



2010 Board Meeting Dates

- **March 5, 2010**
- **June 4, 2010**
- **September 10, 2010**
- **December 3, 2010**

All LSBHI Board meetings will commence at 9am unless otherwise noted. Special meetings, when needed, will be broadcasted. All meetings will be held at 4664 Jamestown Ave Suite 220, Baton Rouge LA 70808.

Home Inspection Stats...

In 2009 LHI's completed roughly 23,804 home inspections. That is 1,696 better than 2008. Lets keep up the good work and don't forget to get your monthly reporting in on time to avoid late fees.

"Along with success comes a reputation for wisdom."

-Euripides



Special points of interest:

- Your LSBHI license# must be on all reports, advertisement materials and or web-sites.
- Use of the LSBHI logo is strictly prohibited.
- Each LHI must complete 20 hours of CE each year by an approved CE provider.

THE INSPECTOR

QUARTERLY NEWSLETTER

2010 First Quarter

The LSBHI's 1st quarter Board meeting was held March 5th 2010. I want to thank everyone who attended the Board meeting. Your involvement with the Board is very important. We would also like to note that Mr. Michael LeBas was re-elected as Chairman of the Board and Mr. Terry Hardouin was elected as our new Vice Chairman. Congratulations to the both of you!

No. of LHI By District

| | |
|-----------------|----------------------|
| District 1— 122 | District 2— 30 |
| District 3— 34 | District 4— 44 |
| District 5— 44 | District 6— 92 |
| District 7— 50 | *Active and Inactive |

As of March 2010 the LSBHI has received 15 complaints against Home Inspectors. These numbers are climbing every year. Last year LSBHI addressed 32 complaints. The LSBHI will continue to crack down on those inspectors both licensed and un-licensed who have continued to violate our Laws and Rules. You can view all of the LSBHI Rules, Laws, Standards of Practice and Code of Ethics on our website.

LEGISLATIVE UPDATE

In light of the recent appellate court ruling, the Board has voted to attempt to amend the prescription statute to clarify its intent regarding the one year limitation, "regardless of the date of discovery". We hope to have good news for you at the end of the Legislative session.

The Board also voted to ask the Legislature to extend the period of an expired license before having to apply as a new home inspector and retake infield training, classroom training, and the National Exam. The law originally only allowed a 6 month expiration period before starting anew. In 2004, this was extended to 12 months by the Legislature at the Board's request. With Katrina, the Board realized that it needed a longer extension. The proposed legislative change would require only the retaking of the National Exam after 12 months expired. After 36 months expired, the proposed legislation would require retaking the 90 classroom training and the National Exam, as well as taking the SOP/CE and report writing class offered by the Board. The applicant would not have to retake infield training.

Finally, the Louisiana Realtors are seeking to have legislation introduced which prohibits a real estate agent anticipating a fee in a real estate transaction to also perform a home inspection on the property during the same transaction. This conflict of interest was brought the Realtors by the Board. The LA Realtors agreed and acted swiftly to correct the potential problem.

Once the session is over, we will see how we did and let you know. —Albert J. Nicaud/LSBHI Attny

LEGAL UPDATE

Many good things are happening on the front lines of the legal side of home inspecting. Very recently, our prescription statute (statute of limitations) was challenged. The plaintiff sought to extend the one year limitation to sue a home inspector beyond one year. The plaintiff argued that the one year period should run from the date the plaintiff discovered the alleged defect or negligence on the part of the LHI. This "discovery rule" is allowed in many instances. In representing the LHI, I argued that the statute was specific to the home inspection industry and did not allow an extension to the date of the discovery. Had the Legislature intended to do so, it would have given a grace period of up to three years to discover the negligence as it does for other professions. Both, the trial court and the court of appeal ruled in favor of the LHI and confirmed that the time limit to sue a LHI is one year from the date of the negligent act. —Albert J. Nicaud/LSBHI Attny

CONTINUING EDUCATION & RENEWALS

It is required that all LHI complete 20 hours of CE each year prior to his or her annual renewal. It is the responsibility of each HI to keep track of their CE. The LSBHI asks that you do not randomly mail in CE certificates. Please attach all certificates with your renewal. The LSBHI cannot be responsible for lost certificates. Please keep in mind that your CEU's must come from an approved CE provider. It is also the responsibility of the HI to provide the LSBHI's office with your Certificate of Insurance at the time of renewal. If you submit your renewal without supplying a copy of your Certificate of Insurance and proof of your 20 hours of CE, your license will not be renewed until those requirements have been met. You will continue to hold an EXPIRED status which does not enable you to perform Home Inspections.