



# The Inspector

## Quarterly Newsletter

### 2012 Board Meeting Dates

- **March 2, 2012**
- **June 1, 2012**
- **September 7, 2012**
- **December 7, 2012**

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.

*“There isn't a person anywhere who isn't capable of doing more than he thinks he can.”*

-Henry Ford

### Points of Interest

- Your LSBHI license# must be on all reports, advertisement materials and or websites.
- Preferred vendor programs are strictly prohibited!
- Each LHI must complete 20 hours of CE each year by an approved CE provider.
- Monthly reporting dues are due to be post marked 15th of the following month.



### 2011 Fourth Quarter

The LSBHI's 4th quarter Board meeting was held December 2, 2011. Seven complaints were on the agenda, two of which were dismissed. (see page 2) The Board then reviewed the application for Mr. Roy Burst as an In-field trainer. Mr. Burst was approved. The Board also recognized Ceil Fuselier for all her wonderful years of serving on the Board. Her term ended December 2011, however, she will continue to serve on the Board until the Governor appoints a new member. The Board briefly discussed increasing yearly CEU requirements from 20 hours to 24, the motioned died.

### No. of LHI By District

District 1— 97	District 2— 35
District 3— 36	District 4— 58
District 5— 49	District 6— 89
District 7— 49	*Active and Inactive



### 2011 Officers

We want to THANK Mike Burroughs and Foxe Smothers for all their hard work as Chairman and Vice Chairman in 2011. 2012 will bring many Board changes as we roll off 3 Board members and elect new officers. At the December Board meeting the Louisiana State Board of Home Inspectors elected two new officers for the Board. We would like to congratulate Foxe Smothers as our new Chairman and Roy Burst III as Vice Chairman. We are looking forward to another successful year with our new officers.

### Special Board Meeting

Wednesday December 14, 2011 the LSBHI held a special meeting. This meeting was held in Metairie at the Law Office of Albert Nicaud to review the budget for the 2012 fiscal year. This budget was adopted by a unanimous vote. The comprehensive budget is completed annually in compliance with the Louisiana Revised Statutes (R.S.) 39:1331 through 1342. The information will be used to prepare the Legislative Auditor's annual report on boards and commissions.

### Inspectors Helpers

If you are a licensed Home Inspector in the State of Louisiana and have another party assist you with your inspection, this assistant must be a licensed Home Inspector. A “helper” who performs any portion of a home inspection without a valid, ACTIVE Louisiana Home Inspectors license is in violation of our Law. The licensed inspector would also be in violation of our law.

## Complaints

**C-11-027 LSBHI v. Tripp**– The Board found Mr. Tripp in violation of LA46XL.115, inspecting with an expired license. However the Board felt there was no intent by Mr. Tripp to defraud the public. Fine was set at \$100.00.

**C-11-020 Denoux v. Swain**- The Board found Mr. Swain in violation LA46XL.117B; 117B.1, 127A, 139B.2, and 139B.3. Mr. Swain was performing inspections in Louisiana under a deceased Louisiana licensed Home Inspector's license number. The Board fined Mr. Swain the maximum of \$1000 per violation. Total fine- \$5000.00.

**C-11-021 Duplissey v. Joyner**– The Board dismissed this complaint. Stating that Mr. Joyner did meet the minimum LSBHI standards.

**C-11-023 Cross v. Donaldson Education**– The Board motioned to issue a Cease and Desist for Donaldson Education Services for failing to provide students with the minimum number of classroom hours. Donaldson was providing 80 hours when the law states 90 hours.

**C-11-024 Mathews v. Binkley**– Both Mike Burroughs and Terry Hardouin recused themselves from this complaint. The Board found Mr. Binkley in violation of LA46XL.311A.1. Stating that Mr. Binkley needs to be more specific especially in areas of concern. In this case Mr. Binkley should have been more specific on the reporting of the foundation. If one cannot access the area then one cannot inspect the area. The fine was set at \$100.00

**C-11-025 Hussey v. Maxcy**– continued at the request of Mr. Maxcy

**C-11-026 Slater v. Wallace**– Complaint was dismissed because the complainant failed to appear for the hearing and failed to request a continuance.

### The difference between Prior Acts and Tail Coverage

**Prior acts** coverage applies to “claims made insurance policies” and is for home inspectors who are currently working and maintaining an active insurance policy.

It will cover your previous inspections conducted while maintaining uninterrupted insurance coverage. Interruptions in insurance coverage will likely cause this time period to reset.

It is important to renew your coverage in a timely manner in order to maintain your prior act coverage and cover all previous inspections. When switching insurance carriers, the new insurance provider will offer prior acts coverage by verifying you have not had a gap in insurance. Some carriers charge an additional fee for this coverage, other will not.

**Tail coverage** is for inspectors who are getting out of the business and no longer maintain an active insurance policy. Tail coverage is also referred to as “extended reporting period” as it allows an inspector to submit a claim from an inspection that occurred during the policy period as well as any inspections after the “prior acts” date. Tale coverage is purchased at the end of your expiring policy and is purchased in 1 year increments after you end your inspection activities. This will NOT cover any new inspections you conduct and should only be used to protect your previous work. It is important to consider this coverage as most claims arise 6-12 months after the inspection takes place. (Information courtesy of GREIA)



"It is our attitude at the beginning of a difficult task which, more than anything else, will affect its successful outcome."

*William James*

