

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION

HOME INSPECTION LICENSING BOARD
Tel. No. (860) 713-6145

-MINUTES-

NOVEMBER 5, 2010

The Connecticut Home Inspection Licensing Board held a meeting on Friday, November 5, 2010 which was called to order at 9:32 A.M. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Board Members Present: Richard J. Kobylenski (*Home Inspector*)
James J. O'Neill (*Public Member*)
Bruce D. Schaefer (*Home Inspector*)
Daniel Scott (*Public Member*)
David B. Sherwood (*Home Inspector*)
William Stanley, Jr. (*Home Inspector*)
Lawrence R. Willette (*Home Inspector*)

Board Members

Not Present: Eric Curtis (*Public Member*)

Board Member Vacancies: *None.*

Board Counsel: Not present, as requested.

DCP Staff Present: Robert M. Kuzmich

Others Present: None

Note: The administrative functions of the Boards, Commissions, and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, contact Richard M. Hurlburt, Director, at (860) 713-6135 or Fax (860)-706-1255.

Agency Website: www.ct.gov/dcp

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1. Call to order by Chairman William Stanley, Jr.

Chairman William Stanley, Jr. called the meeting to order at 9:32 AM.

2. Review of minutes of the August 6, 2010 meeting of the Board.

After a thorough review, *the Board voted, unanimously, to approve the minutes as written. (O'Neill/Willette)*

3. Review of Final Decisions and Orders.

Chairman Bill Stanley acknowledged that there are no Final Decisions and Orders before the Board today.

4. Applications for review.

Chairman Bill Stanley acknowledged that there are no applications before the Board today.

5. Applicants appearing before the Board.

Chairman Bill Stanley acknowledged that there are no applicants appearing before the Board today.

6. Formal Hearings to be held.

Chairperson Bill Stanley acknowledged that there are no Formal Hearings scheduled for today's meeting.

7. Old Business

A. Home Inspection Course Application for Pre-Licensing;

Courses: InterNACHI's Pre-Licensing Curriculum (134 hrs.)

*School: InterNACHI.
 1750 30th Street
 Boulder, Colorado 80301*

Mr. Sherwood note that there are four components missing from this school's submittal. Mainly these components are quizzes and answer sheets which make it difficult to confirm their validity relative to the material being taught. Mr. Sherwood attempted to e-mail his review sheet to the Board and staff but no one has received it. He will e-mail his check list again to Mr. Kuzmich.

Ms. Bullock asked the Board if this Board has specific periods of time for course reviews. In response, Mr. Stanley noted that at the time the school applies for approval, the Board usually assigns two members to step down and review their submittal based upon a standard checklist they developed early on. Ms. Bullock noted that with the Real Estate and Appraisal Boards, course submittals and reviews are restricted to allocated time periods for the same. It was also noted that these Board have a much greater volume.

B. Draft of Proposed Letter to Relocation Companies Operating in Connecticut by Chairman William Stanley and proposed Department Revisions to the same from Richard Hurlburt, Director. Mr. Stanley reviewed the history of the discussion the Board had in the past on this agenda item. Mr. O'Neill suggested that the letter contain regulatory and statutory references in the second paragraph to aid the consumer. *After brief discussion, the Board voted, unanimously, to approve the letter as amended herein. (Kobylenski/O'Neill)* Mr. Stanley asked Mr. Sherwood for a source for the people to send this letter to. Mr. Sherwood suggested that the Department contact the Employee Relocation Council for a list of companies that provide this service in Connecticut.

8. New Business

A. Letter from Governor M. Jodi Rell, dated September 3, 2010, appointing Mr. Daniel Scott as a Public Member to this Board in succession to Susan Connors. Mr. Stanley acknowledged this correspondence on behalf of the Board and introduced Mr. Scott to the Board. He noted that Mr. Scott is a remodeling contractor.

B. Swearing-In of Mr. Daniel Scott as a new Public Member of the Home Inspection Licensing Board. Ms. Bullock swore-in Mr. Daniel Scott as a Public Member of the Board. The Board welcomed him and look forward to working with him in the future.

9. Other Business

A. Any correspondence and/or business received in the interim.

1. Mr. Stanley reminded the Board that a subcommittee was formed that their last meeting to reexamine the definition of "home inspection". The subcommittee consists

of Mr. Stanley, Mr. O'Neill, and Mr. Sherwood. The members gathered definitions of home inspection as defined by major private industry associations. Mr. Stanley reviewed the Board's past discussion concerning home inspections and energy audits and inspections done by relocation companies. The committee also looked at definitions of home inspections from surrounding States such as New Hampshire, New Jersey, Massachusetts, Rhode Island, Pennsylvania, and New York. The definitions used by these State are much broader than the definition used by Connecticut.

Mr. Stanley stated that in his opinion, that it might make sense to define a home inspection relative to the sale or transfer of a residential building. His thinking is the real risk for the buyer is the potential for a sub-standard home inspection and purchasing a home with major problems putting the buyer at major financial risk. In situations of relocation and energy audits, the homeowner already owns the house and the expectations in this scenario are vastly different than when the inspection is for the initial purchase of the home.

Mr. Sherwood stated that this Board licenses home inspectors and not the home inspection process itself so the question is how this Board best protects the consumer. Mr. O'Neill noted that as a Public Member of the Board, he believes it is this Board's responsibility to ensure that the Home Inspector a consumer hires is competent. He believes that it might be an overreach for the Board to delve into such ancillary topics as energy audits or termite inspections.

Mr. Sherwood also discussed home inspections without a real estate transaction which now raises the question to the Board are they regulating the inspection itself and how they define the same or are they regulating the inspector himself and what that standard should be. Mr. Schaefer noted to the Board that they have never received any complaints regarding cross over work between energy audits and home inspections in what amounts to probably hundreds of thousands of inspections. He stated that for the Board to be attempting to regulate this area at this point would be in effect, just spinning their wheels. Mr. O'Neill agrees and noted that the Board may be trying to fix a problem that does not exist.

Mr. O'Neill asked Ms. Bullock if the Board has the authority to do this. In response, she stated that because of the current economic state, people are looking for ways to make money and that she recently had an energy audit done on a house she recently purchased. She noted that the Board needs to closely evaluate the details of what the energy audits consist of. Mr. Stanley asked whether or not the Board should pursue or ignore the fact that technically, energy auditors are doing home inspections or do they adjust their definition of a home inspection to address this work.

Mr. Stanley makes the point that this Board does need to address this issue one way or another because of the fact of the changing times. Mr. Sherwood illustrated several other examples of the types of work the Board needs evaluate such as senior housing

inspections and relocation inspections. Mr. Stanley asked the Board if they agree to address these issues and they agreed. The suggestion was made to begin to circulate their preliminary definitions of a "Home Inspection" to each other for review and comment. Mr. O'Neill is more concerned with relocation inspections at this point in time versus energy auditors.

In conclusion, the Board agreed to pursue this discussion further and Mr. Stanley will try to assemble the information he has to date and distribute the same to the Board for their review and comment prior to the next Board meeting date in February 2011.

The meeting adjourned at 10:23 AM.

Note: the next regular meeting of the Board is scheduled for February 3, 2011 beginning at 9:30 AM in Room No. 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Respectfully submitted,

Robert M. Kuzmich, R.A.
License and Applications Specialist