



**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**BOARD OF REGISTRATION OF HOME INSPECTORS**  
1000 Washington Street • Boston • Massachusetts • 02118

**Minutes of June 08, 2022**  
**Tele-Meeting via Microsoft Teams**  
**Time: 10:00 a.m.**

<b>Members Present:</b> Elizabeth Martin, <i>Industry Member</i> Michael Healy, <i>Industry Member</i> Ronald Rocha, <i>Industry Member</i> Fred Rausa, <i>Public Member</i>	<b>Administrative Staff Present:</b> Keith Gleason, <i>Executive Director</i> Tamara Smith, <i>Program Coordinator</i> Milla Lewis, <i>Administrative Assistant</i> Jenna Hentoff, <i>Board Counsel</i> Clinton Dick, <i>General Counsel</i>
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**INFORMATIONAL NOTE: All votes were taken by roll call. Where a motion is noted to pass unanimously, each member voted in favor.**

**Call to Order** – Chair M. Healy opened the meeting at 10 A.M.

1. **Vote on Minutes of May 11, 2022** – Motion was made by M. Healy, seconded by R. Rocha and the Board unanimously voted to approve the minutes as presented.
2. **Report on Board and administration activities** –
  - a) Executive Director K. Gleason reported on the progress of renewals and inquired whether the Board would like to discuss returning to a quarterly or other reduced schedule. After discussion, motion was made by M. Healy, seconded by R. Rocha and the Board unanimously voted to schedule bimonthly meetings until further notice.  
E. Martin inquired regarding the status of the open Board member seats. K. Gleason stated that he expects there to be new Board members appointed in the near months.
  - b) Board Counsel J. Hentoff reminded the Board regarding the conflict-of-interest law and the Board members' obligation to disclose any conflicts as "special state employees" including recusing oneself from matters that may pose an actual conflict or any appearance of one. Counsel stated that if anyone should have questions about any specific scenarios, they should contact Counsel or the Executive Director.
3. **Reviewed/Discussed Board Correspondence**

- (a) The Board reviewed and discussed correspondence received from Ray Jackson of Jackson Home Inspections Inc. on “walkthrough inspections.” The Executive Director stated that the correspondence was shared with the Board as it is a current subject of Board discussion and related to current events in the profession. The Board directed staff mark the communication as read and filed.

**4. Reviewed/Discussed Applications for licensure by Endorsement** –The Board reviewed an application for licensure pursuant to M.G.L. c. 112, § 224 under which the Board may issue a license to an individual who holds a license issued by another jurisdiction if the Board finds that their standards are substantially equivalent to the Board’s licensure standards. After discussion, the Board determined the following:

(a) **Donald Lariviere -**

Motion was made by M. Healy, seconded by E. Martin and the Board unanimously voted to deny the applicant for licensure on grounds that the applicant did not provide sufficient documentation of equivalent credentials.

**5. Discussed walkthroughs/consultations inspections**

- Counsel presented a draft advisory that essentially specifies and outlines what a Home Inspection is as defined by Board statutes and regulations. Board members discussed the draft advisory.
- E. Martin indicated her preference that the advisory contain a final statement in addition to the quoted statutes and regulations to provide direction to licensees and consumers.
- M. Healy discussed an email he received from the New Hampshire Board of Home Inspectors on the same subject.
- Board Counsel and General Counsel discussed how an advisory or policy may clarify Board statutes and regulations but is not otherwise enforceable and may be void if found to conflict with statutes and regulations. Board Counsel and General Counsel discussed the use of such advisory or policy as opposed to a fact-based determination made through the adjudicatory process when a complaint is filed. General Counsel further reminded the Board members of the need to avoid curtailing businesses which do not fall under the Board’s jurisdiction as stated in relevant case law.
- After discussion, the Board directed that the draft advisory be amended to add reference to licensees’ ability to consult with an attorney.

**6. Reviewed/Discussed Education Program proposals and CE** – no matters presented

**7. Reviewed/Discussed Online Continuing Education Policy**

- Counsel presented the updated Board policy per the Board’s decision to allow for online continuing education in perpetuity. Motion was made by M. Healy, seconded by E. Martin and the Board unanimously voted to approve the CE policy.

**8. Discuss other matters not reasonable anticipated 48 hours in Advance of meeting**

- no matters presented

At 11:13 A.M., R. Rocha made a motion, F. Rausa seconded, and it was unanimously voted to go into closed investigative conference. While the Board reserved the right to re-enter open session at any time, the Board did not anticipate returning to open session except to adjourn.

**9. Complaints / Investigative Conference, Closed Session per M.G.L. c. 112, s. 65C:**

a) Discussion of complaints prior to the issuance of an order to show cause

- Docket	Order
2022-000096-IT-ENF	Dismiss w/o prejudice
2022-000111-IT-ENF	Dismiss w/o prejudice

M. Healy was recused on the following and departed the meeting.

2021-000826-IT-ENF	Dismiss w/o prejudice
2021-000982-IT-ENF	Dismiss w/Advisory

**10. Executive Session – Closed Session under MGL Ch. 30A, Section 21 - Good Moral Character – no matters presented.**

**11. Quasi-Judicial: Closed Session under MGL Ch. 30A, Section 18 – no matters presented.**

**12. Adjournment - E. Martin made a motion, R. Rocha seconded, and it was unanimously voted to adjourn the meeting at 11:31 A.M.**

**List of Documents:**

1. *Agenda*
2. *Draft Minutes of the meeting May 11, 2022*
3. *Correspondence from Ray Jackson*
4. *Application documents*
5. *Draft advisory on walkthroughs/consultation inspections*
6. *Email from New Hampshire Board of Home Inspectors*
7. *Online CE policy*