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

Members Present: Elizabeth Martin, <i>Industry Member</i> Michael Healy, <i>Industry Member</i> Ronald Rocha, <i>Industry Member</i> Carmen Garcia, <i>Public Member</i>	Administrative Staff Present: Keith Gleason, <i>Executive Director</i> Tamara Smith, <i>Program Coordinator</i> Milla Lewis, <i>Administrative Assistant</i> Jenna Hentoff, <i>Board 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 June 8, 2022** – Motion was made by M. Healy, seconded by R. Rocha and the Board by a majority voted to approve the minutes as presented.
Abstained: C. Garcia
2. **The Executive Director Reported on the following**
 - a) The Executive Director notified the Board members and the public attendees of the requirement under M.G.L. c. 30A §20 (f) that anyone intending to record any part of the open meeting may do so after notification to the Chair.
 - b) The new Public Board member Carmen Garcia was introduced and welcomed by the Board.
3. **Legal Counsel Report**
 - a) Executive Order by Gov. Baker regarding Protection of Access to Reproductive Healthcare
 - Counsel reviewed the Governor's Executive Order which prohibits Executive Department agencies from assisting another state's investigation of individuals or entities providing or receiving reproductive health services which are legal in Massachusetts and protects providers from loss of licensure or discipline based on out of state charges, convictions, or disciplinary actions for providing reproductive healthcare services. The Boards will be implementing policies to ensure that no one is denied a license or has a license disciplined due to providing or assisting regarding reproductive health care services that are covered by the Order based upon out of state charges or discipline. Counsel will provide updates to the Board when they are available.

- b) Adopt Remote Meeting Procedures for future meetings
 - Board Counsel reviewed the provision in the Open Meeting Law which will allow Board members to attend a meeting remotely if their physical attendance would be unreasonably difficult. A Board member would be permitted to attend a meeting remotely if a quorum of the Board is physically present, including the Board Chair or the person designated to chair the meeting. R. Rocha made a motion to adopt the remote meeting procedures for future Board meetings held in person, the motion was seconded by M. Healy and the motion passed unanimously.

4. Reviewed/Discussed Applications for licensure by Endorsement

- Counsel gave a brief synopsis of what endorsement/reciprocity applications entail and offered to provide an updated reference chart.
- E. Martin voiced concerns regarding the website instructions on endorsement applications, specifically that the instructions are not clear as to the Board's requirements and applicants are not able to submit comprehensive application packages.
- K. Gleason welcomed the feedback and asked that any website findings and limitations are communicated to him. He offered to share the pages for the next Board meeting so the Board can go over and make suggested changes.
- Counsel added that the proposed amendments to the regulations will also help in clearing matters up regarding "supervision" of inspections.
- The Board reviewed applications 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) **John Brewster** – tabled pending more information on education, license verification and list of inspections.
 - b) **Peter Fagen** – Motion was made by M. Healy, seconded by C. Garcia 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. Reviewed/Discussed Drafted Policy on walkthroughs/consultation inspections – The Board discussed the updated draft advisory. Motion was made by E. Martin, seconded by R. Rocha and the Board unanimously voted to approve the policy for posting.

6. Discuss other matters not reasonable anticipated 48 hours in advance of meeting – no matters presented.

7. Investigative Conference, Closed Session per M.G.L. c. 112, s. 65C:

At 11:10 A.M., M. Healy made a motion, R. Rocha seconded, and it was unanimously voted to enter 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.

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

- Docket	Order
2021-000388-IT-ENF	Forward for prosecution
2021-000496-IT-ENF	Dismiss w/o prejudice
2022-000211-IT-ENF	Dismiss w/o prejudice

8. **Executive Session – Closed Session under MGL Ch. 30A, Section 21 - Good Moral Character** – no matters presented.
9. **Quasi-Judicial: Closed Session under MGL Ch. 30A, Section 18** – no matters presented.
10. **Adjournment** – E. Martin made a motion, R. Rocha seconded, and it was unanimously voted to adjourn the meeting at 12:32 P.M.

List of Documents:

1. *Agenda*
2. *Draft Minutes of the meeting June 8, 2022*
3. *Application documents*
4. *Draft advisory on walkthroughs/consultation inspections*