

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

Friday, June 3, 2011
9:00 AM
Office of the LSBHI
4664 Jamestown Ave., Suite 220, Baton Rouge

Board Members in Attendance:

District 1 – Terry Hardouin
District 2 – Roy E Burst III
District 3 – Cal Grevemberg

District 4 – Foxe Smothers
District 5 – Michael Burroughs
District 6 – Michael LeBas, P.E.
District 7 – Ceil Fuselier

I

Those members being in attendance, Chairman Mike Burroughs called the meeting to order at 9:01 AM followed by the Pledge of Allegiance.

The Board reviewed the minutes from the previous Board Meeting. Mr. Michael LeBas motioned to approve the minutes as written. Mr. Cal Grevemberg seconded and the motion carried unanimously.

II

C-11-009 Kelting v. Darbonne Re-hearing- Mr. Darbonne addressed the Board and admitted that he did violate 119 but requested that the Board take into consideration that in all his years of teaching he has never had a complaint filed against him and would like to see that his license be re-instated. Mr. Grevemberg reminded Mr. Darbonne that the reason his license was revoked was because he defrauded the Board and that was his intent. Mr. Grevemberg stated that he personally had not difficulty reinstating Mr. Darbonne's license with additional training, but was not at all compelled to ever reinstate Mr. Darbonne as an infield trainer. Mr. Grevemberg motioned to reinstate Mr. Dabonne's license with additional training and he must attend the Standards of Practice and Report Writing Seminar. Mrs. Fuselier stated that what Mr. Darbonne did was unprofessional and morally wrong. The motion on the table dies. Mr. Burst motioned to keep Mr. Darbonne's license revoked until December 31, 2011. Mr. Darbonne will then be allowed submit an application for approval by the Board to have his license re-instated on January 1, 2012. Mr. Lebas seconded the motion and the motion was carried. Mr. Smothers abstained from voting.

C-10-025 Delacerda v. Parks #10567- Both parties were present. Mr. Foxe Smothers served as the SIE on this complaint. Mr. Smothers briefed the Board on his findings. Mr. Delecarde noted that Mr. Parks was very cooperative and will to work with them on their issues. Mr. Park then briefed the Board and was in disbelief after re-visiting the property that he indeed made the error. Mr. Parks actually directed Mr. and Mrs. Delacerda to file the complaint with the Board. Mr. LeBas also asked many detailed questions about the report and Mr. LeBas noted that Mr. Parks should have at least flagged the issues. Mr. Smothers suggested that he should have referred the defects to an engineer. Mr. Parks agreed. Mr. LeBas motioned to find Mr. Parks in violation of LAC 46 XL.305B.3.c, 313A.1, and 311A.2 for failing to report a visible defect. Mr. Hardouin seconded and the motion was carried. Mr. Smothers abstained. The Board then moved into the penalty phase. Mr. Grevemberg motioned to fine Mr. Parks \$100.00 for violating LAC 46 XL.305B.3.c, 313A.1, and 311A.2 – Mr. Burst seconded the motion and the motion was carried. Mr. Smothers abstained.

C-11-002 Johnson v. Leger- Complaint was withdrawn by complainant prior to the Board meeting.

C-11-010 Jordison v. Harrod- Complaint was withdrawn by complainant prior to the Board meeting.

C-11-011 LSBHI v. Tripp- A pre-hearing resolution of \$575.00 for failing to file monthly reporting was agreed upon subject to Board approval. Mr. Smothers motioned to accept the pre-hearing resolution. Mr. Hardouin seconded and the motion was carried.

C-11-013 LSBHI v. Sullivan- A pre-hearing resolution of \$485.00 for failing to file monthly reporting was agreed upon subject to Board approval. Mr. Smothers motioned to accept the pre-hearing resolution. Mr. Hardouin seconded and the motion was carried.

C-11-014 LSBHI v. Rodney- A pre-hearing resolution of \$310.00 for failing to file monthly reporting was agreed upon subject to Board approval. Mr. Hardouin motioned to deny this pre-hearing resolution because this was not Mr. Rodney's 1st offense. Mr. Smother's seconded and the motion was carried. The Board will re-address this issue at the next quarterly Board meeting and request that Mr. Rodney be present to answer questions by the Board.

C-11-015 LSBHI v. Reddoch- A pre-hearing resolution of \$160.00 for failing to file monthly reporting was agreed upon subject to Board approval. Mr. Smothers motioned to deny this pre-hearing resolution because this was not Mr. Reddoch's 1st offense. Mr. Hardouin seconded and the motion was carried. Mr. Grevemberg abstained. The Board will re-address this issue at the next quarterly Board meeting and request that Mr. Reddoch be present to answer questions by the Board.

C-11-016 LSBHI v. LeBlanc- Mr. Smothers motioned to approve the pre-hearing resolution of a \$100.00 fine plus properly displaying license number on all advertising materials within 30 days. Seconded by Mr. Hardouin and the motion carried.

III

Review Pre-licensing Education, Continuing Education and In-field Trainer applications for the following:

The Desk Top Training School (Pre-licensing Online)- Mrs. Fuselier motioned to approve the Desk Top Training School; Mr. Grevemberg seconds and the motion was carried.

Ron Hufft (Continuing Education Classroom)- Mr. Smothers motioned to approve Mr. Hufft as a CE provider; Mrs. Fuselier seconded and the motion was carried.

UL Lafayette (Continuing Education Classroom)- Mr. Smothers motioned to approve UL Lafayette as a CE provider; Mr. Grevemberg seconded and the motion was carried.

William Wallace (In-field Trainer)- Mr. Smothers motioned to deny Mr. Wallace's application at this time and requested that Mr. Wallace be present at the next Board meeting to answer questions by the Board in regards to the lack of communication with the Board office. Mr. Hardouin seconded and the motion was carried.

IV

LSBHI license number and how to state it on advertising materials was the next item on the agenda. Mr. Nicaud pointed out that the Law states, "Licensed Home Inspector" should be listed on all advertising materials not "Louisiana State Board Home Inspector." The Board requested that the Board C.O.O. send out an email to all Home Inspectors notifying them that they have one year to change their verbiage on advertising materials from LSBHI or Louisiana State Board of Home Inspectors to LHI or Licensed Home Inspector. Mr. Smothers motioned to allow a grace period ending September 2012 to have all verbiage corrected. Mr. Hardouin seconded and the motion was carried.

V

Real Estate agent reusing Home Inspector reports- Mr. Sidney Chaisson briefed the Board by giving them examples of how inspection reports are being passed on from client to agent to new client. The Board agreed that realtors should not be re-using Home Inspection reports. The Board directed the Board C.O.O. to set up a meeting with the Louisiana Real Estate Commission to discuss the matter at hand. The Board formed a sub-committee to meet with the LREC. Mike Burroughs, Foxe Smothers, Mike LeBas and Sidney Chaisson volunteered to be on the committee and will meet with the LREC Board.

VI

Unlicensed Inspectors inspecting for RELO companies- The Board put together a sub-committee to set up a meeting with RELO companies to speak with them in regards to our Laws and Standards. If the house being inspected is on the market at the time of the inspection, our laws must be followed. This would mean that all RELO companies need to use a licensed Home Inspector to complete inspections. The sub-committee members consist of the following: Mike Jordan, Foxe Smothers, Roy Burst, Mike Burroughs, and Sidney Chaisson.

VII

Budget update: Board C.O.O., Morgan Dampier briefed the Board on the fiscal year budget.

Executive Session 12:15 P.M.

Open Session 12:43 P.M.

Meeting Adjourned 12:45 P.M.

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

Other attendees: Albert Nicaud, Board Attorney; Morgan Dampier, COO; Joe Cook; Dick Chance; Dale Young; Keith Darbonne; Steve Baudier; Joseph Todd; Chris Entrekin; James Ethridge; Keith Blanchard; Jon Petitjean; Sidney Chaisson; David Hartmann; John Parks; Aaron Mayers; Melvin Delacerd; Teresa DeLacerda; Mike Jordan; Andrew Polmer; Will Cullen; John Nelson; Lawrence Herbert; Peter Barilaro; Fred Rittler; Frankie LaPorte; Michael Kendrick

Minutes recorded by: COO