

**DRAFT Minutes of the
North Carolina Home Inspector Licensure Board
April 17, 2020**

The regular meeting of the North Carolina Home Inspector Licensure Board (“Board”) was held at 9:00 AM on Friday, April 17, 2020, by teleconference and on Microsoft Teams.

The following members of the Board were present at the start of the meeting:

Robert Roegner	D. Arthur Hall	
Chad Collins	David Dye	Joseph Ramsey

N.C. Department of Insurance (“NCDOI”), Engineering Division staff members Mike Hejduk, Terri Tart, Jennifer Hollyfield, Rodney Daughtry, Rich Hall, Sam Whittington and Thomas Cooney were in attendance. Board Attorney Heather Freeman, N.C. Department of Justice (“NCDOJ”), was in attendance. Harold Upton joined the meeting at approximately 9:47 AM. H. John Gainey and Connie Corey were absent. Chairman Arthur Hall called the meeting to order and welcomed visitors Ken Brittain and Britt Treece (N.C. Licensed Home Inspector Association - NCLHIA), Bonnie Gregory, (Inspector Nation), Seth Palmer (N.C. Realtors®), Eric Coates (N.C. Licensed Home Inspector) Robert Wilson , Wilson Fausel, and legal counsel Rachel Blunk (Forrest Firm, P.C.).

Agenda

Board Attorney Heather Freeman reminded all Board members of the State Government Ethics Act provisions to avoid conflicts of interest, the appearance of conflicts of interest, and the potential for conflicts of interest. Freeman reminded members of the Board who are licensed home inspectors that they have the potential for a conflict of interest because they serve on the Board that licenses them. Freeman asked the members if anyone needed to recuse themselves for any listed agenda items. None were noted.

Approval of January 10, 2020 Regular Meeting Minutes:

David Dye made a motion to approve the minutes. Joseph Ramsey seconded. The motion passed unanimously.

Staff Report

Director

Hejduk reviewed the four Board contracts. The auditor has drafted the first two years of reports. Licensee report reviews have been stalled due to technical difficulties. The annual Board-developed education update course was presented by Bonnie Gregory to the Education Committee. Marion Peoples continues working as a consultant with the Investigation Review and Exam Committees. The education videos views have doubled since the January Board meeting.

License Administrator

Rodney Daughtry stated for the third fiscal year quarter January 1, 2020, through March 31, 2020, 125 applications were approved, 83 new licenses were issued, and 34 computer-based exams were administered before the building was shut due to COVID-19 emergency. Daughtry reported 70

applicants registered for the February exam and 65 showed up. 48 applicants passed the exam and 17 applicants failed. Daughtry reported 7 examinees attended the exam review. Daughtry reported the most active number of licenses issued at 1,642. Daughtry stated he has 61 people rescheduled for the June 4, 2020 exam, which is the next exam date due to the building being closed to the public.

Examinations

Rich Hall reported he has questions from the 805 and 806 test banks that are being reviewed by consultant Marion Peeples, investigators Tom Cooney and Sam Whittington, and Hall himself. A new test will be developed from the revised questions. After that, a new exam development sub-committee will be established to create new questions and skill sheets from the home inspector reference book.

Education Coordinator

Hejduk reported that there are 1,642 active licenses. 147 have met continuing education requirements so far and 5 licensees have renewed. Based on discussions with education sponsors, staff believes there is enough time for licensees to meet continuing education (CE) requirements during the summer months of July and August. CE course approvals for January through March were 2 courses approved and 11 renewed. Staff has received over 2,000 course evaluations. 1 pre-license sponsor was approved from the January Board meeting, Bob Scott, field trainer. Hollyfield and Hejduk noted problems with education sponsors, AHIT and INTERNachi, that had course applications pending and delayed due to problems with the shift to online, paperless submissions.

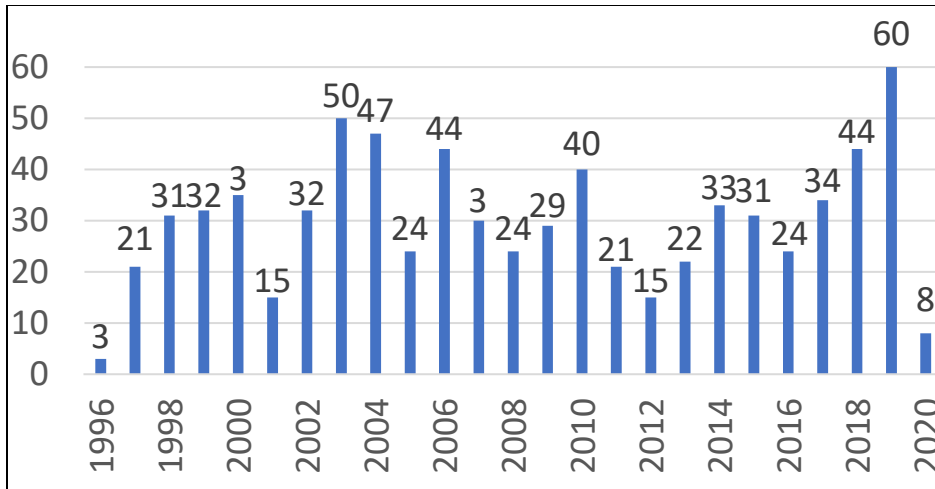
Investigator

Sam Whittington reported 37 complaints were received and completed in the fiscal year. To date in 2020 staff received 8 complaints and completed 9 investigations. Staff has noticed a drop-off in complaints coming in at this time. Chairman Hall asked if this might be due to the COVID-19 emergency and a reduced number of inspections. Whittington stated that was possible.

	FY 2019-2020	CY 2020
Complaints Received	37	8
Investigations Completed	37	9

Oldest case under active investigation was received 3/26/20

Average time to investigate complaints 46.4 days



Committee Reports

Application Committee:

Joseph Ramsey reported that the Committee met on April 15, 2020, and reviewed 18 applications. Ramsey stated that the Committee recommends Board approval for 16 applications and 2 to be denied. Joe Ramsey read the 16 names recommended for approval as follows.

1. William Inman
2. David Silver
3. James Emenaker
4. Steve Oakley
5. Howard Morgan
6. Dwight Durham
7. Jeffery Efird
8. Daryl Green
9. Wilfred Mora
10. John Wiles
11. John Whitney
12. Jeffrey Walling
13. Robert Waitschies
14. Richard Adkins
15. Clyde Johnson
16. Thomas Gugliotta

David Dye made a motion to approve 16 applications. Chad Collins seconded the motion. The motion passed unanimously.

Joe Ramsey read the names of 2 applicants the Committee recommended not be approved.

1. Garrett Cameron
2. Keith Olson

Joe Ramsey made a motion to deny the 2 applications. Chad Collins seconded the motion. The motion passed unanimously.

Examination Committee:

Rob Roegner reported that the Committee did not meet. Roegner stated that staff would like to pilot a software program called Respondus® and Lockdown Browser. These are two pieces of software are cloud based. Using these might allow a person to take a test at home using their webcam for continuous video or in a proctored location. If the Board thinks it is worth going forward with this, NCDOI wants Board approval before moving forward to commit staff time to evaluation. Hejduk said the Board has been asking for computer based remote testing for a long time. This software shows promise currently, but wants Board approval to move forward. Roegner added the lockdown browser portion will not allow the person testing to access other programs while testing and an artificial intelligence (AI) proprietary algorithm monitors the video of a person while testing. There is a cost involved of \$10,000.00 a year but it would allow testing in more locations. Chad Collins stated he would like to see a trial period to work out any kinks before putting this out for people to use. Roegner said that we are under a month trial now through the end of May.

David Dye made a motion for NCDOI to run a trial on the software. Chad Collins seconded the motion and the motion passed unanimously.

Rod Roegner made a motion to approve David Knox as a field trainer. Chad Collins seconded and the motion was passed.

Finance Committee:

Chad Collins asked Hejduk to give the Finance Committee report. Hejduk stated that the fund balance is healthy. Hejduk stated that the Board has a about \$400,000.00 in revenues thru the end of March. Hejduk reported that would be about \$200,000.00 over anticipated expenditures.

Type	Unit	Count	Total
Application	\$35	324	\$11,340
Exam	\$80	338	\$27,040
License	\$160	195	\$31,200
Renewal	\$160	1,468	\$234,880
Late	\$30	89	\$2,670
<u>Licensing Sub-Total</u>			\$307,130
Course Approval	\$150	13	\$1,950
Course Renewal	\$75	55	\$4,125
Per Student Fee	\$5	17,590	\$87,950
<u>Education Sub-Total</u>			\$94,025

Grand Total

\$401,155

Month	Expenditures	Revenues	Fund Balance
Jul	\$ 27,989.37	\$ 31,200.00	\$ 1,286,773.70
Aug	\$ 45,557.98	\$ 101,225.00	\$ 1,339,230.09
Sep	\$ 60,757.65	\$ 294,455.00	\$ 1,517,260.42
Oct	\$ 80,795.83	\$ 338,090.00	\$ 1,540,857.24
Nov	\$ 123,099.69	\$ 348,240.00	\$ 1,508,703.38
Dec	\$ 145,103.44	\$ 357,315.00	\$ 1,495,774.63
Jan	\$ 169,232.01	\$ 371,110.00	\$ 1,485,441.06
Feb	\$ 188,807.32	\$ 385,710.00	\$ 1,480,465.75
Mar	\$ 209,420.34	\$ 403,160.00	\$ 1,477,302.73
Apr			
May			
Jun			

Legislative Committee:

No report.

Education Committee:

Butch Upton – Not on call, communication disrupted.

Chad Collins recommended to Chairman Hall move to the next agenda item.

Investigation Review Committee:

Butch Upton’s communication was disrupted. David Dye recommended Sam Whittington provide the report on behalf of the Committee. The Committee met the prior week via Microsoft Teams. The following cases (complaint numbers in **bold**) were submitted for consideration.

Consent Agreement

- 781** Adams #4192 (Newell)
- 788** Norton #2145 (Pinnock)
- 800** Michaud #4290 (Reese)

Rob Roegner made a motion to approve the Consent Agreements, seconded by Chad Collins. The motion passed.

Dismiss with letter of Caution

798 Waddell #2914 (Adkins)
806 Powell #3732 (Harrell)

Rob Roegner made a motion to approve dismissal with letter of caution, seconded by Chad Collins. The motion passed.

Dismiss

803 Kelly #3539 (Beightler)
807 Hilton #1069 (Tuch)

Rob Roegner made a motion to approve dismissal, seconded by Chad Collins. The motion passed.

Unlicensed Activity

760, 789, and **790** Mark Lail

Rob Roegner made a motion to send a letter to cease inspections without a license. The motion was seconded by Chad Collins. The motion passed.

Butch Upton reentered the conference call.

Standards of Practice Committee:

Hejduk stated the Committee did not meet and has no report.

Advisory Report Review:

Wilson Fausel stated he had 6 reviews from last year completed. Fausel and staff reported some issues with the Sharefile® file transfers and COVID-19 Emergency that has impacted the number of reports prepared for contractor review.

Board attorney Heather Freeman requested staff to present a remaining Education Committee item regarding the pre-licensing field trainer application of David Knox. Rob Roegner made a motion to accept the application. Chad Collins seconded the motion. The motion passed unanimously.

Board attorney Heather Freeman asked Jennifer Hollyfield if there was any additional Education Committee business regarding Bonnie Gregory's work on the update course.

Public Comment:

Chairman Hall ask if anyone had any comments. None noted.

Unfinished Business:

Board-developed update course. Hejduk said the Education Committee was fine with the direction Bonnie Gregory was going with the course.

New Business:

COVID-19 Emergency

Chairman Hall ask if there were any questions about the COVID-19. David Dye asked if the Board had a position with respect to local government emergency declarations regarding home inspections as essential services and real estate transactions. Dye has responded to questions stating the Board does not lobby. Hejduk said he had received emails from licensees asking if they could the do home inspections. Hejduk referred them to the local jurisdictions for answers. Hejduk stated that questions on which businesses were essential services were referred to the N.C. Department of Revenue. Hejduk stated a WRAL news report included a home inspections business among a list of businesses that had been declared essential services. Roegner said that NCDOI has consistently stated construction is an essential service. Chad Collins agreed that no action by the Board was needed on this issue at this time.

Attorney Heather Freeman noted a chat message by Eric Coates regarding CE this year. Coates asked what the Board had discussed regarding CE requirements for the current year. Hejduk stated that some boards that lacked rules for distance education were submitting emergency rules to address the prohibition of in-person seminars. Freeman noted new statutory provisions that allow boards discretion in application of education requirements for licenses. David Dye asked whether the July meeting would be too late to make a decision on approving an extension to CE requirements due to hardship for this year. Chairman Hall asked Coates whether CE could be provided. Coates stated that courses would be offered online. The Board members present were in general agreement that the CE issue could be revisited at the July 10 meeting.

Adjournment:

David Dye made a motion to adjourn the meeting that was seconded by Chad Collins. The motion passed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Rob Roegner".

Rob Roegner
Secretary, N.C. Home Inspector Licensure Board