

**THE VIRGINIA BOARD FOR
ASBESTOS, LEAD, AND HOME INSPECTORS
MEETING MINUTES**

The Virginia Board for Asbestos, Lead, and Home Inspectors met on October 29, 2002 in Conference Room 5 West at the offices of the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

The following members of the Board were present:

Pamela M. Mentz, Chairperson
Jack A. Geller, Vice Chairman
Joseph W. Crockett
P. Bradley Nott, Jr.
John C. Bouldin
Frederick Heppner
John J. Gerow
Richard L. Honeycutt
Vickie Harlow

The following members of DPOR staff were present during some or all of the meeting:

James L. Guffey, Deputy Director of Enforcement
Karen O'Neal, Deputy Director of RPD
Bonnie Rhea Adams, Assistant Director of Enforcement
David E. Dick, Assistant Director
Douglas Schroder, Assistant Director of Enforcement
Joseph Kossan, Regulatory Boards Administrator
Thomas K. Perry, Regulatory Boards Administrator
Adrienne Mayo, Office Manager
Cynthia Platt, Legal Assistant

Others who attended the meeting included:

Jasper Mersereau, CVASHI
David Lee, VAREI
Ed Wallingford, VDOT
Margie Ray, VDOT
Marcelo Cruz
Mercy Ruth Mendez, Respondent
Angela Lazo Arias, Respondent

Lynn Marie Wilkins, Respondent
Carol Holden, Respondent
Lewis Stevenson, Respondent
Joseph W. Kaestner, Attorney
Christianna D. Cunningham, Attorney

Chairperson Mentz, finding a quorum of the Board present, called **Call to Order**
the meeting to order at 10:11 AM.

Mr. Heppner moved that the Board approve the agenda as prepared **Adopt Agenda**
by staff. Mr. Geller seconded the motion, which was carried
unanimously by eight aye votes (Messrs. Crockett, Bouldin,
Geller, Nott, Heppner, Honeycutt, and Gerow; and Ms. Harlow).
As Chairperson, Ms. Mentz did not vote. The agenda was as
follows:

1. Approval of Agenda
2. Approval of Board Minutes of July 16, 2002
3. Public Comment period – Five minute public comment, per
person, on those items not included on the agenda with the
exception of any open disciplinary files.
4. Enforcement Cases
 - A. File Number 2002-00904- Carol Holden
IFF by Harlow – Disciplinary
 - B. File Number 2002-00905- Carol Holden
IFF by Harlow - Disciplinary
 - C. File Number 2002-00906- Carol Holden
IFF by Harlow – Disciplinary
 - D. File Number 2002-00907- Carol Holden
IFF by Harlow – Disciplinary
 - E. File Number 2002-00908- Carol Holden
IFF by Harlow – Disciplinary
 - F. File Number 2002-01461- Michael Angell
IFF by Harlow – Disciplinary

- G. File Number 2002-01581- Lewis Stevenson
IFF by Harlow – Application
- H. File Number 2002-03497- Clayton Beale
File Number 2002-03490- Clayton Beale
IFF by Geller – Application
- I. File Number 2003-00408- Juan Bautista Herrera Reyes
IFF by Geller – Application
- J. File Number 2003-00445- Otto Barrientos
IFF by Geller – Application
- K. File Number 2003-00449- Darraris Aquilera-Berrios
IFF by Geller - Application
- L. File Number 2003-00450- Isavel Cruz Amaya
IFF by Geller – Application
- M. File Number 2003-00675- Claudia Patricia Mendez
Guzman
IFF by Geller – Application
- N. File Number 2003-00260- Jose O. Mejia
IFF by Geller – Application
- O. File Number 2003-00448- Gricelda Patricia Romero-
Berrios
IFF by Geller – Application
- P. File Number 2003-00447- Eduardo Lopez
IFF by Geller – Application
- Q. File Number 2003-00673- Nelson Padilla
IFF by Geller – Application
- R. File Number 2003-00676- Mercedes Griselda Gusman
Funez
IFF by Geller – Application
- S. File Number 2003-00674- Angela Lazo Arias
IFF by Geller – Application

- T. File Number 2002-00674- Dionel A. Contreras
IFF by Crockett – Disciplinary
- U. File Number 2002-01338- Mercy Ruth Mendez
IFF by Crockett – Disciplinary
- V. File Number 2002-01354- Maribel Moscoso
IFF by Crockett – Disciplinary
- W. File Number 2002-01379- Edvin Osmani Noguera
IFF by Crockett – Disciplinary
- X. *File Number 2002-01385- Thomas Lee Smith*
IFF by Crockett – Disciplinary
Continued until next Board meeting
- Y. File Number 2002-01412- Norman Walter Trent Jr.
IFF by Crockett - Disciplinary
- Z. File Number 2002-1424- Deysi Oralia Flores Villeda
IFF by Crockett – Disciplinary
- AA. File Number 2002-00640- Domingo Antonio Berrientos
IFF by Crockett – Disciplinary
- BB. File Number 2003-00419- Lynn Marie Wilkins
IFF by Crockett – Application
- CC. *File Number 2002-00883- Melvin W. Edwards*
IFF by Crockett – Disciplinary
Continued until next Board meeting
- DD. File Number 2002-01092- Juan Oscar Goris
IFF by Crockett – Disciplinary
- EE. *File Number 2002-01353- Jeffrey T. Lipps*
IFF by Crockett – Disciplinary
Continued until next Board meeting
- FF. *File Number 2002-01360- Kelvin Jerome Mackey*
IFF by Crockett – Disciplinary
Continued until next Board meeting

GG. File Number 2002-01388- Eric T. Smith
IFF by Crockett - Disciplinary
Continued until next Board meeting

HH. File Number 2002-01454- Edy A. Sanchez-Escobar
IFF by Crockett - Disciplinary

5. Action on Proposed Lead-Based Paint Regulation Amendments
 - Review Public Comments and Adopt Response
 - Adopt Final Regulations
6. Action on Proposed Certified Home Inspector Regulations
 - Review Public Comments and Adopt Response
 - Adopt Final Regulations
7. OAR Concerns – Louise Fontaine Ware, DPOR Director
8. Staff Updates
9. Set Next Meeting Date
10. Complete Conflict of Interest Forms and Travel Vouchers
11. Adjourn

Mr. Heppner moved that the Board approve the minutes of its July 16, 2002 meeting as prepared by staff. Mr. Nott seconded the motion, which was carried unanimously by eight aye votes (Messrs. Crockett, Bouldin, Geller, Nott, Heppner, Honeycutt, and Gerow; and Ms. Harlow). As Chairperson, Ms. Mentz did not vote.

Approval of Board Minutes

Chairperson Mentz opened the floor for public comment. No member of the public present expressed a desire to address the Board.

Public Comment Period

In the matter of **File Number 2003-00674, Board v. Angela Lazo Arias**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Angela Lazo Arias (Respondent) was present and communicated with the Board through an interpreter. Upon a motion by Mr. Nott and seconded by Mr. Crockett, the Board adopted the summary and

File Number 2003-00674

recommendation, and approved the Asbestos Worker license for Angela Lazo Arias. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01338, Board v. Mercy Ruth Mendez**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Mercy Ruth Mendez (Respondent) was present and communicated with the Board through an interpreter. Upon a motion by Mr. Nott and seconded by Mr. Gerow, the Board remanded this case to a second IFF since Ms. Mendez was unable to attend the previous IFF. The motion failed. Members voting "YES" were Mr. Gerow; Mr. Nott; and Mr. Geller. Members voting "NO" were Ms. Harlow; Mr. Honeycutt; and Ms. Mentz. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

**File Number
2002-01338**

After much discussion, the Board, upon a motion by Mr. Gerow and seconded by Mr. Heppner, the remanded the case since Ms. Mendez was unable to attend the previous IFF. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

Mr. Crockett moved that the Board consider all five of Carol Holden's cases collectively. Mr. Heppner seconded the motion, which was carried unanimously by five aye votes (Messrs. Crockett, Geller, Nott, Honeycutt, and Gerow). As Chairperson, Ms. Mentz did not vote. The presiding Board member, Ms. Harlow, left the room and did not participate in the discussion or

**File Numbers
2002-00904,
2002-00905,
2002-00906,
2002-00907, and
2002-00908**

vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of File Numbers 2002-00904, 2002-00905, 2002-00906, 2002-00907, and 2002-00908, Board v. Carol Holden, the Board reviewed the records, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summaries and recommendations. Carol Holden (Respondent) was present and was represented by her attorney, Christianna Cunningham. Upon a motion by Mr. Crockett and seconded by Mr. Heppner, the Board adopted the summaries and recommendations, and revoked Carol Holden's licenses for Asbestos Supervisor, Asbestos Inspector, Asbestos Management Planner, Asbestos Project Designer, and Asbestos Project Monitor; and imposed monetary penalties totaling \$15,000.00. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Geller; Mr. Honeycutt; Mr. Nott; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Ms. Harlow, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of File Number 2002-01581, Board v. Lewis Stevenson, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Lewis Stevenson (Respondent) was present and was represented by his attorney, Joseph W. Kaestner. Upon a motion by Mr. Crockett and seconded by Mr. Geller, the Board rejected the summary and recommendation, and approved the Asbestos Supervisor license for Lewis Stevenson. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Geller; Mr. Honeycutt; Mr. Nott; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Ms. Harlow, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

**File Number
2002-01581**

The Board recessed from 11:47 AM until 11:57 AM.

In the matter of **File Number 2003-00419, Board v. Lynn Marie Wilkins**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2003-00419**
Lynn Marie Wilkins (Respondent) was present and addressed the Board. Upon a motion by Mr. Gerow and seconded by Mr. Heppner, the Board adopted the summary and recommendation, and denied the Respondent's application for Asbestos Project Monitor because of a gap in Ms. Wilkins' training due to an inadequate training course. The motion passed. Members voting "YES" were Mr. Gerow; Mr. Nott; and Ms. Harlow. Mr. Geller voted "NO" and Mr. Honeycutt "ABSTAINED." As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-00674, Board v. Dionel A. Contreras**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2002-00674**
Dionel A. Contreras (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Geller, the Board adopted the summary and recommendation, and revoked Dionel A. Contreras' Asbestos Supervisor license and imposed a monetary penalty of \$250.00. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01354, Board v. Maribel Moscoso**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2002-01354**
Maribel Moscoso (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Geller, the Board adopted the summary and recommendation, and revoked Maribel Moscoso's Asbestos Worker license and imposed a monetary

penalty of \$250.00. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. As Chairperson, Ms. Mentz did not vote.

The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01379, Board v. Edvin Osmani Noguera**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2002-01379**
Edvin Osmani Noguera (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Ms. Harlow, the Board adopted the summary and recommendation, and revoked Edvin Osmani Noguera's Asbestos Supervisor license and imposed a monetary penalty of \$250.00. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01412, Board v. Norman Walter Trent, Jr.**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2002-01412**
Norman Walter Trent, Jr. (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Nott, the Board adopted the summary and recommendation, and revoked Norman Walter Trent, Jr.'s Asbestos Worker license and imposed a monetary penalty of \$250.00. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01424, Board v. Deysi Oralia Flores Villeda**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2002-01424**
Deysi Oralia Flores Villeda (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Bouldin, the Board adopted the summary and recommendation, and revoked Deysi Oralia Flores Villeda's Asbestos Worker license and imposed a monetary penalty of \$250.00. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-00640, Board v. Domingo Antonio Berrientos**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2002-00640**
Domingo Antonio Berrientos (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Nott, the Board adopted the summary and recommendation, and revoked Domingo Antonio Berrientos' Asbestos Supervisor license and imposed a monetary penalty of \$250.00. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01092, Board v. Juan Oscar Goris**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2002-01092**
Juan Oscar Goris (Respondent) was not present. Upon a motion by Mr. Nott and seconded by Mr. Heppner, the Board adopted the summary and recommendation, and revoked Juan Oscar Goris' Asbestos Supervisor license and imposed a monetary penalty of \$250.00. The motion passed unanimously. Members voting

“YES” were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01454, Board v. Edy A. Sanchez-Escobar**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member’s summary and recommendation. **File Number 2002-01454**
Edy A. Sanchez-Escobar (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Geller, the Board adopted the summary and recommendation, and revoked Edy A. Sanchez-Escobar’s Asbestos Supervisor license and imposed a monetary penalty of \$250.00. The motion passed unanimously. Members voting “YES” were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

The Board recessed for lunch from 12:34 PM until 1:01 PM.

In the matter of **File Number 2002-01461, Board v. Michael Angell**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member’s summary and recommendation. **File Number 2002-01461**
Michael Angell (Respondent) was not present. Upon a motion by Mr. Crockett and seconded by Mr. Bouldin, the Board adopted the summary and recommendation, and found no violation. The motion passed. Members voting “YES” were Mr. Gerow; Mr. Geller; Mr. Honeycutt; and Mr. Crockett. Mr. Nott “ABSTAINED.” As Chairperson, Ms. Mentz did not vote. The presiding Board member, Ms. Harlow, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-03497, Board v. Clayton Beale**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Clayton Beale (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Nott, the Board adopted the summary and recommendation, and approved the application for Asbestos Supervisor license from Clayton Beale. The motion passed. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; and Mr. Crockett. Ms. Harlow voted "NO." As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

**File Number
2002-03497**

In the matter of **File Number 2002-03499, Board v. Clayton Beale**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Clayton Beale (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Gerow, the Board adopted the summary and recommendation, and approved the application for Lead Worker license from Clayton Beale. The motion passed. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; and Mr. Crockett. Ms. Harlow voted "NO." As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

**File Number
2202-03499**

In the matter of **File Number 2003-00408, Board v. Juan Bautista Herrera Reyes**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Juan Bautista Herrera Reyes (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Crockett, the Board adopted the summary and recommendation, and approved the application for Asbestos Worker license from Juan Bautista Herrera Reyes. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz

**File Number
2003-00408**

did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2003-00445, Board v. Otto Barrientos**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Otto Barrientos (Respondent) was not present. Upon a motion by Mr. Nott and seconded by Mr. Heppner, the Board adopted the summary and recommendation, and approved the application for Asbestos Worker license from Otto Barrientos. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003. **File Number 2003-00445**

In the matter of **File Number 2003-00449, Board v. Darraris Aquilera-Berrios**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Darraris Aquilera-Berrios (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Nott, the Board adopted the summary and recommendation, and denied the application for Asbestos Worker license from Darraris Aquilera-Berrios. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003. **File Number 2003-00449**

In the matter of **File Number 2003-00450, Board v. Isavel Cruz Amaya**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Isavel **File Number 2003-00450**

Cruz Amaya (Respondent) was not present. Upon a motion by Mr. Nott and seconded by Mr. Heppner, the Board adopted the summary and recommendation, and approved the application for Asbestos Worker license from Isavel Cruz Amaya. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2003-00675, Board v. Claudia Patricia Mendez Guzman**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2003-00675**
Claudia Patricia Mendez Guzman (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Bouldin, the Board adopted the summary and recommendation, and denied the application for Asbestos Worker license from Claudia Patricia Mendez Guzman. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2003-00260, Board v. Jose O. Mejia**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2003-00260**
Jose O. Mejia (Respondent) was not present. Upon a motion by Mr. Crockett and seconded by Mr. Heppner, the Board adopted the summary and recommendation, and denied the application for Asbestos Worker license from Jose O. Mejia. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on

matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2003-00448, Board v. Gricelda Patricia Romero-Berrios**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2003-00448**
Gricelda Patricia Romero-Berrios (Respondent) was not present. Upon a motion by Mr. Heppner and seconded by Mr. Nott, the Board adopted the summary and recommendation, and denied the application for Asbestos Worker license from Gricelda Patricia Romero-Berrios. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2003-00447, Board v. Eduardo Lopez**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2003-00447**
Eduardo Lopez (Respondent) was not present. Upon a motion by Mr. Crockett and seconded by Mr. Bouldin, the Board adopted the summary and recommendation, and denied the application for Asbestos Worker license from Eduardo Lopez. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2003-00673, Board v. Nelson Padilla**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2003-00673**
Nelson Padilla (Respondent) was not present. Upon a motion by Mr. Crockett and seconded by Mr. Heppner, the Board adopted the summary and recommendation, and denied the application for Asbestos Worker license from Nelson Padilla. The motion passed

unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of File Number 2003-00676, Board v. Mercedes Griselda Gusman Funez, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Mercedes Griselda Gusman Funez (Respondent) was not present. Upon a motion by Mr. Bouldin and seconded by Mr. Crockett, the Board adopted the summary and recommendation, and denied the application for Asbestos Worker license from Mercedes Griselda Gusman Funez. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Crockett. As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

**File Number
2003-00676**

The Board recessed from 1:56 PM until 2:03 PM.

Mr. Crockett moved that the Board adopt the Summary of Public Comment and Agency Response concerning the Proposed Certified Home Inspectors Regulations as amended by the Board. Ms. Hawlow seconded the motion, which was carried unanimously by eight aye votes (Messrs. Crockett, Bouldin, Geller, Nott, Heppner, Honeycutt, and Gerow; and Ms. Harlow). As Chairperson, Ms. Mentz did not vote.

**Action on Proposed
Certified Home
Inspectors
Regulations**

Mr. Crockett moved that the Board adopt Final Certified Home Inspectors Regulations as amended by the Board as a result of public comment. Mr. Bouldin seconded the motion, which was carried unanimously by eight aye votes (Messrs. Crockett, Bouldin, Geller, Nott, Heppner, Honeycutt, and Gerow; and Ms. Harlow). As Chairperson, Ms. Mentz did not vote.

The Board recessed from 3:48 PM until 3:58 PM.

The Board agreed without dissent to defer action on the proposed amendments to the Lead-Based Paint Activities Regulations to its next meeting.

**Action on Proposed
Lead-Based Paint
Regulation
Amendments**

Mr. Guffey delivered a report outlining Ms. Ware's (DPOR's Director) efforts to seek a means of streamlining the processing of applications from individuals with criminal conviction records. He indicated that Ms. Ware would be setting up a meeting with the Department of Correctional Education regarding licensing requirements for regulatory boards. Ms. Ware would also be setting up a meeting with the Department of Corrections regarding obtaining a certified copy of these individuals' conviction records. This may be useful depending on when an individual is released and applies for licensure.

OAR Concerns

Mr. Guffey said that he spoke to the Board of Directors of the Virginia Sheriffs Association on September 18 regarding obtaining a record of convictions for these individuals.

David Dick updated the Board on the progress made toward Virginia hosting next year's MAREC meeting tentatively scheduled to be held toward the end of January 2003 in Virginia Beach.

Staff Updates

The Board established its next meeting date to be December 17, 2002 at 9:00 AM in conference room 5W at DPOR.

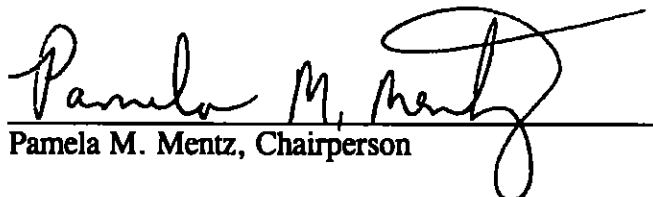
Next Meeting Date

Chairperson Mentz asked the Board members to complete their conflict of interest forms and travel vouchers.

**Conflict of Interest
Forms and Travel
Vouchers**

Chairperson Mentz, finding no further business to conduct, adjourned the meeting at 5:06 PM.

Adjournment


Pamela M. Mentz, Chairperson


Louise Fontaine Ware, Secretary

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