

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

Friday, September 7th, 2012
9:00 AM
Office of the LSBHI
4664 Jamestown Ave., Suite 220, Baton Rouge

Board Members in Attendance:

District 1 – Friedrich Gurtler, P.E.	District 4 – Darren Montgomery
District 2 – Roy E Burst III	District 5 – Michael Burroughs
District 3 – Cal Grevemberg	District 6 – Kevin Dinkel
	District 7 – Keith Blanchard

I

Those members being in attendance, Vice Chairman Roy Burst III called the meeting to order at 9:10 AM followed by the Pledge of Allegiance.

Mr. Burst welcomed the newest members to the Board: Mr. Friedrich Gurtler, Mr. Darren Montgomery, Mr. Kevin Dinkel, and Mr. Keith Blanchard.

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

II

C-12-005 LSBHI v. Grevemberg LHI#10060- The Board reviewed the apology letter submitted by the advertisement company stating that the lack of Mr. Grevemberg’s license number on the ad was their fault. Mr. Burroughs motioned to dismiss the complaint and Mr. Gurtler seconded. All in favor and the motion carried. Mr. Grevemberg abstained.

C-12-006 Fontenot v. Lottinger LHI#10066- Both parties were present. The Board took some time to review the complaint filed by Mr. Fontenot. Both parties briefed the Board on the details with in the complaint as well as answered many questions from the Board members. Mr. Fontenot stated that Mr. Lottinger did not inspect the attic properly and missed visible damage. Mr. Lottinger stated that his observations of the attic were made at the attic entry and his access was limited due to no decking and he does not disturb insulation. Mr. Lottinger did not note the limitations to access the attic in his report. Mr. Fontenot stated the Mr. Lottinger believed the damage to the roof occurred in the six months after the inspection was performed but Mr. Fontenot believed it was there at the time of the inspection.

The Board addressed is alleged violation separately:

LA46XL.311A2- Mr. Gurtler motioned to dismiss, Mr. Montgomery seconded and the motion was carried. Mr. Burroughs opposed.

LA46XL.311B6&7- Mr. Burroughs finds Mr. Lottinger in violation for failing to describe. Mr. Montgomery seconded the motion and the motion was carried.

LA46XL.311C1- Mr. Blanchard motioned to dismiss, Mr. Montgomery seconded and the motion was carried.

LA46XL.311C2- Mr. Gurtler finds Mr. Lottinger in violation failing to state why access was limited. Mr. Blanchard seconded and the motion was carried.

LA46XL.311C4- Mr. Gurtler motioned to dismiss, Mr. Montgomery seconded and the motion was carried.

LA46XL.305B1.d- Mr. Grevemberg motioned to dismiss for lack of evidence on both sides. Mr. Dinkel seconds and the motion was carried. Mr. Burroughs abstained.

The Board then moved into the penalty phase and addressed each violation individually:

LA46XL.311B6&7- Mr. Burroughs motioned a fine of \$100. Mr. Grevemberg seconded. Mr. Gurtler amended the penalty to require Mr. Lottinger to attend the Standards of Practice and Report Writing seminar. Mr. Grevemberg seconded the amendment. Mr. Montgomery also made an amendment which would require three of Mr. Lottinger's inspections be randomly pulled for report review over the next three months to assure his reports are compliant to the Standards of Practice. Mr. Dinkel seconded this amendment. Mr. Burroughs made a final motion to find Mr. Lottinger \$100, have Mr. Lottinger attend the next available Standards of Practice and Report Writing Seminar plus have the C.O.O. pick three random inspections reports over the next three months to be reviewed to assure Mr. Lottinger's reports are in compliance. Mr. Grevember seconded and the motion was carried.

LA46XL.311C2- Mr. Burroughs motioned to fine Mr. Lottinger \$100 for failing to state the limitations of inspecting the attic. Mr. Dinkel seconded and the motion was carried.

C-12-007 American Ins. Co v. Schiro LHI#10743- The Special Investigative Entity determined that the complaint had no probable cause to move forward with a hearing. The complaint was dismissed.

III

Update on Relocation companies- Mr. Nicaud read the letter drafted for the relocation companies. This letter will be mailed out to the relocation companies reminding them that the Board confirmed that Relocation Companies are required to use Louisiana licensed home inspectors in the inspection of its properties. The C.O.O. will also mail out a memo to all home inspectors informing them that Board confirmed that all inspections performed for relocation companies must be performed by Louisiana licensed home inspectors. Because two or more systems of a resale residential structure are being inspected, the inspection meets the legal definition of a home inspection and must be performed by a LHI in accordance with the Standards of Practice and Code of Ethics. The memo will also state, "The Board recommends that the Home Inspector develop disclaimer language which requires that the RELO company hold harmless, defend and indemnify the LHI regarding any changes, summaries, or modifications to the report made by the RELO company or any other third party for which it is responsible. The Board also reminds you that pursuant to Section 305B, you should have a written agreement limiting the scope of your inspection to those systems and components agreed upon."

IV

SIE committee updates- Mr. Fritz Gurtler discussed the recommendations made by the subcommittee. The Board reviewed the recommendation made a few changes that were suggested. Mr. Gurtler will make the suggested changes and the Board will review and vote on them at the next Quarterly Board meeting.

V

Act 276 rule changes for military applicants- Mr. Nicaud briefed the Board on the mandatory rule changes. Mr. Nicaud will be amending the LSBHI rules to be in compliance with the law changes.

VI

Group policy for disability insurance- Mr. Joe Cook spoke with the Board about the possibility of putting together a group for disability insurance. This would allow Home Inspectors the opportunity to have disability insurance at a lower rate. Mr. Nicaud suggested that forming a group or association for these purposes should be done outside of the Board.

VII

Mr. Joe Cook spoke to the Board and suggested possibly changing the NHIE to a state specific exam for new inspectors. Mr. Mike Burroughs will contact the NHIE to see what all is involved with making these type of changes.

VIII

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

Executive session 12:05P.M.

Open session 12:58 P.M.

Meeting Adjourned 12:59 P.M.

Mr. Grevemberg motioned to adjourn, Mr. Burroughs seconded and the motion was carried.

Other attendees: Albert Nicaud, Board Attorney; Morgan Spinosa, COO; David Hartmann; Dick Chance; Harry Lottinger; Donald Fontenot; Sidney Chaisson; Ron Hitchcock; Carl Heck; Michael LeBas; Aaron Mayers; Mike Jordan; Joe Cook; Claston Bernard; Wayne Reed

Minutes recorded by: C.O.O. Spinosa