

Minutes

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

HOME INSPECTOR RULES AND STANDARDS COMMITTEE

March 12, 2015

1. **CALL TO ORDER – 9:31AM**
2. **ROLL CALL** – Committee Members in Attendance: Peter Leeds, Jason Madison, and David Swartz. Committee Members in Attendance by Teleconference: Douglas Folk and Randy West. Staff: Deputy Director Patrice Pritzl, Enforcement Managers Douglas Parlin and Douglas Kraemer, and Michael Martinez.
3. **CALL TO THE PUBLIC** – No members of the public addressed the committee.
4. **ADOPTION OF MINUTES**
Review, Consideration and Possible Action on the following:
 - A. Approve, modify and/or reject February 2, 2015 minutes – Mr. Leeds moved to approve the February 2, 2015 minutes. Mr. West seconded the motion. No further discussion; motion carried.
5. **REVIEW, DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:**
 - A. Modifying the Scale of Weight EAC Committees Apply to Violations of the Practice Act – Mr. Swartz stated this is a document, written by Mr. West, that would be included in the EAC binder to help provide guidance in enforcement matters. Mr. Leeds asked Ms. Pritzl if changing the scale would impact the other EAC committees that still use a 1-10 scale. Ms. Pritzl advised that, if approved in committee, this scale would go to the Board for approval and at that time the Board could choose to suggest that other committees change their scale, if necessary. Mr. Leeds moved to recommend the new scale to the Board and to include the scale in the EAC Home Inspectors manual at the time of Board approval. Mr. West seconded the motion. No further discussion; motion carried.
 - B. Standardizing Recommended Discipline to the Board – Mr. Swartz and Mr. Leeds expressed concerns over the difficulties of standardized discipline. Ms. Pritzl advised that the Board considered attempting to standardize discipline but ultimately decided against it because they felt discipline should be handled on a case-by-case basis. The committee took no action on this item.
 - C. Review and Possible Corrections to the Glossary of the Standards of Professional Practice for Arizona Home Inspectors and the Standards of Professional Practice for the Inspection of Swimming Pools and Spas – Mr. Parlin addressed the committee, stating that it was brought to staff's attention that not only was the definition of "unsafe" in the Standards of Practice for Home Inspectors truncated, but it was also

different from the definition listing in the Standards of Practice for the Inspection of Swimming Pools and Spas. Mr. Leeds moved to change the definition of unsafe in both Standards to “A condition in a readily accessible, installed system or component, which is judged to be a significant risk of personal injury during normal, day to day use. The risk may be due to damage, deterioration, improper installation, or a change in adopted residential construction standards.” Mr. West seconded the motion. No further discussion; motion carried.

- D. Proposed Substantive Policy Statements Regarding Referring Tradesmen To Correct Adverse Conditions Identified During a Home Inspection – The committee reviewed this policy statement approved by the Board. Mr. Swartz advised the committee that the Board discussed this at the last Board meeting and there was concern over continuing to add policy statements. Ms. Pritzl advised that the Board had approved this item but asked for changes to be made to the termite policy statement. Mr. Martinez advised that the Board had approved this item and sent back the termite referral policy statement to the committee with the hope that the language could be changed to eventually replace this policy statement.
 - E. Proposed Substantive Policy Statements Regarding Referring Termite Inspectors at the Time of a Home Inspection – Ms. Pritzl stated that one of the issues the Board had when reviewing the draft was that they felt it should be allowable for home inspectors to charge an additional fee if the home inspector is incurring liability. Mr. Leeds stated he could rewrite the policy statement and present it at the next committee meeting. Mr. Folk stated concerns that R4-30-30(7)-(10) refer to registrants and not certificate holders and suggested that the Board get advice from the AG’s office as to whether or not those rules applied to both groups. Ms. Pritzl advised that she had an upcoming meeting with the Assistant Attorney General and would ask about that issue. Mr. Swartz stated that this item would be combined with agenda item 5.D and the committee would come back to it at the next meeting.
 - F. Referring The Definition of “Peer Review” as it Relates to Home Inspector Registrants Involved in Board Disciplinary Actions to the Legislation and Rules Committee to consider broadening the definition to apply to all professions and occupations – Mr. Swartz explained that the Board liked this idea but wanted it to be applied to all professions. Mr. Leeds asked if the rules for Home Inspectors would be different than the rest of the professions. Mr. Madison explained it would be the same concept for each profession. Ms. Pritzl explained the committee didn’t need to take action on that item it will be reviewed by the Legislation and Rules committee and will move forward from there. Mr. Leeds asked if this will be written up as a Board rule or just a guideline. Ms. Pritzl advised that question is part of the discussion that will be had at the L&R committee. Mr. Leeds asked that this be accessible to registrants so they could know what the Board wants in peer reviewers. Mr. Swartz stated the definition is missing the 5 years, 250 inspections language that was agreed upon on the last committee meeting. Ms. Pritzl stated that the Board did discuss that but, just in case, staff will make sure that language is included at the L&R committee meeting.
6. **DIRECTOR’S REPORT** – Ms. Pritzl stated that the Board has been assigned a new Assistant Attorney General, Michael Raine, that she would be meeting with him soon.

Ms. Pritzl advised the committee that the alarm industry bill stalled in the legislature and would not pass. However, the Board was attempting to pass a revised version to allow the Board to accept fingerprint clearance cards. Ms. Pritzl also advised that the attempt to move drug lab remediation to ADEQ would not pass this year, but ADEQ was open to the idea and will cooperate to get it passed next year.

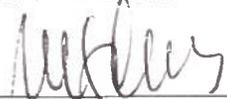
Ms. Pritzl advised the committee that the Governor has placed a moratorium on rule making and explained that requests to draft any new rules must be submitted to the Governor's office and must be approved before rule writing could begin.

Mr. Swartz asked if there was a frequency to the newsletter so that members can have a timeframe on when to submit articles for inclusion. Ms. Pritzl advised that staff is planning to make sure the newsletter is sent out quarterly. Mr. Swartz was advised that staff is working on guidelines for the newsletter that included timeframes.

7. **COMMITTEE CHAIRMAN'S REPORT** – Mr. Swartz stated he attended the February 24, 2015 Board meeting and had a chance to present issues considered by the committee.
8. **FUTURE AGENDA ITEMS** – Mr. Swartz asked to have agenda items D and E into one item to be placed on the next agenda. Mr. Swartz also asked to have agenda item F placed on the next committee meeting agenda.
9. **FUTURE MEETINGS** – June 9, 2015 at 9:30AM
10. **ADJOURNMENT** – Meeting adjourned at 10:26AM



David Swartz, Chair



Melissa Cornelius, Executive Director