

**Kentucky Board of Home Inspectors
101 Sea Hero Road, Suite 100
Frankfort, Kentucky 40601-5405**

**Ray Sandbek, Chairman
Ralph J. Wirth, Vice Chairman**

**Board Meeting
January 3, 2006
9:00 am**

Minutes

Board Members Attending:

Ray Sandbek, Chairman
Ralph Wirth, Vice Chairman
Floyd Van Cook
James Forest Cooper

David Michael Green
Linda L. Swearingen
William J. Welty Sr.

Board Members Absent:

William D. Bramble
Jo Gawthrop

Staff Attending:

Terry M. Slade, Director BCE
David Reichert, General Counsel

Dawna King, Admin. Specialist III, BCE

Guest Attending:

Betty Whitaker, KMHI

Meeting Called to Order

Mr. Sandbek called the meeting to order at 9:30 am.

Minutes

Previous minutes discussed. Mr. Wirth noted that on Page 3 Mr. Green made a motion and it did not get a second. Mr. Welty made motion to accept minutes with change. Mr. Wirth seconded. Motion carried, all concurred.

Old Business

Mr. Sandbek talked about the presenters from the last meeting. Detailed discussion on the course requirements. Detailed discussion on the Manufactured Housing Training requirement. Discussed that the National Testers do not cover Manufactured Housing there is not a way for them economically to take and put into their testing anything about Manufactured Housing, so the people who are not grandfathered are going to be covered under the curriculum. Mr. Sandbek has question about the people who are grandfathered in, how will the board handle this? Can the board require 3-5 hours as part of the 16 hour continued education that the inspector has to have for the renewal? Can the board require part of the 16 hours continued education specific to Manufactured Housing? This way 2 years from now everyone will have some knowledge on Manufactured Housing. Mr. Wirth made a motion that the board create a continued education hourly requirement for all licensees within their first their first renewal period of 3 hours that every home inspector will have to take the Manufactured Housing course before their renewal is accepted. Mr. Cooper suggested that all licensees will be required to either have the core class or a continued education class within that first year and Manufactured Housing training can be used the first year because we are grandfathering in the same class so that the licensee does not have to take another class for continued education they could you use the same one for grandfathering. Mr. Sandbek suggested it should be a minimum of 3 hours because the provided may offer a 4 hour class. Mr. Welty has a question about the fees. He wanted to know if the board will ask a fee of the licensees taking the course from education providers. Mr. Slade stated that the board does not need to question the fees charged to the people taking the course because that would be up to the education provider. Mr. Welty seconded motion. Motion carried, all concurred.

Board went over the Course Provider Application. Typo corrections and make changes to #3, #5 and #8. Mr. Cooper made a motion to accept changes to the application. Mr. Welty seconded the motion. Motion carried, all concurred. Mr. Cooper got clarification on the required back ground check from the previous minutes on October 17, 2005. Mr. Cooper made a motion that the board come up with a Pre-Inspection Agreement. Some discussion on the proposed Pre-Inspection Agreement. Mr. Sandbek passed on this motion and to discuss this at a later time so that they could get through the agenda for today.

Discussed the follow up information from the testing provider vendors. Mr. Green gave members handouts about NACHI stating that they are the only ones having a Kentucky National Exam already in the state. He wants the board to re-evaluate NACHI as a testing provider vendor. He has concerns about the NHIE and the amount of training we are requiring for an entry level license into the industry. Talked with several educators and ask if it was possible for the educator to bring a student from ground zero to passing the NHIE with the classroom 64 hour training requirement. He said they told him no, they could not. He said the average training requirement to bring a student to a passing level would take 90-140 hours to pass the NHIE. Mr. Cook clarified that the 64 hour classroom training is a minimum requirement. Mr. Wirth stated that every state that goes through licensing, they go through what they call cut scores you are measuring competency not a pass fail test and it is a big difference. Detailed discussion on this. Mr. Green made a motion that the board reconsider NACHI as being a testing provider vendor based on the information provided and leave it

open for approval at later date. Motion was not seconded. Motion declined. Mr. Cook made a motion that the board accepts NHIE and NAHI as the testing provider vendors. Mr. Welty seconded motion. Motion carried, all concurred.

Mr. Sandbek re-visited the Pre-Inspection Agreement, board needs to accept or reject it. Mr. Cooper made a motion that all home inspectors provide a signed Pre-Inspection Agreement prior to performing the home inspection. Certain disclosures need to be involved with the pre-inspection agreement. Mr. Green seconded the motion. Discussion. Motion carried, all concurred.

Went over the Kentucky Standards of Conduct. Noted several changes to be made to the Kentucky Standards of Conduct. Mr. Reichert will make these noted changes.

Detailed discussion on Advertising License information displayed vehicle. License Number will be displayed 3 inches high on vehicle.

Break for Lunch

New Business

More detailed discussion on advertisement. Mr. Wirth made a motion to separate Advertisement from the Kentucky Standards of Conduct and put into the Regulations. Mr. Cook seconded motion. Motion carried, all concurred.

Mr. Wirth made a motion to accept the changes to the Kentucky Standards of Conduct. Mr. Cooper seconded the motion. Motion carried, all concurred.

Mr. Cook made a motion accept the addition of the Advertisement to the regulation. Mr. Cooper seconded the motion. Motion carried, all concurred.

Disciplinary Items was discussed. Penalty for operating without a current license is a Class B Misdemeanor. Falsifying an application or other documents. Advertisement without License Number can cause a suspension for the home inspector. Mr. Green suggested that if the board finds that someone is performing home inspections without a license then the board will give them notice to cease and desist or the board pursue legal action. Mr. Cooper stated that this is already in the law. It was suggested the 3 board members and staff members will review these disciplinary actions. Mr. Wirth and Mr. Green volunteered. More detailed discussion.

Virginia Standards of Practice was briefly discussed and will be fully discussed at the January 17th meeting.

Discussed the Pre-Licensing Course Provider Application. Will the board need a Continued Education Provider Application? Went through the Pre-Licensing Course Provider Application. Noted changes to the application. Detailed discussion on Continued Education courses hours and Fees. Mr. Green stated that continued education should not be \$Mr. Green stated that continued education should not be a \$500.00 fee. Mr. Cooper made a motion that the under Continued Education the Education Provider should not have a fee. Mr. Green seconded the motion. Discussion. Motion was declined. Mr. Welty made a motion that there

the fee be reduced for Continued Education Providers. Mr. Sandbek suggested a \$100.00 fee for the continued education course provider. Mr. Wirth suggested \$30-50 fee for each continued education course. Mrs. Swearingen made a motion that a \$25.00 fee per course with a maximum \$100.00 cap charged to the provider for continued education. Mr. Wirth seconded the motion. Discussion. Motion declined. Mr. Welty made a motion for a \$100.00 fee for continued education every two years. Discussion. Mr. Welty made amendment to motion to charge a \$100.00 per year for continued education course provider. Mr. Cook seconded the amended motion. Motion carried, all concurred.

Discussion on whether the board should charge a fee to inspect the education provider facilities. He stated that Illinois charges a fee to do this. Mr. Wirth made a motion that the provider pays the board expenses to inspect the facility. No second. Motion declined.

More Discussion on the Continued Education Course Provider Application. Mr. Slade stated his concern about the time allowed to approved or deny these applications. Detailed discussion. Mr. Cook made a motion that the board required 30/60 days on approving or denying the applications. Mr. Cooper seconded the motion. Discussion. Mr. Cook made amendment to motion and change to 90 days prior to offering the course to approve or deny the applications. Mr. Cooper seconded the amended motion. Motion carried, all concurred.

Mr. Sandbek stated that the pre-licensing course provider minimum class training requirements will be: Foundation 5 hours Structural Components 4½ hours; Framing 4 hours; Exterior and Roofing 5 hours; Ventilation and Installation 1 hour; Plumbing 3 hours; Electrical 3 hours; Air Conditioning 3 hours; Heat 4 hours; Interior 2 hour.

Mr. Sandbek thinks it would be easier for the licensees to see a flow chart to show when the licensing law went into effect and who can be grandfathered. Gave members a chart of the three Standards of Practice to look over for the next meeting.

Agenda for next meeting

Meeting will start at 9:00 am. Regulations, Flow Chart of the three Standards of Practice and the Virginia Standards of Practice. Mr. Wirth made motion to adjourn meeting. Mr. Cooper seconded the motion. Motion carried, all concurred.

Adjournment

Meeting adjourned at 3:30 pm. Next meeting is scheduled for January 17, 2006 at 9:00 am in the Hearing Room at the Office of Housing, Buildings & Construction, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5405. Mr. Wirth made a motion to adjourn the meeting. Mr. Cooper seconded motion. Motion carried, all concurred.