

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

The Virginia Board for Asbestos, Lead, and Home Inspectors met on August 18, 2022 at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 2, Richmond, Virginia 23233.

The following members of the Board were present:

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

Kevin Salva
Patrick Studley
Paul D. Thomas

Board members Gene E. Magruder; Chair, Chadwick Bowman, Sharad Tandale, and Louis Walker were not present at the meeting.

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

Demetrios J. Melis, Director
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.

Ms. Baynes, finding a quorum of the Board present, called the **Call to Order** meeting to order at 9:01 a.m.

Ms. Lindsey advised the Board of the emergency evacuation **Emergency Evacuation Procedures** procedures.

Mr. Haltigan moved to approve the agenda. Mr. Armentrout **Approval of Agenda** seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Salva, Studley, and Thomas.

Mr. Salva moved to approve the minutes of the May 12, 2022, Board **Approval of Minutes** meeting as presented. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Salva, Studley, and Thomas.

There were no members of the public present to address the Board. **Public Comment**

Period

Mr. Cranor recused himself from the meeting for discussion and deliberation of File Numbers 2021-01896, 2022-01255, 2022-01245, and 2022-01250.

Recusal of Board Member

In the matter of **File Number 2021-01896, Mark Lewis Stewart**, the Board members reviewed the record which consisted of the Notice of Prima Facie Case, Report of Findings, evidence, and the Recommendation. Mr. Salva moved to accept the recommendation and find Mr. Stewart in violation of 18VAC 15-40-120.A. as outlined in Count 1, 18VAC 15-40-130.A as outlined in count 2, and 18VAC 15-40-130.B as outlined in count 3. Mr. Haltigan seconded the motion which was unanimously approved by: Armentrout, Baynes, Haltigan, Salva, Studley, and Thomas.

File Number 2021-01896, Mark Lewis Stewart

Ms. Pettus advised the Board that Mr. Stewart's home inspector license was suspended on October 15, 2021, for failure to comply with a Consent Order executed by the Board on August 26, 2021, and the license subsequently expired on October 31, 2021.

Mr. Salva then moved to accept the Recommendation and impose monetary penalties totaling \$1,150.00 in addition, the Board shall suspend Stewart's license until Stewart provides proof acceptable to the Board that he has completed two (2) classroom hours of Board-approved continuing education pertaining to heating, ventilation, and air conditioning. Such course(s) shall be completed in a classroom. The above referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license as outlined. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Haltigan, Salva, Studley, and Thomas.

In the matter of **File Number 2022-01255, Jonathan Curtis Guilliams**, the Board members reviewed the record which consisted of the Notice of Prima Facie Case, Report of Findings, evidence, and the Recommendation. Mr. Salva moved to accept the recommendation and find Mr. Guilliams in violation of 18VAC 15-40-155.3 as outlined in Count 1. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Haltigan, Salva, Studley, and Thomas. Mr. Salva then moved to accept the Recommendation and impose a monetary penalty of \$250.00 as outlined. Mr. Haltigan seconded the motion which was unanimously approved by: Armentrout, Baynes, Haltigan, Salva,

File Number 2022-01255, Jonathan Curtis Guilliams

Studley, and Thomas.

Mr. Salva recused himself from the meeting for discussion and deliberation of File Number 2022-01245.

Recusal of Board Member

In the matter of **File Number 2022-01245, Aaron Paul Champion**, the Board members reviewed the Consent Order. Mr. Champion admits to a violation of 18VAC 15-40-155.3 as provided in Count 1 and consents to the imposition of Board costs in the amount of \$150.00. In addition, Mr. Champion agrees that the continuing professional education (CPE) hours completed on October 14, 2021 and October 20, 2021, will count for the license cycle ending June 30, 2021, and will not count for the license cycle ending June 30, 2023. Mr. Champion further agrees, as a condition of renewing his home inspector's license, to provide evidence satisfactory to the Board of completing CPE in compliance with the Board's Home Inspector Licensing Regulations for the license renewal cycle ending June 30, 2023. Mr. Haltigan moved to approve the Consent Order as presented. Mr. Thomas seconded the motion which was unanimously approved by: Armentrout, Baynes, Haltigan, Studley, and Thomas.

File Number 2022-01245, Aaron Paul Champion

Mr. Salva returned to the Board meeting

Return of Board Member

In the matter of **File Number 2022-01250, Andres Santos**, the Board members reviewed the Consent Order. Mr. Santos 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. Santos agrees to complete 16 contact hours of CPE, wherein the subject matter covers the content area of the board-approve exam, and shall provide proof acceptable to the Board of attendance and successful completion within 90 days of the date of the Order. Mr. Salva moved to approve the Consent Order as presented. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Haltigan, Salva, Studley, and Thomas.

File Number 2022-01250, Andres Santos

Mr. Cranor returned to the Board meeting

Return of Board Member

Mr. Salva recused himself from the meeting for discussion and deliberation of File Numbers 2022-01200 and 2022-01741.

Recusal of Board Member

In the matter of **File Number 2022-01200, Rudolph Eli Long**, the

File Number 2022-

Board members reviewed the Consent Order. Mr. Long admits to a violation of 18VAC 15-40-155.10 as provided in Count 1, and consents to the imposition of a monetary penalty in the amount of \$300.00, and Board costs of \$150.00. Mr. Studley moved to approve the Consent Order as presented. Mr. Haltigan seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Studley, and Thomas.

01200, Rudolph Eli Long

In the matter of **File Number 2022-012309, Justin Francis Urich**, the Board members reviewed the Consent Order. Mr. Urich admits to a violation of 18VAC 15-40-155.3 as provided in Count 1 and consents to the imposition of a monetary penalty in the amount of \$250.00, and Board costs of \$150.00. In addition, Mr. Urich agrees to complete 16 CPE hours for his current license cycle as a requirement to renew his home inspector's license and provide proof of attendance and successful completion to the Board. Mr. Thomas moved to approve the Consent Order as presented. Mr. Armentrout seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Studley, and Thomas.

File Number 2022-01309, Justin Francis Urich

Mr. Salva returned to the meeting.

Return of Board Member

In the matter of **File Number 2022-01741, Santos Ismail Ortiz Lopez**, 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 2022-01741, Santos Ismael Ortiz Lopez

Mr. Studley moved to accept the recommendation of the Presiding Officer to not approve Mr. Ortiz Lopez's application for an asbestos worker license. Mr. Salva seconded the motion which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Salva, Studley, and Thomas.

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 revisions to proposed regulatory text of the Home Inspector Regulations General Review at its meeting on May 12, 2022. 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.

The Board authorized filing of a Notice of Intended Regulatory Action (NOIRA) and formation of a committee at the Board meeting on May 12, 2022 to determine the definition of “good working order” regarding residential smoke alarms as required by Senate Bill 607. The NOIRA was submitted for Executive Branch review on July 22, 2022, after which a 30 day public comment period as held. The SB 607 Committee will meet on August 24, 2022.

The Board authorized filing of a NOIRA for the Virginia Asbestos Licensing Regulations General Review. The committee is being formed and the NOIRA is in development, after which it will be submitted for Executive Branch Review.

A fast-track action is in development for the Update to 17 VAC 15-30-510 and DIB (Virginia Lead-Based Paint Activities Regulations) to be submitted for Executive Branch Review.

Ms. Lindsey provided an update on the SB 607 Committee. The first meeting of the SB 607 Committee will be on August 24, 2022.

**Update to SB 607
Committee**

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.

**Home Inspector CPE
Audit Report**

Ms. Pettus provided an update of asbestos and lead course audits conducted in July 2022.

**Asbestos and Lead
Course Audit Report**

Ms. Lindsey provided an overview of an amendment to the Virginia Uniform Statewide Building Code, which allows for energy efficiency air leakage testing to be performed by licensed home inspectors. The Board discussed the processes for this testing as well as qualifications to perform the test.

**Discussion of
Amendments to
Virginia Uniform
Statewide Building
Code as it Relates to
Home Inspectors**

Ms. Lindsey provided the Board with potential legislative proposals to be submitted for consideration during the 2023 General Assembly session. After review and discussion, Mr. Cranor moved to approve the proposals for submission as presented. Mr. Salva seconded the motion, which was unanimously approved by: Armentrout, Baynes, Cranor, Haltigan, Salva, Studley, and Thomas.

**Discussion of
Potential Legislative
Proposals**

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

Board Financial Statements

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

Outreach Update

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

2022 Board Member Training Conference

Ms. Lindsey advised the Board of changes to the composition of the Board due to legislative action at the 2022 General Assembly session. The Board will now have three home inspector representatives. In addition, the dust sampling technician and licensed renovator seats have been removed.

Other Business

Discussion was held on whether any courses related to air leakage testing as discussed earlier in the meeting would be acceptable for CPE credit. The Board agreed by consensus that accepted CPE topics would remain as stipulated in the regulations, and that courses related to air leakage will not be accepted for CPE credit.

Ms. Baynes reminded Board members to complete their conflict of interest forms.

Conflict of Interest Forms and Travel Vouchers

There being no further business, the meeting adjourned at 10:45 a.m.

Adjourn



Gene E. Magruder, Chair



Demetrios J. Melis, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Paul D. Thomas
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: August 18, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.

Paul D. Thomas
Signature

08/18/2022
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Patrick Studley
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: August 18, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.



Signature

8/18/2022

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: John E. Cranor
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: August 18, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

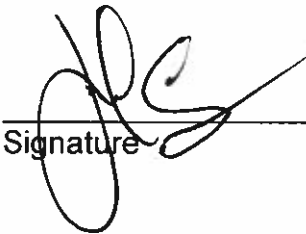
or

I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.

Signature _____

Date _____



8-18-22

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: James Haltigan
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: August 18, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

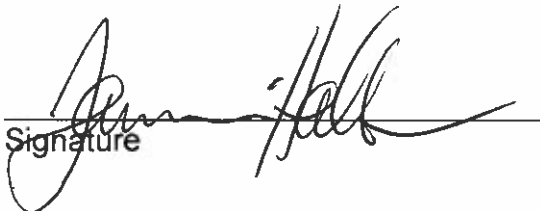
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

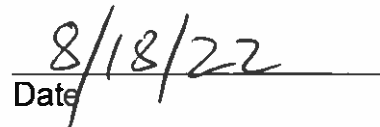
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.


Signature


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**


1. Name: Stacy. J. Armentrout
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: August 18, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- _____
- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. ~~14~~ I do not have a personal interested in any transactions taken at this meeting.



Signature

8/18/2022

Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Kevin Salva
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: August 18, 2022
5. I have a personal interest in the following transaction:

FILE NUMBER 2022-01245

Nature of Personal Interest Affected by Transaction: _____

PREVIOUS EMPLOYEE

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

VS INSPECT

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interested in any transactions taken at this meeting.

Kevin Salva
Signature

8.18.22
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Sandra Baynes
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: August 18, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

I do not have a personal interest in any transactions taken at this meeting.


Signature

9. 18. 2022
Date

