

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

Friday, September 5, 2014  
9:00 AM  
Office of the LSBHI  
4664 Jamestown Ave., Suite 220, Baton Rouge

Board Members in Attendance:

District 1 – Friedrich Gurtler  
District 2 – Roy E Burst III  
District 3 – Cal Grevemberg

District 4 –  
District 5 – Michael Burroughs  
District 6 – Kevin Dinkel  
District 7 – Keith Blanchard

**I**

Those members being in attendance, Cal Grevemberg 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 and the Special Board meeting. Mr. Cal Grevemberg motioned to approve the minutes as written. Mr. Mike Burroughs seconded and the motion carried unanimously.

**II**

**C-14-001 Zea v. Kelting LHI#10755** - Both parties were present, as well as Mr. Kelting's attorney, Mr. Michael Carbo. Both parties briefed the Board in regards to the issues in the complaint. Mike Burroughs motioned to find Mr. Kelting in violation of LAC46XL.501B.10– overstating the significance of observed conditions. Roy Burst seconded and the motion was carried. Fritz Gurtler motioned that Mr. Kelting be fined \$300.00, Kevin Dinkel seconded and the motion was carried. Mike Burroughs then motioned to find Mr. Kelting in violation of LAC46XL305B.3d– Failure to have his license number on the report. Roy Burst seconded and the motion was carried Mike Burroughs motioned Mr. Kelting be fined \$100.00, Fritz Gurtler seconded and the motion was carried. Total fine: \$400.00

**C-14-006 Simpson v. Harton LHI#10797**- This complaint was dismissed. The SIE determined that there was no probable cause.

**C-14-008 Lawson v. Kouzoukas LHI#10208**- This complaint was dismissed. The SIE determined that there was no probable cause.

**C-14-009 Maricelli v. Atwell LHI#10617**- This complaint was withdrawn by the complainant prior to the Board meeting.

**C-14-011 Gregory v. Burroughs LHI#10044**- This complaint was dismissed. The SIE determined that there was no probable cause.

**C-14-012 Culotta v. Hebert LHI#10824-** Both parties were present. Each party briefed the Board. Mike Burroughs motioned to find Mr. Hebert in violation of LAC46XL.305B.2 & 3b, Fritz Gurtler seconded and the motion was carried with 4-1 vote. Keith Blanchard abstained. Mike Burroughs motioned to find Mr. Hebert in violation of 321A.5, Roy Burst seconded and the motion passed with a 4-1 vote. Keith Blanchard abstained. Fritz Gurtler motioned to find Mr. Hebert in violation of 501B.8, Kevin Dinkel seconded and the motion carried. Keith Blanchard abstained. Mike Burroughs motioned a fine of \$150.00 each for violation LAC46XL.305B.2 and 3b; a fine of \$50.00 for violation of LAC46XL.321A.5; Roy Burst seconded and the motion was carried. Keith Blanchard abstained. Fritz Gurtler motioned a fine of \$300.00 for violation of LAC46XL.501B.8; Mike Burroughs seconded and the motion was carried. Keith Blanchard abstained. In addition Mr. Hebert must attend the next Standards of Practice and Report Writing seminar. The Board dismissed the following claims: LAC46XL.311A.1 &3, 321A.1, 2, 3, 324A.1 &B2 and 329A.1. Total fine \$650.00

### **III**

The Board reviewed the application for In-field trainer Ashley Van der Meulen. Kevin Dinkel motioned to approve the application. Mike Burroughs seconded and the motion was carried. Fritz Gurtler abstained.

The Board reviewed the application for Continuing Education Provider, Kevin Dinkel. Mike Burroughs motioned to approve the application. Roy Burst seconded and the motion was carried. Kevin Dinkel abstained.

### **IV**

Mr. Mike Burroughs briefed the Board on issues being brought up with online Pre-Licensing education providers. Mr. Burroughs stated that the Board is currently investigating one online school in particular for being out of compliance. The Board will work on doing further investigating on this issue and resolve the problem.

### **V**

The Board tabled the discussion of possible changes in the renewal process for HI's whose license has been expired more than three years.

### **VI**

Mike Burroughs then updated the Board on Report Reviews. Mr. Burroughs noted that many Home Inspectors refuse to submit "full" inspection reports due to confidentiality. When the Board requests a "full" report the Home Inspectors must comply. If a Home Inspector fails to submit a "full" report when renewing his/her license then the C.O.O. should file a complaint on the Home Inspector for being out of Compliance. Mike Burroughs then motioned to change the rule and applications to state that a "full" inspection report be submitted including the pre-inspection agreement and Standards of Practice. Mr. Grevemberg seconded and the motion was carried.

### **VII**

What are Louisiana State Contractors allowed to inspect? Contractors are only exempt "when acting within the scope of their license." If the contractor is "inspecting" just for the purpose of "inspecting", He would be acting outside the scope of the definition of "contractor" as set forth in the contractor licensing law. The definition of "contractor" as per the contractor's board does not include "inspection" and only contemplates bidding, constructing or supervising.

Definition: Contractor: means any person who undertakes to, attempts to, or submits a price or bid or offers to construct, supervise, superintend, oversee, direct, or in any manner assume charge of the construction, alteration, repair, improvement, movement, demolition, putting up, tearing down, or

furnishing labor, or furnishing labor together with material or equipment, or installing the same for any building, highway, road, railroad, sewer, grading, excavation, pipeline, public utility structure, project development, housing, or housing development, improvement, or any other construction undertaking for which the entire cost of same is fifty thousand dollars or more when such property is to be used for commercial purposes other than a single residential duplex, a single residential triplex, or a single residential home, or more than one single residential duplex, triplex, or fourplex, shall be deemed to be a commercial undertaking.

### **VIII**

The Board tabled the discussion to clarify how to properly use an electronic signature.

### **IX**

The Board tabled the discussion to prohibit home inspectors from offering repair prices, whether verbally or written.

### **X**

The Board also discussed contracting out Special Investigators (SIE) for complaints. Mr. Fritz Gurtler recommended contracting out Private Investigators and SIEs for complaints. Mr. Gurtler motioned that the Board advertise for proposals for interested parties in becoming a Private Investigator or SIE on a contract and as needed basis. Mr. Kevin Dinkel seconded and the motion passed.

**Executive session 12:36 P.M.**

**Open session 12:57 P.M.**

**Meeting Adjourned 12:58 P.M.**

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

Other attendees: Morgan Spinosa, COO; Marc LeBlanc, Paul Hebert, Joe Cook, Morgan Wood, Dale Young, Leon Sorbet, Paul Collucci, Kelly Zea, Thomas Kelting, Michael Carbo, Lawrence Herbert, Robin Campbell, Nathan Lemoine, Barry Landry, Roland LeBlanc, Connie Boudoin, Michael LeBas, Chris Gomez, Kim Callaway, Todd Malbrough, Therese Culotta, Gordon Atwell, Mike Jordan, Brian Alvarez, Roy Burst Jr. Sidney Chaisson

Minutes recorded by: C.O.O. Spinosa