

**MINUTES OF THE BOARD MEETING**  
Of  
**LOUISIANA STATE BOARD OF HOME INSPECTORS**

Friday, December 4, 2020  
9:00 AM  
Office of the LSBHI  
5211 Essen Lane Suite 9, Baton Rouge

Board Members in Attendance:

|                                    |                                     |
|------------------------------------|-------------------------------------|
| District 1 – Ashley van der Meulen | District 4 – Paul Collucci-via ZOOM |
| District 2 – Bill Harris           | District 5 – Mike Roberts           |
| District 3 – James Yaeger-via ZOOM | District 6 – Gordon Atwell          |
|                                    | At Large – Scott Hearne             |

**I**

Those members being in attendance, Vice Chairman Gordon Atwell called the meeting to order at 9 AM followed by the Pledge of Allegiance.

The Board reviewed the minutes from the previous Quarterly Board Meeting and a motion was made and seconded to approve the minutes as written.

**II**

C-20-008 Jones v. Kelting LHI#10755- withdrawn by complainant prior to the board meeting.

C-20-009 Thomas v. Unsworth LHI#10503- withdrawn by complainant prior to the board meeting.

C-20-010 LSBHI v. Burns LHI#10213- Mr. Eric Burns was present and sworn in by Vice Chairman, Gordon Atwell. The complainant alleged that Mr. Burns violated LAC46XL.115D (performing inspections with an expired license.) The complainant stated that Mr. Burns performed 118 inspections while holding an expired home inspectors license. Mr. Burns' license was expired for three and half months and was not renewed until after the complaint was filed by the board office. Mr. Burns testified that he had mailed all documents to the LSBHI office on or about April 7, 2020 and since he had not heard from the LSBHI office and with COVID 19 he assumed all was fine with the processing of his renewal but assumed his renewal badges would possibly be delayed. He also stated that he has been a licensed home inspector for 18 years and has never been brought before the board for any type of complaint. The Board acknowledged that Mr. Burns had been in good standings with the Board and had never been before the Board for any type of complaint for 18 years prior to 2020. However, the Board found that Mr. Burns should have taken the appropriate steps to follow up on the renewal application that he submitted via USPS to assure that his application was received. By a vote of 5 to 1 Mr. Burns was found guilty of violating LAC46XL.115D. The Respondent was ordered to pay a fine of \$164.70 which included administrative cost.

C-20-011 Zaroni v. Burnside LHI#11012- withdrawn by complainant prior to the board meeting.

C-20-013 LSBHI v. Dempsey LHI#10903- Mr. Marcus Dempsey was present and sworn in by Vice Chairman, Gordon Atwell. The complainant alleged that Mr. Dempsey violated LAC46XL.117B.1(failing to report inspections and submit inspection fees). The complainant stated that Mr. Dempsey failed to cooperate with the LSBHI's request to file late or missing monthly reports as well as pay late fees for reports that have been filed after the due date. The complainant stated that Mr. Dempsey does not respond to emails or regular mail and the issue is ongoing and consistently getting worse. The Board found that Mr. Dempsey failed to file monthly reports in a timely manner with the Board and failed to pay reporting

fees as required in the Board rules. The Board concluded that Mr. Dempsey did violate LAC46XL.117B.1. By a vote of 6 to 0. Mr. Dempsey was found guilty of violating LAC46XL.117B.1. Mr. Dempsey was ordered to pay a fine of \$3000.00 based on the number of inspections he failed to report and pay for, which included administrative cost. In addition, the Board ruled that Mr. Dempsey shall be suspended as a continuing education provider for the 2021 calendar year.

### III

The Board reviewed applications for Education providers:

- ATI- Live Streaming Continuing Education (approved)
- Mike Roberts- Continuing Education Provider (approved)
- Eddie Miller- In-field Training Provider (approved)
- Ashley van der Meulen- Live Streaming Continuing Education (approved)

### IV

Ashley van der Meulen proposed to extend the LSBHI's PSA campaign throughout 2021. The campaign will continue to promote LSBHI awareness and home inspection education to the public. The Board voted in favor of extending the PSA campaign for another 12 months with a budget of \$23,000.00.

### V

Mr. Joe Cook, chairman of the Education Committee, proposed rules changes pertaining to live streaming, one on one CE and minimum class offerings. After much discussion, the Board motioned to table further discussion until June 2021.

The Board unanimously voted to extend the temporary rule change allowing home inspectors to receive continuing education credit for attending LIVE Streaming CE and have it count as "In-Class" credit through-out the COVID 19 recovery. This change is now extended until June 2021.

### VI

The Board discussed and voted in favor of extended the lease agreement for the LSBHI office located at 5211 Essen Lane Suite 9, Baton Rouge. The new lease agreement will expire January 2026.

### VII

The Board discussed and voted in favor of the pre-inspection agreement verbiage change. The change eliminated the last sentence of the SEVERABILITY section:

*The undersigned have read this agreement and understand and accept the terms and conditions thereof, ~~whether executed prior or subsequent\* to the Home Inspection.~~*

As well as remove the second to last statement of the last page:

~~*\*Client has executed this agreement subsequent to the Home Inspection and hereby agrees to be bound by the Initials terms and conditions of this Building Inspection Agreement and Authorization.*~~

### VIII

The Board then reviewed the budget for the 2021 fiscal year. This budget was prepared and presented by Chief Operating Officer, Morgan Spinosa and was adopted by a unanimous vote. The comprehensive budget is completed annually in compliance with the Louisiana Revised Statutes (R.S.) 39:1331 through 1342. The information will be used to prepare the Legislative Auditor's annual report on boards and commissions.

### IX

The Board reviewed and approved the dates for 2021 Board meetings by a unanimous vote.

March 5, 2021

June 4, 2021

September 10, 2021

December 3, 2021

**X**

Election of 2021 officers:

2021 Chairman- Mr. Gordan Atwell

2021 Vice Chairman- Mr. Ashley van der Meulen

**Meeting Adjourned 1:00 pm**

Other attendees: Albert Nicaud, Board Attorney; Morgan Spinosa, COO; Joe Cook; Marcus Dempsey; Eric Burns  
Attendees via ZOOM: Denis Boyle; Roy Burst III; Troy Caraccioli; Clayton Constanza; Lasse Elbe; Greg Ferraro;  
Calvin Helfenstine; Barry Landry; Roland LeBlanc; Mike Murphy; Matt Stentz; Dale Young; David Myers; Morgan  
Wood; Turk Schexnayder; Dennis Clark; Norman Stewart; Warren Amedio; Craig Leonard; Ryan Smith; Jeff  
Dodds; Shawn Gregg; Herbert Stogner; Ned Dufrene; Dustin D'Avy; Ryan Smith; Scott Laird; Jason Hodges; Ricky  
Thibodeaux

Minutes recorded by: C.O.O. Spinosa