

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

Friday, September 6th, 2013
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, Chairman Roy Burst III called the meeting to order at 9:00 AM followed by the Pledge of Allegiance.

The Board reviewed the minutes from the previous Quarterly Board Meeting. Mr. Kevin Dinkel motioned to approve the minutes as written. Mr. Mike Burroughs seconded and the motion carried unanimously.

II

C-13-005 Smallhorn v. Maxcy LHI#10349- C-13-005 Smallhorn v. Maxcy LHI# 10349– Both parties were present as well as Mr. Maxcy’s attorney Beau Layfield. The Complaint, filed by a real estate agent, alleged that Mr. Maxcy sold a prior report from a previous potential buyer to a subsequent prospective purchaser. The Board ruled in favor of the complainant and found Mr. Maxcy in violation of the following: Mr. Burroughs motioned to find Mr. Maxcy in violation of LAC46XL.501B.5– *the LHI shall not receive compensation from more than one party per inspection unless agreed to by the client(s)*. Mr. Grevemberg seconded and the motion was carried. Mr. Dinkel abstained from voting. Mr. Fritz Gurtler motioned to find Mr. Maxcy in violation of LAC46XL.501B.8– *the LHI shall act in good faith toward each client and other interested parties, and LAC46XL.501B.12– the LHI shall avoid activities that may harm the public, discredit himself or reduce public confidence in the profession*. Mr. Burroughs seconded and the motion was carried. Mr. Dinkel abstained from voting. Mr. Grevemberg motioned that Mr. Maxcy be fined \$100.00 per violation, totaling \$300.00. Mr. Burroughs seconded and the motion was carried. Kevin Dinkel abstained from voting.

III

The Board reviewed the online Continuing Education provider application for MiKissock Education. Mr. Dinkel motioned to approve their application. Mr. Darren Montgomery seconded the motion and the motion was carried.

IV

Agenda item removed per Sidney Chaisson’s request.

V

Board Attorney, Albert Nicaud, spoke to the Board in regards to 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. The Board had Mr. Nicaud draft a final letter to the Senate, which will be voted on at the December Board meeting.

VI

The Board then discussed the proper way to report on Polybutylene “plastic piping” in homes. The Board noted that if you see this type of piping in a home you must note it and state that it may need further inspection. Our minimum requirements in our Standards state that a LHI should report the type of piping. I.E. copper, plastic, galvanized etc....

Meeting Adjourned 10:46 A.M.

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

Other attendees: Albert Nicaud, Board Attorney; Morgan Spinosa, COO; Gary Mego; Dick Chance; Tom Axelrad; Gordon Atwell; Chris Gomez; Michael Kendrick; Spencer Maxcy; Beau Layfield; Dan Dormady; Donald Makofsky; Sidney Chaisson; Mike Jordan; Joe Cook

Minutes recorded by: C.O.O. Spinosa