. London was deficient and that Ms. London’s wings have been clipped. Mr. Erwin believes there are unrealistic workload expectations for one person in place and Ms. London has been placed in a position to fail. He believes the Board needs one additional staff member to work with Ms. London as a team for the Board to achieve its goals, mission, and responsibility to the people of Arkansas in a timely fashion.

5. *(Mr. Erwin)* Accomplishments –

- Fulfilled new application processing, approval or denial.
- Fulfilled renewal application processing.
- Answered, addressed, defined Home Inspector & Real Estate Agent Questions.
- Further evaluated Home Inspector complaints for consumers, dismissal or hearing, fined & assessed as needed.
- Approved or denied Home Inspector training courses for educational providers for the betterment of Arkansas Home Inspector continuing education.
- Communication with new and existing Home Inspectors.
- Moving forward with ELP system roll-out.

6. *(Mr. Erwin)* Internal Audits – (2013) “The Agency had inadequate control over cash transactions because of insufficient segregation of duties due to a limited number of personnel.” Mr. Erwin stated that this was prior to Ms. London’s employ with the Board.

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

Department of Labor & Licensing

Wednesday – October 5, 2022 @ 9:30 a.m.

(2015) “The Agency had inadequate control over cash transactions because of insufficient segregation of duties due to a limited number of personnel.” Mr. Erwin stated the Board now has more home inspectors, more applicants, a different structure that requires other duties as well, and he believes one person is not “getting it”.

(2017) “The Agency had inadequate control over cash transactions because of insufficient segregation of duties due to a limited number of personnel. We recommend the Agency segregate duties to the extent possible.”

(2018) “The Agency had insufficient segregation of duties due to a limited number of staff. I.e. One employee. We need the Agency to segregate the duties to the extent possible using Board members as needed.” Mr. Erwin suggests the Board has tried to do that.

7. Mr. McBride addressed those present and asked why and how the information that has been asked for repeatedly regarding the MOU and financials has not been provided to the Board. Mr. McBride said he perceived this lack of cooperation as a slight against him and against the Board and asked that anyone present who could provide him with this information, please step forward and do so.

Secretary Bassett approached to address the Board. Secretary Bassett thanked the Board for the opportunity to address the issues presented by the Board and by those present, including but not limited to Mr. Erwin and Mr. McBride. Secretary Bassett agreed that, if the AHIRB budget allowed for an additional staff member to be hired, that would be mutually beneficial for both the Board and for the ADLL and he would task Ms. Jocelyn Potter with beginning that process. Mr. Erwin interjected that the Board’s budget may not allow for a new position without some adjustment or increase of fees, etc. Secretary Bassett propounded that the Board had been operating under the same fee structure for more than a decade but had seen a significant increase in applicants and therefore would be wholly appropriate for the Board to consider a fee increase. He stated that the ADLL’s policies and procedures that are in place are ubiquitous and are applied across the department and they are applied equitably, and they are applied transparently.

In addressing Mr. McBride’s question about the MOU and the financials, Secretary Bassett apologized if they had not been received by the Board as they are completed by the ADLL finance team monthly.

Secretary Bassett readdressed the issue of assisting Ms. London with the everyday administrative tasks that he suggested assigning existing ADLL staff to assist her with. Alternatively, hiring additional personnel would be the only other option he could see that would be available to the Board, and then they would be looking at a budgetary issue, and he would be open to exploring that further.

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

Department of Labor & Licensing
Wednesday – October 5, 2022 @ 9:30 a.m.

Secretary Bassett outlined the process of the Weekly Report requirement for department Directors, the necessity of the weekly Directors' meetings and Executive Team meetings and what is addressed in those meetings, and again encouraged Board members to attend the weekly Directors' meetings, if not in person, then via Zoom, to stay well-informed of interdepartmental affairs and notify the Secretary of any problems or issues they may need tended to.

Mr. Loveless inquired what other Boards had only one (1) staff member and whether they were having similar issues to the Home Inspector's Board. Secretary Bassett replied those Boards were: Athletic Commission, Auctioneers Board, Abstracters Board, Geologists Board, and that they certainly were managing the same issues and ADLL staff was assisting where possible.

Mr. Burkhead stated that part of Transformation was to be a cost-saving experiment and the Board was not a beneficiary of that cost saving, as Ms. London's office rent is substantially more at this location than it was at the previous location. Secretary Bassett offered that Transformation was never all about dollar savings. ADLL has saved dollars in certain areas, but moreover Transformation was about creating efficiencies. There will be anomalies, but overall, it is more efficient. Mr. Burkhead inquired about the significant rent increase from July 2021 of \$820.54 to August 2022 of \$2,617. Secretary Bassett advised that ADLL had a rent increase overall and notified all the Boards and departments of the increase prior to. Mr. Tyler Cain interjected and explained that the bill Mr. Burkhead and the other Board members received was a quarterly bill, not a monthly bill, and that they would ensure the finance department made changes to indicate as such on the quarterly bill.

Mr. McBride asked when the financials could be officially provided to Ms. London so they could be taken care of by the Board. Secretary Bassett advised they would be provided to Ms. London by close of business today.

8. Robert Neal addressed the Board beginning with talking about Ms. London's position and job description. Mr. Neal served on the Board for three terms and during that time he says Ms. London was the best Administrator the Board has had. With the help of, he believes, DFA the Board made sure the Board Administrator title and job duties were not that of a director, but that of an administrator. Mr. Neal advised that many times, Ms. London has been sent MOUs for over \$6,000.00 that have listed her as 'Executive Director' and been put in a position outside her scope of authority. Mr. Neal believes if the ADLL wishes Ms. London to assume these duties, her salary, title, and her title need to reflect such. Mr. Perry seconded the belief. Mr. Neal advised that he and the Secretary had met previously about this issue, he believed back in February 2020 or 2021, he asked the Secretary where the buck stopped about salary increases and he said the buck stops here. However, Mr. Neal says Secretary Bassett informed Mr. Neal at that time there was a performance issue that weekly reports were not being filed in a timely manner. Mr. Neal says he followed up on that and emailed directly to Mr. Guntharp in May of 2021 and asked if that issue had been addressed, as well as an invitation for the appropriate person to attend a future Board meeting to answer questions about financial duties and responsibilities (among other unrelated issues), and Mr. Guntharp replied that "Ms. London has been doing an excellent job of submitting her weekly reports. ...". Mr. Neal advised that was the hurdle between Ms. London and the step increase. Mr. Guntharp advised there were other issues, as well, that needed to be addressed. Secretary Bassett advised this was a personnel discussion that would

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

Department of Labor & Licensing

Wednesday – October 5, 2022 @ 9:30 a.m.

need to be further talked about after the public Board meeting had ended. Mr. Neal advised that it was a major inconvenience to him, when he was serving on the Board, for a directors' meeting to be cancelled last minute and he hoped that would not fall on deaf ears.

9. Mr. Tom Allen addressed the Board and those present. He advised he attended the meeting Mr. Neal mentioned in his earlier address with Secretary Bassett and he says he was very specific when he requested a step increase for Ms. London and the Board was told that they only needed to get the single, weekly report in on time. He said Mr. Guntharp advised Ms. London had done an excellent job of turning in her weekly reports and then Secretary Bassett had advised they were only going to give Ms. London an incremental increase.
10. Mr. Ken Anderson spoke to the Board members about creating and activating their ELP accounts and logging in. Mr. Anderson stressed that, if you hold a home inspector license, do not create a constituent account. Your account will be created for your home inspector license on data migration, and you will get another email for that account, which is what you will use to manage your account with. The account Mr. Anderson is creating for you now is the one you will use to manage and view applicants, approve applications, etc. Mr. Anderson asks the Board to send suggestions to Ms. London and she will forward them to him to address. Ms. London inquired about ELP issuing a license number to the applicant once Task 2 has been completed. Mr. Anderson advised Ms. London and Mr. Burkhead to just make sure when they are processing applications/renewals to make sure to only complete Task 1 until after their Board meetings have been completed and then move forward with Task 2, to ensure that no one has received their license prior to approval from the Board.

III. APPROVAL OF MINUTES

1. May 4, 2022 – Incomplete
 2. June 8, 2022 – Incomplete
 3. July 6, 2022 – Incomplete
 4. August 3, 2022 – Incomplete
 5. September 7, 2022 – Incomplete
1. A motion was made by Mr. McBride and seconded by Mr. Rodgers to table the Minutes until the next Board meeting. All Board members voted aye in favor of the motion.

IV. FINANCIALS

1. December 2020 – Incomplete
2. January through December 2021 – Incomplete
3. January 2022 through Present – Incomplete

A motion was made by Mr. McBride and seconded by Mr. Rodgers to table the incomplete financials until the following month. Mr. Burkhead explained that all the financials have been completed and uploaded into AASIS and that Mr. Tyler Cain is going to present he and Ms. London with additional explanatory documentation showing their completion, and asked Mr. McBride if he wanted to amend

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

Department of Labor & Licensing

Wednesday – October 5, 2022 @ 9:30 a.m.

his motion to accept the Financials as “completed” based on this new information. Mr. McBride advised he did not wish to do so until he received a printout that they were complete. All Board members voted aye in favor of the motion.

V. STATUS OF COMPLAINTS / APPEALS / HEARINGS

A. Old Complaints

1. 202203-31; October 2021 Inspection of a home in Rogers, AR. Mr. West drafted the Consent Agreement for Ms. London to mail out to the licensee, but it has not been sent out yet.

- B.** Mr. Loveless asked for a status update on the new complaints that have been stagnant and what the delay was on those. Ms. London advised that the delay was her, that they had gotten about 6 more since the last one had been received. She advised that it was a lot of work for her to get everything ready to make those copies to the home inspector and also to the complainant, it’s more involved and she doesn’t have any time. Mr. Burkhead asked if she could try to make some time to do that, at least January’s complaint, before the next Board meeting. Ms. London advised that she could, but every time she begins to do one thing, there’s another thing assigned to her. Mr. Burkhead is going to speak with Mr. Tyler Cain about having the Finance Department take over the deposits and credit card transactions in ELP for the Board.

C. Hearings

1. No new hearings
2. Hall Appeal – No movement on this case. Still waiting on a ruling. Record was filed on the July 6th, 2022, hearing, but Mr. West is having a difficult time contacting opposing counsel in this case. Judge Griffin’s term is expiring, but he has not ruled on this case yet.

VI. REVIEW OF NEW APPLICANTS

A. New Applicants

1. ???
 2. ???
 3. ???
 4. ???
1. Mr. McBride made a motion to approve all new applicants. Mr. Rodgers seconded the motion. All Board members then voted aye in favor of the motion.

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

Department of Labor & Licensing

Wednesday – October 5, 2022 @ 9:30 a.m.

VII. CONTINUING EDUCATION / PRE-REGISTRATION COURSES

A. CONTINUING EDUCATION

COURSE NAME	CREDIT HOURS
McKessick	2 Hours Approved (3 hours requested)
World Inspection Network – Renewal	120 Hours

1. Mr. McBride made a motion to approve McKessick's courses for 2 hours each instead of 3 hours of CE. Mr. Erwin seconded the motion. All Board members voted aye in favor of the motion.
2. Mr. McBride made a motion to approve World Inspection Network's renewal request for 120 hours. Mr. Erwin seconded the motion. All Board members voted aye in favor of the motion.

B. PRE-REGISTRATION

None

VIII. NEW BUSINESS

1. Ryan Plunkett had questions for the Board about a new licensee working with him. Mr. Plunkett was not on the call. Board will move this to the following month for review.
2. Additional duties in AASIS regarding credit cards in ELP. Mr. Burkhead is going to speak with Mr. Tyler Cain about this issue.
3. Information only: On Wednesday, September 28, 2022, ELP stopped working and on Friday it was still not working as it should. Ms. London advised you could not retrieve personal information from the system to perform background checks.
4. List of Board Accomplishments – submitted on 9/23/2022.
5. Mr. Rodgers drafted a letter to be sent out to all lapsed licensees which was reviewed by all Board members. Mr. Burkhead made a motion to have Ms. London send the letter out to home inspectors whose licenses have not renewed or have lapsed. The motion was seconded by Mr. Erwin. All Board members voted aye on behalf of the motion.
6. August MOU Due – Mr. McBride made a motion to approve the July and August MOUs. The motion was seconded by Mr. Rodgers. Mr. Burkhead gave a brief explanation of the invoices from July and August regarding the monthly and quarterly billing. All Board members voted in favor of the motion.
7. Board's Monthly Fees before and after transformation – Mr. Burkhead provided information to the Board with those explanations.

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

Department of Labor & Licensing

Wednesday – October 5, 2022 @ 9:30 a.m.

8. Tom Allen is pursuing the research on the revolving door concept.
9. Voluntary Apprenticeship Training Program – Mr. Burkhead inquired with Mr. West as to what the next steps would be on making this happen. Mr. West advised he would call Ms. Julie Chavis and visit with her about this issue and get back with the Board at the next meeting with an update.

IX. OLD BUSINESS

1. Website issues, updates, and comments: Working through the main search function for ELP on the home page, but it will not be finalized and functioning properly until the migration is completed. Mr. Erwin advised he will be monitoring this issue.

X. ADMINISTRATOR'S UPDATE to BOARD MEMBERS

1. Weekly Reports to Dept. of Labor are being completed.
2. Insurance expiration letters for October were mailed out on September 19th, 2022.

XI. 2022 REGISTRATION RENEWALS

1. Johnny Fortenberry (HI-1839) – Completed 28 hours, total. Insurance certification needs to be updated with home address. Home inspection reports were emailed to Ms. London. Mr. McBride made a motion to approve Mr. Fortenberry's renewal. Mr. Rodgers seconded the motion. All Board members voted aye in favor of the motion.

XII. SCHEDULE NEXT MEETING

1. The next Board meeting is scheduled for Wednesday, November 2, 2022 @ 9:30 a.m.
(Meeting date and time are subject to change at the discretion of the Board)

XIII. ADJOURNMENT

The meeting adjourned at 11:50 a.m. on a motion by Mr. Erwin and seconded by Mr. McBride. All Board members voted aye in favor of adjournment.