



STATE OF WASHINGTON
DEPARTMENT OF LICENSING
PO Box 9020, Olympia, Washington 98507-9020

**HOME INSPECTOR LICENSING ADVISORY BOARD
MEETING MINUTES**

DATE: March 12, 2009

PLACE: The Department of Licensing
Home Inspector Program
The Double Tree Hotel at Sea Tac
18740 International Blvd
Seattle, WA 98188-4001

**MEMBERS
PRESENT:** Bruce MacKintosh, Board Member/Chair
David Pioli, Board Member/Vice Chair
Michael O'Handley, Board Member
Steven Smith, Board Member
Deb Wenneman, Board Member

**STAFF
PRESENT:** Rhonda Myers, Program Manager
Dolly Casitas, Education Manager

GUEST SPEAKER: Robert Cooley, Washington Department of
Labor and Industries, Region 4 Consultation
Manager SW Washington Risk Management and
Hygiene

CALL TO ORDER: **9:30 AM** Bruce MacKintosh

A. Approval of Agenda
Approval of Minutes – Board Meeting of 2/17/09

Board Chair, Bruce MacKintosh moved to have public input moved between Agenda items B and C rather than at the end of the Agenda for the benefit of the guest speaker.

B. Previously, the Board sought expert advice regarding the ability of home inspectors to remove the face panel on electrical boxes to report on contents for purposes of a home inspection.

Mr. Cooley from LNI discussed liability issues and code issues of a private business, all relating to safety. He provided the Board Members with handouts on safety, and with a CD on the LNI 800 Series that addresses what can and cannot be done on electrical panel. Mr. Cooley pointed out that an individual must be qualified, and the MFPA-70E is the standard for electrical safety in the workplace.

Mr. Cooley stated private businesses must have policies and procedures in place for ladder safety, etc. Accidents should be reported to the hospital, and also to LNI. Accidents result in a rise in insurance rates, and that is why the need for training programs must be in place for employees. Bottom line serious citation from LNI is \$100.00, and repeat offenders can be cited for \$1,200.00 to \$1,500.00. Mr. Cooley also advised the blanket rules for ladder safety can be viewed on the LNI800 series. Anyone with questions can call the LNI office.

Mr. Cooley stated the bottom line regarding the removal of face panels from the electrical boxes by home inspectors: LNI has no jurisdiction.

C. Process for Board Approved Courses: Dolly provided samples of the course approval form for Board Members to review. This form is the same one being successfully utilized in another program area for education, and Dolly explained the review/approval process to the Board:

- Course content is mandated by WAC, and must come from the Board approved curriculum
- The Course Approval Form is obtained from the Home Inspector website, completed according the directions of the form, and the

course as well as any instructional materials used in the course are mailed to the department.

- Staff reviews the courses to insure learning objectives, and mastery levels are clearly defined for the course. Staff inspects the courses to insure the course materials are matched to the Board approved curriculum.
 - If staff approves the course, the course is then sent to a Board Member for their review. (Board Members will review courses on a rotating basis). The Board Member may approve, conditionally approve, or disapprove the course.
 - If the course is approved it becomes part of the course catalog. If the course is conditionally approved, staff and the Board Member will discuss, and come to a consensus. If the course is disapproved, it will be sent to a second Board Member for review. If the second Board Member reviewing disapproves the course, then the course will not be included in the course catalog. Disapproved courses will go to BAP (Brief Adjudicative Process) for additional review. Here is where the final determination is made to approve or disapprove the course.
 - Turn around for course approval is usually around two weeks. If minor items are missing from a course staff will call, major items missing, the course is sent back to the provider.
 - Dave Pioli asked for a description of the course review process. The review consists of the hourly breakdown of the course for required clock hours, review of textbooks, review of any power point materials, the exam, the exam key, course outline, and how the achievement of mastery levels will be achieved.
 - Distance delivery method (continuing education) is reviewed by the department, and do not require additional review by the Board. Topic areas for continuing education are in the Education WAC's for home inspectors, and these WAC rules are posted on the Home Inspector website. The Distance Delivery Method of Education for continuing education will soon be posted the Home Inspector website.
 - Approval was received from the Board for the Fundamentals Course approval process, and for the Distance Delivery Method of Education for continuing education course approval process.
- D.** Discussion of out-of-state testing for the National Home Inspector Examination was initiated by staff and the Board. The Board was

advised that those individuals wishing to take the National Home Inspector outside the state of Washington would be taking the identical test at out-of-state locations at sites offered by the same vendor who is providing testing services for Washington. Out-of-state testing was approved by the Board.

- E.** The Board discussed contracts of adhesion. Board Members discussed that the pre-inspection agreement is a contract of adhesion. It was discussed that this contract is a one-sided contract, and on-site delivery can create problems with expectations of the contract.
- It was discussed that pre-inspection agreements provide consumer protection, not 100% but it is a lot of protection. The Board is tasked with consumer protection, and the pre-inspection agreement protects consumers against inspectors who do not "do" roofs, crawlspaces, etc. Limits of liability were discussed. It was suggested that the Board may have to revisit pre-inspection agreement wordings in the WAC's.
- F.** Course Approval Form is now posted on the Home Inspector website.
- Exam writing for the state specific portion of the exam will begin on March 26th. The vendor's exam writer, Jerry McDonald, Assistant Administrator, Rhonda Myers, Home Inspector Program Manager, Dolly Casitas, Education Manager, and Deb Wright, Licensing Manager will be utilizing all the WAC's for Education, Licensing, SOP's, and Definitions for purposes of the exam writing. An exam data bank will be built from the exam writing.
 - The study guide for the state specific portion of the exam is the WAC rules posted on the Home Inspector website. Staff is the subject matter expert for this exam writing. However, subject matter experts from the industry will become the exam writers for the second exam writing session.
 - Results (pass/fail report) from the exam will be given to each candidate as they leave the testing site after taking their exam. Candidates must receive 70% for each portion of the exam in order to receive a Pass Report.
 - A brief discussion centered on the re-design of the Home Inspector website. The Board was advised that Dolly has completed a structure for the design, and we have submitted it to our webmaster for approval. The intent is to make it easier to find what licensees are looking for, and to be able to get what they need from the site. Mike O'Handley stated he believed it very necessary to clearly define the how to get your license piece on the site.

- Blogs and websites used and maintained by home inspectors are private. The content of these websites is the responsibility of the person (people) doing the postings, and is not the responsibility of the Board or the department.
- AG advice was sought by the department on RCW 180.280.020 – License required. The AG’s advice upheld the department’s interpretation of the law. To avoid any misunderstandings, the old FAQ’s originally posted the Home Inspector website last year were removed from the site.
- **ADJOURN**

Respectfully Submitted,

A handwritten signature in cursive script that reads "Lee Malott".

Lee Malott, Administrator