



### 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 will be broadcast when needed. All meetings will be held at 4664 Jamestown Ave Suite 220, Baton Rouge LA 70808.

### Looking for Insurance?

Jim Russell, President of GREI Insurance spoke at the June Board meeting. Many HI's are always looking for another option for insurance. Give GREI a call for price quotes.....866-999-5921.

"Nature does not hurry, yet everything is accomplished." -Lao Tzu



### Points of Interest

- Your LSBHI license# must be on all reports, advertisement materials and or websites.
- Use of the LSBHI logo is strictly prohibited.
- Each LHI must complete 20 hours of CE each year by an approved CE provider.
- Beginning June 1, 2010 monthly reporting returns to \$5 per inspection.

## THE INSPECTOR

### QUARTERLY NEWSLETTER

### 2010 Second Quarter

The LSBHI's 2nd quarter Board meeting was held June 4, 2010. The Board addressed five complaints, three of which were re-hearings. The Board also approved Mr. Tom Axelrad as an In-field trainer and the NAHI as a continuing education provider. Again, we want to thank everyone who attended the Board meeting.

### NAHI

The National Association of Home Inspectors will be hosting their 2010 NAHI National Education Conference October 15-17 2010 in Nashville TN. You can visit their website at [www.nahi.org](http://www.nahi.org) for more information.

### Website

The new LSBHI website has been up and running for a couple months now. We have been working on a few bugs to make sure the site is running as expected. We want to thank you for your patience while the site was under construction. As a courtesy of the Board each HI will receive a notice when their LSBHI license is due to expire. This is a feature we have working through our new website. If you have not done so already, please visit the site at [www.lsbhi.state.la.us](http://www.lsbhi.state.la.us) and check it out. Please let us know if your information is not up to date. Keep in mind that it is up to the HI to keep their information up to date with the LSBHI office. Another added bonus to the new site is the "Calendar," this is where you can find future CE classes. Once the LSBHI office is made aware of any Board approved CE, it will be posted to the Calendar.

### Code of Ethics

As we all know, the market has been tough for everyone; buyers, sellers, real estate agents and home inspectors. The economy has made things a little more challenging and somewhat frustrating. This causes some individuals to cut corners or violate our ethics to make that extra penny. With that said, LSBHI wants to remind our Home Inspectors that our Standards of Practice and Code of Ethics are to be followed at all times no matter what the industry looks like. The LSBHI strongly suggest everyone re-read the Code of Ethics. The Board does not tolerate any Home Inspector violating these Ethics. If you don't already have a copy of the Ethics, you can download them at our website, [www.lsbhi.state.la.us](http://www.lsbhi.state.la.us).

### Board Meetings

As many of you already know, you can receive up to 4 hours of CE credit for attending Board Meetings and or Sub-committee meetings per year. All Board meetings and Sub-committee meetings are open to the public and the LSBHI encourages your attendance.

### More News

A report fee increase of \$2 per inspection (from \$5 to \$7) was voted on by the board and approved through the Administrative Rules process in September of 2008. Effective January 1, 2009, the \$2 increase went into effect. The increase required legislative approval at the next legislative session. HB 1372 which proposed the increase was voted down by the legislature. Therefore, the report fee for any report prepared **after** June 1, 2010 will be \$5 per inspection report performed. If you choose to request a refund on behalf of your clients, you have until July 15, 2010, to submit a letter requesting your refund as well as a copy of your LSBHI monthly reporting forms for the months of January 2009-May 2010. Each month must be on a different form with the date and address of each inspection. The information must be on the Board approved monthly reporting form. One is attached to this email for your convenience. Once our office receives your information we will match all data and then reimbursements will be made by the Board.

### No. of LHI By District

District 1— 123	District 2— 33
District 3— 36	District 4— 46
District 5— 49	District 6— 96
District 7— 52	*Active and Inactive

We're on the web  
[www.lshi.state.la.us](http://www.lshi.state.la.us)

# Legal News

## GREAT NEWS! Court of Appeal Confirms Time Limit to Sue Home Inspector

In a case where an LHI was brought into a law suit over one year from the date of his inspection of the plaintiff's home, the Third Circuit Court of Appeal confirmed that the Louisiana prescription statute requires the filing of a lawsuit against a LHI within one year from the date of the inspection, *regardless of the date of discovery of the alleged wrongful act or omission of the LHI*. The plaintiff tried to argue that the "date of discovery" rule applies to a LHI's negligence and that the plaintiff should have one year from the date the negligence was discovered to file suit (as is the case in many other applications.) The LHI was represented by Albert Nicaud, our Board attorney, who filed an exception of prescription arguing that the action is limited to one year from the date of the inspection, regardless of the date of discovery. The trial court agreed and the plaintiff appealed to the Third Circuit which affirmed the trial court's ruling. The plaintiff then sought Writs to the Louisiana Supreme Court, which denied the Writ. As the law currently stands, a client has only one year from the date of the negligent act or omission to file suit against a LHI, regardless of the date of discovery of any alleged wrongful act or omission.



*"Keep steadily before you the fact that all true success depends at last upon yourself."*

*-Theodore T. Hunger*



## Legislative Update

**HB 1380** has been sent to the Governor for signature. It is a welcome relief for LHIs who fail to timely renew their licenses. Prior law required the licensee to reapply as a new trainee if he failed to renew his delinquent license within one year of expiration. This required the LHI to undergo field training, retake the 90 hour classroom training and retake the national exam. The Board found this to be somewhat harsh and sought relief for its LHIs through the legislature. HB 1380 revises La. R.S. 37:1479B and now

provides that delinquent renewals beyond one year would require the LHI to retake the national exam and become current on all CE during the period of delinquency. It further provides that delinquent renewals beyond three years would require the LHI to undergo the 90 hour classroom training, retake the national exam, become current on all CE during the period of delinquency and take the report writing, SOP and COE course offered by the Board before being renewed. The Board

would like to thank Rep Bernard LeBas for his tireless efforts in offering legislation on behalf of the Board. *-Albert Nicaud*



### Louisiana State Board of Home Inspectors

4664 Jamestown Ave. Suite 220  
 Baton Rouge LA 70808  
 225-248-1334  
 225-248-1335 Fax