



# The Inspector

Quarterly Newsletter

VOLUME 12, ISSUE 2

APRIL 2021

## Points of Interest

- The LSBHI office is open and accepting visitors by appointment only. Please contact the board office to schedule an appointment at [lsbhi@lsbhi.la.gov](mailto:lsbhi@lsbhi.la.gov)
- All fees must be paid and reporting up to date in order for annual renewals to be processed.



## 2021 MEETING DATES

- **March 5, 2021**
- **June 4, 2021**
- **September 10, 2021**
- **December 3, 2021**

All LSBHI Board meetings will commence at 9am unless otherwise noted. Special meetings, when needed, will be broadcasted. All meetings will be held at 5211 Essen Lane Suite 9, Baton Rouge LA 70809.

## 2021 First Quarterly Board Meeting

The Louisiana State Board of Home Inspector's first quarter Board meeting was held March 5, 2021 at the Board office in Baton Rouge. The meeting was also streamed via ZOOM.

The meeting was called to order by Chairman, Gordon Atwell at 9:11 a.m.

The Board began the meeting with the Pledge of Allegiance followed by the Board members reviewing and approving the minutes of the previous Board meeting.

The Board reviewed and approved education provider applications for the following: Clayton Costanza (infield trainer); James Schiro (infield trainer); Hayden Bell (infield trainer); Emily Beyer (infield trainer); Kary

Stevens (CE provider); Roland McCormick (CE provider); and Cary Morrell (live streaming CE)



There were four complaints on the agenda. One of which the SIE found no probable cause for a hearing and the complaint was dismissed. (see page 2)

The Board voted to end the extension that was given for inspectors who were unable to fulfill their CE requirements for their license renewal due

to the stay at home order and COVID19. The extension was put into place March 2020 to allow inspectors more time to obtain their CE without holding an expired license.

The extension only applies to those licensees whose license renewed between March 2020 and the beginning of 2021. When the extension was put into place, CE was not readily available and mostly online or live

streamed. Now that the State is in phase 3 there are plenty of opportunities for CE. **Beginning June 4, 2021** all renewals must meet the usual requirements in order for the license to be renewed. **NO EXCEPTIONS!**

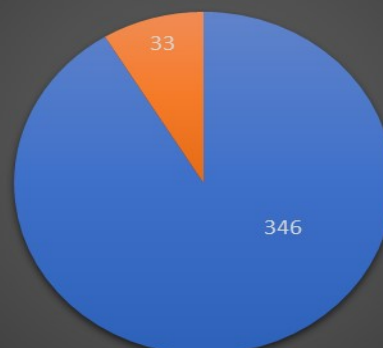
The Board meeting was later adjourned by Chairman, Gordon Atwell at 1 p.m.

## Louisiana Home Inspectors

33 - INACTIVE

346 - ACTIVE

As of April 2021



## **Disciplinary Actions from March 5, 2021**

**C-20-014 Saylor v. Ferraro LHI#11080**– Both parties were present and sworn in by the board chairman. Allen Graves served as prosecuting attorney and Sherri Morris served as the respondents attorney. The Complainant alleged that the Respondent violated LAC46XL.501B.1, 501B.8, and 501B.12. The Complainant testified that the Respondent performed a home inspection on her home in early July 2020 for potential buyers. The report noted that the home has asbestos and considerable amounts of deferred repairs. The complainant testified that they made several of the repairs noted in the report after the purchase agreement fell through, and as of the day of the hearing, there was still no confirmed asbestos in the home. There was a second purchase agreement received on the home in late August 2020. The potential second buyers contacted the Respondent to perform an inspection on the same property. The Complainant stated that the Respondent never came back out to the property to do an inspection, but rather sold the client the first inspection report that he completed July 2020 which resulted in another cancelled purchase agreement. The Complainant testified that the inspection report sold to the potential buyer by the Respondent did not reflect the current condition of the home, as the condition of the home was not the same as it was for the first inspection. The Respondent testified that he offered to perform an inspection for the second client. The Respondent informed the second client that he had already performed an inspection on the property back in July 2020. The Respondent stated that the second client asked if he could purchase the old report for a lesser fee. The Respondent stated that his pre-inspection agreement allows for him to re-sell a previous inspection report as it is his intellectual property. The Respondent stated that he informed the second buyer that he would be receiving an old report and the report was not a reflection of how the house stands today. As a result, the Board rendered its decision based upon the exhibits entered into evidence and the testimony of the complainant and respondent. The Board determined that, although the pre-inspection agreement between the Respondent and the original client stated that the home inspection report was the intellectual property of the Respondent, the agreement also stated that the report was for the sole and exclusive use of the Client. The agreement goes on to state that the use of any and all disclosures contained within the inspection report is specifically restricted to the transaction for which the inspection was performed. Despite these representations in the agreement with the initial client, the Respondent sold the report to a subsequent client which caused a third party to lose a sale. By a vote of 4 to 0 (Bill Harris abstained), the Respondent was found guilty of violating LAC46XL.501B.1, failing to avoid conflicts of interest or activities that compromise, or appear to compromise, professional independence, objectivity, or inspection integrity; 501B.8, failing to act in good faith toward each client and other interested parties; and 501B.12, failing to avoid activities that may harm the public, discredit himself or reduce public confidence in the profession. Since the same actions of the Respondent encompassed all three ethical violations with which he was charged, the Board voted to combine all three fines into one. The Respondent was ordered to pay a fine of \$1000.00 for violating LAC46XL.501B.1, 8 & 12. In addition, the Respondent was ordered to pay \$173.38 in administrative cost. The total fine \$1173.38

**C-20-004 Burroughs/Badeaux v. Morrow LHI#10807**– Both Burroughs and Morrow were present and sworn in by the board chairman. The Complainant alleged that the Respondent violated LAC46XL.305B.1a,d & e. The Complainant presented evidence that the Respondent's signature was not on the report and that the pre-inspection agreement stated that the inspection would be performed in accordance with Indiana's standards of practice. The Respondent admitted to the oversight on the pre-inspection agreement regarding its reference to Indiana's standards of practice. He stated it was new software and he made the wrong assumption thinking it was correct. The Respondent also noted that he did not perform the inspection at 2303 Myrtle Street. After much discussion, the Board rendered its decision based upon the exhibits entered into evidence and the testimony of the complainant and respondent. The Board determined that the Respondent did not willfully and substantially violate LAC46XL.305B.1a,d & e as he did not perform the inspection. By a vote of 4 to 0, the Board dismissed the complaint in its entirety.

Continued on page 5

# STATS

## Monthly Reporting Totals

	<u>2020</u>	<u>2021</u>
January	3431	4195
February	3756	4564
March	4290	6070
April	3192	-
May	4711	-
June	5733	-
July	5642	-
August	5277	-
September	4898	-
October	4627	-
November	4211	-
December	3887	-

2020 Total Inspections: 53674

2019 Total Inspections: 45596

2018 Total Inspections: 42697

2017 Total Inspections: 41044

The Louisiana State Board of Home Inspectors would like to recognize our newest Licensed Home Inspectors for 2021. These inspectors were licensed during the first-quarter of 2021:

♦ Marc Tremblay	#11198
♦ Jason Newman	#11199
♦ Emily Thibodeaux	#11200
♦ Todd Nelson	#11201
♦ Robert Kimbell	#11202
♦ Brett Waguespack	#11203
♦ Vernon Jones	#11204
♦ Stephen Burnett	#11205
♦ Jordan Small	#11206
♦ Raymond Hendry	#11207

## Louisiana State Board of Home Inspectors

*Governor*  
**John Bel Edwards**

*1st Congressional District*  
**Ashley van der Meulen**

*2nd Congressional District*  
**William B. Harris Jr.**

*3rd Congressional District*  
**James Yaeger**

*4th Congressional District*  
**Paul Collucci**

*5th Congressional District*  
**Mike Roberts**

*6th Congressional District*  
**Gordon Atwell**

*At Large Member*  
**Scott Hearne**

*Chief Operating Officer*  
**Morgan Spinosa**



*Legal Counsel*  
**Albert Nicaud**





## Live Streaming Update

The Board unanimously voted to allow home inspectors to receive continuing education credit for attending LIVE Streaming CE and have it count as “In-Class” credit throughout the COVID 19 recovery. **This change has been extended until June 2021.** At that time, the Board will reassess the situation to determine if it should be extended or not.

### **List of Board Approved LIVE STREAMING CE Providers**

American Inspection Academy

ASHI

Ashley van der Meulen

Cary Morrell

LA HOUSE

Monroe Infrared Technology (limited to 8 hours pursuant to LAC46XL.121B.5\*\*)

Mike Burroughs

TREET

### **LIVE Streaming Rules:**

Class size is limited to 25 participants

Each participant must use video (no blank screens allowed) and must participate

Each class is limited to 2-hour blocks with a maximum of 6 hours per day.

LIVE streaming should not be confused with online CE. Online CE\* is still limited to 10 hours of CE per licensing period.

All LIVE streaming courses will be broadcast by the LSBHI as well as listed on the calendar which can be found on our website.

*\*LAC46XL.121B.8*

*8. The licensee may receive up to a maximum of 10 hours of continuing education credit per licensing period for any combination of the following types of classes as set forth in Paragraphs 5-7 of this Subsection:*

*a. online courses;*

*b. streaming video courses; (temporarily counts as “in-class” CE until December 4, 2020)*

*c. courses given by an unapproved instructor and courses which are outside the scope of the standards of practice but deals with the construction industry.*

*\*\*LAC46XL.121B.5*

*5. The licensee may receive up to eight hours of continuing education credit per licensing period for courses taught by a board-certified continuing education provider, dealing with the construction industry, but outside the scope of the standards of practice.*

If you have any questions regarding LIVE Streaming, please email us at [lsbhi@lsbhi.la.gov](mailto:lsbhi@lsbhi.la.gov)

## .....complaints continued from page 2

**C-20-005 Burroughs/Badeaux v. Pickett LHI#10978**– Both Burroughs and Pickett were present and sworn in by the board chairman. The Complainant alleged that the Respondent violated LAC46XL.305B.1a,d &e; 305B.3d; 311B.1; 327B.1&2; and 501B.14. The Complainant presented evidence that the Respondent's signature was not on the report and that the pre-inspection agreement stated the inspection would be performed in accordance with Indiana's standards of practice. The Respondent admitted to the oversight on the pre-inspection agreement regarding its reference to Indiana's standards. After much discussion, the Board rendered its decision based upon the exhibits entered into evidence and the testimony of the complainant and respondent. By a vote of 4 to 0 (Bill Harris abstained), The Board determined that the Respondent was in violation of LAC46XL.305B.1a,d &e for failing to provide the client with the correct version of the standard of practice, signed pre-inspection agreement and state the pre-inspection agreement was done in accordance with the state of Louisiana. As well as LAC46XL305B.3d for failing the have the inspector's signature on the report. The Board determined by a 4 to 0 (Bill Harris abstained) that the remaining alleged violations(LAC46XL.311B.1; 327B.1&2 and 501B.14) were not willful and substantial; therefor dismissed. The Respondent was ordered to pay a fine of \$188.40 (administrative cost) for violating LAC46XL.305B.1a,d &e and 305B.3d. In addition to the fine, the Respondent must attend the next available Board approve Standards of Practice and Report Writing Seminar without receiving CE credit.

**C-20-015 Bourgeois v. Lochard LHI#11032**- SIE found no probable cause, complaint was dismissed.

The LSBHI website provides up to date information regarding upcoming continuing education courses.

Click below to view the calendar that is updated daily.







[Fourth Quarter 2020 Board Meeting Minutes](#)

[Pre-Inspection Agreement–updated 12/9/2020](#)

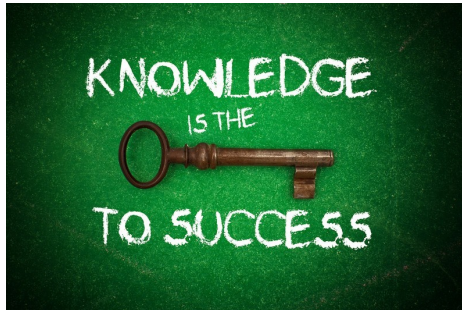
[Change of Address Form](#)

[\*\*Title 46 Professional and Occupational Standards Part XL. Home Inspectors\*\*](#)

---

Are you looking for continuing education? Visit our website for a list of Board approved providers.

[CLICK HERE](#)



## **Filing Monthly Reports Online**

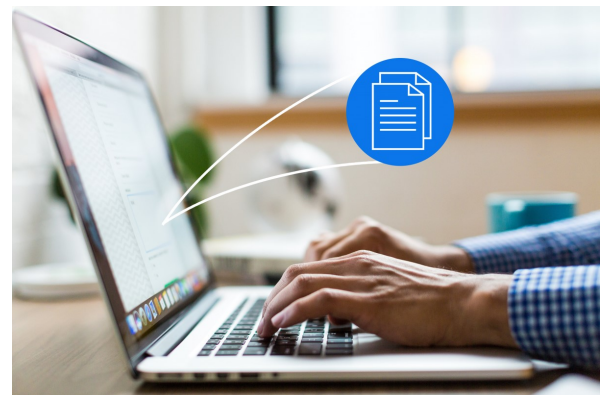
The LSBHI prefers for monthly reporting to be filed online. This service is available to all Home Inspectors. The online service is only available for filing monthly reports.

All ACTIVE inspectors must file a report every month regardless of the number of inspections performed. Be sure the that “report month” matching the month the inspections were performed.

Instructions for filing online [click here](#)

Create an account: [click here](#)

**Start  
Report**



# Board Members Term Soon to Expire

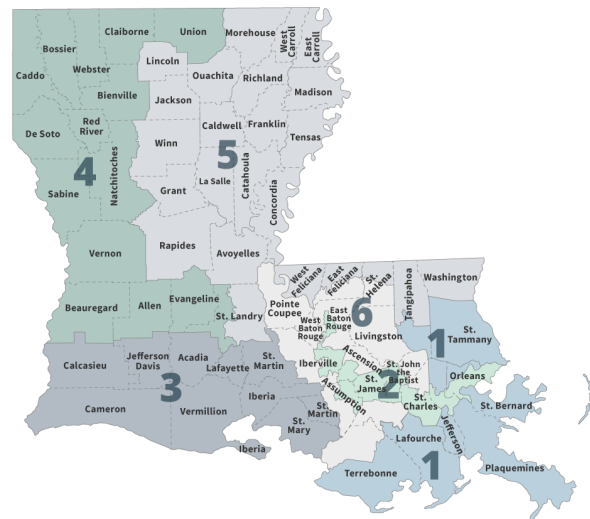
The term for the board members representing **congressional district no. 3 and no. 4** will expire **March 2021**. The board shall be composed of one member from each of the six congressional districts and one at-large board member that can be drawn from any of the congressional districts. Each member is appointed by the governor from a list of nominees submitted by the board of directors of the [Louisiana Chapter of the American Society of Home Inspectors](#), the [Louisiana Realtors Association](#), and the [Louisiana Homebuilders Association](#). Each member of the board shall serve a four year term. Each member shall have been actively engaged in the home inspection business on a full-time basis for three years preceding the appointment.

In order for the Governor to accept a nomination from the organizations mentioned above, an application must be submitted. Click below to complete the application.

Apply now



A NON-PROFIT TRADE ASSOCIATION FOR THE  
HOME BUILDING INDUSTRY





**Louisiana State Board of Home Inspectors  
5211 Essen Lane Suite 9  
Baton Rouge LA 70809**

**225-248-1334 Fax 225-248-1335  
[lsbhi@lsbhi.la.gov](mailto:lsbhi@lsbhi.la.gov)**



NOTICE: LA RS 37:23.2: Each applicant or licensee may submit complaints about actions or procedures of the Board to the Board (5211 Essen Lane Suite 9, Baton Rouge LA 70809, 225-248-1334, [LSBHI@lsbhi.la.gov](mailto:LSBHI@lsbhi.la.gov)) or directly to the House and Governmental Affairs Committee (P.O. Box 944486, Baton Rouge, LA 70804, 225-342-2403, [h&ga@legis.la.gov](mailto:h&ga@legis.la.gov)) or to the Senate and Governmental Affairs Committee (P.O. Box 94183, Baton Rouge, LA 70804, 225-342-9845, [s&g@legis.la.gov](mailto:s&g@legis.la.gov)).