

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

NOVEMBER 5, 2009

The Connecticut Home Inspection Licensing Board met on Thursday, November 5, 2009 at 9:40 A.M. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Board Members Present: 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: Susan A. Connors, Esq., Chairperson (*Public Member*)
 Eric Curtis (*Public Member*)
 David B. Sherwood (*Home Inspector*)

Board Member Vacancies: None

Board Counsel: Not present, as requested.

DCP Staff Present: Nelson Leon
 Linda Roberts
 Vicky Bullock

Others Present: None

Note: The administrative functions of the Boards, Commissions, and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, contact Richard M. Hurlburt, Director, at (860) 713-6135 or Fax (860)-706-1255.

Agency Website: www.ct.gov/dcp

Division E-Mail: occtrades@ct.gov

1. Call to order by Chairperson Susan Connors.

Acting Chairperson William Stanley called the meeting to order at 9:40 AM.

2. Review of minutes of the August 6, 2009 meeting of the Board.

After a thorough review of the minutes, *the Board voted, unanimously, to approve the minutes as written. (Schaefer/Kobylenski)* As a matter of clarification, Mr. Stanley confirmed that the August 6, 2009 Board Meeting Minutes stated that the Commissioner of the Department of Consumer Protection does have the authority to waive the Connecticut Home Inspection Licensing Law Module from the requirements for continuing education.

3. Review of Final Decisions and Orders.

Acting Chairperson William Stanley acknowledged that there are no Final Decisions and Orders before the Board today.

4. Applications for review.

Acting Chairperson William Stanley acknowledged that there are no applications before the Board today.

5. Applicants appearing before the Board.

Acting Chairperson William Stanley acknowledged that there are no applicants appearing before the Board today.

6. Formal Hearings to be held.

Acting Chairperson William Stanley acknowledged that there are no Formal Hearings scheduled for today's meeting.

7. Old Business

A. Continuation of discussion concerning the Regulation for Home Inspectors; specifically concerning continuing education course subject matter; update from Ms. Vicky Bullock. Mr. Stanley summarized the Board's previous actions.

He noted that earlier this year, the board had voted to recommend that the Connecticut Law requirement in the continuing education regulations be eliminated. It was also recommended by the Board that of the 20 hours of continuing education mandated for home inspectors during each license cycle, at least 75% of those credits should be required to be in courses related to the core subject matter of home inspections. The other 25% could be in related fields such as radon, wood destroying insects, etc.

The minutes of the August 6, 2009 Board Meeting indicate that the Commissioner did find that he had the authority to waive the "Connecticut Law" requirement in the continuing education regulations. It is not clear however whether or not he is willing to make that change. The Board is awaiting clarification from his office on whether or not this was something he would approve.

The minutes of the May 7, 2009 Board Meeting indicate that the Department has the authority to impose restrictions on continuing education course subject matter, which would seem to allow implementation of the Board - proposed limits on courses not directly related to home inspection. It is not clear to the Board if that proposal is being implemented or not at this point and they would like clarification on these issues.

Ms. Bullock stated that she will check with the Commissioner and the Department's Legal Division and get clarification on these for the Board at their next Regular Meeting scheduled for February 5, 2010.

B. Continuation of discussion concerning correspondence from the Department concerning Energy Audit Questions for Residential Home Inspections; for discussion by the Board. Mr. Stanley noted that this Board has seen this attachment in the past. Mr. Stanley noted that the Board agreed in the past that an energy audit essentially constitutes the elements of a Home Inspection under the current definition in the law and the issue then becomes whether or not energy auditors need to be Home Inspectors. Mr. Stanley is not sure where the Board last left this discussion.

The Board discussed various examples of the extent of energy audits and the implications of these audits relative to the Home Inspection licensing law. Mr.

Schaefer questions the Boards responsibility to regulate home energy audits without first having a complaint on being brought before them by a consumer.

Mr. Stanley asked Ms. Bullock to help define the nature of the correspondence the Department presented to the Board as a part of their agenda package. Mr. O'Neil noted that this document does not appear to be constructed in any way he can identify. Mr. Schaefer believes that the document represents various pieces of the statutes as they may relate to energy audits.

In summary, the agenda item relating to discussion of energy audit questions for home inspections was somewhat confusing. There does appear to be an overlap between the definition of home inspection and what energy auditors do and it does seem that energy auditors would run afoul of the home inspection statute. The Board was not clear about the source of the document attached to the package related to energy audits and what they are supposed to do with it.

After more extensive discussion, it was decided that this agenda item be tabled and that an e-mail be sent to Mr. Kuzmich asking for clarification. This matter will be taken up again at the next regular meeting of the Board scheduled for February 5, 2010.

8. New Business

A. Home Inspection Course Application for Pre-Licensing;

Courses: Home Inspection and Business 101 (80 hrs.)

*School: National Property Inspections, Inc.
9375 Burt Street, Suite 201
Omaha, Nebraska 68114*

Mr. Willette and Mr. Kobylenski volunteered to review this submission for compliance with the Home Inspection Course requirements and give their report of the same at the Board's next meeting scheduled for February 5, 2010.

Mr. Stanley will get a copy of the course review submission checklist to Mr. Kobylenski for his use.

B. Letter from Ms. Susan A. Connors, Chairperson, Home Inspection Licensing Board, dated August 20, 2009 to Commissioner Jerry Farrell, Jr.; for the Board's information. Mr. Stanley acknowledged this letter on the Board's behalf and

complimented Ms. Connors on the excellent job she did in composing this letter.

C. Press Release, dated October 8, 2009, from the Department of Consumer Protection; for the Board's information. Mr. Stanley acknowledged this letter on the Board's behalf.

9. Other Business

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

1. Ms. Roberts asked the Board to change their 2010 Meeting Schedule to either the fourth Monday of every month or the first Friday of every month. Since the Board meets quarterly, they would convene in February, May, August, and November. The Board agreed to meet on the first Friday of these months. In addition, the location of the meetings will change to Room No. 126.

Ms. Roberts informed the Board that there are presently **354** licensed Home Inspectors in Connecticut. In addition, she noted that effective October 1, 2009, new legislation raised the application, permit, and license fees for Home Inspectors and Interns.

2. Mr. O'Neill informed the Board that there are funds available in the Federal Stimulus package that are directed at energy conservation and are being distributed primarily to Regional Planning Organizations around the State. A list of these organizations can be found on the website of the State's Office of Policy and Management.

3. The Board discussed an e-mail dated September 8, 2009 sent to Mr. Kuzmich from Mr. Richard Cunningham regarding obtaining a Home Inspector's license in Connecticut. The e-mail states that he owned and operated his own Home Inspection Company in the mid 1980s for over four years and performed hundreds of home inspections.

He left the business to become a Mortgage Loan officer, when the market crashed in the late 1980's and reverted back to home improvement work as permitted by his Home Improvement Contractor Registration.

Mr. Cunningham states that he has been in the home improvement and building industry for over 30 years and that he is listed as a journeyman carpenter in the main office of the United States Carpenters Union. He would like to procure a Home Inspectors License in the Connecticut and would like to be able to take the

required examination for the same and operate his own Home Inspection Company in Connecticut.

Mr. Stanley acknowledged a similar letter the Board received at their last meeting from Mr. Ted Mercier who had comparable qualifications. The Board asked Mr. Kuzmich to send a similar letter to Mr. Cunningham. The letter will acknowledge Mr. Cunningham's credentials and will cite the fact that unless he holds a license out-of-State, they do not have the authority to waive the requisite Home Inspection Intern requirements per Section 20-493-b of the General Statutes of Connecticut.

The Board currently has reciprocity with the State of Massachusetts and will consider other out-of state license applications on a case-by-case basis in accordance with Section 20-492c of the Statutes.

The meeting adjourned at 10:16 AM. (Schaefer/Kobylenski)

Note: the next regular meeting of the Board is scheduled for Friday, February 5, 2010 at 9:30 AM in Room No. 126 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Respectfully submitted,

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