



# The Inspector

Quarterly Newsletter

VOLUME 14, ISSUE 4

OCTOBER 2023

## 2023 Third Quarterly Board Meeting

### 2023 MEETING DATES

- March 10, 2023
- June 2, 2023
- September 8, 2023
- December 1, 2023

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.

The Louisiana State Board of Home Inspector's second quarter Board meeting was held September 8, 2023 in Baton Rouge.

The meeting was promptly called to order by Chairman, Fred Williams at 9:00 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.

There were two complaints heard during the third quar-

terly board meeting. (see page 2)

The Board then reviewed and approved the in-field trainer provider applications for Mr. Aldo Russo and Shane Alexander.

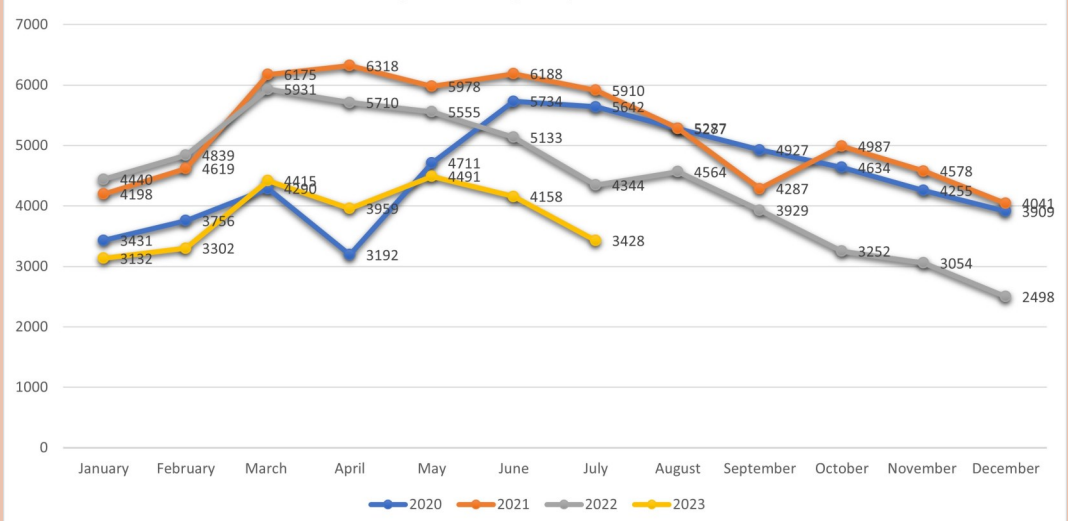
Next, Mr. Jean Picou Jr., made a motion to approve Mr. Barry Landry as a CE provider reviewer. It was seconded and approved by a unanimous vote. The Board then voted to review the current CE review check list and approve it at the December board meeting. The CE reviewer would be reimbursed for

travel only.

Chief Operating Officer, Morgan Spinoso, discussed two proposals for online/cloud services. After much discussion the board unanimously voted to approve, Thentia, and to move forward with the contract.

The Board meeting was later adjourned by Chairman, Fred Williams at 11:34 am.

Yearly/Monthly Inspection Totals



## **Disciplinary Actions from September 8, 2023**

**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.





The Louisiana State Board of Home Inspectors would like to recognize our newest Licensed Home Inspectors for 2023. These inspectors were licensed during the third-quarter of 2023:

**Monthly Reporting Totals**

	<u>2022</u>	<u>2023</u>
January	4440	3151
February	4839	3307
March	5931	4438
April	5710	3969
May	5555	4513
June	5133	4186
July	4344	3609
August	4564	3640
September	3900	
October	3251	
November	3009	
December	2466	

♦ Robert Fuller	LHI#11356
♦ Jeramy Richards	LHI#11357
♦ Michael Payton	LHI#11358
♦ Michael Maher	LHI#11359
♦ William Coffey	LHI#11360
♦ Stanley Byrd	LHI#11361
♦ Philip Lewis	LHI#11362
♦ Tim Cazabon	LHI#11363
♦ Doyle Adams	LHI#11364
♦ Todd Sims	LHI#11365
♦ Greg Berger	LHI#11366
♦ Casey Panepinto	LHI#11367
♦ Steven Cortez	LHI#11368
♦ Joseph Aguzin	LHI#11369

2022 Total Inspections: 53290  
 2021 Total Inspections: 62566  
 2020 Total Inspections: 53758  
 2019 Total Inspections: 45611

## Louisiana State Board of Home Inspectors

*Governor*  
**John Bel Edwards**

*1st Congressional District*  
**William “Billy” Paternoster**

*2nd Congressional District*  
**David Holt**

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

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

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

*6th Congressional District*  
**John “Danny” McLaughlin**

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

*Chief Operating Officer*  
**Morgan Spinosa**



*Legal Counsel*  
**Albert Nicaud**



# Rule Update

During the third quarter board meeting the Board voted in favor of changing the rules which limit the amount of times you can attend the Standards of Practice and Report Writing Seminar and receive CE credit. Prior to the September 8, 2023 board meeting, LHI's could only attend the SOP Seminar once every two years in order to receive CE credit.

As of September 8, 2023, each LHI can attend the SOP seminar every year and receive CE credit. This rule update is affective immediately.

This does not change the rule (LAC46XL.121B.11) which still requires each LHI to attend the SOP Seminar at least once every three years.



# Law Update

Effective August 1, 2023, Act 338 of the 2023 Regular Session of the Louisiana Legislature ("Act") changes to R.S. 37:1478(B) and reads as follows:

§1478. Written reports; solicitation prohibited

For a period of one year following the date of a home inspection, neither the home inspector nor any company or firm with which the home inspector is an employee, owner, or independent contractor, shall solicit to repair, replace, or upgrade or repair, replace, or upgrade for compensation any system or component of the home that the home inspector noted in the home inspection report as deficient, in need of repair or replacement, or unsafe.

Effective August 1, 2023, Act 338 of the 2023 Regular Session of the Louisiana Legislature ("Act") changes to R.S. 15:587(A)(1)(a) and reads as follows:

§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information

A.(1)(a) The bureau shall make available upon request, or at other times as the deputy secretary shall designate, to any eligible criminal justice agency and the division of administration, office of technology services, the Louisiana Department of Education, the Louisiana Department of Health, the state fire marshal when reviewing applications for licensure, the Louisiana Manufactured Housing Commission when reviewing applications for licensure, the Department of Children and Family Services, the Department of Insurance, the Louisiana State Racing Commission, the Senate Committee on Senate and Governmental Affairs Committee, the House Committee on House and Governmental Affairs Committee, the secretary of the Louisiana Workforce Commission or his designee, the Board of River Port Pilot Commissioners, the Louisiana State Board of Home Inspectors, the Office of Financial Institutions in the office of the governor, the office of the disciplinary counsel of the Louisiana Attorney Disciplinary Board of the Louisiana State Bar Association; however, as to any licensed attorney this information shall be provided only after the issuance of a formal charge against the attorney, the Louisiana Supreme Court Committee on Bar Admissions, the municipal or parish department or personnel responsible for reviewing applications for alcoholic beverage outlet permits, and the legislative auditor any information contained in the criminal history record and identification files of the bureau. The Department of Children and Family Services may provide information secured pursuant to this Subsection to all federal and state agencies providing child support enforcement services.



## Submission of Annual Reports

Is it time for your annual license renewal? If so, we would like to request that you submit your report via email. The report must be a recent report performed for a client and must include the signed pre-inspection agreement as well as the Standards of Practice provided to the client. Sending your report via email will help expedite the “Report Review” process. It is not mandatory but highly encouraged. You can email the report to [LSBHI@lsbhi.la.gov](mailto:LSBHI@lsbhi.la.gov)

All other **renewal documents** must be mailed along with the renewal application and fee. You can find a copy of the renewal of the application below.

[Renewal Application](#)

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

Click below to view the calendar that is updated daily.

[CLICK HERE](#) 

## 2023 Board Meeting Dates

March 10, 2023  
June 2, 2023  
September 8, 2023  
December 1, 2023



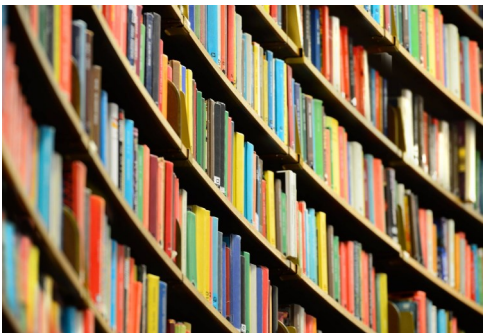
## [Second Quarter Board Meeting Minutes](#)



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

## [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 highly recommends 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 that the “report month” matches the month the inspections were performed.

Instructions for filing online [click here](#)

Create an account: [click here](#)



**Start  
Report**

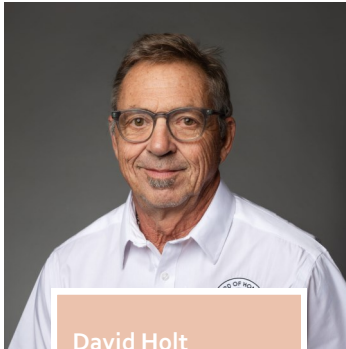
---

## Board Members and Staff



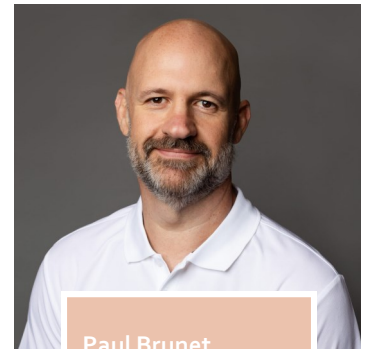
Billy Paternoster

1st Congressional District



David Holt

2nd Congressional District



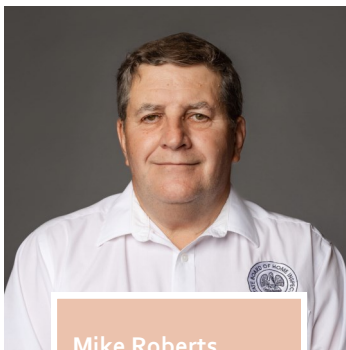
Paul Brunet

3rd Congressional District



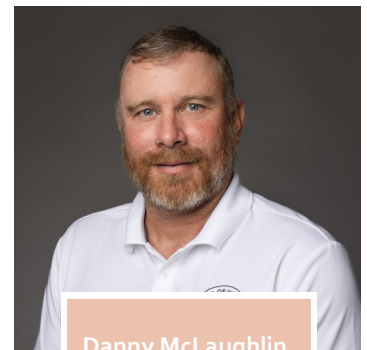
Fred Williams

4th Congressional District



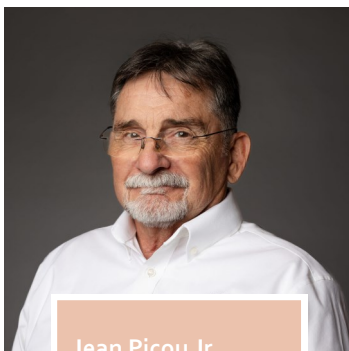
Mike Roberts

5th Congressional District



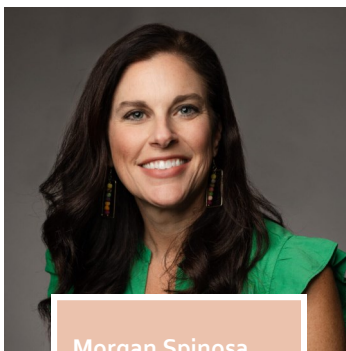
Danny McLaughlin

6th Congressional District



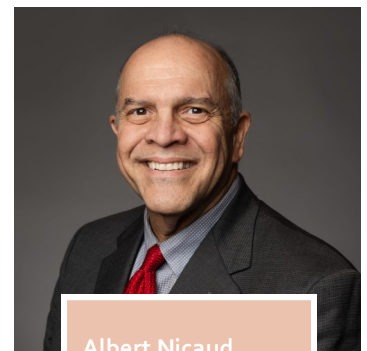
Jean Picou Jr.

At Large Member



Morgan Spinosa

Chief Operating Officer



Albert Nicaud

Legal Counsel

---

---



**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)).