

**MINUTES OF THE BOARD MEETING**  
of  
**LOUISIANA STATE BOARD OF HOME INSPECTORS**

Friday, September 10, 2010  
9:00 AM  
Office of the LSBHI  
4664 Jamestown Ave., Suite 220, Baton Rouge

Board Members in Attendance:

District 1 – Terry Hardouin	District 4 – Foxe Smothers
District 2 –	District 5 – Michael Burroughs
District 3 – Cal Grevemberg	District 6 – Michael LeBas, P.E.
	District 7 – Ceil Fuselier

**I**

Those members being in attendance, Chairman Michael LeBas called the meeting to order at 9:00 AM followed by the Pledge of Allegiance.

The Board reviewed the minutes from the previous Board Meeting. Mr. Cal Grevemberg motioned to approve the minutes as written. Mr. Burroughs seconded and the motion carried unanimously. Next the Board reviews and amends the minutes from the March 2010 Board meeting. The minutes were changed to reflect the following:” C-10-001 LSBHI v. Graham LHI#10440- Complaint was withdrawn by complainant prior to the Board meeting.” Mrs. Fuselier motioned to accept the amended changes and Mr. Grevemberg seconded. All were in favor of the motion and the motion was carried.

**II**

C-10-017 Kratzer v. Davis LHI#10324- Mr. Davis was present. The Board reviewed and discussed the details of the complaint. Mr. Davis briefed the Board on the situation and admitted to not timely submitting a report. Mr. Smothers elaborated on the importance of submitting a timely report to the client. Mr. Smothers motioned to find Mr. Davis in violation of 46LAC XL.305.3. Mr. Hardouin seconded and the motion was carried. Next the Board discussed the penalty phase of the complaint. Mr. Smothers motioned to fine Mr. Davis \$150.00 for failing to submit a timely report to the client. Mrs. Fuselier seconded and the motion was carried.

C-10-018 Complaint was withdrawn by the complainant prior to the Board meeting.

C-10-020 LSBHI v. Zalfen LHI#10229- Mr. Zalfen was not present. The Board reviewed the pre-hearing resolution for failing to display his license number on his website. Mr. Burroughs motioned to deny the pre-hearing resolution and Mr. Smothers seconded. The motion was carried. Mr. Burroughs then motioned to have the LSBHI issue and Cease and Desist order and have the Board file new complaint against Mr. Zalfen for violating LAC 46 XL. 501B.1,12 & 13. Mr. Smothers seconded and the motion was carried.

C-10-022 LSBHI v. Binkley LHI# 10654 Mr. Hardouin motioned to approve the pre-hearing resolution of a \$100.00 fine plus properly displaying license number within 30 days. Seconded by Mrs. Fuselier and

the motion carried. The Board made clear that a license number must be displayed on all advertising materials including yard signs.

Mike Burroughs motioned to amend the agenda moving V. before III. Mr. Smothers seconded and the motion was carried.

## V

What defines a qualified instructor?

The Board established a sub-committee that will get together to discuss the issue of qualified instructors. This committee will discuss that topic at the next round table committee meeting. The LSBHI current rules state that Education Providers must:

- a. pay the initial education provider fee;*
- b. provides a syllabus and a course list to the board;*
- c. agree, in writing, to defend, indemnify and hold the board harmless against any claim or suit alleging negligent or intentional acts or omissions of the education provider in its training, or otherwise;*
- d. remain current on all renewal and other fees;*
- e. employ only certified home inspector instructors; and*
- f. be approved by the board.*

The LSBHI current rules state that in order to qualify as a certified home inspector instructor of an education provider, a person must meet one of the four following criteria:

- a. have been actively engaged in the performance of home inspections for the three years prior to certification;*
- b. be an actively engaged, Louisiana Licensed Home Inspector for the three years prior to certification;*
- c. have performed at least 500 home inspections; or*
- d. be licensed in the field of the subject matter of the particular course instructed*

The Board requested that the LSBHI office send out letters to all approved schools. The letter will request that each school re-submit all information that shows that they have been in compliance with the LSBHI rules. Each school will have 30 days from the receipt of the letter to show proof or the LSBHI will issue a Cease and Desist.

## III

Mr. Burroughs motioned to table online education provider applications till further notice and Mrs. Fuselier seconded and the motion was carried. The Board requested that the education sub- committee meet within two weeks after the Board meeting to address all online education requirements. These requirements will be voted on at the next Board meeting. Mr. Mike Burroughs will draft an agenda for the meeting and have it emailed to the LSBHI office to be broadcast for all to attend. The Board directed COO, Ms. Dampier to notify all schools about the education sub-committee meeting.

Next the Board reviews all classroom education provider applications:

- ASHI School- Mr. Hardouin motioned to deny this application until the school can provide documentation that the provider meets the requirements set forth in the rules of the Board. Once these requirements have been met the provider will be approved. Mrs. Fuselier seconded and the motion was carried.
- Carson Dunlap and Associates- Mrs. Fuselier motioned to deny this application until the school can provide documentation that the provider meets the requirements set forth in the rules of the Board. Once these requirements have been met the provider will be approved. Mr. Hardouin seconded and the motion was carried.
- Pillar to Post- Mr. Burroughs motioned to deny this application until the school can provide documentation that the provider meets the requirements set forth in the rules of the Board. Once these requirements have been met the provider will be approved. Mrs. Fuselier seconded and the motion was carried.

The Board then reviews the applications for continuing education providers and in-field trainers:

- Foxe Smothers (CE Provider) - Mrs. Fuselier motioned to approve the application and Mr. Hardouin seconded and the motion was carried. Mr. Smothers abstained.
- Bobby Leger (In-field Trainer) – Mr. Grevemberg motioned to approve the application and Mr. Smothers seconded and the motion was carried.

#### **IV**

Ken Kinkade addresses the Board requesting consideration to re-instate his LSBHI license number. Ceil Fuselier motioned that he attends the Standards of Practice Seminar, submit NHIE results, and re-apply with the Board. Once Mr. Kinkade completed the criteria set, the LSBHI will issue his old license number (#10038). Foxe Smothers seconded the motion and the motion carried.

#### **VI**

The Board now discussed “Streaming On-line Courses.” The Board discussed the pros and cons of streaming courses. Terry Hardouin motioned to approve Streaming C.E. courses online and Mrs. Fuselier seconded the motion. Mr. Michael Burroughs opposed the motion. The motion was carried with a 5-1 vote in favor of Streaming online courses.

#### **VII**

The Board reviewed the Budget presented by Ms. Dampier. The Board was given a Year to Date comparison as well an Actual v. Proposed.

Cal Grevemberg motioned to move into executive session. Mr. Foxe Smothers seconded and the motion was carried.

The Board moved back into open session at 12:17pm.

#### **Meeting Adjourned at 12:18**

Mr. Smothers motioned to adjourn, Mrs. Fuselier seconded and the motion was carried.

Other attendees: Albert Nicaud, Board Attorney; Morgan Dampier, COO; Joe Cook; Sidney Chaisson Jr.; Dick Chance; John Hoskins; Bob Brooks; Mike Jordan; Marc LeBlanc; John M Davis; John R Davis; Carl Heck; Ken Kinkade; Patrick Knight; Claston Bernard; Barry Landry; Peter Barilaro; Larry Herbert

Minutes recorded by: COO