

**VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS**  
*Tentative* AGENDA

**THURSDAY, August 18, 2022, 9:00 A.M.**  
**BOARD ROOM 2—SECOND FLOOR**

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**  
**PERIMETER CENTER—9960 MAYLAND DRIVE**  
**RICHMOND, VA 23233**

**I. CALL TO ORDER**

**II. EMERGENCY EVACUATION PROCEDURES**

**III. APPROVAL OF AGENDA**

- a. Board Agenda, August 18, 2022

**IV. APPROVAL OF MINUTES**

- a. Board Meeting Minutes, May 12, 2022

**V. PUBLIC COMMENT PERIOD – Five minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary or application files**

**VI. CASE FILES \***

- a. File Number 2021-01896 Stewart, Mark Lewis (HI)  
Prima Facie (Cranor)
- b. File Number 2022-01255 Guilliams, Jonathan Curtis (HI)  
Prima Facie (Cranor)
- c. File Number 2022-01245 Champion, Aaron Paul (HI)  
Consent Order (Cranor)
- d. File Number 2022-01250 Santos, Andres (HI)  
Consent Order (Cranor)
- e. File Number 2022-01200 Long, Rudolph Eli (HI)  
Consent Order (Salva)
- f. File Number 2022-01309 Urich, Justin Francis (HI)  
Consent Order (Salva)
- g. File Number 2022-01741 Ortiz Lopez, Santos Ismael (ASB)  
Licensing—IFF by Eldridge

**VII. REGULATIONS**

- a. Regulatory Action Update
- b. Update on HI SB 607 Committee

**VIII. OTHER BUSINESS**

- a. HI CPE Audit Report Update
- b. Asbestos and Lead Course Audit Report
- c. Discussion on Amendments to VA Uniform Statewide Building Code as it Relates to Home Inspectors
- d. Discussion of Potential Legislative Proposals
- e. Board Financial Statements
- f. Outreach Update
- g. 2022 Board Member Training Conference
- h. Other Board Business

**IX. FUTURE MEETING DATES**

- a. November 10, 2022

**X. COMPLETE CONFLICT OF INTEREST FORMS AND TRAVEL VOUCHERS**

**XI. ADJOURN**

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-0362 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

\* Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the *Code of Virginia*.

DRAFT AGENDA  
Materials contained herein are proposed for discussion  
and are not to be considered as final for official Board position.  
DRAFT AGENDA

**PERIMETER CENTER CONFERENCE CENTER**  
**EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS**  
(Script to be read at the beginning of each meeting.)

**PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.**

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

**Board Room 1**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Board Room 2**

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Board Rooms 3 and 4**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Training Room 1**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Training Room 2**

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

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

The Virginia Board for Asbestos, Lead, and Home Inspectors met on May 12, 2022 at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 3, Richmond, Virginia 23233.

The following members of the Board were present:

Stacy J. Armentrout  
Sandra Baynes, Vice-Chair  
John E. Cranor  
James E. Haltigan  
Gene E. Magruder, Chair

Kevin Salva  
Patrick Studley  
Paul D. Thomas  
Louis Walker

Board members Chadwick Bowman, and Sharad Tandale were not present at the meeting.

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

Kishore Thota, Chief Deputy Director  
Trisha L. Lindsey, Executive Director  
Tanya M. Pettus, Board Administrator  
Joseph C. Haughwout, Jr., Regulatory Administrator  
Raven C. Custer, Administrative Coordinator

Joshua Laws from the Office of the Attorney General was present.

Mr. Magruder, finding a quorum of the Board present, called the meeting to order at 9:00 a.m.

**Call to Order**

Ms. Lindsey advised the Board of the emergency evacuation procedures.

**Emergency  
Evacuation  
Procedures**

Ms. Lindsey advised the Board of amendments to the agenda. Mr. Haltigan moved to approve the agenda as amended. Ms. Baynes seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker.

**Approval of Agenda**

Mr. Cranor moved to approve the minutes of the February 10, 2022, Board meeting as presented. Mr. Studley seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker.

**Approval of  
Minutes**

Ms. Lindsey introduced to the Board, Chief Deputy Director Kishore

**Introduction of Staff**

Thota, and Administrative Coordinator Raven Custer. Ms. Lindsey also advised that DPOR Director Demetrios “Mitch” Melis, who was appointed by Governor Youngkin in January, had a scheduling conflict and would possibly join the meeting at a later time.

There were no members of the public present to address the Board on matters other than case files to be presented.

**Public Comment Period**

Mr. Cranor recused himself from the meeting for discussion and deliberation of File Number 2021-02549

**Recusal of Board Member**

In the matter of **File Number 2021-02549, Timothy John Valaike**, the Board members reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer’s Summary and Recommendation.

**File Number 2021-02549, Timothy John Valaike**

Mr. Valaike was present at the meeting to answer any questions from the Board.

Mr. Studley moved to accept the recommendation of the Presiding Officer and find Mr. Valaike in violation of 18 VAC 15-40-155.4 as provided in Count 1. Mr. Haltigan seconded the motion which was unanimously approved by: Armentrout, Baynes, Haltigan, Magruder, Salva, Studley, and Walker.

Mr. Studley then moved to accept the recommendation of the Presiding Officer and impose no sanction for the violation under Count 1. Mr. Haltigan seconded the motion which was unanimously approved by: Armentrout, Baynes, Haltigan, Magruder, Salva, Studley, and Walker.

Mr. Cranor returned to the Board meeting

**Return of Board Member**

Mr. Salva recused himself from the meeting for discussion and deliberation of File Number 2022-01253.

**Recusal of Board Member**

In the matter of **File Number 2022-01253, Corey Lee Jones**, the Board members reviewed the Consent Order. Mr. Jones admits to a violation of 18VAC 15-40-155.3 as provided in Count 1, and consents to the imposition of a monetary penalty of \$250.00, and Board costs of \$150.00. In addition, Mr. Jones agrees to complete twelve hours of continuing professional education (CPE), and provide satisfactory proof of completion of the CPE to the Board

**File Number 2022-01253, Corey Lee Jones**

within 90 days of the date of the Order. It is acknowledged that completion of the requisite CPE will count toward Mr. Jones' license cycle ending on June 30, 2021 and will not count toward any future requirements for license renewal. Failure to comply with this term will result in automatic revocation of Mr. Jones' home inspector license. Mr. Haltigan moved to approve the Consent Order as presented. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Studley, and Walker.

Mr. Salva returned to the meeting.

**Return of Board Member**

In the matter of **File Number 2021-01966, Kenneth Logan**, the Board members reviewed the Consent Order. Mr. Logan admits to a violation of 18VAC 15-40-120.B as provided in Count 1, 18VAC 15-40-130.A.1.d as provided in count 2, and 18VAC 15-40-155.6 as provided in count 3, and consents to the imposition of (i) monetary penalties totaling \$750.00, and (ii) Board costs of \$150.00. In addition, Mr. Logan agrees to complete two hours of remedial education in contract writing within 90 days of the date of the Order. This remedial education will not count toward CPE requirements. Mr. Studley moved to approve the Consent Order as presented. Mr. Cranor seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker.

**File Number 2021-01966, Kenneth Logan**

In the matter of **File Number 2022-00423, Christopher Michael Spencer**, the Board members reviewed the Consent Order. Mr. Spencer admits to a violation of 18VAC 15-40-120.A as provided in Count 1, 18VAC 15-40-130.A as provided in count 2, and 18VAC 15-40-130.B as provided in count 3, and consents to the imposition of (i) monetary penalties totaling \$400.00, and (ii) Board costs of \$150.00. Ms. Baynes moved to approve the Consent Order as presented. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker

**File Number 2022-00423, Christopher Michael Spencer**

In the matter of **File Number 2021-02169, Ranard Phillip Williams**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

**File Number 2021-02169, Ranard Phillip Williams**

Mr. Haltigan moved to accept the recommendation of the Presiding

Officer and approve Mr. Williams' application for a home inspector license. Mr. Cranor seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker

In the matter of **File Number 2022-00523, Jeffrey Todd Hoffman**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

**File Number 2022-00523, Jeffrey Todd Hoffman**

Mr. Hoffman was present at the meeting to answer any questions from the Board.

Mr. Studley moved to accept the recommendation of the Presiding Officer and approve Mr. Hoffman's application for a home inspector license. Mr. Salva seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker.

In the matter of **File Number 2021-02620, Carl Ferebee III**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

**File Number 2021-02620, Carl Ferebee III**

Mr. Haltigan moved to accept the recommendation of the Presiding Officer and approve Mr. Ferebee's application for an asbestos supervisor license. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker.

In the matter of **File Number 2021-00311, Monica Fernandez Roda**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

**File Number 2021-00311, Monica Fernandez Roda**

Ms. Baynes moved to accept the recommendation of the Presiding Officer and deny Ms. Fernandez Roda's application for an asbestos worker license. Mr. Haltigan seconded the motion which was unanimously passed by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker

Mr. Haughwout provided an update on the current status of the regulatory review processes for the Board's regulatory packages.

**Regulatory Action Update**

The Board adopted proposed amendments to the Home Inspector Licensing Regulations at its meeting on November 4, 2021. Proposed amendments have been submitted for Executive Branch review, after which a 60-day public comment period will commence.

Final Lead-Based Paint Renovation, Repair, and Painting Program (RRP) Regulations (Initial Promulgation) were submitted for Executive Branch review on January 18, 2022.

Mr. Haughwout presented the Board with draft amendments to entry qualifications included in the proposed Home Inspector Regulations. The amendments were suggested as a result of analysis by the Department of Planning and Budget, who found that there might be scenarios where the qualifications for entry increased under the revised regulation, which was not the intention of the Board. After discussion, Mr. Studley moved to accept the amendments to the entry qualifications. Mr. Walker seconded the motion. After discussion, the motion was approved by: Armentrout, Cranor, Haltigan, Magruder, Salva, Studley, and Walker. Ms. Baynes voted in opposition to the motion. The motion passed by majority vote.

**Revision to Proposed Stage of Home Inspectors Regulations**

Mr. Haughwout presented the Board with Senate Bill 607, which was passed during the 2022 General Assembly session. The bill requires the Board to amend 18VAC15-40-130 to include a provision that a home inspection and the report on its findings include a determination of whether the home's smoke detectors are in "good working order," as defined by the Board.

**Discussion on SB 607**

Mr. Haughwout asked the Board to consider authorizing staff to form an advisory panel to implement the bill and determine the definition of "good working order" as directed by the legislation. Mr. Cranor moved to authorize staff to form an advisory panel for the purpose implementing SB 607. Ms. Baynes seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker.

Mr. Haughwout then advised the Board that a Notice of Intended Regulatory Action (NOIRA) must be filed in order to initiate amendment of the Board's regulations pursuant to SB 607, and asked the Board to consider authorizing staff to do so. Mr. Haltigan moved to authorize staff to file a NOIRA in order to amend the regulations. Mr. Walker seconded the motion which was unanimously approved



by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker

Mr. Haughwout presented the Board with items that the Board may wish to consider during a general review of the Virginia Asbestos Licensing Regulations, and asked the Board to consider authorizing a regulatory review committee. After discussion, Mr. Studley moved to authorize staff to form a regulatory review committee to begin a general review of the Virginia Asbestos Licensing Regulations. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker. Ms. Lindsey advised that the committee will be composed of Board members as well as industry stakeholders, and will tentatively begin meeting in July. The Board agreed by consensus that Mr. Studley will chair the committee.

**Discussion of General Review of Asbestos Licensing Regulations**

Mr. Haughwout then advised the Board that a Notice of Intended Regulatory Action (NOIRA) must be filed in order to initiate the process to conduct a general review of the regulations. Mr. Studley moved to authorize staff to file a NOIRA for the general review of the Board's asbestos licensing regulations. Mr. Haltigan seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker

Mr. Haughwout presented proposed amendments to 18VAC 15-30-510 in order to reflect the most current Department of Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing. Mr. Haughwout advised the amendments may be incorporated into the regulations as a fast-track action as the amendments are being made in order to comport with federal guidelines. Mr. Haltigan moved to adopt the proposed amendments as presented, and to authorize staff to file the amendments as a fast-track action. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker.

**Discussion of Update to 18VAC 15-30-510.E**

Ms. Pettus provided an update of home inspector CPE audits conducted on twenty-five percent of eligible certified home inspectors beginning on February 15, 2022.

**February 2022 Home Inspector CPE Audit Report**

Ms. Pettus asked the Board to consider guidance regarding course completion certificates wherein the training program's manager and/or principal instructor are the course participant. This proposed guidance provides that:

**Consider Draft Guidance Document Regarding Course Completion Certificates for**

1. Course participants who are both the training manager and principal instructor of a training program must be monitored by another instructor if completing said program's examination for the purpose of license renewal. The monitoring individual will sign the certificate of completion as the participant's instructor.
2. Course participants who are either the training manager or the principal instructor must be monitored by the other if completing their own program's examination for the purpose of license renewal. The monitoring individual will sign the certificate of completion as the participant's instructor.

**Asbestos and Lead  
Training Course  
Instructors**

After discussion, Mr. Armentrout moved to adopt the guidance as proposed. Mr. Salva seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, and Walker.

A guidance document will be published for a thirty-day public comment period, after which time it will become effective.

Mr. Thomas arrived at the Board meeting at 10:05 a.m.

**Board Member  
Arrival**

At its February meeting, the Board voted to authorize staff to draft guidance allowing for the electronic delivery of lead and asbestos refresher training. Accordingly, Ms. Pettus presented proposed guidance regarding the electronic delivery of asbestos and lead refresher courses for the Board to consider. After review and lengthy discussion, Mr. Studley moved to adopt guidance that establishes the following requirements for the electronic delivery of asbestos and lead refresher courses.

**Consider Draft  
Guidance Regarding  
Electronic Delivery  
of Asbestos and Lead  
Refresher Courses**

1. Training providers must have a system in place to authenticate each student's identity and their eligibility to enroll in the course.
2. A unique identifier must be assigned to each student to be used to launch and re-launch the course. This identifier may also be used throughout the course if deemed necessary by the instructor.
3. Each student must be logged in to the course and participating for the full length of time required for each course discipline. The training provider must track each student's course log-ins, launches, progress, and completion, and maintain a record of such pursuant to statutory and regulatory record-keeping requirements.
4. The course must include knowledge checks throughout

the entirety of the course. The knowledge checks must be successfully completed before the student moves on to the next module.

5. Course instructors must be available to answer questions or offer technical assistance via online discussion or message boards, or a telephone number during the training period.

6. There must be a test of at least 20 questions at the end of the course, of which 80% must be answered correctly for successful completion of the course. The test must be designed so that the student does not receive feedback on answers until after the test has been submitted.

7. Each student will be provided with a completion certificate that may be saved and printed. The completion certificate will specifically mention the course was taken online. The certificate must not be susceptible to editing. The certificate will contain all information necessary to meet all other statutory and regulatory requirements.

This policy applies to asbestos and lead refresher courses only. A pre-existing approval for an in-person, classroom-based refresher course does not extend to approval of the electronic course. Each electronic course must be separately approved. Refresher course notifications and participant lists provided to Board staff must indicate whether the course is conducted electronically. For auditing purposes, Board staff will have unrestricted access to the electronic course at any time during which the course is conducted. Electronic courses must meet all other statutory and regulatory refresher course requirements as outlined in the Board's regulations. For the purposes of this guidance, electronic delivery includes real-time virtual training and asynchronous delivery of training courses.

Mr. Thomas seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, Thomas, and Walker.

A guidance document will be published for a thirty-day public comment period, after which time it will become effective.

Ms. Lindsey updated the Board on legislation affecting DPOR and the Board that was passed during the 2022 General Assembly session. **2022 Legislative Update**

Ms. Lindsey presented the Board with tentative 2023 Board meeting dates for consideration. Ms. Baynes moved to approve the following meeting dates.

- February 9, 2023
- May 11, 2023
- August 24, 2023
- November 30, 2023

Mr. Studley seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, Thomas, and Walker.

Ms. Lindsey provided the Board with the most recent financial statements for informational purposes.

Ms. Lindsey updated the Board on recent and upcoming outreach opportunities.

Ms. Lindsey and Ms. Pettus advised that North Carolina has received grant money for lead abatement-related work in schools and child-occupied facilities. Ms. Lindsey and Ms. Pettus met with representatives of the lead program at the NC Department of Health and Human Services who advised they are seeking licensees who can assist with the risk assessments and abatements within the time allotted by the grant. In order for out-of-state applicants to meet NC licensing entry requirements, a memorandum of understanding (MOU) between NC and the applicant's licensing state must exist. Due to the time-frames involved, Ms. Lindsey asked the Board to consider authorizing staff to enter into an MOU, when received, in order to give Virginia licensees the opportunity to apply for licensure in NC and with the understanding that it does not change or waive any entry requirements in Virginia. Mr. Armentrout moved to authorize staff to enter into an MOU with North Carolina on behalf of the Board. Mr. Studley seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, Thomas, and Walker

Ms. Lindsey provided the Board with information on the 2022 Board Member Training Conference.

Board members considered the following resolution for Rick Holtz, who recently resigned from the Board:

**Consider 2023 Meeting Dates**

**Board Financial Statements**

**Outreach Update**

**2022 Board Member Training Conference**

**Consideration of Resolutions for**

**Service**

**Rick Holtz**

WHEREAS, **Rick Holtz**, did faithfully and diligently serve as a member of the Virginia Board for Asbestos, Lead, and Home Inspectors from 2011 to 2022;

WHEREAS, **Rick Holtz**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Rick Holtz**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Asbestos, Lead, and Home Inspectors wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Asbestos, Lead, and Home Inspectors this twelfth day of May 2022, that **Rick Holtz** be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

Mr. Haltigan moved to adopt the resolution as written. Mr. Studley seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Magruder, Salva, Studley, Thomas, and Walker.

Ms. Lindsey advised the Board that staff recently met with representatives of the Department of Housing and Community Development and the Department of Health to discuss licensing requirements for lead risk assessors and lead contractors. These agencies have been providing outreach on licensing requirements through a grant-funded program.

Mr. Magruder reminded Board members to complete their conflict of interest forms.

There being no further business, the meeting adjourned at 10:56

**Other Business**

**Conflict of Interest  
Forms and Travel  
Vouchers**

**Adjourn**

a.m.

DRAFT AGENDA  
Materials contained in this agenda are proposed topics for discussion  
and are not to be construed as regulation or official Board position  
DRAFT AGENDA

---

Gene E. Magruder, Chair

---

Demetrios J. Melis, Secretary

DRAFT

# **PUBLIC COMMENT PERIOD**

Five minute public comment, per person, with the exception of any open disciplinary or application files.

DRAFT AGENDA  
Materials contained in this agenda are proposed topics for discussion  
and are not to be construed as a question or official Board decision.  
DRAFT AGENDA

# Virginia Board for Asbestos, Lead, and Home Inspectors

## Update on Regulatory Actions (as of August 1, 2022)

### Action: Home Inspector Regulations General Review

#### Current Stage: Proposed

- Board reviewed and considered NOIRA stage public comments on 11/4/21.
- Board reviewed and considered committee recommendations, and adopted proposed regulatory text on 11/4/21.
- Proposed regulatory text submitted for Executive Branch review on 2/14/22.
- Board adopted revision to proposed regulatory text on 5/12/22.

#### Next Step: Executive Branch Review/Public Comment

- Following completion of Executive Branch review, publication of proposed regulation in Virginia Register, and 60-day public comment period. Comment period will include a public hearing.

### Action: Initial Promulgation of Lead-Based Paint Renovation, Repair, and Painting Regulation

#### Current Stage: Final Regulation

- Final regulation, as amended, adopted by Board on 8/26/21.
- Final regulation submitted for Executive Branch review on 1/18/22.

#### Next Step: Executive Branch Review/Final Adoption

- Following completion of Executive Branch review, publication in Virginia Register, and final public comment.

### Action: SB 607 Amendment (Home Inspector Licensing Regulations)

#### Current Stage: NOIRA

- Board authorized filing of NOIRA and formation of regulatory review committee on 5/12/22.
- Committee has been formed, and will meet on 8/24/22.
- NOIRA submitted for Executive Branch review on 7/22/22. Currently in Executive Branch review.

#### Next Step: Committee Recommendations/Executive Branch Review/Public Comment

- Committee adopts recommendations for amendment to regulations.
- Following completion of Executive Branch review, publication of NOIRA in Virginia Register, and 30-day public comment period.
- NOIRA public comments and committee recommendations to be presented to the Board for consideration and adoption.



# Virginia Board for Asbestos, Lead, and Home Inspectors

## Action: Virginia Asbestos Licensing Regulations General Review

### Current Stage: NOIRA

- Board authorized filing of NOIRA and formation of regulatory review committee on 5/12/22.
- Committee is being formed.
- NOIRA is in development.

### Next Step: Committee Review/Executive Branch Review/Public Comment

- Regulatory review committee reviews current regulation, and develops recommendations for new regulation.
- NOIRA submitted for Executive Branch review.
- Following completion of Executive Branch review, publication of NOIRA in Virginia Register, and 30-day public comment period.
- NOIRA public comments and committee recommendations to be presented to the Board for consideration and adoption.

## Action: Update to 18 VAC 15-30-510 and DIBR (Virginia Lead-Based Paint Activities Regulations)

### Current Stage: Fast-Track

- Board authorized filing of fast-track action to amend regulations on 5/12/22.
- Fast-track action in development for submission for Executive Branch review.

### Next Step: Executive Branch Review/Public Comment

- Following completion of Executive Branch review, publication of fast-track action in Virginia Register, and 30-day public comment period.
- Amendment becomes effective 15 days after conclusion of public comment period (unless later date is specified).

# UPDATE ON HI SB 607 COMMITTEE

DRAFT AGENDA  
Materials contained in this agenda are proposed for discussion  
and are not to be construed as regulation or official position.  
DRAFT AGENDA

# February 2022 Home Inspectors CPE Audit Report

## Memo

**To:** ALHI Board Members  
**From:** Tanya M. Pettus, Board Administrator  
**Date:** 08/18/2022  
**Re:** February 2022 Home Inspectors CPE Audit Report

---

This memo provides information regarding the February 2022 Home Inspectors CPE Audit Report.

**February 15, 2022:** The regulant population of home inspectors eligible for audit totaled 131 in Eagles. Twenty-five percent (25%) of the eligible regulant population was randomly selected, resulting in 31 regulants selected for audit.

Initial letter and CPE audit form mailed to regulants selected for audit.

**March 17, 2022:** Due date of CPE audit form and required documentation.

**March 18, 2022:** Final notices were mailed to unresponsive regulants with a final deadline of April 1, 2022\*.

**Update:** Responses received:

Total Received	27
Passed	27
Incomplete	0
Pending Review	0
Referred for Disciplinary Action	4
Surrendered	0
No Response	4

\*NOTE: Unresponsive regulants will be forwarded for disciplinary action on May 5 and May 31, 2022, respectively.

# Asbestos and Lead Training Course Audit Report

## Memo

**To:** ALHI Board Members  
**From:** Tanya M. Pettus, Board Administrator  
**Date:** 08/18/2022  
**Re:** Asbestos and Lead Training Course Audits

---

On-site course audits are required to complete the initial approval process of asbestos and lead training courses pursuant to 18VAC15-20-34.E., and 18VAC15-30-54.H. of the Board's regulations.

The following is a record of the most recently conducted course audits.

Audit Dates	Training Provider	Course Type	Findings
July 18-21, 2022	David Violette	Lead Supervisor Initial	Entry requirements met, course approved
July 25-26, 2022	Marine Chemist Service, Inc.	Asbestos Project Monitor Initial (16hr)	Entry requirements met, course approved

## 13VAC5-63-264. Chapter 13 Energy efficiency.

23. Change Section R402.4.1.2 to read:

### R402.4.1.2

Testing. The building or dwelling unit shall be tested and verified as having an air leakage rate not exceeding five air changes per hour in Climate Zone 4. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E 779, or ASTM E 1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be conducted by a Virginia licensed general contractor, a Virginia licensed HVAC contractor, a Virginia licensed home inspector, a Virginia registered design professional, a certified BPI Envelope Professional, a certified HERS rater, or a certified duct and envelope tightness rater. The party conducting the test shall have been trained on the equipment used to perform the test. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

Note: Should additional sealing be required as a result of the test, consideration may be given to the issuance of a temporary certificate of occupancy in accordance with Section 116.1.1.

During testing:

1. Exterior windows and doors and fireplace and stove doors shall be closed, but not sealed beyond the intended weatherstripping or other infiltration control measures;
2. Dampers, including exhaust, intake, makeup air, backdraft, and flue dampers, shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and
6. Supply and return registers, if installed at the time of the test, shall be fully open.

# **DISCUSSION OF POTENTIAL LEGISLATIVE PROPOSALS**

DRAFT AGENDA  
Materials contained in this agenda are proposed for discussion  
and are not to be construed as regulation or other official action.  
DRAFT AGENDA

**Department of Professional and Occupational Regulation  
Statement of Financial Activity**

**Board for Asbestos, Lead, and Home Inspectors  
954540**

2020-2022 Biennium

June 2022

	June 2022 Activity	Biennium-to-Date Comparison	
		July 2018 - June 2020	July 2020 - June 2022
Cash/Revenue Balance Brought Forward			9,163
Revenues	23,395	582,322	581,219
Cumulative Revenues			590,382
<b>Cost Categories:</b>			
Board Expenditures	2,416	82,915	78,558
Board Administration	4,087	190,269	166,181
Administration of Exams	141	5,817	7270
Enforcement	286	9,529	11433
Legal Services	0	2,825	2318
Information Systems	6,450	147,858	122335
Facilities and Support Services	5,312	93,964	91704
Agency Administration	1,787	86,552	78476
Other / Transfers	1	(216)	1
<b>Total Expenses</b>	<b>20,482</b>	<b>619,512</b>	<b>558,274</b>
Transfer To/(From) Cash Reserves	0	0	(34,477)
<b>Ending Cash/Revenue Balance</b>			<b>66,585</b>

Cash Reserve Beginning Balance	276,323	0	310,800
Change in Cash Reserve	0	0	(34,477)
Cash Reserve Ending Balance	276,323	0	276,323

<b>Number of Regulants</b>	
Current Month	5,962
Previous Biennium-to-Date	6,017

# OUTREACH UPDATE

DRAFT AGENDA  
Materials contained in this agenda are proposed topics for discussion  
and are not to be construed as regulation or official Board position.  
DRAFT AGENDA



# **BOARD MEMBER TRAINING** **CONFERENCE**

DRAFT AGENDA  
Materials contained in this agenda are proposed for discussion  
and are not to be construed as regulation or other official action.  
DRAFT AGENDA

# OTHER BOARD BUSINESS

DRAFT AGENDA  
Materials contained in this agenda are proposed topics for discussion  
and are not to be construed as regulation or official Board decision.  
DRAFT AGENDA

# **FUTURE MEETING DATES**

- November 10, 2022

DRAFT AGENDA  
Materials contained in this agenda are proposed topics for discussion  
and are not to be construed as regulation or official Board action.  
DRAFT AGENDA

**COMPLETE CONFLICT OF INTEREST**  
**FORMS AND**  
**TRAVEL VOUCHERS**

DRAFT AGENDA  
Materials contained in this agenda are proposed topics for discussion  
and are not to be construed as regulation of the Official Board of Education.  
DRAFT AGENDA

# ADJOURN

Please return your documents to Raven Custer

DRAFT AGENDA  
Materials contained in this agenda are proposed topics for discussion  
and are not to be construed as regulation or official Board position.  
DRAFT AGENDA