

MINUTES

Arizona State Board of Technical Registration
1110 W. Washington Street, Suite 240
Phoenix, Arizona 85007

HOME INSPECTOR RULES AND STANDARDS COMMITTEE

November 14, 2018 – 9:30 a.m.

1. **CALL TO ORDER** – 9:35am
2. **ROLL CALL – Present:** David Swartz, Peter Leeds, Paul Staron
Not Present: Jason Madison, Andrew Everroad
Staff: Melissa Cornelius, Patrice Pritzl, Robert Stam, Douglas Parlin, Kurt Winter, Dolly Lucero

3. **CALL TO THE PUBLIC**

Keith Smith appeared before the Committee. The Committee encouraged Mr. Smith to speak during the discussion of agenda item 5D.

No one else appeared before the Committee.

4. **ADOPTION OF MINUTES**

Review, Consideration and Possible Action on the following:

- A. Approve, modify and/or reject September 12, 2018 minutes.

Mr. Leeds moved and Mr. Staron seconded to approve the minutes with a minor correction; motion carried. Vote was unanimous.

5. **REVIEW, DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:**

- A. Whether to Recommend that a Home Inspector serve on the Board

Mr. Staron stated that he did not foresee any consequences with the addition of a home inspector board member. However, he also stated that the current situation was fair for home inspectors. Mr. Swartz commented that a home inspector member might lack the background to participate in discussion of the other professions. Ms. Cornelius stated that two board members participated in the HIRSC meetings and they act as representatives for home inspectors during board meetings. Mr. Swartz commented that he never felt underrepresented and further stated that having two board members as part of the committee was fair. Committee members asked staff questions regarding board member participation in investigating and disciplining home inspectors. Ms. Cornelius stated that the home inspector EAC members'

findings heavily influenced the Board's disciplinary decisions. Ms. Pritzl stated that home inspector EAC members act as witnesses in hearings against home inspector respondents.

No action taken.

B. Should Home Inspection be designated as an occupation or as a profession

Committee members asked for clarification regarding why the Board labeled home inspectors as an occupation and not a profession. Ms. Cornelius stated that the Board inherited the language from the original statutes. Committee members and staff asked if other jurisdictions labeled home inspection as an occupation. Mr. Staron stated he did not think other jurisdictions labeled home inspection as an occupation distinct from a profession. Ms. Cornelius asked if there was a legal difference between the use of the words 'occupation' and 'profession.' Mr. Donald answered 'no,' there was not a hierarchical inference from the use of both labels.

Mr. Staron moved and Mr. Leeds seconded to recommend to the Board that they change the designation of home inspectors from occupation to profession; motion carried. Vote was unanimous.

C. Whether to review EAC recommendations for discipline prior to sending them to the Board for Action (From September 2018 Meeting)

Mr. Leeds stated that at the October 2018 Board Meeting, board members discussed this issue and decided that the HIRSC should not review EAC recommendations for discipline prior to sending them to the Board for Action on the basis that it would slow down the investigative processes. Committee members commented they still wished to review the most egregious issues prior to the Board reviewing them.

No action taken.

D. Continued review of Parallel Inspector rule requirements and List of Providers (From September 2018 Meeting)

Ms. Cornelius reported that the Board denied Mr. Smith's petition to change the new rule regarding Parallel Inspector rule requirements at its regularly scheduled October 2018 meeting. Mr. Leeds stated that he advocated to the Board that they deny the petition. Ms. Cornelius stated that the Board did not find the rule burdensome for those seeking licensure and concluded that it could better protect the public.

Mr. Staron asked if a list of Parallel Inspectors would be available on the Board's website. Mr. Stam answered that ASHI would hold the list, the BTR would make it available upon request and that staff would not be posting the list on the Board's website.

Mr. Smith proposed certifying Parallel Inspectors. Committee members disagreed, but Mr. Staron asked what qualifications a trained parallel inspector would need to meet to be certified. Mr. Smith proposed that the Board have a certification program. Mr. Leeds stated that the BTR is a governing board, not a school.

No action taken.

- E. Update regarding concerns that homebuilder requirements are preventing home inspectors from inspecting newly built homes (From September 2018 Meeting)

Ms. Cornelius reported that staff scheduled a meeting with ROC for the following week to discuss this issue. The Committee discussed what they should discuss at the meeting with ROC as well as future meetings. Mr. Leeds commented that the result he wished to see was the ROC sending a notice to its registrant builders regarding the HIRSC's concerns.

No action taken.

- F. Review of Substantive Policy Statement #8

Mr. Swartz argued that the HIRSC recommend that the Board remove Substantive Policy Statement #8 since the new rule changes adequately addressed the issue covered in the policy. The Committee discussed whether the new rule was sufficient and agreed that it was.

Mr. Leeds moved and Mr. Staron seconded to recommend that the Board remove Substantive Policy Statement #8; motion carried. Vote was unanimous.

- G. NHIE update

Mr. Staron reported that NHIE has made available to candidates a new administrative manual, power point and study guide and the NHIE updated the exam to make it more current and relevant in all jurisdictions.

No action taken.

- H. Licensure by Endorsement – Proposed legislation 2019

The Committee asked what the intent of the legislation was for the home inspector industry. Ms. Pritzl answered that the intent was to expedite the certification process for registered home inspectors from other states who were in good standing and met similar registration prerequisites as Arizona. Mr. Leeds asked if out of state applicants would be required to submit a report as a prerequisite to certification. Ms. Pritzl answered 'no.' Committee members expressed their concern that no report

would be required in the endorsement process and requested that one be added to the proposed legislation. Staff indicated they would try to accommodate the Committee's concerns.

No action taken.

I. Possible Revision of the Report Checklist Supplement

The Committee reviewed and discussed the report checklist supplement and determined that no new changes were required at the time.

No action taken.

6. **DIRECTOR'S REPORT**

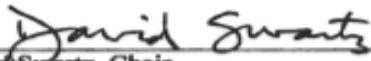
Ms. Cornelius reported on home inspector statistics and a possible online renewal system.

7. **COMMITTEE CHAIRMAN'S REPORT** – nothing to report

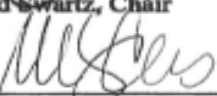
8. **FUTURE AGENDA ITEMS** – 5e, substantive policy # 6, 5h, review of staff policy for complaint intake.

9. **FUTURE MEETINGS** – January 9, 2018

10. **ADJOURNMENT** – 12:00 pm



David Swartz, Chair



Melissa Cornelius, Executive Director