

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

Friday, September 8, 2023
9:00 AM
Office of the LSBHI
5211 Essen Lane Suite 9, Baton Rouge

Board Members in Attendance:

District 1 – William Paternoster	District 4 – Fredrick Williams
District 2 – David Holt	District 5 – Mike Roberts
District 3 – Paul Brunet	District 6 – John McLaughlin
	At Large – Jean Picou Jr.

I

Those members being in attendance, Chairman Fred Williams 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 a motion was made and seconded to approve the minutes as written.

II

Review Background Checks: The individuals were sworn in by the Board Chairman and given the opportunity to discuss their background checks. After much discussion and testimony, the Board voted as follows:

Tianne Moore- tabled- Ms. Moore was not present

Dexter Reed- Jean Picou Jr. motioned to approve, seconded by Paul Brunet, and the motion passed. (7-0)

Kenneth Jackson- Paul Brunet motioned to approve, seconded by Jean Picou Jr. and the motion passed. (7-0)

III

C-23-002 Royalty v. Ogden LHI#11233- Dismissed, the SIE found no probable cause for a hearing.

C-23-003 Preece v. Ogden LHI#11233- Dismissed, the SIE found no probable cause for a hearing.

C-23-004 McElwee v. Zepeda LHI#11196-Both parties were present and sworn in. Mr. Paul Palermo was also present representing Mr. Zepeda. The Complainant alleged that the Respondent violated LAC46XL.305B.1a(LHI shall provide the client with a pre-inspection agreement and state that it was done in accordance with the LA SOP); 305B.1d(pre-inspection shall contain copies of the SOP and COE); 311B.3(LHI shall describe the type of wall structure); 311B.4(LHI shall describe the type of columns); 311C.1(LHI shall probe structural components only where deterioration is visible, except where probing would damage any surface); 313B.3&4(LHI shall operate garage doors and test the safety beam reverse feature and report whether or not the garage door operator is equipped with a pressure-sensitive feature and whether it was tested). The complainant and respondent provided testimony and entered exhibits into evidence. After much discussion, the Board ruled that Mr. Zepeda was not in violation of LAC46XL.305B.1a (4-2). It was determined that the respondent did provide his client with a

pre-inspection contract in accordance with our rules. The Board determined that the Respondent was in violation of LAC46XL.305B.1d (6-0 vote) for failing to provide a copy of the standards of practice stating the hyperlink that was provided in the pre-inspection agreement doesn't fulfill this requirement. The Board determined that the Respondent was not in violation of 311B.3(4-2 vote) as he did describe the wall structure in his report. The Board ruled that the Respondent was in violation of 311B.4(6-0 vote) as he did not properly describe the type of columns in his report. Photos do not fulfill the requirements for a description. A photo must include a caption and/or the description must be written in the report. The Board ruled that the Respondent was in violation of 311C.1(6-0 vote) it was determined that he failed to report on whether or not he probed the poles in the rear of the house. The Board also found the Respondent in violation of both 313B.3&4(6-0 vote). It was determined that he did not state whether or not the garage door was equipped with a pressure-sensitive safety reverse feature. A link to a video and or a picture does not meet the requirements set forth in these rules. The Respondent was ordered to pay a fine of \$100.00 for violating LAC46XL.305B.1d; \$100.00 for violating LAC46XL.311B.4; \$100.00 for violating LAC46XL.311C.1; \$100.00 for violating LAC46XL.313B.3 & 4; plus, administrative costs (\$159.48). In addition to the monetary fine (\$559.48), the board ordered that Mr. Zepeda attend the next available Standards of Practice and Report Writing seminar without receiving CE credit.

C-23-006 Moore v. Deville LHI#11309-Both parties were present and sworn in. The Complainant alleged that the Respondent violated LAC46XL.313A.6(LHI shall inspect vegetation, grading, drainage, driveway, patios, walkways, and retaining walls with respect to their effect on the condition of the building) The Complainant and Respondent provided testimony and entered exhibits into evidence. After much discussion, the Board ruled that Mr. Deville was not in violation of LAC46XL.313A.6. (5-1 vote) It was determined that the Respondent did inspect the grading of the home in accordance with the standards of practice. The complaint was dismissed.

C-23-007 Barron v. Rothell LHI#11170- Dismissed, the SIE found no probable cause for a hearing.

IV

The Board reviewed and approved the application for the following providers:

Aldo Russo-In-field Trainer -Paul Brunet motioned to approve, and Jean Picou Jr. seconded the motion. The motion carried with a 7-0.

Shane Alexander-In-field Trainer -Paul Brunet motioned to approve, and Jean Picou Jr. seconded the motion. The motion carried with a 7-0.

V

Mr. Jean Picou Jr. motioned that the board appoints a CE provider reviewer. Mr. Picou suggested Mr. Barry Landry. The reviewers would only receive reimbursement for travel. The motion was seconded by Paul Brunet and the motion was carried unanimously. It was then decided that the board would review the CE reviewer checklist during the December board meeting. The reviewer would be required to follow this checklist during its reviews.

VI

Morgan Spinosa introduced two possible companies for moving applications online. The Board reviewed proposals from Thentia and inLumon. Paul Brunet motioned to accept Thentia's proposal. John McLaughlin seconded and the motion was carried unanimously.

VII

Jean Picou Jr. motioned to have board meetings six times a year. Mike Roberts seconded the motion. The motion dies by a 2yay-5nay vote. Mike Roberts and Jean Picou Jr. were in favor of the motion. The remaining five members were not in favor of this motion.

VIII

It was proposed to allow the Standards of Practice and Report Writing Seminar to count towards CE if taken every year. William Paternoster motioned to accept this proposal. It was seconded by Jean Picou Jr. The motion carried with a 7-0 vote.

Effective immediately, all attendees will receive CE credit for attending the SOP and Report Writing Seminar once a year.

The meeting adjourned at 11:30 am

Other attendees: Albert Nicaud, Board Attorney; Morgan Spinosa, COO; Barry Landry; Brad Aldridge, Joe Cook Jr; Gordon Atwell; William Harris; Brandy Allain; Wayne Young; Morgan Wood; Mike Burroughs; Mark Gerber; Scott Hearne; Robert Smith; Dexter Reed; Brandon Fontenot; Sally Moore; Brent Sharpe; Cheryl Howard; Peter Forrestall; Louis Schaff; Shane Alexander; Alex Zepeda; Paul Palermo; Terrance Dunn; Alex McElwee; Nathan Lemoine; Mike Jordan; Kenneth Jackson; Roland LeBlanc; James Yaeger; John Deville

Minutes recorded by: C.O.O. Spinosa