



Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

PAT QUINN
Governor

MICHAEL T. McRAITH
Acting Secretary

DANIEL E. BLUTHARDT
Director
Division of Professional Regulation

MINUTES OF MEETING HOME INSPECTOR ADVISORY BOARD

The Home Inspector Advisory Board convened at 11 a.m. on Wednesday, March 25, 2009 at the James R. Thompson Center, 100 West Randolph Street, 9th Floor, Chicago, Illinois for the purpose of conducting a general business meeting.

The following members were present for all or part of the meeting:

Debbie Niemann, Chair and Administrator
Robert Claus, Member
Rita Starkey, Member
Dana Strumpher, Member
Corey Friedman, Member (via phone conference)

Also present for all or part of the meeting:

Ron Hardgrove, Director of Real Estate
John Botner, Director of Enforcement
Craig Capilla, Attorney
Marsha Strumpher, general public attendee

APPROVAL OF MINUTES

Chairman Niemann requested additions or corrections to the November 20, 2008 Minutes. A Motion was made/seconded to approve the November 20, 2008 minutes. The Motion carried unanimously.

NEW BUSINESS

A discussion was had regarding meeting dates for 2009. The upcoming May 28th, July 23rd, September 24th, November 19th, meetings were re-confirmed and the time for the November 19th meeting was changed from 11 a.m. to 1 p.m. Locations for all meetings in 2009 will be in room 171A on the 9th floor of the James R. Thompson Center. Further discussion was had in regard to all attendee's making timely notification of cancelling their involvement in the meetings. It was further explained that staff commutes from Springfield to Chicago and coordinate their schedules to attend the advisory board meetings, making last minute cancellations impossible to intervene with other members already en-route.

Mr. Hardgrove explained that the real estate license law is being revised and is currently in both Committees. January 1, 2010 should be the effective date that the revisions will be instituted. There is extensive changes to the education portion of the Act; most likely changed to reflect 90 hours of education rather than 45 hours, with the first renewal requiring an additional 30 hours for real estate sales persons. Real estate brokers will be required to obtain the 120 hours of education, plus an additional 45 hours. Further discussions were had regarding the likeliness of a decline in the number of licenses issued for this profession as well as economic situations within the various real estate professions. Pass rate for pre-licensed broker exam was discussed and simulation testing for the broker exam. Real estate cases in prosecution have slightly grown, but no new staffing adjustments have been instituted.

A brief discussion was had on the number of home inspector licensee's since the enactment of the law.

The State Ethics requirement for all board members was explained.

The advisory board members were informed that non-renewed licensee's are currently being sent letters from the IDFPR per the advisory board's recommendation. The letters are confirming non-renewed status and the ramifications if unlicensed practice is found.

The Home Inspector Administrative Rule was talked about as well as the process with the Joint Committee on Administrative Rules. Examples of unlicensed practice, false advertising and other forms of violations were discussed and the possible techniques in collecting evidence to show cause. Further conversation included relationships between real estate persons and home inspectors and their work ethics.

A brief discussion was had on when the Home Inspector Advisory Board may get another member.

ENFORCEMENT REPORT

A May to February 2009 enforcement report was given by John Botner, Real Estate Enforcement Director. Currently there are 24 home inspector cases, 1 formal complaint filed, 44 notices of intent to refuse to renew, 32 Orders were referred to the Director for his signature. Craig Capilla, real estate attorney, indicated that he is in receipt of 12 active complaints - home inspector cases, one case is set for a formal hearing and requested that a board member be present. The formal hearing is scheduled for June 5, 2009 at 10am, which involves a licensee who petitioned for a hearing, having found to be delinquent in the 2006 continuing education audit. There are additional petitions for a formal hearing; however dates for those hearings have not yet been scheduled. Additional files are pending conferences and Mr. Capilla advised the board members that they will be notified of the date. Consent orders will be drafted and sent to the respondents, and if not signed, a formal complaint will be opened.

A Motion was made and seconded that we conclude the home inspector advisory board meeting. The Motion passed unanimously.

APPROVED:

Debbie Niemann, Chairperson
IDFPR