

MINUTES OF REGULARLY SCHEDULED PUBLIC MEETING

PUBLIC BODY: COMMITTEE OF HOME INSPECTOR EXAMINERS

DATE: THURSDAY, OCTOBER 7, 2008

LOCATION: OKLAHOMA STATE DEPARTMENT OF HEALTH (OSDH)
1000 NE 10TH STREET, ROOM 314
OKLAHOMA CITY, OK 73117-1299

CONTACT PERSON: SHARITA HILL TELEPHONE: (405) 271-5779

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Agenda Item I:

Call To Order And Recording of Members Present And Absent

Denver Talley, Chairman, called the regular meeting of the Committee of Home Inspector Examiners to order at 10:00 a.m., in room 314 of the Oklahoma State Department of Health.

Committee Members present: Rusty Hartsell, John Jones, Dan LaBrake, Denver Talley, Rod Van Gordon, and Brad Stringer (arrived at 10:02)

Committee Members absent: Johnny Cullison

Staff present: Sharita Hill, Teresa Martinez, and Matt Schue

Others present: Bryan Coyer, Mike Farha, John Habiger, Ed Hatch, and Charles Rupprecht

Agenda Item II:

Statement of Compliance With Open Meeting Act

This regular meeting of the Committee of Home Inspector Examiners, scheduled to begin at 10:00 a.m. on this seventh day of October 2008, was convened in accordance with the Oklahoma Open Meeting Act [25 O.S., §§ 301 et seq.]. Further, an advance public notice that was sent to the Secretary of State's Office of Administrative Rules by facsimile Nov. 27, 2007, prior to this time today, specifying the time and place of the meeting here convened, preceded this meeting. Notice of this meeting was given at least twenty-four (24) hours prior here to and no one filed a written request of notice of meetings of this public body to date.

The statement of compliance was read aloud by Sharita Hill this seventh day of October 2008.

Agenda Item III:

Action Items

A. Approval of the September 4, 2008 minutes

Dan LaBrake made a motion to approve the minutes of the September 4, 2008 meeting.
Rusty Hartsell seconded the motion.

Roll Call

Aye: Rusty Hartsell, John Jones, Dan LaBrake, Brad Stringer, Denver Talley, and Rod Van Gordon

The motion carried.

B. Discussion and Possible Action Regarding Education/Training Courses

1. **International Association of Certified Home Inspectors request for approval of continuing education and Instructor:**
 - a. Nick Gromicko – Instructor
 - b. InterNACHI's Online Plumbing Inspection Course – 8 hours CE
 - c. InterNACHI's Online Electrical Course – 4 hours CE
 - d. InterNACHI's Online Roofing Course – 4 hours CE
 - e. InterNACHI's Green Building Course – 8 hours CE
 - f. InterNACHI's Online Log Home Inspection Course – 8 hours CE
2. **American Society of Home Inspectors – request for approval of continuing education:**
 - a. Inspection World Orlando 2009 – 18 hours CE
3. **Samuel J. Haubrick – Instructor Application**
4. **AmeriSpec, Inc. – request for approval of continuing education and Instructor:**
 - a. Bert Henderson - Instructor
 - b. Introduction to Green Building for Home Inspectors – 8 hours CE

Brad Stringer made a motion according to the recommendation of the Sub-Committee that the American Society of Home Inspectors World Orlando 2009 and Samuel J. Haubrick be approved, AmeriSpec shall be tabled until the Committee can meet as a whole, and deny approval for the International Association of Certified Home Inspectors since the instructor does not meet necessary qualifications. John Jones seconded the motion.

Roll Call

Aye: Rusty Hartsell, John Jones, Dan LaBrake, Brad Stringer, and Denver Talley

Abstain: Rod Van Gordon

The motion carried.

C. Discussion and Possible Action Regarding Appointment to CIB Committee to Review and Select a Testing Vendor/Dan LaBrake

Dan LaBrake reported that an appointment would be necessary for someone to set on the CIB Committee to review and select a testing vendor. Mr. LaBrake suggested that Johnny Cullison be the representative on this committee for the Home Inspection Industry.

Rusty Hartsell made a motion to appoint Johnny Cullison as the representative and Dan LaBrake will fill this position should Mr. Cullison not be able to. John Jones seconded the motion.

Roll Call

Aye: Rusty Hartsell, John Jones, Dan LaBrake, Brad Stringer, Denver Talley, and Rod Van Gordon

The motion carried.

D. Discussion and Possible Action Regarding a Continuing Schedule for Meetings at CIB/Dan LaBrake

Dan LaBrake reported that the Construction Industry Board should be informed of when this Committee will be meeting so that a room and representation can be provided.

Rod Van Gordon made a motion to continue future meetings as they are already scheduled. Brad Stringer seconded the motion.

Roll Call

Aye: Rusty Hartsell, John Jones, Dan LaBrake, Brad Stringer, Denver Talley, and Rod Van Gordon

The motion carried.

E. Discussion Relative to Interpretation of the Regulations

John Habiger was present at the meeting to discuss an inspection that he performed in July 2008. Mr. Habiger provided information concerning the house and inspection, which included deflection in the floor, piers, and floor joists. After discussing this matter, the Committee provided their suggestions on how to improve inspection reports to cover future situations. These suggestions included further review of defects by someone in said field instead of giving specifics on how repairs should be done. A suggestion was also made to research information concerning the time the house was built and reference this information should legal council be sought.

**Agenda Item IV:
Report From Staff**

Matt Schue introduced Nathan Powell, Executive Director of the Construction Industries Board. Mr. Powell stated that he is looking forward to working with the Committee of Home Inspector Examiners in the future.

Matt Schue and Sharita Hill presented each Committee member with a Certificate of Appreciation.

Agenda Item V:

Discussion on Statute Changes, Specifically Limits of Liability/Dan LaBrake

Dan LaBrake announced that Kansas has provided limits of liability regulation in place for their home inspectors. The language from Kansas is as follows:

One year of limited liability from the date of the inspection with a maximum monetary liability of \$10,000 and requiring one of the four following options.

1. E & O insurance
2. \$10,000 surety bond
3. Certified letter from a bank stating allowed \$10,000 line of credit
4. \$10,000 escrow account

John Jones stated that he would support a change in legislation that would require a home inspector to have E & O insurance or any of the above specifications. Rusty Hartsell stated that he would prefer the E & O insurance since it would be per occurrence. Brad Stringer would also be in favor of language supporting limited liability with a specified dollar amount.

In order to change current specifications concerning limited liability, language would have to be changed in statute. Nathan Powell stated that the Construction Industries Board should be able to open statutes for placement of this language.

Agenda Item VI:

Committee Member Comments

None

Agenda Item VII:

Public Comments

Charles Rupprecht stated that he has enjoyed attending the Home Inspector meetings and believes that E & O insurance would not benefit inspectors.

Agenda Item VIII:

Old Business

None

Agenda Item IX:

New Business

None

Agenda Item X:

Adjournment

Dan LaBrake made a motion to adjourn the meeting. John Jones seconded the motion.

Roll Call

Aye: Rusty Hartsell, John Jones, Dan LaBrake, Brad Stringer, Denver Talley, and Rod Van Gordon

The motion carried.

The October 7, 2008 meeting of the Committee of Home Inspector Examiners adjourned at 11:32 a.m.