

MINUTES
CONNECTICUT HOME INSPECTION LICENSING BOARD
165 CAPITOL AVENUE
HARTFORD, CONNECTICUT 06106

APRIL 5, 2007

The Connecticut Home Inspection Licensing Board met on Thursday, April 4, 2007 at 9:30 A.M. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Board Members Present: Bernard F. Caliendo, Chairman (Home Inspector)
 Susan A. Connors, Esq. (Public Member)
 Eric Curtis, (Public Member)
 Dana J. Fox (Home Inspector)
 Richard J. Kobylenski (Home Inspector)
 Bruce D. Schaefer (Home Inspector)
 William Stanley, Jr. (Home Inspector)

Board Members
Not Present: None.

Board Counsel: Not Present

DCP Staff Present: Robert M. Kuzmich, License and Applications
 Specialist
 Vicky E. Bullock, Administrative Hearings
 Attorney
 Richard M Hurlburt, Director
 Occupational & Professional Licensing
 Robert Nakano, Supervising Special Investigator
 Gregory Carver, Investigator
 Jerry Padula, Legislative & Administrative Advisor

Others Present: None

Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Richard M. Hurlburt, Director, at (860) 713-6135.

1. Call to order by Chairman Bernie Caliendo.

Mr. Caliendo called the meeting to order at 9:36 AM.

2. Review of minutes of the January 4, 2007 meeting of the Board. After a thorough review, *the Board voted, unanimously, to accept the minutes as written. (Kobylenski/Stanley)*

3. Review of Final Decisions and Orders.

Chairman Bernie Caliendo acknowledged that there are none before the Board today.

4. Applications for review.

Chairman Bernie Caliendo acknowledged that there are no applications before the Board today.

5. Applicants appearing before the Board.

Chairman Bernie Caliendo acknowledged that there are no applicants appearing before the Board today.

6. Formal Hearings to be held.

Mr. Caliendo noted that there are no Formal Hearings scheduled for today's meeting.

7. Old Business

A. Update from Consumer Protection Legal Division regarding Hearing Held December 15, 2006 concerning proposed changes to Home Inspector

Regulations. Ms. Bullock stated that everyone was in agreement that the substitute information, Section 20-491-6, which was a part of the Hearing testimony, was what was to be proposed. She e-mailed this information to the Department's Legal Counsel at the Attorney General's Office and asked him whether or not these regulations can be withdrawn from the approval process if they are not mandatory. His response was that they can be withdrawn and that the Department would have to resubmit them.

8. New Business

A. Letter of resignation from Mr. J. Andrew Fournier dated January 16, 2007. Mr. Caliendo stated that Mr. Fournier has resigned from the Board effective January 16, 2007. Mr. Caliendo noted Mr. Fournier's special contribution to the Board in helping them by participating in the PSI Examination work shop in October 2004 attending both days all day. There are now two positions open on the Board; one public member and one professional member.

B. Update from Consumer Protection Trade Practices Division regarding any Home Inspection Licensing Board matters. Supervising Special Investigator Robert Nakano and Investigator Gregory Carver introduced themselves to the Board. Mr. Nakano discussed the Department's database regarding Home Inspection complaints citing statistics on open and pending cases. Mr. Caliendo questioned if a consumer can still check on complaints against a Home Inspector on the Department's website. Mr. Carver noted that the compliant check function has been, for the time being, removed from public access. He speculates that this feature will return upon the Department's establishment of parameters for its use.

Complaint patterns and other questions were discussed in general terms noting that there was no real pattern of complaints and that the overall number of Home Inspection complaints has diminished. Mr. Carver stated to the Board that his last day with the Department is April 12, 2007.

C. Legislative update from Consumer Protection Legal Division regarding any Home Inspection issues. Ms. Bullock noted Mr. Jerry Padula from the Department's Legal Division, will address this item in his presentation to the Board later in this meeting.

D. Home Inspection Course Application for Pre-Licensing;

Course: Home Inspection Course

School: *American Academy of Advanced Education*
1133 Broadway, Suite 706
New York, NY 10010

Mr. Kuzmich gave the Board two copies of the school's submission to the Department. Mr. Schaefer and Mr. Stanley volunteered to review this submission. Mr. Kuzmich will fax the Department Review Course sheet to both Board members for their use in their review of this school submission

9. Other Business

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

1. Mr. Caliendo read aloud to the Board a letter from Mr. Dana Fox stating his intention to resign from the Home Inspection Licensing Board as of June 30, 2007. The letter states that he has enjoyed his tenure on the Board and hopes that he contributed positively to its objectives. Further, he thanked the Governor for her confidence in allowing him to serve in this position.

On behalf of the Board, Mr. Caliendo thanked Mr. Fox for his diligence and acknowledged that the Board is sorry to see him leave and will miss him.

2. Mr. Caliendo asked Mr. Hurlburt if PSI is again bidding on the examination administration since their present contract expires in June 2007. Mr. Hurlburt doesn't know and stated that the Department of Administrative Services is in charge of this area.

3. Mr. Caliendo asked the Board to consider raising the continuing education requirement to 24 hours every two year cycle following the surrounding states in the amount of CE they require. Mr. Schaefer cautioned the Board in the considering the real value of doing this based upon his experience with teaching CE courses to Real Estate Agents. He noted that many real estate individuals seem to be just passing the time and not really learning anything from some courses.

Discussion now focused on the value of taking the Connecticut Business Law course over and over again. Mr. Stanley is in agreement that an increase in CE hours is not a bad thing but noted that requiring a Business and Law Course for a law that not change since the last license renewal period is a waste of time. It was noted that the requirement for continuing education is mandated by statute and the details of the requirements are specified in the regulation.

Mr. Hurlburt stated that the standards of practice specified as a part of what is covered in the mandatory 3 hours of home inspection licensing law can be interpreted to encompass a broad area of subject matter. Ms. Connors asked whether there is a need for more continuing education. Mr. Caliendo believes without a doubt that the need exists.

Mr. Hurlburt suggested that this Board mandate a portion of the subject matter each CE cycle to ensure that each home inspector expands their spectrum of knowledge similar to what the Electrical and Plumbing Boards are doing now. Although it may take some time, eventually home inspectors will cover all basic areas of knowledge. Ms. Connors noted that increasing the amount of CE hours doesn't prevent some individuals from taking the same old courses over and over again just as they are doing now just to complete the requirement.

Mr. Caliendo stated that the ever changing home inspection industry and knowledge database requires more continuing education hours. The point was argued that more hours doesn't guarantee that home inspectors are broadening their horizon of knowledge to which Mr. Caliendo stated that is the home inspectors choice if they so choose not to keep up with the times. Ms. Connors stated to Mr. Caliendo that what he is proposing doesn't achieve his goal.

Mr. Fox stated that all homes have basic inspection components that mandated CE subject matter can cover. Mr. Stanley noted the Department personnel at this meeting stated that there is no real problem in the area of home inspection complaints so there is no "problem" for the Board to solve at this point. He also agrees that 20 hours of CE for a 2 year cycle is low based upon what he needs to do feel competent. His experience with his colleagues in the industry is that needed knowledge is sought after by the licensees. Mr. Stanley also suggested that the Board consider eliminating the 3 hour module on home inspection licensing law.

Mr. Hurlburt noted that in the near future, every approved school provider will have to report to the Department during the calendar year what they taught and this information will be uploaded in the Department's computer system. He related the implementation of this new system with the other trades and professions that the Department administers.

Mr. Hurlburt explained the procedure in place for those licensees who appear not to be in compliance with the CE requirement after the Department audit. He explained that the licensee is summoned to a compliance meeting for their chance to explain their situation. Mr. Hurlburt also explained some of the technical details of what it means when an individual's license expires.

Ms. Bullock offered to research what other States have in place for continuing education for home inspection licensing and report back to the Board at their September 6, 2007 regular meeting.

4. Mr. Padula introduced himself to the Board and explained his duties with the Department. He noted the proposed changes to Section 20-491-6 Inspection of Plumbing Systems that the Board currently has in the pipeline and explained the long and cumbersome process of getting regulations changed. In response to Mr. Padula' request for other changes the Board might have to the Regulation, Mr. Caliendo stated that in the current Standards of Practice under Limitations and Exclusions, Item No. 12 needs to be changed to reflect the fact that radon, asbestos, lead paint, and lead solder are not required to be inspected by the inspector. At present, the exclusionary language implies the exact opposite.

Mr. Padula also noted that the Department will address gender related grammar through out the regulation by referring to the Commissioner as such and not "he" or "she". He also noted that the Department has proposed a Bill for all Boards and Commissions to provide criminal enforcement for unlicensed workers. Mr. Hurlburt stated that this Bill only applies trades addressed in Chapter 393 and will not apply to the Home Inspector Statutes.

The meeting adjourned at 10:56 AM. (Schaefer/Kobylenski)

Note: the next regular meeting of the Board is scheduled for September 6, 2007 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