



# 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 Thursday, July 23, 2009 at the James R. Thompson Center, 100 West Randolph Street, 9<sup>th</sup> 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  
Frank Johnson, Member  
Stephen Swift, Member

Also present for all or part of the meeting:

Ron Hardgrove, Director of Real Estate  
John Botner, Director of Enforcement  
Mark Thompson, General Counsel

### APPROVAL OF MINUTES

Chairman Niemann requested additions or corrections to the March 25, 2009 Minutes. A Motion was made/seconded to approve the March 25, 2009 Minutes. The Motion carried unanimously.

## **NEW BUSINESS**

Stephen Swift, the newest member of the Home Inspector Advisory Board was introduced. Mr. Swift is from Forthysse, Illinois. Mr. Swift comes to the Board as a Civil Engineer graduate with 18 years of experience in the profession as well as experience as a contractor in the construction business.

The board members were advised that the Home Inspector Administrative Rule was filed with the Joint Committee on Administrative Rules (JCAR) and would be posted in the August 7<sup>th</sup> *Illinois Register*. A discussion was had regarding the open comment period for JCAR and sections of the Rule which may be selected for comment from the general public and industry members.

The board members were advised that Brent Adams was appointed as the Acting Secretary of the IDFPR. A bioargraphy can be found on the IDFPR website.

## **OLD BUSINESS**

The board members were told that a roster of all licensed home inspector can be found on the Department's website or by calling the Roster Processing Unit in Springfield.

A lengthy discussion was had regarding the Administrative Rule and changes made to the Rule. The board members submitted specific questions as to why some of their recommendations were not included within the Rule prior to sending to JCAR. Chairman Niemann went over questions and gave responses on behalf of the IDFPR. Further explanation was stated as the IDFPR's responsibility is to clarify a minimum of what is expected of the licensee. IDFPR is required to enforce a minimum of what is expected from a licensee in the profession of home inspection.

The advisory board members were reminded of their responsibilities in terms of not discussing pending case matters with the general public or others. It was stressed that discussion of any facts or allegations should be avoided until a final order or resolution has been established and entered. This includes any discussion concerning the investigative process, evidence obtained, settlement proposals or any other information pertinent to a pending case. It is always permissible to discuss the departments general procedures in handling a case as long as no specific information relative to any still pending matters are part of the conversation.

Upcoming advisory board meeting dates were addressed as follows:

September 24, 2009 - 11 a.m.  
November 19, 2009 - 1 p.m.  
February 18, 2010 - 11 a.m.  
May 20, 2010 - 11 a.m.  
August 26, 2010 – 11 a.m.  
November 18, 2010 – 11 a.m.

Holding future board meetings in Springfield was also discussed and will be addressed with the IDFPR.

## **LICENSING REPORT**

A license report was distributed to the board members indicating that there are currently 1834 active individual home inspectors, 319 Entities, 43 Education Provider's, 45 pre-licensed courses and 214 continuing education courses.

A conversation was had among the board members about the potential lack of licensed Entities and what means can be sought in order to make all comply with the requirements, such as a lowering of the Entity License fee. Some math equations were performed and discussed for the likelihood of recommending to the IDFPR to lower the entity license fee. Shared thoughts and further discussion was had on how the entity license fee relates to other licensed professions within IDFPR. Continued discussion was had on State of Illinois funding methods using examples of the Real Estate Division.

## **ENFORCEMENT REPORT**

An enforcement report was given by John Botner, Real Estate Enforcement Director. Mr. Botner informed the board members that activity from March to June 30<sup>th</sup> consisted of 21 cases pending for Home Inspectors. The total number of cases is currently at 449 within the Prosecution Division. The Enforcement Division was staffed with 1 summer volunteer and 3 law clerks.

There is one case scheduled for deliberation today within closed session.

Discussions were had regarding an applicant case that was called for an informal conference. Rita Starkey was asked to sit in on the conference for August 12, 2009. Information will be distributed to Ms. Starkey prior to the conference.

A Motion was made/seconded to go into executive (closed) session. The Motion carried unanimously.

A Motion was made/seconded to end the executive (closed) session. The motion carried unanimously.

Upon reconvening in open session, a Motion was made/seconded to ratify the recommendation to the Department of Professional Regulation to not concur with the Administrative Law Judges recommendation but that the respondent, Robert McGinnis, License No. 450-000781, Case No. 2008-03388 be put on a refuse to renew status and be fined \$3400.00. The Motion passed unanimously.

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

APPROVED:

---

Debbie Niemann, Chairperson  
IDFPR