

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

SEPTEMBER 6, 2007

The Connecticut Home Inspection Licensing Board met on Thursday, September 6, 2007 at 9:34 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*)
 Bruce D. Schaefer (*Home Inspector*)
 William Stanley, Jr. (*Home Inspector*)

Board Members
Not Present: Richard J. Kobylenski (*Home Inspector*)

Board Member Vacancies One *Home Inspector Member*
 One *Public Member*

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
 Keith Lombardi, Investigator

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 9:34 AM.

2. Review of minutes of the April 5, 2007 meeting of the Board. Mr. Caliendo noted the following amendment to the minutes; on page four, paragraph five, line two, the number "30" shall be changed to "24". After a thorough review, *the Board voted, unanimously, to accept the minutes as amended herein. (Stanley/Connors)*

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. Report from Mr. Schaefer and Mr. Stanley regarding 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. Stanley reported to the Board the applicant's submission is incomplete and noted the following information be submitted in order for he and Mr. Schaefer to complete their review of the application:

- 1.) Text and Lecture Guidelines supplied to the students for the course. If the course is taught exclusively from Power Point presentations, then CD's or DVD's should be available to the Board for their review.
- 2.) The application/submission is missing the mandatory course module in *Connecticut Laws and Regulations* pertaining to the home inspection licensing profession.

Upon receipt of the above material, the Board will conclude their review of this application. As such, the Board postponed further action on this item. (Stanley/Connors)

B. Continuation of discussion regarding Continuing Education requirements for Home Inspectors. The Board engaged in an intensive discussion regarding the possibility of increasing the amount required continuing education for Connecticut Home Inspectors. At the last meeting, the option of eliminating the required 3-hour Connecticut Law Module was discussed. Mr. Caliendo agrees that this could be done in light of the fact the course material has remained basically the same over the past years. Mr. Caliendo suggested increasing the technical course requirement to 24 hours every two years in addition to the 3 hour Connecticut Law module.

Mr. Stanley is in favor of more continuing education as a professional and cited his 20 CEU hours requirement to maintain membership in the American Society of Home Inspectors. He believes that even increasing to 24 hours is on the low side but at least it would be consistent with surrounding States with which we have or may want to get reciprocity with. Mr. Caliendo noted that the organization that he belongs to, the Connecticut Association of Home Inspectors, provides continuing education on an on-going basis to all home inspectors without limitation to just their members and does not act as a disciplinary agent. Any potential complaint related issues he may hear from anyone in attendance at one of their meetings is referred to the State of Connecticut for further action.

Ms. Connors asked if Mr. Caliendo is contemplating any restrictions on CEU subject matter to prevent licensees from taking the same classes over and over. In response, Mr. Caliendo stated that the current regulation somewhat addresses this issue. At this point, examples of the administration of CE for the Real Estate and Electrical Professions were explained by Mr. Hurlburt at the suggestion of Mr. Schaefer.

Mr. Caliendo stated that he is not in favor of structuring the subject matter for continuing education as is done for the electrical profession. He noted that this system may delay the study of relevant material for years. Ms. Connors asked the question why must continuing education be regulated by statutes when it is already happening on its own in the industry and is there a problem in the industry in that there is not enough continuing education. From what she is hearing from the Board, there apparently is not. Mr. Caliendo noted that the problem is some home inspectors will stop at the required amount and not go beyond.

Ms. Bullock stated that she believes the Board should wait until after their audit to make a decision on whether or not to change the continuing education requirement. Mr. Caliendo disagrees and noted that if home inspectors haven't met the twenty hour requirement, it shouldn't matter if the number is raised to twenty four.

Mr. Caliendo stated that he is very disappointed in the Department's approach to the audit. Other States require proof of compliance before licenses are renewed. In Connecticut, we issue the license first and then take action to revoke or suspend the same after the fact. In addition, he noted that the actual audits will take at least another five or six months to begin after the new license period begins. Mr. Stanley reminded all present that there are two separate issues at hand; one is whether or not a licensee has complied with the CEU requisite and the other is whether twenty hours of CEU's is sufficient or not.

Ms. Connors again noted that at heart of the discussion was the question of whether or not there is a real need to increase the hours for continuing education and if so, how is the appropriate amount of hours to be determined? After more detailed discussion, it was decided by the Board to research other State requirements for continuing education and to table further discussion on any proposed amendments to the current number of required hours for continuing education until after the Department audit has been completed.

C. Legislative update from Consumer Protection Legal Division regarding any Home Inspection issues. Ms. Bullock distributed a copy of the proposed regulation changes to all present and stated that a Public Hearing will be held on October 1, 2007 in Room 119 of the State Office Building at 10:00 AM.

8. New Business

A. Letter of from Mr. John H. Finnell, II, Home Inspector Intern Permit No. 262, regarding his supervised inspections. The Board reviewed and discussed Mr. Finnell's letter in detail. It was noted by various Board members that although the *Home Inspection Institute of America, Inc.* officially closed on August 30, 2005, former Interns were notified in writing by the school. In this notification letter mailed to Interns, the school provided contact information of the individuals handling all current and past business of the Institute. The Board believes that Mr. Finnell should be able to retrieve the inspections he did while at the school from these individuals.

Further, the Board assumes that subsequent to the close of the school, Mr. Finnell has found other supervisors since he mentioned that he has been working in his letter and the only legal way to do that as an Intern is under the supervision of one or more licensed Connecticut Home Inspectors. The Board inquired about the possibility of using these subsequent inspections as a substitute, at least in part, for the inspections performed while at the Institute.

The Board asked that Mr. Kuzmich send a letter from them informing Mr. Finnell of their discussion held today as well as their recommendations.

B. Home Inspection Course Application for Pre-Licensing;

Course: National Online Home Inspection Course

School: Kaplan Professional Schools Inspection Training Associates
1050 Los Vallecitos Boulevard Suite 109
San Marcos, California 92069

After extensive discussion, the Board tabled further action on this application for the *National Online Home Inspection Course* pending receipt of the following information:

1. Actual hard copy of the text in the format of what students receive when they enroll in the program.

2. The location of the company's main office.
3. Confirmation that the course contains the mandatory module in Laws and Regulations pertaining to the home inspection licensing profession.

Further, they require that the school provider submit two copies of the above information to be used for separate review by two professional members of the Board.

C. Update from Consumer Protection Trade Practices Division regarding any Home Inspection Licensing Board matters. Mr. Keith Lombardi was introduced by Mr. Kuzmich as the Department's new Investigator assigned to this Board. Mr. Lombardi replaces former Investigator Mr. Gregory Carver who left the Department.

D. Update from the Department of Consumer Protection regarding the audit of Home Inspector license renewals submitted for the 2007-2009 license period for compliance with continuing education credits earned between July 1, 2005 and June 30, 2007. This item was covered in the discussion concerning Agenda Item 1B.

E. Date for the next Home Inspection Licensing Board Meeting; for determination by the Board. The Board decided upon November 8, 2007 as the date for their next regular meeting due to the modified schedule of prior meetings held this year to date.

9. Other Business

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

1. Mr. Schaefer raised an issue concerning home inspection companies that own pesticide companies and other types of companies. The current regulation states that a home inspector can not use his home inspection work as a vehicle to deliberately obtain work in another field. Mr. Schaefer's office transmitted by facsimile (while today's meeting was in progress) an interpretation of this section of the regulation written by an associate of his and this document was distributed to the Board for their information.

Mr. Schaefer asked the Board to consider taking a position on this issue and formally decide on where they stand on it sometime in the future.

2. Mr. Caliendo stated that PSI was recently awarded the contract to administer the Home Inspector Examination and requested that the Department through Mr. Hurlburt arrange for another workshop so that the Board can review the current test questions. All the Board members are in favor of this.

3. Mr. Caliendo reported on a recent meeting he had with the Commissioner at which he was told that PSI was awarded the Home Inspector Examination contract. In addition, schools and private organizations will now have to report continuing education courses and attendance to PSI.

Mr. Hurlburt explained the details of the interaction of the database PSI will maintain and its cross-referencing to the Departments database relative to who was issued a license and who attended CEU classes during the past 2-year license period.

4. Mr. Caliendo questioned whether the Board should consider the requirement of a mandate for Errors and Omissions Insurance similar to other States that have licensing. Mr. Stanley noted that if the Board implements this requirement, the “carrot” has to be a reduction in the time of the Statute of Limitations from the current seven year statute to one year as Massachusetts has done when they instituted their insurance requirement. Mr. Stanley noted that one year is a reasonable amount of time for a consumer to note any problems.

At the suggestion of Mr. Schaefer, the Board established a subcommittee comprised of Ms. Connors and Mr. Schaefer to further study this issue.

The meeting adjourned at 11:21 AM. (Connors/Schaefer)

Note: the date of the next regular meeting of the Board will be provided in the near future. The meeting shall be 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