



The Inspector

Quarterly Newsletter

VOLUME 5, ISSUE 1

JANUARY 2014

SPECIAL POINTS OF INTEREST:

- Home Inspectors should report substantial and willful violations of our Standards and Codes to the LSBHI.
- All renewal applications that are past due will be fined a \$100 late fee.
- Your report should not reference the Standards of Practice of other entities.

2014

MEETING DATES

- March 7, 2014
- June 6, 2014
- September 5, 2014
- December 5, 2014

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

2013 Fourth Quarter

The LSBHI's 4th Quarter Board meeting was held December 6, 2013 in Baton Rouge. There were a total of three complaints that were heard before the Board during the fourth quarter. (see page 2)

The Board reviewed and approved two online pre-licensing education providers: Bossier Parish Community College (AHIT) and Professional Home Inspection

Institute.

The Board voted by a unanimous vote to accept the final draft of the Board response to Senate Resolution No. 128. (see page 3 for response)

The Board also discussed the possibility of having at least one Board meeting per year in another city. This would hopefully encourage more Inspectors from other parts of the State to

attend. The Board would give all Home Inspectors plenty of notice prior to making a change of location.

The Board then elected new officers for the 2014 calendar year.

After the elections the Board reviewed and approved the 2014 State Budget.

The meeting was adjourned at 12:15 by Mr. Mike Burroughs.

Congratulations

2014 Louisiana State Board of Home Inspector's Officers

Chairman— Cal Grevemberg
Vice Chairman— Friedrich Gurtler P.E.

2014 Fiscal Year Budget Approved

The Board reviewed the budget for the 2014 fiscal year. This budget was prepared and presented by the Chief Operating Officer, Morgan Spinoso and 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. You can view the Louisiana State Board of Home Inspectors State budget at: <http://www.prd.doa.louisiana.gov/boardsandcommissions/selectBoard.cfm>

Complaints

C-13-006 Allison v. Joyner LHI#10656– Mrs. Allison sent a written request for a continuance. Mr. Mike Burroughs motioned to accept the request and table the complaint to the March 2014 Board meeting. Mr. Gurtler seconded and the motion was carried.

C-13-007 Nezat v. Larson LHI#10542– Both parties were present. Mrs. Nezat briefed the Board on the complaint. Mr. Larson agreed he was inactive at the time of the inspection. Mr. Larson also agreed that he failed to update his status with the State Board after getting his insurance in place. Mr. Larson agreed that he did not report this inspection with the State Board. The Board found Mr. Larson in violation of LAC46XL.115.E– *inspecting with an inactive license; LAC46XL. 117.B.3– failing to report and/or pay inspection report fees.*

The Board fined Mr. Larson \$100.00 for violating LAC46XL.115E and \$300.00 for violating LAC46XL.117.B.3. Kevin Dinkel abstained from voting.

C-13-010 LSBHI v. Peterson (not licensed)- Mr. Peterson was present. The Board voted 6-0, with Mr. Dinkel abstaining, that Mr. Peterson was in violation of LAC46XL.117B, 117B.1, 139B.2, and 139B.3. Based upon Mr. Peterson’s testimony that he has performed “hundreds” of these same type inspections, the Board found him to have committed at least 50 counts of the above violations. The Board then voted 6-0, with Mr. Dinkel abstaining, to fine Mr Peterson \$10.00 for each of the 50 violations of LAC46XLI 17B.1, plus payment of 50 inspection fees in the amount of \$5.00 for a total of \$750. The Board also ordered a fine of 1,000.00 for each of the 50 violations of LAC46XLI 39B.2 & 3, pursuant to Section 139C. The total fine amount is \$50,750.00.

§117. Fees; Submission of Report Fees; Timeliness of Filings-

B. Each home inspection performed by an inspector under this law shall be subject to a \$5 state inspection fee per home inspection. This fee is to be made payable to the LSBHI and is to be remitted monthly in the following manner:

1. reporting form, approved by the board, must be filed by the fifteenth day of the month following the inspection. The form shall list the inspections performed and total fees due.

§139. Prohibited Acts: Penalties and Costs

B. The board may fine any applicant or any member of the public for good cause shown, for activities which include, but are not limited to, the following:

- 2. engaging in conduct or advertising or holding oneself out as engaging in or conducting the business or acting in the capacity of a home inspector without possessing a valid license;*
- 3. falsely representing oneself as being the holder of a valid license by using the title "licensed home inspector" or any title, designation, or abbreviation deceptively similar or likely to create the impression that such person is licensed.*

“Luck is a dividend of sweat. The more you sweat, the luckier you get.”

-Ray Kroc

Senate Resolution No. 128



The State Senate requested that the Board study applicable Laws and rules to determine whether amendments are necessary in order to expand the scope of practice of home inspectors to ensure that Louisiana home buyers are adequately protected and informed about the condition of residential resale

buildings. More specifically, the Senate requested the Board address whether LHIs should report on the life expectancy of systems and components and whether they should report on mold and environmental hazards. The LSBHI made a comparison with the laws of other states and found that Louisiana

was in line with all other states in not requiring reporting of the above. The Board concluded that to require LHIs to report on mold and life expectancy would be impractical and not in line with national standards.

“To improve is to change; to be perfect is to change often.”

-Winston Churchill



Senate Request:

http://lsbhi.state.la.us/documents/senate_request_for_resolution_no_128.pdf

LA State Board of Home Inspectors Response:

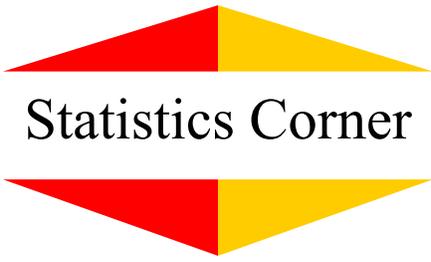
http://lsbhi.state.la.us/documents/senate_resolution_no_128.pdf

2013 Insurance Claims Review for Inspectors

Brought to you by: Ben Zolofra; Zolofra Insurance Agency

In 2013, claims against home inspectors were on the rise again as many anticipated due to the pick up in the housing market. We saw all different types of E&O claims, including also an up tick in general liability claims. A problem area that we were surprised to see was that inspectors were not always obtaining a signed pre-inspection from their clients and when that claim comes in, carriers will typically not provide any coverage so please get those signatures from your clients. Here are just some brief claim examples from this year:

1. Faulty attic ladder that collapsed that caused bodily injury (GL and E&O claim).
2. Faulty hand rail on a deck that cause someone to fall to the ground below (GL and E&O claim).
3. Water intrusion into basement that led to mold remediation & replacement. (GL & E&O claim).
4. Failure to identify house had knob & tube wiring (E&O claim).
5. Failure to identify defective chimney flue (E&O claim).
6. Failure to identify termite damage (GL & E&O claim).
7. Failure to identify concealed flooding, water intrusion, moisture damage, mold and rust to home (GL & E&O claim).
8. Faulty radon test reading that caused plaintiff to develop cancer. (GL and E&O claim).
9. Failure to detect leaky roof a concealed roof repairs (GL & E&O claim)
10. Failure to properly inspect pool/spa system (E&O claim). www.allprocoverage.com



Statistics Corner

Monthly	Reporting Totals	
	2012	2013
January	1890	2242
February	2292	2440
March	2791	2997
April	2806	3399
May	2935	3357
June	2679	3038
July	2715	3093
August	2468	2912
September	2026	2448
October	2596	2632
November	2017	2128
December	1741	—

The Louisiana State Board of Home Inspectors would like to recognize our newest Licensed Home Inspectors for 2013. These inspectors were licensed during the 4th quarter of 2013:

- Jason Pepitone #10841
- Barrie Sommers #10534
- Jason Hodges #10842
- Steven Carlson #10843
- Jack Waldron #10844
- Norris Hebert #10845
- Neil Ricca #10846
- Arthur Iles #10847
- Chain Onorato #10848
- David Taylor #10849
- Brent Langford #10850
- Anna Moras #10851
- Brandon McLain #10852
- Deany Robert #10853
- David LaBorde #10854
- Robert Null #10855

Louisiana State Board of Home Inspectors

Governor
Bobby Jindal

1st Congressional District
Friedrich Gurtler P.E.

2nd Congressional District
Roy Burst III

3rd Congressional District
Cal Grevemberg

4th Congressional District
Darren Montgomery

5th Congressional District
Mike Burroughs

6th Congressional District
Kevin Dinkel

7th Congressional District
Keith Blanchard

Chief Operating Officer
Morgan Spinosa



Legal Counsel
Albert Nicaud

