

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

**FEBRUARY 5, 2009**

The Connecticut Home Inspection Licensing Board met on Thursday, February 5, 2009 at 9:34 A.M. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Board Members Present: Susan A. Connors, Esq., Chairperson (*Public Member*)  
Eric Curtis (*Public Member*)  
Richard J. Kobylenski (*Home Inspector*)  
James J. O'Neill (*Public Member*)  
Bruce D. Schaefer (*Home Inspector*)  
William Stanley, Jr. (*Home Inspector*)  
Lawrence R. Willette (*Home Inspector*)

Board Members

Not Present: David B. Sherwood (*Home Inspector*)

Board Member Vacancies: None

Board Counsel: Not present, as requested.

DCP Staff Present: Robert M. Kuzmich, License and Applications Specialist  
Richard M. Hurlburt, Director - Occupational & Professional Licensing Division  
Vicky Bullock, Administrative Hearings Attorney

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 Chairperson Susan Connors.**

Ms. Connors called the meeting to order at 9:34 AM.

**2. Review of minutes of the November 6, 2008 meeting of the Board.**

The Board noted that on page five (5), under "*Other Business*", *Item 1*, the last line shall be changed to read "*It was determined that this is a business decision on the part of the inspection company.*"

*The Board voted, unanimously, to approve the minutes as amended herein. (Kobylenski/Stanley)*

**3. Review of Final Decisions and Orders.**

Chairperson Susan A. Connors acknowledged that there are no Final Decisions and Orders before the Board today.

**4. Applications for review.**

Chairperson Susan A. Connors acknowledged that there are no applications before the Board today.

**5. Applicants appearing before the Board.**

Chairperson Susan A. Connors acknowledged that there are no applicants appearing before the Board today.

**6. Formal Hearings to be held.**

Chairperson Susan A. Connors acknowledged that there are no Formal Hearings scheduled for today's meeting.

## 7. Old Business

### A. 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

The Board postponed further action on this item pending the completion of the review of this submission by Mr. Stanley and Mr. Schaefer. Mr. Stanley and Mr. Schaefer will discuss their reviews subsequent to today's meeting and report back to the Board at their next regular meeting scheduled for May 7, 2009.

B. Continuation of discussion concerning the Regulation for Home Inspectors; specifically, the Code of Ethics as it pertains to subsection (h) – “inspection work shall not be used as a vehicle for the inspector to **deliberately** obtain work in another field.”

Ms. Connors asked what this proposed language is protecting the consumer from. Keeping this in mind may help the Board narrow and focus their discussion. She likes Mr. O'Neill's suggested language which imposes a time period of one year. Mr. Stanley stated that the idea is that the consumer should not have to worry their Home Inspector has a conflict of interest with regard to the items covered by the home inspection. The Board is trying to address situations that exist where Home Inspectors provide other services such as termite, radon, and septic inspections on items which are not specifically covered by the home inspection. The Board believes such services on items not covered by the Home Inspection are not considered to be a conflict of interest on the part of the Home Inspector as opposed to services provided by him/her on items specifically addressed in the inspection.

It was noted by Mr. Schaefer that the history of this Board shows that there have not been major issues pertaining to this subject matter. Ms. Connors agrees and noted that Mr. O'Neill's proposed language which references the existing regulation and prohibiting additional services by the Home Inspector on items included in the home inspection would meet the Board's concerns by removing the potential conflict of interest.

*After more discussion, the Board voted unanimously, to recommend to the Commissioner the following amended language to Section 20-491-14(h) (Schaefer/Willette):*

*"The Inspector shall not perform repair, correction or improvement work on components or systems that are within the scope of a home inspection as defined in Statute Section 20-490(6) in a home that the inspector has inspected within the last year."*

C. Continuation of discussion concerning the Regulation for Home Inspectors; specifically concerning continuing education course subject matter.

It was noted that the Board had made a change to the continuing education (CE) requisite several meetings ago about the number of hours required and how these hours are to be allocated. The Board had a discussion subsequent to today's meeting which was not concluded regarding whether there should be a subject matter requirement.

Mr. Willette noted that he received an advertisement for an approved radon course which counts for 16 CE hours. He used this as example which illustrates the need for a regulation on regulating CE course content and subject matter since radon is not a required area to be covered in a home inspection. Mr. Schaefer suggested that perhaps the Department could check past submittals to see what subject matter has been submitted and determine whether or not there is an issue.

Mr. Stanley agrees with Mr. Willette that a licensee should not be able to earn majority of CE credits in subject matters that are not covered in a home inspection. Ms. Connors noted that perhaps all courses for continuing education should be directly related to home inspection subject matter. Mr. Stanley understands her point but stated that inevitably, a home inspector will be asked questions from the consumer about items not covered in the home inspection. He believes that it is not unreasonable for a home inspector to pursue perhaps 25percent of CE subject matter in subject matter areas other than what is covered by the home inspection.

The general consensus of the Board is to place a limit of 25 percent of CE subject matter for courses taken in other areas not specifically covered by the home inspection itself with the remaining course material to be in subject mater directly related to the home inspection. Mr. Willette suggested that the renewals for Home Inspectors state that 75 percent of course subject matter shall be within the scope of the home inspection regulation itself. Mr. O'Neill is not comfortable with the Board suddenly rushing head-on changing policies

without having a thorough knowledge of whether or not there is even a problem in this area to correct. Mr. Hurlburt believes that this change can be implemented by the Board without a regulatory change. He will verify this and report back to the Board at their next regular meeting. This item will be on the Board's next agenda under "Old Business". In addition, the Department will check the continuing education report issued by PSI available to them approximately 60 days after the home inspector license renewal date.

## **8. New Business**

A. Update from Consumer Protection Legal Division regarding any Home Inspection issues. Ms. Bullock stated the Department is not in favor of increasing the hours of required continuing education for home inspectors at this time. Imposing an additional financial burden on licensees is not appropriate given the current economic climate.

Changing the Business Law requirement can still be done; however, this change may not be done now because the Department is currently sharing their legislative liaison and he is currently not available at present. The Board believes that the way the Business Law Course is structured at present; it is essentially a waste of time.

It was noted that license fees for home inspectors will most likely be increased in accordance with an across-the-Board Department proposal which will affect all license and registration fees regulated by the Department.

B. Update from the Department concerning PSI and the Continuing Education Reporting System.

Mr. Hurlburt noted that what he previously stated at the last meeting is in effect. As an example, a school provider can hold a particular student's CE report until renewal time at which point they will submit their report for 50 cents for all the required CE time (twenty hours). The charge is imposed for each reporting time.

**9. Other Business**

**A. Board Meeting Dates for the 2009 Calendar Year:**

- |                      |                      |
|----------------------|----------------------|
| 1.) February 5, 2009 | 3.) August 6, 2009   |
| 2.) May 7, 2009      | 4.) November 5, 2009 |

The Board acknowledged these dates for the 2009 calendar year.

**B. Any correspondence and/or business received in the interim.**

No items were discussed.

*The meeting adjourned at 10:38 AM. (O'Neill/Schaefer)*

***Note: the next regular meeting of the Board is scheduled for May 7, 2009 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