

Massachusetts Board of Home Inspectors
Regular Meeting Minutes
Meeting of June 10, 2015
Held at 1000 Washington Street, Room 1-D
Boston, MA 02118
At 9:00 a.m.

Board Members Present:

James Brock (JB), Chairman
Walter Sullivan (WS), Vice-Chairman
Michael Healy (MH), Member
Paul Balutis (PB), Member
Charles Mangio (CM), Member

Members of the Public Present:

Jim Mushinsky
J.E. Rizzo Jr.
Mike Atwell
John Turner
Ed Cataldo

Board Staff Present:

Donald Jansen, Executive Director
James Murphy, Associate Executive Director
James O'Connor, Board Counsel
Sarah Wilkinson, Assistant Chief of Investigations
Doris Lugo, Investigator
Milla Mello, Office Support Specialist

9:00 a.m. Meeting called to Order:

- Executive Director reviewed location of exit and restrooms. Also reviewed procedures for emergency evacuation of the premises.

9:15 AM Listening Session:

- James Mushinsky – Mr. Mushinsky claims that there appears to be a deviation between what is written in the statutes, and what is written in the Home Inspector Regulations. Mr. Mushinsky then proceeded to ask the Board to examine the regulations in order to amend these deviations.
- John Turner – Mr. Turner stated that he would like the Board to examine the regulations as they pertain to the act of Home Inspectors providing consulting services.
- Mike Atwell – Mr. Atwell states that the current regulations are sufficient, and that they provide adequate protection for the consumer.

Board Business:

- The Board considered the regular minutes from the meeting of March 11, 2015. A motion was made by Mr. Brock to accept the minutes of March 11, 2015, and the motion was seconded by Mr. Healy.

- CORI Policy – Board Counsel, James O’Connor, presented a guideline draft on Criminal Conviction or Pending Criminal Charges.
A motion was made to accept the draft by Mr. Brock, and was seconded by Mr. Balutis.
- License quantity overview – Mr. Brock stated that the licensing information contained in the spreadsheet was useful, and that he would like to see an updated spreadsheet at future meetings.

Board Appearance:

- Mr. John Turner appeared before the Board in order to discuss the status of his Home Inspector License. It appears that Mr. Turner’s Home Inspector’s license expired on May 31, 2014 due to not fulfilling his continuing education commitment. Upon closer examination of Mr. Turner’s license, it was discovered that Mr. Turner had failed to provide proof of his continuing education for the 2010-2012 code cycle as well. In April of 2015, Mr. Turner submitted a renewal application that depicts the continuing education classes that he had taken, and a copy of his current insurance certificate. While reviewing the information submitted on the renewal application, it was discovered that Mr. Turner had submitted classes that were not approved by the Board, and that his insurance did not depict errors and omissions. Mr. Turner appeared before the Board today in attempt to seek direction on how he can have his license returned to a current status. In order to show a good faith effort, Mr. Turner provided copies of completion certificates of Board approved continuing education classes that were recently taken.
A motion was made to take the matter under advisement by Mr. Brock, and seconded by Mr. Balutis.
- Mr. Edward Cataldo appeared before the Board in order to request a waiver of the 125 mandatory home inspections that are required for Home Inspector licensure. It appears that Mr. Cataldo has had a long career in the building industry; specifically Mr. Cataldo has been working as a building commissioner for the past twenty- six years.
A motion was made to deny the request of waiving the 125 inspections by Mr. Mangio, and seconded by Mr. Brock.

Open Session: (things not reasonably anticipated by the Chair)

- Counsel for the Board of Home Inspectors, James O’Connor, addressed the Board in regards to a Delegation of Authority document. This document delegates the authority of the Board to both the Executive and Associate Executive Directors, and the Deputy Director of Policy and Boards in regards to matters such as executing Default Final Decisions, revocations of licenses, revoking the right to renew, etc.
A motion was made to approve the Delegation of Authority Document by Mr. Brock, and seconded by Mr. Sullivan.

Mr. Brock made a motion to convene and investigative session, closed to the public pursuant to M.G.L. c. 112, §65C. CM seconded and the motion passed unanimously.

The Assistant Chief of Investigations, Sarah Wilkinson, addressed the Board in regards to a policy on manufactured homes. Specifically, Ms. Wilkinson requested the Board compose a policy that defines the role of the Home Inspector as it pertains to manufactured homes.

During the Closed Session, the Board voted to take the following actions:

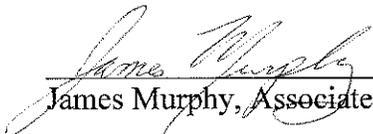
- HI-15-001 Sent to Prosecution
- HI-15-011 Dismissed
- HI-15-013 Dismissed
- HI-15-014 Sent to Prosecutions
- HI-15-015 Dismissed
- HI-15-016 Sent to Prosecutions
- HI-15-018 Dismissed
- SA-HI-15-002 Open Complaint, Send to Prosecutions (Mr. Healy recused himself, and left the room during deliberations)

At 12:15 PM Returned to Open Session via a motion by PB, which was seconded by CM.

12:20 PM Adjournment:

Mr. Brock moved to adjourn the meeting. Walter Sullivan Seconded. The motion passed unanimously.

Respectfully submitted by,


James Murphy, Associate Executive Director