

# STATE OF CONNECTICUT

## HOME INSPECTION LICENSING BOARD

TEL. NO. (860) 713-6135

-MINUTES-

NOVEMBER 20, 2013

The Connecticut Home Inspection Licensing Board held a meeting on Wednesday, November 20, 2013 which was called to order at 9:34 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*)  
Daniel Scott (*Public Member*)  
David B. Sherwood (*Home Inspector*)  
William Stanley, Jr. (*Home Inspector*)  
Lawrence R. Willette (*Home Inspector*)

Board Members Not Present: Eric Curtis (*Public Member*)

Board Member Vacancies: None.

Board Counsel: Not present, as requested.

DCP Staff Present: Robert M. Kuzmich, Department of Consumer Protection  
Richard M. Hurlburt, Department of Consumer Protection  
Vicky Bullock, Department of Consumer Protection

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](http://www.ct.gov/dcp)

**Division E-Mail:** [dcp.occupationalprofessional@ct.gov](mailto:dcp.occupationalprofessional@ct.gov)

**1. Call to order:** by Chairman.

**2. Review of minutes of the August 28, 2013 meeting the Board.**

Mr. Stanley noted a typographical error on page four (4). The second sentence in Paragraph (C) shall be amended to read as follows:

“However, Mr. Hurlburt reported that the Department’s staff believes that the existing language in the Regulation as written will allow the Board to simply vote on a policy to clarify whether or not the law module will be required or not for a particular licensing period.”

In addition, Mr. Hurlburt noted that all future agendas shall include an Item concerning “Comments or Concerns of Anyone Present” after the minutes are approved and as the last item of the agenda before each meeting concludes.

**3. Review of Final Decisions and Orders:**

None before the Board today.

**4. Applications for review:**

None before the Board today.

**5. Applicants appearing before the Board:**

Ms. Bullock cautioned the Board that they may be compromising their ability to hear this matter should it come before them in the future as a complaint.

Mr. Yanir Pesok, currently a Home Inspector Intern in Connecticut addressed the Board concerning a situation that he is in at present. He gave the Board a brief background relating to how he became involved in the home inspection occupation. During this time, Mr. Pesok made acquaintance with Mr. Bill Hirsch, a licensed Home Inspector in Connecticut. Mr. Hirsch agreed to take on Mr. Pesok as an Intern and agreed to be his supervisor for the required 100 supervised inspections. Mr. Pesok then told the Board that he was presented with a no-compete agreement from Mr. Hirsch when he completed his 100 supervised inspections. Mr. Pesok noted that this agreement was very one-sided and does not allow him to work in the area where he lives. He emphasized to the Board that there was no written agreement in place with Mr. Hirsch and noted several options Mr. Hirsch presented him which included working for him

or paying him \$10,000 dollars if he chooses not to work for him. If Mr. Pesok did not sign this agreement, Mr. Hirsch stated that he will not sign-off on Mr. Pesok's inspection log.

After more extensive and detailed discussion, Mr. Stanley noted that the Board will not be able to make a decision at today's meeting and thanked Mr. Pesok for bringing this matter to their attention. The Board then discussed this matter further and voted unanimously to send a written response to Mr. Pesok suggesting that he file a complaint with the Department. (Schaefer/Sherwood) It was noted that by filing a complaint, the Department will generate an investigation which could lead to a resolution in this matter.

## **6. Formal Hearings to be held:**

None before the Board today.

## **7. Old Business**

### **(A) Continuation of Discussion concerning the Home Inspector Licensing Examination.**

1. Mr. Walter Perry from the Examination Board of Professional Home Inspectors is scheduled to address the Board concerning the National Home Inspector Examination.

Mr. Perry addressed the Board concerning this examination and gave the Board an informational brochure for their use. He gave the Board a brief history of his past employment along with an overview of the examination and the testing criteria used. The Examination Board of Professional Home Inspectors (EBPHI) is an independent not-for-profit organization incorporated in the State of Illinois. Mr. Perry noted that this organization administers the National Home Inspector Examination (NHIE) specifically to support the regulatory needs of States in identifying the required level of competence to conduct quality home inspections.

Among the highlights of his presentation, he stated to the Board that the EBPHI Board of Directors is responsible for determination and implementation of all policies and procedures and has a hands-on role in the development and item writing processes for the National Home Inspector Examination. In addition, Mr. Perry stated that because the EBPHI does not depend on membership dues revenue, the organization is free to focus wholly on consumer protection in home inspector competency assessment.

His presentation also addressed examination development noting that questions for the examination are written by home inspectors from throughout the country who represent the profession. Each question is reviewed and edited by similarly qualified

home inspectors. Mr. Perry stated that by requiring home inspectors to pass the National Home Inspector Examination (NHIE).

Mr. Perry noted to the Board by requiring home inspectors to pass the NHIE, states participate in the national standard for the professional home inspector. The NHIE addresses the core competencies of home inspection as they apply in all states. In addition, many state regulatory bodies also wish to test knowledge of state-specific laws, regulations or standards for a profession or occupation. EBPHI is able to assist in the development and delivery of this task if needed.

Mr. Perry fielded questions from the Board concerning state specific subject matter that Home Inspectors may need such as water. Mr. Willette cited some examples of subject matter as it applies to the home inspector's geographical location. Mr. Sherwood noted that he is in favor of a National Examination and believes the Connecticut's Internship program adequately addresses state specific subject matter.

Mr. Schaefer asked if there is a process in place for this Board to review the questions used on the NHIE. Mr. Perry stated that at present there is no specific process in place but the organization is always available for communication with State Boards. He also emphasized that this examination is developed and written by home inspectors.

Mr. Perry stated to the Board there are other States like Connecticut that use a testing service such as PSI. He noted that EBPHI presently works with PSI and that they are able to administer the NHIE without the need for extensive administrative changes. Mr. Perry concluded by stating to the Board that he is always available for any questions they may have in the future. The Board thanked Mr. Perry for his time and the very informative presentation that he made to the Board today.

Mr. Stanley discussed with Board where they go from here in terms of whether or not to implement this examination. Reciprocity with other State was discussed by Mr. Sherwood. He noted that often, Connecticut licensed Home Inspectors will sit for this NHIE to facilitate licensing in other States where this examination is accepted.

Upon further discussion and taking into consideration advice from Ms. Bullock, the Board decided to continue their discussion on the adoption of this examination at their next meeting.

(B) Home Inspection Course Application for Pre-Licensing;

*Courses:            Pre-Licensing Home Inspection*

*School:            New England School of Home Inspection  
                      154 Overbrook Drive  
                      Stamford, CT 06906*

*School*

*Location:         Belltown Fire Department Community Hall  
                      8 Dorlen Road  
                      Stamford, CT 06905*

Report from Mr. Schaefer and Mr. Kobylenski on their review of this submission.

Mr. Schaefer noted that he completed his review and checklist of this submission and found the application to be in order. As such, the Board accepted Mr. Schaefer's review and based upon the same, approved this Home Inspector Course Application for pre-licensing. Mr. Kuzmich noted that this school information will now be listed on the Department's website.

(C) Proposed changes to the Regulation for Home Inspection; for the Board's review and discussion. Mr. Kuzmich reminded the Board that at their last meeting, Mr. Hurlburt updated the Board on these changes stating that the wording shown in the Board's agenda package represented the language necessary to eliminate the licensing law and regulation module from the continuing education mandate.

However, Mr. Hurlburt reported that the Department's staff believed that the existing language in the Regulation, as written, will allow the Board to simply vote on a policy to clarify whether or not the law module will be required or not for a particular licensing period. Mr. Hurlburt detailed the Department's interpretation of this language for the Board's edification

As such Mr. Schaefer made a motion at the Board's last meeting stating that the current licensing period will not require a licensing law module and consist of other areas of home inspection as detailed in the Regulation. The motion was seconded by Mr. Kobylenski and carried unanimously. The exact language of this change was to be reviewed and approved by the Board at a later date.

Mr. Kuzmich stated that according to Mr. Hurlburt, as long as the language appears in the approved minutes, then no more action is necessary on the part of the Board. Mr. Kuzmich also noted that Mr. Hurlburt directed that the Continuing Education Provider application will state this newly adopted language. Mr. O'Neill still believes the Board should formally vote on this language once it appears in the application. Ms. Bullock noted that subsequent to the Board's last meeting, Mr. Hurlburt reviewed the language

already stated in the Board's previous correspondence; therefore this language has already been established. The Board voted unanimously to accept this change in policy as previously detailed in prior Board correspondence. (Kobylenski/O'Neill)

## **8. New Business**

(A) Update from the Department of Consumer Protection on their 2013 Continuing Education Audit for Home Inspectors. Mr. Kuzmich reported that at the present time, the Department received 192 submissions out of 333 Audit letters sent out by the Department. The deadline date is December 1, 2013. The submissions are very complete and the subject matter is on target. The Department also reported that they have received approximately five one hundred dollar civil penalty fees from home inspectors that did not complete their continuing education at the time they renewed their license this past June.

Subsequent to the deadline date, the Department will send written notification to all home inspectors who have not responded stating that their submissions must be received by a specific date or be subject to further legal action by the Department. The Board agreed to adjust their next regular meeting date, as necessary, to accommodate the time frame needed by the Department's Legal Department to follow the required protocol for those home inspectors who have not responded to their audit letter. The Board Chairman will set this date as required.

(B) Correspondence for the Board's information.

The Board acknowledged this information and thanked the Department for the same. Mr. Kuzmich gave the Board detailed information on these items in response to questions and further discussion.

1. Sample 2013 Home Inspector Audit Letter Notice.
2. New Policy on Continuing Education For Home Inspector Licensees. (EFF. DATE 08-04-11)
3. Application for Continuing Education Providers for Home Inspectors.
4. Department of Consumer Protection 2014 Schedule for Board, Commission, and Council Meetings.

## **9. Other Business**

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

(1) Mr. Sherwood addressed the Board concerning correspondence he received from a fellow home inspector concerning a potential complaint. Mr. Stanley noted that he also received this correspondence and stated that the home inspector will be sent written correspondence from the Department on the procedure for filing a complaint.

(2) Mr. Kuzmich notified the Board that he received E-Mail correspondence from Mr. Eric Curtis on November 12, 2013 notifying the Department and the Board that he is resigning from the Home Inspection Licensing Board. The Board thanked Mr. Curtis for his service and wished all the best in the future.

*The meeting adjourned at 11:36 AM. (Schaefer/O'Neill)*

*Note: the next regular meeting of the Board is scheduled for February 26, 2014 beginning at 9:30 AM in Room No. 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.*

Respectfully submitted,

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