



# The inspector

Quarterly Newsletter

VOLUME 13, ISSUE 4

OCTOBER 2022

## 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.



## 2022

### MEETING DATES

- March 4, 2022
- June 3, 2022
- September 9, 2022
- December 2, 2022

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.

## 2022 Third Quarterly Board Meeting

The Louisiana State Board of Home Inspector's third quarter Board meeting was held September 9, 2022 at the Board office in Baton Rouge.

The meeting was called to order by Chairman, Gordon Atwell at 9:02 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 the education provider applications for Charles

Axelrad (CE provider); Emily Beyer (CE provider); Trevor Brady (In-field Trainer); and James Green (In-field Trainer).



There were four complaints on the agenda. Of the four complaints, one was dismissed as they SIE found no probable cause for a hearing

(see page 2).

Board Attorney, Albert Nicaud notified the public that the ruled changes will go into effect September 20, 2022. The Board office will send out notification to all LHI's as well as a copy of the most recent SOP.

The meeting was later adjourned by Chairman, Gordon Atwell at 2 p.m.

## Congratulations New Board Members!

*District 2— Dave Holt*

*At Large— Jean Picou Jr.*

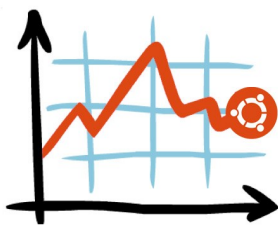
## **Disciplinary Actions from September 9, 2022**

**C-22-003 Gypin v. Vallery LHI#10777**– Both parties were present and sworn in. The complainant alleged that the HI violated LAC46XL.311A.3(HI shall inspect structural components including: columns); 311.B.3(HI shall describe the type of wall structure); 313A.5(HI shall inspect soffits); 315A.1(HI shall inspect roof coverings); 325B.2(HI shall report signs of abnormal or harmful water penetration into the building). Both the complainant and respondent provided testimony and entered exhibits into evidence. After much discussion the Board ruled the Mr. Vallery was in violation of both 311A.3 (5-1 vote) for failing to inspect the archway as it did serve as a column and 315A.1 (6-0 vote) for failing to inspect the roof covering. The Board determined that there were no violations for the following allegations, 311B.3 (6-0 vote) the respondent did indeed describe the type of wall structure in his report; 313A.5 (6-0 vote) the respondent reported on the soffits on page 21 of his report; and lastly 325B.2 (5-1 vote) the Board determined that there was no sign of water penetration at the time of the inspection based off of the evidence provided. The Respondent was ordered to pay a fine of \$50.00 for violating LAC46XL.315A.1. In addition, the Respondent was ordered to pay \$172.79 in administrative costs as well as attend the next available Standards of Practice and Report Writing Seminar without receiving continuing education credit hours for violating LAC46XL.311A.3. The total fine amount is \$222.79.

**C-22-004 Roberts v. Burroughs LHI#10044**– Both parties were present and sworn in. The complainant alleged that the HI violated LAC46XL.119G.1 & 2 ([In-field training see SOP](#)); 121E([Continuing Education see SOP](#)); 121F5&6 ([Continuing Education see SOP](#)); and 501B.12&14 (HI shall avoid activities that may reduce public confidence & LHI shall report substantial and willful violations of this Code.) Both the complainant and the respondent provided testimony and entered exhibits into evidence. The Board reviewed the evidence and heard additional testimony from Paul Brunet and Brent Roberts. After much discussion the Board ruled the Mr. Burroughs was in violation of both LAC46XL.121F.5 & 6(5-0 vote; Paul Brunet recused himself from all voting) for repeatedly failing to timely provide students with CE certificates and for failing to submit sign in sheets to the Board office. The Board determined that there were no violations for the following allegations: LAC46XL.119G &2; 121E; and 501B.12&14.(5-0 vote; Paul Brunet recused himself from all voting) The Respondent was ordered to pay a fine of \$500.00 for violating LAC46XL.121F.5 and 6 plus the cost of administrative fees (\$179.92). In addition to the monetary fine, the Board ordered that Mr. Burroughs be put on probation for 1 year. If Mr. Burroughs is brought back before the board and found in violation of the LAC46XL or Licensing Laws, his license would automatically be suspended. The total fine amount is \$679.92.

**C-22-005 LSBHI v. Hulse (Not Licensed)**- Mr. Hulse was present and sworn in. The respondent admitted to performing an inspection without a license. He stated that he was doing a friend a favor but did indeed produce a report for a fee but he does not advertise as a home inspector. After testimony was heard the Board found the respondent guilty for violations LAC46XL139B.2 and Licensing Law 1485B.2. (engaging in conduct or advertising or holding oneself out as engaging in or conducting the business or acting in the capacity of a home inspector without possessing a valid license). The Respondent is ordered to pay a fine of \$300.00 (includes administrative fees) for violating LAC46XL.139B.2 and 1485B(2) of the Louisiana Home Inspector Licensing Law Chapter 17-A. In addition to the fine set forth above, the Louisiana State Board of Home Inspectors ordered a **Cease and Desist**. The Respondent must cease and desist from engaging, conducting, or advertising as a home inspector, immediately.

**C-22-007 Krumnow-Hueholt v. Paradela LHI#10501**– SIE found no probable cause, complaint was dismissed.



### Monthly Reporting Totals

	<u>2021</u>	<u>2022</u>
January	4195	4440
February	4618	4839
March	6173	5931
April	6302	5701
May	5954	5550
June	6159	5129
July	5891	4244
August	5238	4502
September	4226	3777
October	4898	-
November	4513	-
December	3981	-

2021 Total Inspections: 62178  
 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 2022. These inspectors were licensed during the third-quarter of 2022:

♦ Zachery Nichols	LHI#11321
♦ James Barfield	LHI#11322
♦ Ricky Dinger	LHI#11323
♦ Nicholas Rebouche	LHI#11324
♦ Mark Hammett	LHI#11325

## Louisiana State Board of Home Inspectors

*Governor*  
**John Bel Edwards**

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

*2nd Congressional District*  
**Dave Holt**

*3rd Congressional District*  
**Paul Brunet**

*4th Congressional District*  
**Fredrick Williams**

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

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

*At Large Member*  
**Jean Picou Jr.**

*Chief Operating Officer*  
**Morgan Spinosa**



*Legal Counsel*  
**Albert Nicaud**





*"We cannot solve  
our problems with  
the same thinking  
we used when we  
created them."*

*-Albert Einstein*

## Did You Know??

- ◆ The LHI must be personally listed as a "party" to the inspection agreement. However, it is acceptable for the LHI's company to be listed as a party to the agreement, as long as the LHI is listed as a representative of the company. For example: Jon Doe on behalf of JD Home Inspections LLC. In addition the LHI performing the inspection must sign the inspection report and include his/her LHI number.
- ◆ A photograph alone does NOT satisfy reporting requirements unless there is a written descriptive narrative included with the photograph.
- ◆ [The Inspection Agreement on the website](#) has been updated to reflect that the "Rules of Construction Dispute Resolution Services" has been removed and the "Construction Rules of the American Arbitration Association" has been substituted.
- ◆ It is not recommended that an LHI reference other SOP's in their agreement, but it is not prohibited as long as you reference the LSBHI standards of practice as well.

## Smoke & Carbon Monoxide Detectors

Effective January 1, 2023, Act 458 of the 2022 Regular Session of the Louisiana Legislature ("Act") changes the fire and life safety requirements of one or two-family residential homes, relating to the presence of carbon monoxide (CO) detectors. In addition, the Louisiana Uniform Construction Code Council amended the International Residential Building Code ("IRC") with those changes also becoming effective on Jan. 1, 2023.

This Guidance Notice means to notify you of the Act 458 re-

quirements and further provides fire and life safety industry best practice recommendations, relating to the presence of CO detectors in one or two-family dwellings.

### ACT 458 REQUIREMENT

Every one or two-family house/dwelling sold and/or leased after January 1, 2023 shall have at least one operable, life-long, sealed battery carbon monoxide (CO) detector.

The LSBHI voted to add verbiage to our current rule

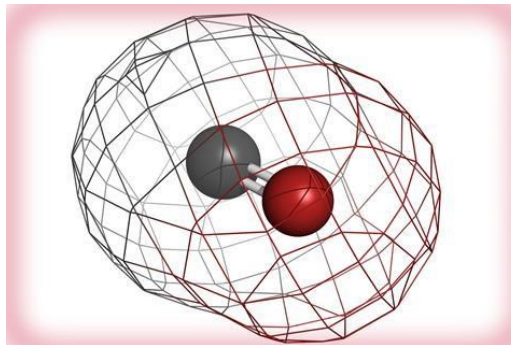
LAC46XL.319D which would state the following:

§319. Electrical System  
D. The home inspector shall report on the presence or absence of smoke detectors and carbon monoxide alarms.

The LSBHI rules will fall in line with ASHI and other national organizations. This change will not require the LHI to test the alarm.

For more information on ACT 458 please visit the notice linked below.

[http://www.lasfm.org/doc/press/pr\\_2022-33a.pdf](http://www.lasfm.org/doc/press/pr_2022-33a.pdf)





[Second Quarter 2022 Board Meeting Minutes](#)

[Pre-Inspection Agreement–updated 10/27/2022](#)

[Change of Address Form](#)

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

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

[CLICK HERE](#)



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## **Filing Monthly Reports Online**

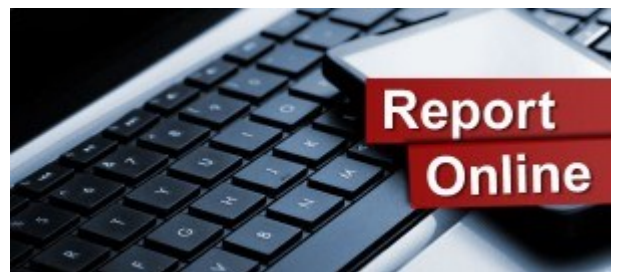
The LSBHI prefers for monthly reporting to be filed online. This service is available to all Home Inspectors. The online service is only available for filing monthly reports.

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**







**Louisiana State Board of Home Inspectors  
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[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)).