

HOME INSPECTION LICENSING BOARD

MARCH 16, 2021

MINUTES

The Connecticut Home Inspection Licensing Board held a meeting on Tuesday, March 16, 2021 via ZOOM webinar.

Board Members Present: Richard J. Kobylenski (Home Inspector)
Bruce D. Schaefer (Home Inspector)
William Stanley, Jr. (Home Inspector, Chairman)
Lawrence R. Willette (Home Inspector)

Board Members Not Present: None.

Board Member Vacancies: Three (Public Members)
One (Home Inspector)

DCP Staff Present: Robert M. Kuzmich, R.A., License & Applications Specialist
Cynthia Fernandez, Staff Attorney

Others Present: Jonathan R. Gourley, Trinity College

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division, Richard M. Hurlburt, Director.

Website: www.ct.gov/dcp.

E-Mail: dcp.occupationalprofessional@ct.gov

1. CALL TO ORDER

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

2. REVIEW OF MINUTES OF THE DECEMBER 8, 2020 BOARD MEETING.

The Board voted to approve the minutes as submitted. (Willette/Stanley)

3. COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY

There were no comments or concerns of anyone present.

4. DCP INVESTIGATION DIVISION COMPLAINT STATUS REPORT:

A. Board to review quarterly report when provided.

Mr. Stanley noted the Board received this report prior to the meeting. No further discussion was held.

5. OLD BUSINESS

A. Continuation of discussion concerning the status of determining standards of levels of pyrrhotite with Mr. Jonathan R. Gourley from Trinity College Environmental Science Program.

Mr. Stanley explained the Board's history and interest in this matter and asked Mr. Gourley to share his expertise with the Board. Mr. Gourley gave the Board background information accompanied by graphics presented through the ZOOM format. He noted the Towns in Connecticut and Massachusetts affected by this matter. He also explained that the actual reaction with pyrrhotite is an oxidation of this material which reacts with other aggregate in the concrete forming other minerals larger in volume which then causes cracks in the concrete.

Mr. Gourley noted the tests performed at Trinity College on pyrrhotite are two (2) independent tests. The college has the best instrumentation for measuring pyrrhotite (rock magnetism) even in the smallest quantities. He explained the various forms of pyrrhotite and how they determine if pyrrhotite is an aggregate in the concrete sample they are testing accompanied by some graphic photographs. Four hundred thirty-five (435) homes have been tested to date by Trinity College. A graphic was shown depicting the testing components shown as color coded. Two core samples are obtained per home: one higher in the foundation and one lower in the foundation to account for any variations in concrete deliveries. The color coding indicates any type of map cracking detected in the coring.

Mr. Gourley stated that a main goal in their testing is to try and determine a "safe" level of pyrrhotite (Level 5) below which map cracking does not occur. They are trying to

convert this to a meaningful and useful number defined as a percentage of pyrrhotite, by weight, present in the concrete. A level above this number represents the beginning of map cracking increasing in severity incrementally as the level increases. Above the Level 5, they report a trace of the material.

Mr. Willette noted that even minimal levels of pyrrhotite make potential home buyers very wary. Mr. Gourley agreed that any level of pyrrhotite does not help the public perception towards being able to sell a home. He also would guess that almost every home in this area, if tested, may show levels of this mineral simply because of the geologic nature of this region. He is very cautious regarding stating a safe level but believes that they are approaching the statistical point where they might be able to do so. The Board had questions for Mr. Gourley regarding the safe level of pyrrhotite. The definition of map cracking was also discussed and illustrated. Mr. Gourley stated that water and air are the two main components that are going to force the reaction of the pyrrhotite, and both are needed. There are a host of things that can either speed up or slow down the reactions which makes this a challenging situation. The amount of pyrrhotite present in the concrete is the most decisive factor relative to how much cracking may occur.

Mr. Gourley noted the differences in Canadian rock when speaking of their testing and research of the pyrrhotite issue. He also spoke of the challenges faced when interpreting and explaining pyrrhotite test results to the general population. In response to a question from Mr. Stanley, Mr. Gourley stated the State Agencies he has shared data with and noted that they are very happy to share their information with any interested parties. He also stated that their confidence in the accuracy of the information is increasing as the number of homes being tested increases.

In response to a question from Mr. Stanley, Mr. Gourley explained how he and his coworker, Mr. Christoph Geiss, became involved in testing concrete as the pyrrhotite matter emerged in the area of the State where he resides. At the moment, their biggest clients are potential home buyers. The Foundation Testing Reimbursement Program for this testing (both visual and core testing) was discussed and noted that it is through the Capitol Region Council of Governments (CRCOG). Discussion was held on the impact of test results with the real estate market and with home buyers and sellers.

The Board stated what a beneficial presentation this has been and would like the local Home Inspector Associations to be aware of the services Mr. Gourley, Mr. Geiss, and Trinity College have to offer. It was noted that the video recording of this meeting will be posted on the Department's website. The Board thanked Mr. Gourley for his effort and time.

B. Home Inspector Advisory Document: final draft of the document to be sent out by Department after review by DCP Legal Division.

Mr. Stanley noted that this document was developed and initiated by Mr. Willette and sent out by the Department.

6. NEW BUSINESS

1. Discussion concerning Home Inspector Interns and their Home Inspector Supervisor(s) relative to termination of supervision.

Mr. Stanley noted that he had spoken with Ms. Cynthia Fernandez regarding a case the Board had heard earlier. Mr. Stanley asked how the Board can require Home Inspector Intern Supervisors to notify the Department of Consumer Protection when the association between a Supervisor and an Intern is terminated. Ms. Fernandez stated that she spoke with Ms. Leslie O'Brien, the Department's Legislative Liaison, and noted that the Statute gives the Commissioner the power to promulgate regulations. A policy statement addressing this issue would not be enforceable and is more like a suggestion.

Both Ms. Fernandez and Ms. O'Brien believe either a statutory change or regulatory update would be the most effective way to address this matter. The current legislative session is almost over, and any new proposals need to be in place by August 2021. Ms. Fernandez discussed the consequences that could be encountered and how the Board would address the same when the Intern's current supervision is temporarily terminated. It was agreed that Ms. Fernandez would create a draft of this proposed language for the Board to review. She will e-mail this information to the Board so they can be prepared to discuss the same at their next meeting.

2. Mr. Stanley noted that he received a phone call this morning from David Evans, the lobbyist for the Connecticut Association of Home Inspectors. He had a State Representative from Salisbury on the other line with questions she has about smoke detectors. Her position is she wants to make sure there is better smoke protection in houses and buildings. She has questions she wants to ask about what Home Inspectors can do or are already doing to address this.

Mr. Stanley asked the representative to better frame her questions and then they can get together, as a group with her via ZOOM, and talk about it. This matter is in the development stages at this point and he will see what happens in the future.

7. CORRESPONDENCE

No correspondence was discussed.

8. COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY.

There were no further comments or concerns of anyone present.

The meeting adjourned at 10:50 AM. (Kobylenski/Willette)

Respectfully submitted,

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

2021 MEETING SCHEDULE:

March 16, 2021
June 8, 2021
September 21, 2021
December 14, 2021

All meetings will take place at 450 Columbus Boulevard, Hartford, CT at 9:30 A.M.
unless otherwise noted.