The Emergency Meeting via Teleconference of the North Carolina Home Inspector Licensure Board was held at 11:00 am, Thursday, January 14, 2009 in the Board office Raleigh, North Carolina.

The following members of the North Carolina Licensure Board were present by phone:

- Gerald Canipe
- Larry Summer
- Tony Jarrett
- Marion Peeples
- David Jones
- Talmadge Jones
- Board Member Ted Triebel was present in the office. Chris Noles was not in attendance. The seven members constituted a quorum.

Department of Insurance staff members Mike Hejduk, Phil Joyner, Jennifer Hollyfield and Terri Tart were in attendance. Board Attorney Rebecca Lem was in attendance by phone.

The visitors in attendance by phone were NCAR Attorney, Cady Thomas, NC-ASHI, Fred Herndon, AHIT, Katie Paepzke, Jim Anna, Keven Kossler, and Jim Kellogg.

Chairman Gerald Canipe identified that the emergency meeting was called to address unexpected circumstances requiring immediate consideration by the board regarding proposed rule changes that must be adopted by the Board prior to filing with the Rules Review Commission by 1/20/10.

Chairman Canipe asked the Executive Director Mike Hejduk to read the rules being voted on today.

The first rule change on the agenda is the following:

**11 NCAC 08 .1002 IS PROPOSED FOR REPEAL AS FOLLOWS:**

11 NCAC 08 .1002 MEETINGS

*History Note: Authority G.S. 143-151.48(a);
Codifier determined that agency findings did not meet criteria for temporary rule Eff.
October 15, 1996;
Temporary Adoption Eff. October 24, 1996;
Eff. July 1, 1998;
Repealed Eff. March 1, 2010.*

Chairman Canipe polled the Board Members present and the rule change was approved by a vote of 6-0. Chairman Canipe did not vote.
The second rule change on the agenda includes alternate language from that published in the North Carolina Register offered, at the Public Hearing.

11 NCAC 08 .1004 IS PROPOSED FOR AMENDMENT AS FOLLOWS:
11 NCAC 08 .1004 EQUIVALENT EXPERIENCE

(a) The Board shall consider equivalent experience of applicants who do not meet the experience requirements of G.S. 143-151.51(5)a. Any one of the following descriptions of experience is considered sufficient to meet the equivalent experience requirements:

(1) A bachelor of science degree from any engineering, architecture or building technology school and two years experience working in building design, construction, or inspection of building, electrical, mechanical, and plumbing systems.

(2) A two year Associate of Applied Science degree from a community college or technical school in building technology, civil engineering, electrical engineering, mechanical engineering, or architecture; and either four years of design experience in building, electrical, mechanical, and plumbing systems, or four years experience as an employee who works under the direct supervision of a licensed general (residential or building) contractor and who supervises electrical, mechanical, and plumbing subcontractors.

(3) Six years experience as an employee who works under the direct supervision of a licensed general contractor (residential or building) performing building construction and who supervises electrical, mechanical, and plumbing subcontractors.

(4) Certification by the North Carolina Code Officials Qualification Board as a Code Enforcement Official with Standard Level I (or higher) inspection certification in four areas: building, electrical, mechanical, and plumbing.

(5) Any combination of certification listed in Paragraph (a)(4) of this Rule and a license as an electrical contractor (limited or greater) issued by the N.C. Board of Electrical Examiners, or a license as a heating or cooling contractor (H1, H2, or H3), or a plumbing contractor issued by the N.C. Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors, resulting in either a certificate or a license in four areas in building, electrical, mechanical, and plumbing contracting or inspections.

(6) For the purpose of G.S. 143-151.51(5)a, the number of completed home inspections for compensation before October 1, 1996, as a home inspector may be included.

(b) Applicants may submit other experience in the design, installation, or inspection of buildings and electrical, mechanical, and plumbing systems. The Board’s Application Evaluation Committee shall consider such experience on a case-by-case basis.

(c) Graduation in a home inspection course from a training institute or correspondence school is not sufficient to meet the equivalent experience alone. However, such courses may be listed along with other experience. Successful completion of a home inspection course or training program approved by the Board may be sufficient to meet the equivalent experience requirement for licensure. The applicant must include
certification from the home inspection course or training program demonstrating that the applicant has met all requirements of that program, including attendance, testing, and training as applicable. Such home inspection course or training program must consist of at least 120 hours of instruction. The instruction may include field training, classroom instruction, distance learning, peer review, and any other educational format that has been approved by the Board. Such courses may be considered along with other experience.

History Note: Authority G.S. 143-151.49(a)(13); 143-151.51(5)b; Codifier determined that agency findings did not meet criteria for temporary rule Eff. October 15, 1996; Temporary Adoption Eff. October 24, 1996; Eff. July 1, 1998; Amended Eff. March 1, 2010.

Chairman Canipe polled the Board Members present and the rule was approved by a vote of 6-0. Chairman Canipe did not vote.

The third rule change on the agenda includes alternate language from that published in the North Carolina Register reflecting industry comments.

11 NCAC 08 .1103 IS PROPOSED FOR AMENDMENT AS FOLLOWS:

11 NCAC 08 .1103 PURPOSE AND SCOPE
(a) Home inspections performed according to this Section shall provide the client with an understanding of the property conditions, as inspected at the time of the home inspection.
(b) Home inspectors shall:
   (1) Provide a written contract, signed by the client, before the home inspection is performed that shall:
      (A) State that the home inspection is in accordance with the Standards of Practice of the North Carolina Home Inspector Licensure Board;
      (B) Describe what services shall be provided and their cost; and
      (C) State, when an inspection is for only one or a limited number of systems or components, that the inspection is limited to only those systems or components;
   (2) Inspect readily visible and readily accessible installed systems and components listed in this Section; and
   (3) Submit a written report to the client that shall:
      (A) Describe those systems and components required to be described in Rules .1106 through .1115 of this Section;
      (B) State which systems and components designated for inspection in this Section have been inspected, and state any systems or components designated for inspection that were not inspected, and the reason for not inspecting;
(C) State any systems or components so inspected that do not function as intended, allowing for normal wear and tear, or adversely affect the habitability of the dwelling;

(D) State whether the condition reported requires repair or subsequent observation, or warrants further investigation by a specialist. The statements shall (i) describe the component or system and how the condition is defective, (ii) explain the potential consequences of the condition, and (iii) direct the recipient to a course of action with regard to the condition and/or refer the recipient to a specialist; and

(E) State the name, license number, and signature of the person supervising the inspection and the name, license number, and signature of the person conducting the inspection.

(c) This Section does not limit home inspectors from:
   (1) Reporting observations and conditions or rendering opinions of items in addition to those required in Paragraph (b) of this Rule; or
   (2) Excluding systems and components from the inspection if requested by the client, and so stated in the written contract.

(d) Written reports required by this Rule for pre-purchase home inspections of three or more systems shall include a separate section labeled "Summary" that includes any system or component that:
   (1) does not function as intended or adversely affects the habitability of the dwelling; or
   (2) warrants further investigation by a specialist or requires subsequent observation.

This summary shall not contain recommendations for routine upkeep of a system or component to keep it in proper functioning condition or recommendations to upgrade or enhance the function or efficiency of the home. This summary shall contain the following statements: "This summary is not the entire report. The full report may include additional information of interest or concern to the client. It is strongly recommended that the client promptly read the complete report. For information regarding the negotiability of any item in this report under a real estate purchase contract, contact your North Carolina real estate agent or an attorney."

History Note: Authority G.S. 143-151.49;
Codifier determined that agency findings did not meet criteria for temporary rule Eff. October 15, 1996;
Temporary Adoption Eff. October 24, 1996;
Eff. July 1, 1998;
Amended Eff. February 1, 2009; February 1, 2007; April 1, 2005; May 1, 2003; July 1, 2000;
David Jones made a motion to remove the word *(potential)* from section 11 NCAC 08 .1103 (D)(ii). Marion Peeples seconded the motion. The motion passed.

David Jones made a motion to change 11 NCAC 08 .1103 (D)(ii) to state the following:

(iii) direct the recipient to a course of action with regard to the condition

and/or refer the recipient to a specialist;

Marion Peeples seconded the motion. The motion passed.

Chairman Canipe polled the Board Members present and the rule was approved by a vote of 6-0. Chairman Canipe did not vote.

Chairman Canipe asked for a motion to adjourn.

**Adjournment**

David Jones made a motion to adjourn. Marion Peeples seconded the motion. The motion passed. Chairman Canipe adjourned the meeting.

Respectfully submitted,

Christian Noles, P.E.
Secretary

**Note:** These are summary minutes. The official minutes of this meeting are recorded on CD. Anyone desiring copies should contact the NC Department of Insurance, Engineering Division, Home Inspection Section for reproduction costs.