

MINUTES

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

HOME INSPECTOR RULES AND STANDARDS COMMITTEE

August 9, 2019 – 9:30 a.m.

1. **CALL TO ORDER** – 9:30am
2. **ROLL CALL – Present:** Peter Leeds, Jason Madison, David Swartz and Paul Staron
Not Present: Andrew Everroad
Staff: Melissa Cornelius, Patrice Pritzl, Robert Stam, Douglas Parlin, Kurt Winter
AG: Scott Donald.

3. **CALL TO THE PUBLIC**

No one appeared before the Board.

4. **ADOPTION OF MINUTES**

Review, Consideration and Possible Action on the following:

- A. Approve, modify and/or reject April 9, 2019 minutes.

Mr. Leeds moved and Mr. Staron seconded to approve the minutes; motion carried.

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

- A. Legislative Update: HB2569

Ms. Cornelius reported that HB2569 might affect home inspector applicants and explained the implications to committee members. Mr. Donald further explained that the Board would need to decide whether an individual's license from another state was comparable to a similar license in Arizona for the Board to grant the individual's registration through the HB2569 exception.

Mr. Leeds opined giving out information regarding home inspecting in Arizona to HB2569 applicants to curtail possible future complaints. Ms. Cornelius explained the difference between a practice act and title act. Mr. Leeds asked if staff would put forth recommendations for licensure to the Board when an applicant applied through HB2569. Ms. Cornelius answered 'yes.' Mr. Staron asked if the law afforded the Board latitude when determining whether an applicant's out of state license was comparable. Ms. Cornelius answered 'yes.' Members expressed their concerns that incoming applicants would not be aware of the Pool and Spas Standards. Staff

indicated that they could inform applicants of the standards during the application process or with a pamphlet after the Board granted them licensure.

B. Vendor Preferred Programs

Mr. Boekenoogen asked how the Board prevented home inspectors from participating in vendor-preferred programs. Committee members and staff answered 'through the complaint process.' Mr. Boekenoogen asked for clarification of what the Board considered a vendor-preferred program. Committee members obliged. Mr. Boekenoogen presented examples of evidence and asked the committee if said evidence would satisfy the requirements to open a complaint. Members indicated the best proof would be a contract between the home inspector and realtor. Mr. Boekenoogen expressed his skepticism of anyone obtaining a contract that they could provide to the Board. Mr. Swartz asked if there was a statute that made the act of persuading a licensee to violate state laws and rules illegal. Mr. Donald answered 'no.' Mr. Boekenoogen asked enforcement manager Parlin if he needed proof to open a complaint against a licensee for participating in a vendor-preferred program. Mr. Parlin answered 'yes,' and further stated that most allegers for preferred vendor complaints refused to be witnesses, resulting in the Board being unable to adjudicate the complaint. Committee members asked that staff continue to inform the home inspector community that it was a violation of the Board's practice act to participate in vendor-preferred programs.

C. Possible Conflicts between Home Inspector Standards and Report Checklist

Ms. Pritzl explained that staff reviewed the Home Inspector Standards and Report Checklist and found what they perceived to be discrepancies and she asked that the committee discuss said discrepancies.

Mr. Boekenoogen stated that the checklist deviated from the standards and proceeded to explain that the standards allowed a home inspector to report a roof structure was not visible, yet the checklist did not, which was a contradiction. Mr. Leeds and Mr. Swartz argued that a home inspector needed to write more than 'not visible' when reporting on a roof structure. Mr. Donald stated that only the Board could make a determination whether a home inspector had violated the standards. Mr. Madison commented that the checklist and standards needed to correlate so the Board could make the best decision when staff brought a complaint before them.

Committee members and staff decided to assign the task of revising the checklist to a task force consisting of Mr. Leeds and Mr. Staron, who would present their revisions to the committee later.

D. Appointments and Reappointments of HIRSC Members

Ms. Cornelius explained that Mr. Swartz's term was up and Mr. Leed's term was coming up at the end of the year. Ms. Cornelius encouraged Mr. Leeds and Mr. Swartz to submit a letter of interest for the vacancies and stated that other members of the public would also be able to submit letters of interest.

6. **DIRECTOR'S REPORT**

Ms. Cornelius reported on the following: home inspector statistics, the online payment portal, home inspector enforcement cases and the possible installation of a panic button in the Boardroom.

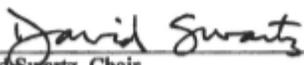
7. **COMMITTEE CHAIRMAN'S REPORT** – Nothing to report

8. **FUTURE AGENDA ITEMS**

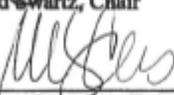
5A, 5B, 5C

9. **FUTURE MEETINGS** – November 5, 2019

10. **ADJOURNMENT** -11:46am



David Swartz, Chair



Melissa Cornelius, Executive Director