



NOVEMBER 2019

REPORTER

INSPECTION NEWS & VIEWS FROM THE AMERICAN SOCIETY OF HOME INSPECTORS, INC.

SPECIAL FOCUS
**RESIDENTIAL
MOISTURE
INVESTIGATIONS:
KEY CONCEPTS AND
ESSENTIAL TOOLS** *P8*



By Peter Hopkins

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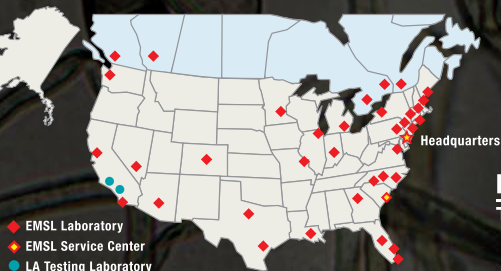


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Managing Risk

You've Got the Wrong Guy: A Home Inspection Insurance Claim

By Stephanie Jaynes, Marketing Director
at InspectorPro Insurance

Note: The Managing Risk column reviews the most common allegations in the industry and provides tips to make inspectors better equipped to prevent claims. The following is a real home inspector errors and omissions insurance claim from our archives. To protect the insured's identity, all identifiable characteristics—including names, associations and locations—have been omitted or removed. This article was originally published on the InspectorPro website on September 1, 2018.



Stephanie Jaynes is the Marketing Director for InspectorPro Insurance, ASHI's one and only Premier Insurance Partner (<http://ipro.insure/ASHI-partner>). Through risk management articles in the ASHI Reporter and on the InspectorPro website, InspectorPro helps inspectors protect their livelihood and avoid unnecessary risk. Get peace of mind and better protection with InspectorPro's pre-claims assistance and straightforward coverage. Learn more at www.inspectorproinsurance.com (<http://ipro.insure/ASHI-column>),



THE COMPLAINT

Three months after an inspection of a short-sale property that had suffered from some previous flooding, home inspector Jeremy Pierce received a series of heated emails. Inspection client Emily Frandsen claimed that Pierce had not performed an adequate inspection. She cited two major concerns: a failed water heater and a crack in a bathtub.

"Less than 24 hours after your inspection, the hot water leaked, the shower valve leaked and the toilet in the half bath didn't flush. May I remind you that the home was vacant," Frandsen said. "There are a number of plumbing issues that have caused water damage. Had you investigated into the previous plumbing issues that the seller experienced and that I disclosed, my family may not have been in this situation."

Frandsen demanded that Pierce pay to mitigate the water damage, fix the water heater and repair the bathtub. In addition,

Frandsen insisted that the inspection "remain active," meaning that if, after resolving her current complaints, she found anything else unsatisfactory, she'd still be able to file a claim.

"I was not there to see you fill the tub. Therefore, your response is hearsay. In my presence, the tub was not filled and the cracks existed at the time of your inspection," Frandsen said.

Despite inspector Pierce's attempts to address the client's concerns by phone and by email, Frandsen stood her ground.

"When I hired you, I trusted you to protect the biggest investment of my life. I feel you were negligent in your profession," Frandsen said. "When you hire a professional, it is their duty to assure the homeowner the house is safe."

With Frandsen's accusations mounting, and threats of a formal lawsuit impending, Pierce filed the claim with us.

THE RESPONSE

Upon receiving Pierce's claim, the insurance carrier's claims department reached out to the claimant directly. They asked Frandsen for a statement, a timeline of events and any alleged invoices and estimates for the cost to repair. After multiple requests and no response, the carrier drafted a response based on Pierce's documentation alone.

First, the letter stated that both the signed pre-inspection agreement and the ASHI Standard of Practice (SoP [<https://www.homeinspector.org/Standards-of-Practice>]) require Pierce to "inspect readily accessible, visually observable, installed systems and components" (SoP, 2.2.A). Furthermore, Pierce is only required to "provide the client with information about the condition of inspected systems and components at the time of the home inspection" (SoP, 2.1).

Because many components of the property weren't visible during the inspection and very little historical information was provided in advance of the inspection, Pierce's inspection was not (and should not have been) technically exhaustive.

With the stage set, the letter addressed Frandsen's specific allegations. Using an excerpt from Pierce's inspection report, the letter revealed that the water heater functioned at the time of the inspection. However, Pierce noted that the TPR valve extension pipe was not the appropriate size for safe expulsion of pressurized water and suggested Frandsen contact a qualified plumber to repair or replace the valve. Had Frandsen followed Pierce's recommendation, the letter said, Frandsen would not have experienced the plumbing issues.

Regarding the bathtub, the letter reasserted Pierce's findings, which indicated that there were no cracks in the tub at the time of the inspection. Per standard practice, Pierce filled and emptied the tub and did not note any leaking water.

However, the letter explained, Pierce did observe that there was ongoing construction in the home during the time of the inspection. In fact, there were contractors standing in the tub.

THE RESOLUTION

Since sending the letter to the inspection client nearly a year ago, Pierce hasn't received further complaints. Despite Frandsen's upset demeanor and threats of additional legal action, the letter appears to have sufficiently addressed her concerns.

According to the insurance carrier's claims department, such a resolution is not uncommon.

"We take a strong, active approach in investigating claims rather than allowing them to linger," explained the carrier's claims adjuster involved in the resolution. "The early investigative results and efforts helped us prepare a strong response to the claimant. The usual result to such responses is like this one: the claimant not pursuing the matter any further."

To avoid such accusations yourself, InspectorPro recommends making sure you define a home inspection and limit your liability in your contract.

When defining a home inspection, consider addressing the following:

- A home inspection is a visual examination of the home's physical structure and systems. Because you can only inspect what you can see, you cannot account for anything hidden from view, such as things obstructed by furniture or personal belongings and things behind walls or below ground.
- A home inspection is a snapshot in time. The defects you find during your inspection are the ones that were present at the time of the inspection. While you will do your best to identify potential future problems and suggest preventive measures, the client will experience future issues in the house that cannot be predicted by your inspection.
- Your home inspection will only cover a representative sample. That means not every outlet or window will be checked.
- Weather may inhibit your ability to inspect certain systems and structures. If, for example, it's raining, you may be unable to traverse the roof. You will note any areas you were unable to inspect in your report.
- Home inspections are not code inspections. While many home defects have roots in code compliance, you don't enforce building code.
- Based on the size of the property, your home inspection will take about [insert number] hours. During that time, you will...[insert brief explanation of how you will traverse and inspect the home].

A limitation of liability clause puts a cap on your financial responsibility for missing or omitting defects. For example, if a home inspector misses a roof leak, the client may demand that the inspector pay for a brand-new roof. The limitation of liability clause can restrict the client's demand to no more than double the inspection fee.

When crafting your pre-inspection agreement, including your limitations of liability clause, it's important to have local legal counsel assist you since state and even county laws vary. With limitation of liability provisions in particular, it's essential to receive legal assistance as restrictions on these provisions are extremely location-specific.

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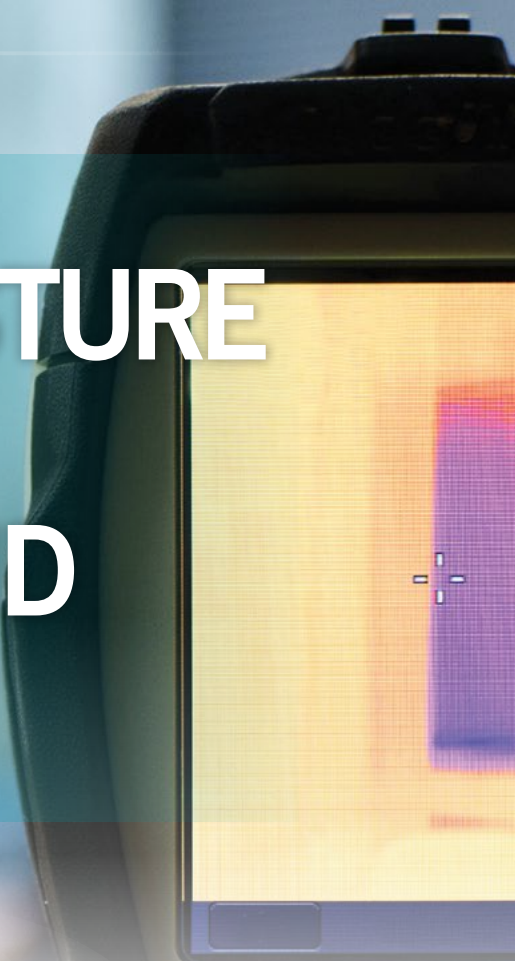
RESIDENTIAL MOISTURE INVESTIGATIONS: KEY CONCEPTS AND ESSENTIAL TOOLS

By Peter Hopkins



Peter Hopkins has operated a successful home inspection company since 1996 (www.inspecdoc.com) and has personally performed more than 7,000 property inspections. The company expanded into infrared in 2005 with the opening of SoCal Infrared (www.socalinfrared.com), and Peter found success in many areas of diversification, but more specifically in the ability to diagnose moisture conditions and energy problems that were identified during property inspections. He is the co-founder of United Infrared (www.UnitedInfrared.com), a national network of contract thermographers that includes application-specific training and business coaching in a multitude of applications related to infrared technology. Peter is a Level III Certified Thermographer, ICC Code Certified Building Inspector, Certified HERS Energy Rater, SewerScan Inspector, Equine Thermography trained and is licensed with the California Horse Racing Board as an Assistant to Veterinarian. Contact Peter at peter@unitedinfrared.com.

The author thanks Maureen Del Zio, Office Manager, United Infrared, Inc., for her help with this article. Contact Maureen at maureen@unitedinfrared.com.

A thermal imaging device, likely a handheld camera, is shown in the upper right corner. The screen displays a color-coded heat map, with a bright yellow/orange area on the left and a cooler purple/blue area on the right, indicating temperature variations. The device has a black body and a small display screen.

One of the most challenging aspects of a moisture investigation is determining the source of the problem. Recurring moisture issues are frustrating. Mysterious spots, stains and mold are unsettling. With some building science fundamentals and the right tools and training, your moisture investigation skills will get to the bottom of most moisture mysteries.

THREE MAIN CAUSES OF MOISTURE PROBLEMS

Moisture problems in buildings have three main causes, from Mother Nature and from manmade causes:

1. BUILDING ENVELOPE. This includes roofs, windows, doors, flashings, waterproofing, grading. Problems with the building envelope are caused when the waterproofing is improperly installed and where water leaks directly inside from the outside due to breaches like cracks, holes or gaps in the building.



No proper kickout flashing at the roof-chimney edge.

2. PLUMBING LEAKS. This includes plumbing supply and drain lines. Slab leaks are often a common source of leakage, especially in Western states; however, supply line leakage can occur anywhere, along with drain line leaks above and below grade, all of which can be very costly to fix.



Plumbing supply leak. Excessive corrosion and an active leak. Loose and missing insulation indicates that this may have been a known condition in the past.

3. THERMAL ENVELOPE. Problems with the thermal envelope are characterized by moisture that forms on the building surfaces where warm, moist air meets cool surfaces. At the dew point, moisture forms and then the water drips into the building. This can happen on the surfaces of air conditioning equipment, outside walls, and even inside walls and ceilings as a result of air in-leakage or thermal bridging from misplaced, incomplete or missing insulation, improper ventilation and design flaws.



Condensation showing drips at ceiling caused from high humidity, lack of ventilation. The humidity level inside was higher than outside.

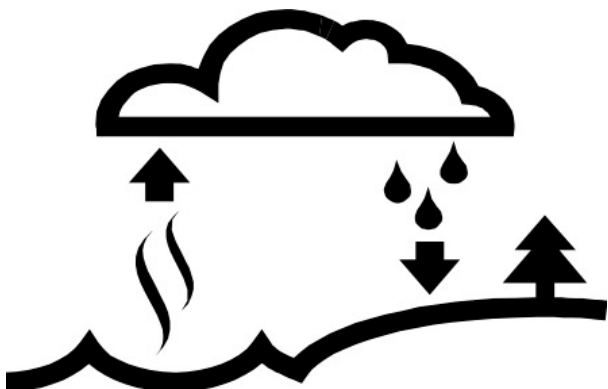
UNDERSTANDING WATER

Water flows in the path of least resistance. The “path of least resistance” describes the physical or metaphorical pathway that provides the least resistance to forward motion. The concept often is used to describe why an object or entity takes a given path. Water will find the path that takes the least effort and does not adjust for how long it will travel.

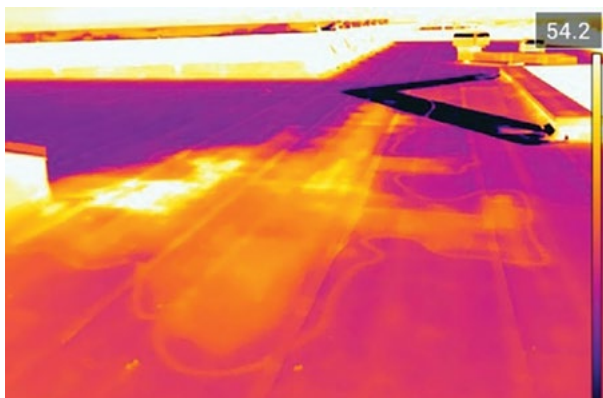


EVAPORATION IS A CRITICAL PROCESS FOR INFRARED TECHNOLOGY TO BE EFFECTIVE.

The vaporization of a liquid to a gas reduces the temperature of the liquid, resulting in evaporative cooling. It is this difference in temperature that the infrared camera detects.



WATER RETAINS HEAT. Water is very resistant to changes in temperature. Wet materials retain energy differently from dry materials. This is why wet areas may be warmer than dry areas at certain times. Water-soaked materials can hold heat longer than many other building materials that are less dense.



TOOLS IN YOUR BAG



The primary tool in your bag is your knowledge. However, just as quality training is essential to attain knowledge, it is also wise for home inspectors to consult with an expert to make sure you have the right tools for a given application. Tools used in moisture investigations call for specific features to get the job done right.

INFRARED CAMERA. The improvements in infrared sensor technology have made most thermal imaging cameras effective and affordable to the moisture investigator. Many entry-level infrared cameras perform quite well when used for moisture mapping. However, even the best infrared camera may be useless without the user knowing how to interpret the images on the screen. Unfortunately, some inspectors unwittingly buy an infrared camera that does not meet the needs of their application, environment or both. It is important that the specifications of the infrared detector match the intended application.

THE THREE MAIN DETECTOR SPECIFICATIONS ARE AS FOLLOWS:

- **TYPE AND WAVELENGTH:** Is the detector cooled or uncooled? What type of detector materials? What wavelength will be required?
- **THERMAL SENSITIVITY:** Is the detector sensitive enough to see slight differences in temperature that is sometimes needed? In situations in which environmental conditions don't have large temperature differentials, such as in temperate climates, the resolution and sensitivity are more important for accurate interpretation of images.
- **SPATIAL RESOLUTION:** Does the detector have enough pixels to produce the image I need? How much signal degradation will I get from using a wider or longer lens?

MOISTURE METERS. As impressive as infrared cameras are, there are limitations to their capacity. Moisture meters are used to validate anomalies found in infrared images. Images that appear to be moisture can only be verified with a reliable moisture meter. Proper usage and adherence to standards are necessary for accurate reporting.

HYGROMETER. Hygrometers are used to identify relative humidity (that is, moisture) in the air. Comparing relative humidity in different environmental areas of a building helps identify sources of moisture.

ADDITIONAL ITEMS. A level, tape measure, blue tape, plastics, masking materials, spray nozzles for water testing, ladder, white duct tape are all items that could be needed.

TRAINING

You don't need expertise when the source of a leak is obvious. Expertise is needed when moisture problems are not obvious. For example, inspectors often find stains from a past leak. Frequently, the client wants to know if it's still wet or not. If it's found to be dry, it doesn't necessarily mean there is not a problem.

Water can take three to five days to dry out in most building materials. So, if the source of water has not been present recently, such as with a lack of rain, then the stain may have dried. Moisture detection in this situation may be challenging, but with qualified training, it is not impossible.

HERE IS A TIP FOR WHEN YOU FIND A STAIN: If the sellers or the association cannot produce documentation of a repair, consider the stain to be a current problem.

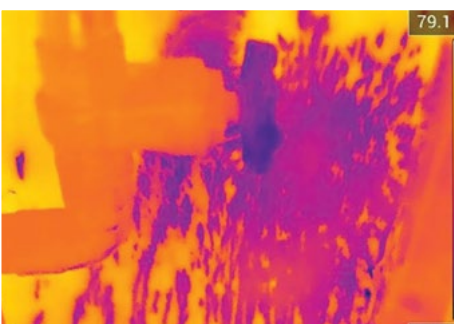
Many inspectors look into getting Level 1 infrared training. Level 1 training will teach you the physics and understanding of infrared theory. You may learn about some applications, but the focus is academic. If you would like to expand your business into moisture detection, consider getting advanced application training such as taking a moisture inspection course.

CASE STUDIES

There are vast opportunities for moisture detection and countless scenarios of moisture issues. In this section, I will pose a diverse cross-section of cases to broaden your understanding of how you can add moisture detection to your expanding range of knowledge.

CLIENT A: FINDING THE SOURCE OF AN ACTIVE LEAK

Client A was advised by the city that an active leak was present in his plumbing system; this was based on meter readings. Repeated attempts to locate the leak were unsuccessful, so Client A called me to conduct an infrared inspection.

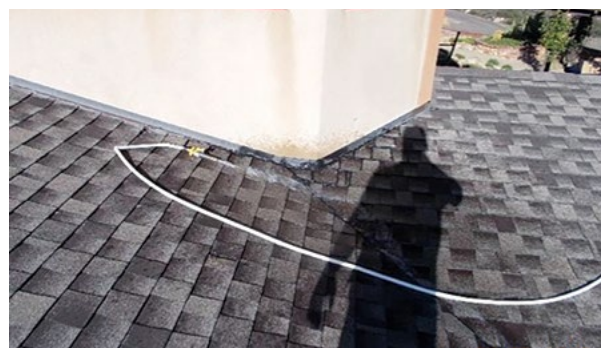


The main water shut-off was found to have an active leak at the gate valve (shut-off). The handle was turned to an off position to help further isolate the condition, at which time the valve was found to be leaking excessively. The infrared photo on the left clearly shows the water leakage in the shut-off area. The dark areas are indicative of active water.

Our survey confirmed that there was active leakage in the crawl space and at the main water shut-off. We recommended reviewing the water meter after repairs were made to determine if additional leaks may exist.

CLIENT B: SOLVING A MYSTERIOUS ROOF LEAK

Even after Client B made numerous roof repairs, he continued to have leaks occur in his house during rain.



We performed an uncalibrated water test over a series of areas on the roof. Initially, water testing was started at the roof for 10 minutes, but no leakage was noted. The water then was elevated to a stucco wall. Within seven minutes, we noted leakage at the inside. It appeared that, based on water testing, the failure was a result of sidewall or counter flashing.

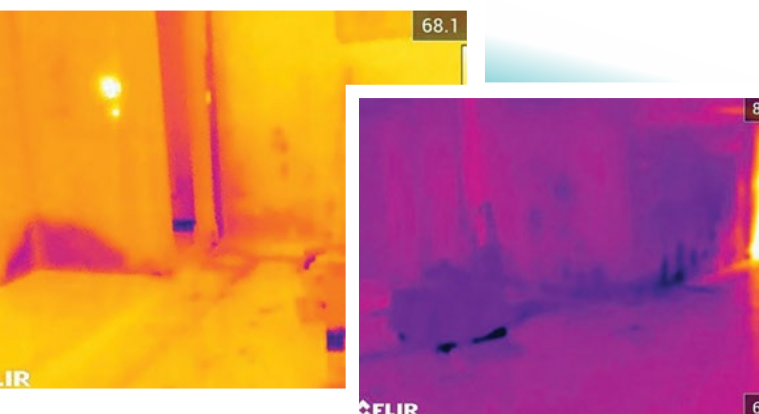


The before and after images (*Page 11*) show the water leakage during the sidewall testing. The testing was stopped after multiple water testing sequences.

The primary source of leakage was the sidewall and the counter flashings at the wall. The water testing we performed was below the window, relating to the building envelope weather seal, or the sidewall or counter flashing.

CLIENT C: PLUMBING OR WATERPROOFING?

Water entry at the garage called for an infrared inspection and a pipe inspection to identify the source of water.



We found active water flowing at the garage walls, along with damage indicative of failed waterproofing. By using thermal imaging, we observed anomalies indicative of active moisture (that is, the darker areas), which was likely due to excessive water at the exterior of the foundation.



A sump pump was present and we found it to be continuously operating. The drain at the upper planter above the garage area and opposite to where the water entry was occurring cycled with the water that was overflowing at the drain. It was apparent that the sump pump was discharging water into the exterior drainage and the exterior drain line appeared clogged.

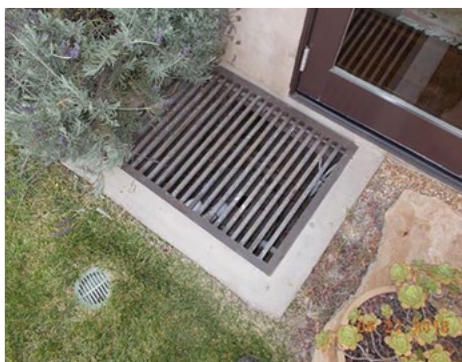


By using an inspection camera, we confirmed that the upper planter drain was fully clogged. The sump pump discharged into the exterior drainage, which was clogged. This overflowed into a planter, which had become fully saturated and had found voids in the waterproofing, which overflowed to the garage and drainage system, leading back to sump.

This recycling of water was the cause of the sump pump's continuous operation. A temporary sump pump was installed to discharge water to the street until repairs could be made.

CLIENT D: IMPROPER DESIGN WREAKS HAVOC

For Client D, poor exterior drainage and improper grading, along with inadequate ventilation, led to several areas of moisture and damage at the exterior and in the crawl space of the home.



The vegetation and soil were sloped toward the home. Sloping such as this can promote moisture intrusion and is not recommended. We also noted evidence of sprinklers that were over-spraying at the structure.



The crawl space ventilation appeared to be minimal, based on us viewing only the crawl space access points and several of these 4-inch vents at various areas. We removed a cover to inspect the area and found insulation against the opening, which significantly reduced it fulfilling its purpose.



We found efflorescence at several areas of the foundation. Efflorescence is a mineral salt that remains after moisture evaporates and often is an indication of poor drainage at the exterior.



We found mineral deposits at the soil, and we noted excessive rusting and damage at the metal fasteners. All of this contributed to and was indicative of poor ventilation and previous buildup of moisture at the soil.

The significant damage in the crawl space and the structure appeared to be the result of poor exterior water management.

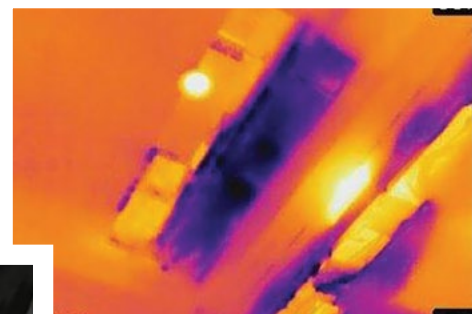
CLIENT E: MOISTURE AT THE LIVING ROOM CEILING AND MORE

Client E's home had undergone several repairs due to sprinkler leaks; however, the root cause of the moisture at the living room ceiling was unknown other than being due to recent rains.



We noted active dripping from the ceiling. Also, by using thermal imaging, we identified clear patterns of moisture.

We opened up the wood ceiling to further expose the fire sprinkler line. The wood was wet during removal.



We ran a visual scope camera through the ceiling to the fire sprinkler line, where we found an active leak dripping from a pipe.



We suspected a secondary moisture location at the living room because the thermal pattern suggested active moisture. We reviewed the areas with a moisture meter and found that the area indeed had elevated moisture.



Further investigation behind the wall revealed an exterior HVAC closet. The masonry tile was moist, with evidence of moisture entry that likely occurred during a rain event. We noted a small hole in the wall near the condensate pump. At the exterior, we saw evidence of the source and we focused our attention on the pan flashing in the area.



A close review of the pan flashing at the door area showed an opening where water could clearly enter. Due to the open louvers and the possibility for wind-driven rain, we understood how water entry could have occurred in this location and we noted that there was a gap present in the pan flashing. We surmised that these situations could allow for moisture entry to the wall.

Our survey confirmed there was an active leak in the fire sprinkler pipe at the ceiling and we found evidence of a gap in the pan flashing where moisture could occur at the exterior mechanical closet.

CLIENT F: PERSISTENT ROOF LEAK AFTER REPAIRS

We found evidence of a leak at Client F's ceiling and wall. Even after Client F had repairs completed at the roof area, the leak persisted.



Our thermal imaging showed anomalies in the wall; however, we tested the area with a moisture meter and found it to be dry. Since the dark areas were dry, they were likely due to insulation gaps. The visual image on the right shows staining at the wall.



There was buildup of debris at the gutter on the roof. Some of the gutter sections had gaps that could allow for moisture entry and some of the cap flashing showed separations that could also allow for moisture entry.



Some of the gutter sections were completely clogged and holding water.



We noted gaps in the stucco and at the cap flashing area. If the water entered at this location, it could result in water entry at the area of concern.

Several areas of concern could have been a source cause of moisture. Of primary concern was the gutter, which was 100% clogged. We noted that, after recent heavy rains, the gutter likely overflowed and allowed for water entry at the gaps in the flashings.

CLIENT G: GARAGE MOISTURE INVESTIGATION

When Client G identified moisture in two residential garages, he retained our services to help identify the cause. We noted that moisture was coming out from under the passage door area in the first garage. This appeared to have been caused by an item in the kitchen (possibly the ice maker) or the bathroom or, possibly, by an outdoor wall fountain between the two garages.



Our thermal imaging identified anomalies (that is, the darker areas) that indicated active moisture in the garages. Moisture meter testing confirmed elevated moisture.

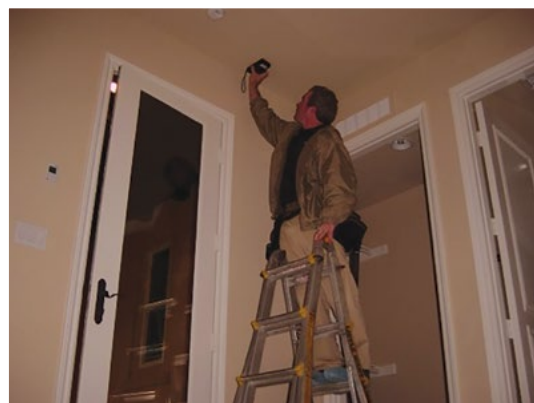
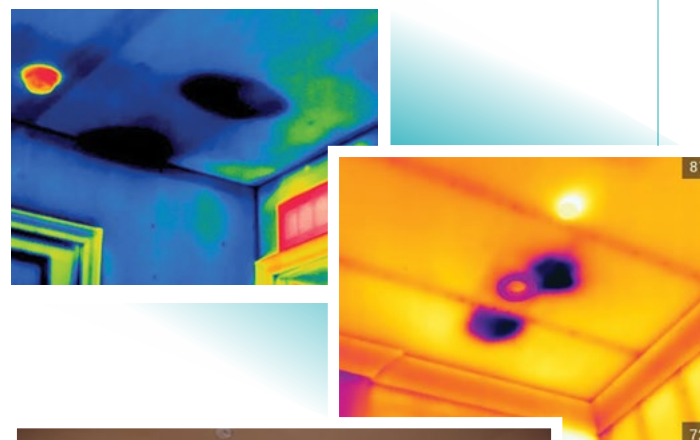


We noted that a hole had been made in the floor area below the threshold a few days earlier. It appeared that the epoxy floor of the garage acted as a barrier and the concrete underneath absorbed the water. The opening made at the threshold area created an exit path for moisture.

The source cause of the moisture appeared to be the fountain located near the garages and we suspected that the moisture intrusion originated at a flashing at the wall to the side of the fountain. The condition appeared to be consistent between the garages. The reason for the moisture intrusion at the area below the garage passage door threshold was due to the water finding the “path of least resistance.” The moisture appeared to be trapped at the garage slab, due to epoxy flooring, and the opening then created a path for the moisture to egress.

CLIENT H: MOISTURE OR INSULATION?

These thermal images below of Client H's home could indicate either a moisture problem or missing insulation (which would also cause a temperature differential). You would need to use a moisture meter to know which one for certain.



IT ALL GOES BACK TO TRAINING!

Home inspectors who have some moisture investigation skills can at least begin to get to the cause of most moisture mysteries. If you are interested in having application training, as an individual or for a group of inspectors in your area, contact United Infrared at 888-722-6447 for more information. We can recommend specific courses for the proper application of moisture tools and infrared cameras. Reasonably priced individual and group-based training classes are available.

SMART INSPECTOR SCIENCE

GET SMART: CHECK FOR KICKOUT FLASHING

Twenty years ago, few people had ever heard the term “kickout flashing,” but things have changed. Old homes leaked so much air that walls always dried out. Today’s homes are much tighter and walls hold moisture. Walls, siding and oriented strand board (OSB) will rot if water enters the wall. Kickout flashing has become essential.

HERE’S A GREAT EXAMPLE

That same energy equation applies in our homes. When a valve opens, pressure in the system pushes water through the fixture. Close the fixture and the water stops; the energy of the moving water is then absorbed by the piping and the remaining water. An abrupt halt can trigger a loud “hammer” and, over the long term, it can even damage piping.

In one case I investigated, the routine inspection of a window interior didn’t hint at any damage (Photo 1). A home inspector would never suspect an issue and, in fact, there was no visible issue to report. But the owner showed me ground-up wood on the windowsill. She explained that when it rained, water dripped from the upper trim. The “ground-up wood” looked like carpenter ant frass (droppings).



Photo 1. Questionable window trim.

We lifted the upper window casing (trim) and discovered rotted wood and dark frass from carpenter ants (Photo 2). This major issue would be invisible during a normal home inspection.

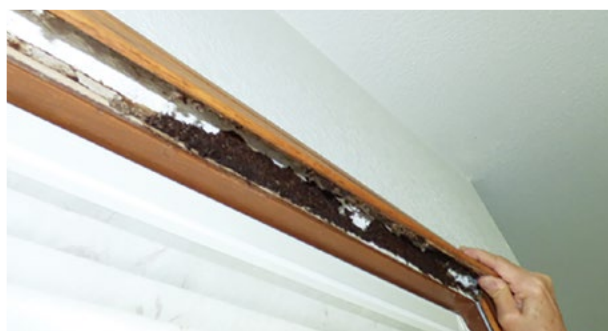


Photo 2. Wet mess beneath trim.

WHAT ELSE WAS GOING ON?

On the outside, the wood siding and trim of this 20-year-old home seemed to be in good condition. Three—yes, three—contractors had examined the leaky window. They applied liquid flashing (caulk) at the step flashing and sealed the cap flashing at the window.

Whenever I see window leaks, I always suspect missing flashing or improper layering of the weather-resistant barrier under the siding. Sure enough, when I looked at this window from the outside, the problem was obvious: The gutter terminated at a sidewall with no kickout flashing (Photo 3).



Photo 3. Missing kickout flashing.

A PREVENTABLE PROBLEM

When properly installed, kickout flashing should channel water down the outside wall assembly and into the gutter (Illustration R016). Compounding this particular water problem was a gable roof and a downspout directing rainwater to the roof above the end of the gutter.

The fresh caulk that the contractors applied between the siding and the top of the window cap flashing may have worsened the problem. Horizontal flashing or cap flashing should never be caulked. Because all types of siding leak, the cap flashing should be installed underneath the weather-resistant barrier to capture water and route it out of the wall assembly over the window.

The solution here? Remove the siding above and around the window. Check the weather-resistant barrier and install kickout flashing. Replace rotted materials. And finally, route the upper roof drainage away from the area.

YOU MUST CATCH THIS OBVIOUS DEFECT

Inspecting only the window and the wall from the inside would never reveal the source of the problem, so you must always identify the lack of kickout flashing. A contractor smart enough to notice the missing flashing would say, “The home inspector should have seen this defect.” Don’t let them say that about you.

Tom Feiza has been a professional home inspector since 1992 and has a degree in engineering. Through HowToOperateYourHome.com, he provides high-quality marketing materials that help professional home inspectors educate their customers. Copyright © 2019 by Tom Feiza, Mr. Fix-It, Inc. Reproduced with permission.

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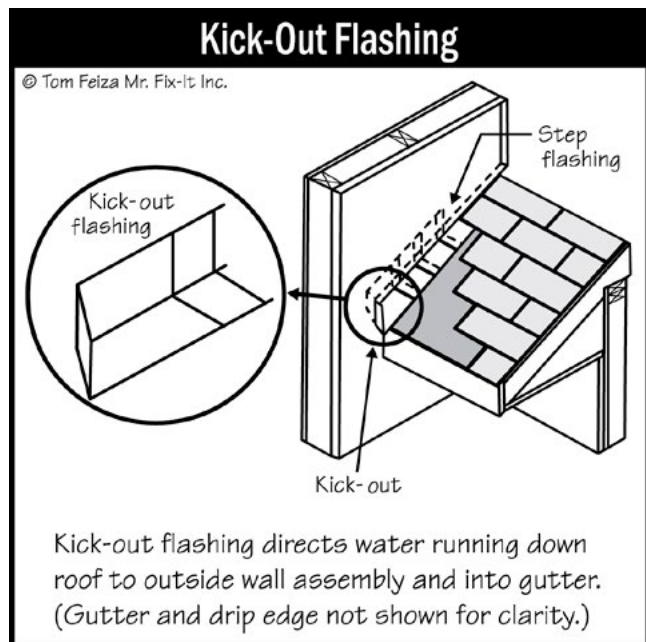


Illustration R016

TO LEARN MORE,
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Tom can also provide his knowledge for your
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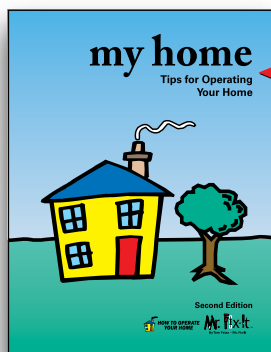
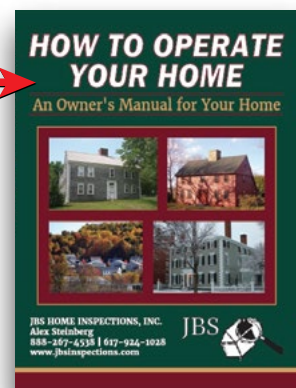
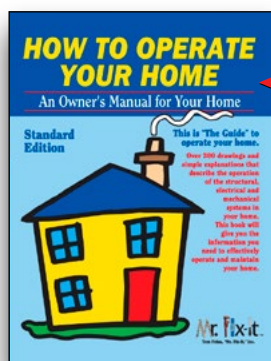
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THE WORD: RETAINING WALLS

By Bruce Barker, ACI



Bruce Barker is the founder and president of Dream Home Consultants LLC and the author of *Everybody's Building Code*, written to help home inspectors understand the International Residential Code. Bruce has been building and inspecting homes since 1987. He currently serves as ASHI Treasurer. He is a certified Residential Combination Inspector and a licensed contractor in Arizona, Florida and North Carolina. To read more of Bruce's articles or if you need a presenter at your next chapter event, go to www.dreamhomeconsultants.com.

REQUIRED RETAINING WALL INSPECTION

Item 4.1.A.5 of the ASHI Standard of Practice for Home Inspections (SoP; <https://www.homeinspector.org/standards-of-practice>) requires us to inspect and to report defects in retaining walls *if the wall is likely to adversely affect the building*. Is this clear to everyone? The Word didn't think so. Let's dissect this sentence.

The words *inspect* and *defect* are identified in the SoP. *Inspect* is a defined term that means to visually examine the readily accessible parts of the retaining wall. *Readily accessible* is also a defined term that means we do not have to move things or take things apart to perform the inspection. Defects are identified in SoP item 2.2.B.1 as "...systems and components inspected that...are not functioning properly, significantly deficient, unsafe, or are near the end of their service lives." This leaves us with the question of how to define "adversely affect the building."

Once again, The Word invites you to travel into the dark realm of subjects that may be of interest to home inspectors. The Word hopes you will find this trip informative and maybe a little entertaining.

Our subject this month is **retaining walls**. The Word finds this subject interesting because retaining walls are out of scope of a home inspection, except when they are in scope. There is, therefore, some confusion about when we are required to inspect retaining walls and about how to inspect them when required.

OUR SUBJECT THIS MONTH IS: RETAINING WALLS

THE WORD: RETAINING WALLS

By Bruce Barker

The opinions expressed in this article are those of the author only and do not necessarily reflect the opinions or views of ASHI. The information contained in the article is general and readers should always independently verify for accuracy, completeness and reliability.

The Word invites you to travel into the dark realm of subjects that may be of interest to home inspectors.



Photo 1. Back yard supported by a retaining wall. Note that this places a significant lateral load on the wall.

The Word defines “adversely affect the building” like this: If wall failure would damage the building or would cause an unsafe condition near the building, then inspection of the retaining wall is in scope of a home inspection. This situation requires a judgment call by the inspector based on conditions at the inspection.

Photos 1 and 2 provide an example of a judgment call. Photo 1 is the back yard of a house. Photo 2 is the retaining wall that supports the back yard. Failure of this retaining wall may not directly affect the house, but it would sure be a major problem! The Word reported this retaining wall, with a recommendation for immediate analysis by an engineer. These pictures are also a good example of a lateral load imposed on a retaining wall.

As a practical matter, The Word inspects most retaining walls on the property that are visible from the building being inspected. Clients have an expectation that their inspector will do this. If The Word does not inspect a retaining wall, he disclaims inspection, states the reason why, recommends that someone inspect the retaining wall and warns that the retaining wall may have defects. This limitation statement formula is the one we should use when disclaiming inspection of a system or component.



Photo 2. Retaining wall near failure.

Retaining walls can be installed to terrace a steep hill to create a more aesthetically pleasing appearance and to make the hill easier to maintain.

WHAT IS A RETAINING WALL?

A retaining wall is a structure that is intended to separate an area at a higher elevation from an area at a lower elevation. Retaining walls often are used to create a more useful level surface in front of the retaining wall. When installed near the building, retaining walls may be intended to allow installation of openings, such as a basement door, that would otherwise be below grade. Retaining walls can be installed to terrace a steep hill to create a more aesthetically pleasing appearance and to make the hill easier to maintain. Short retaining walls can be used to make landscaping more visually appealing. These short retaining walls are sometimes called landscape or garden walls.

RETAINING WALL REQUIREMENTS

International Residential Code 2018 (IRC) R404.4 is the only reference to retaining walls in the IRC that The Word knows about. Local jurisdictions and some homeowner associations may have other requirements.

IRC R404.4 requires the following engineering designs for retaining walls:

- **not supported at the top (most are not) and at the bottom, and**
- **retain more than 48 inches of soil, or**
- **retain more than 24 inches of soil and support a lateral load in addition to the soil; a lateral load would be something like a footing or a driveway (Illustration 1).**

IRC R105.2 requires a building permit for retaining walls that are more than 48 inches tall, measured from the bottom of the footing, and for retaining walls that support a lateral load. It is prudent for inspectors to disclaim structural inspection of retaining walls that fall into these categories, to recommend a permit check for these retaining walls and to recommend an engineer evaluation of these retaining walls if the client wants additional information about their condition.

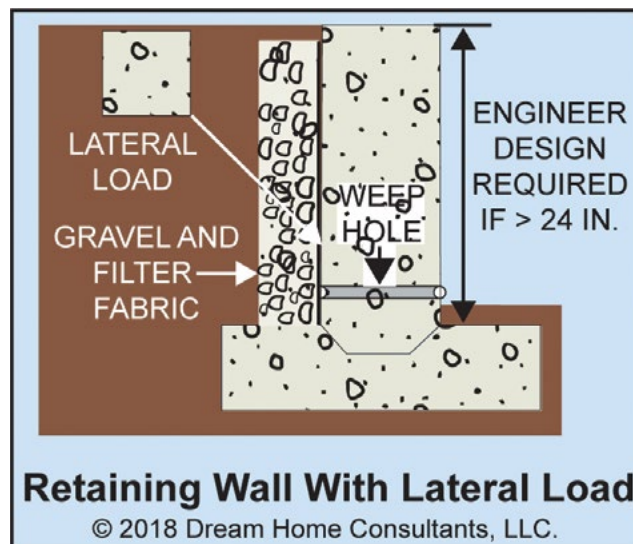


Illustration 1

RETAINING WALL MATERIALS

A retaining wall can be built with just about anything that can support the retained material and anything that has a reasonable service life in a wet environment. Preservative-treated wood is the most commonly used material in many markets, especially for newer walls. It is usually the least expensive alternative. Masonry (concrete blocks and brick) is also a commonly used material. Retaining walls made of stacked natural (rubble) stone have been used for thousands of years. These walls often are limited to 2 or 3 feet tall (Photo 3). Concrete walls can be found in residential applications, but these walls are less common because of high cost and poor aesthetics. Precast interlocking blocks are becoming popular. These block walls are also known as segmented blocks and landscaping blocks. A gabion retaining wall uses rubble stone retained in a wire cage. Gabion walls are uncommon.

Retaining walls should be built to drain water that may accumulate behind the retaining wall. The ideal water management system includes gravel and landscape fabric installed directly behind the retaining wall. The system includes drainage openings (weep holes) or some other way for water to escape. Unfortunately, the ideal water management system is uncommon and is not visible for inspection anyway. The lack of weep holes or other drainage means is a visible defect that should be reported.

Retaining walls should be built to drain water that may accumulate behind the retaining wall.



Photo 3. Typical natural stone retaining wall.

WOOD RETAINING WALLS

Wood retaining walls are usually built using pressure-preservative-treated wood, or using wood treated with creosote or a similar petroleum-based product. Pressure-preservative-treated wood should be rated for ground contact (UC4A or better). There is no way to visually determine the preservative rating of the wood unless the manufacturer's tag is still affixed to it (this is uncommon). The wood should be at least about 3 inches by 5 inches for structural stability and for longer service life, although any ground contact-rated wood is allowed if it is adequately supported at the bottom and laterally.

Footings are not specifically required for wood retaining walls, but they are highly recommended, especially for taller walls, walls whose failure would adversely affect the building and walls in cold climates. Compacted crushed stone is the recommended footing material. Compacted sand may be used in some situations. Footings are usually not visible and we are not required to inspect for their presence or adequacy.

Taller wood retaining walls (about 4 feet or more) and those supporting a lateral load should be built using tiebacks and deadmen, or using buttresses, to provide lateral support (Illustration 2). Photo 4 shows an example of a lateral load. Look for the end grain of wood that should indicate the presence of a tieback (Photo 5). We hope there is a deadman attached to the tieback.

THE WORD: RETAINING WALLS

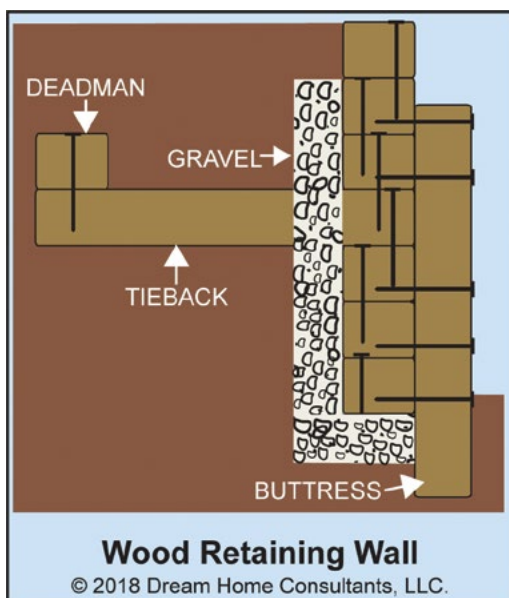


Illustration 2



Photo 4. Wood retaining wall with a lateral load. Wood may not be ground contact rated.



Photo 5. Red arrow points to a tieback.

MASONRY RETAINING WALLS

Masonry retaining walls and concrete retaining walls should be supported by a concrete footing. This footing may need to be extra wide and extra deep to help the wall resist rotation. Steel reinforcing bar vertical dowels should be placed in the footings for taller walls to help the wall resist sliding off of the footing. Horizontal reinforcing bars also may be necessary to provide lateral load resistance and the cells of taller concrete block walls should be fully grouted. Grout is concrete with a high water content, which helps it flow into the cells. Of course, none of this is usually visible during our inspection.

INTERLOCKING BLOCK WALLS

Interlocking block walls are built using manufactured concrete blocks. The blocks sold at the big-box retailers may be limited to 2 or 3 feet tall. Other systems may be as tall as the manufacturer or an engineer will allow. Some systems have lips on the bottom to resist lateral movement. Other systems use pins to secure the blocks. Blocks should be installed according to manufacturer's instructions for the system.

Footings made using crushed stone may be acceptable for lower-height walls using some systems. Taller walls may need a concrete footing and reinforcing rods similar to a masonry wall.

GUARDS AT RETAINING WALLS

2018 IRC R312.1.1 states that a guard is required where a walking surface is more than 30 inches above the floor or above grade. The Word interprets this to mean that a guard is required at a retaining wall if the area on the high side of the retaining wall can reasonably be considered a walking surface. Driveways and walkways are walking surfaces. Any area that is regularly used for recreation or that is regularly accessed for maintenance (e.g., lawn mowing) is probably a walking surface. Whether other areas are walking surfaces is subject to interpretation.

Whether and how an inspector reports the lack of a guard at a retaining wall depends on the situation. An inspector should report lack of a guard at a retaining wall as a defect if the inspector determines that the situation qualifies as significantly deficient or unsafe. The inspector may report lack of a guard at a retaining wall as information if the inspector believes that the client may want to consider installing a guard at some point in the future as an upgrade. The inspector may ignore lack of a guard at a retaining wall if the area on the high side of the wall cannot reasonably be considered a walking surface.

TYPICAL DEFECTS

The following are retaining wall defects that inspectors may wish to report.

- **ADVANCED DETERIORATION OF WOOD WALLS.** Wood retaining walls have an average expected service life of 10 to 20 years. This depends to a significant extent on the wood used, type and level of preservative treatment, climate and drainage provisions. Eventually, wood retaining walls need to be replaced.
- **DEFORMATION, INCLUDING ROTATION, BULGING AND SLIDING.** The Word is not aware of an accepted standard for how much deformation is too much. Any visible sliding off of the footing is probably too much. Rotation and bulging more than 1 inch in 8 feet may be too much. A possible good rule of thumb: If the deformation is obvious, it may be too much (Photo 6).



Photo 6. This unreinforced concrete block retaining wall has failed. Failure will adversely affect the building.

- **CRACKING OF MASONRY AND CONCRETE WALLS.** Again, there is no accepted standard. A crack exceeding $\frac{1}{4}$ inch wide or one that presents out-of-plane displacement may be too much.
- **LACK OF TIEBACKS AND DEADMEN IN WOOD WALLS.** Wood retaining walls taller than 4 feet should have tiebacks and deadmen installed for lateral support.

- **EROSION UNDER THE WALL.** Poor water management and improperly installed footings can cause erosion under the wall. This is a potentially serious defect that may require removal and reinstallation of the wall (Photo 7).



Photo 7. This interlocking block retaining wall does not appear to have a footing. Erosion is occurring under the wall. The wall is probably too tall for the material.

- **WALL TOO TALL FOR MATERIAL.** The solid blocks with lips on the bottom sold at big-box retailers may be limited by the manufacturer to between 2 and 3 feet tall. Walls built using other materials may be taller, but remember that the IRC requires an engineered design for walls taller than 4 feet.
- **ABSENCE OF DRAINAGE OPENINGS.** Solid walls such as concrete, masonry and interlocking blocks should have drainage openings (weep holes) to allow water to drain from behind the wall. The weep hole should be open (Photo 8).



Photo 8. This wall has no visible drainage openings. Water on blocks indicates a possible water management problem.

- **LOOSE COMPONENTS.** All components should be stable and should not show evidence of movement out of position.

THE BOTTOM LINE

Retaining walls can be expensive. Wood walls can cost between \$10 and \$15 per square foot or more. Walls made using other materials can cost between \$15 and \$30 per square foot or more. Failure to report a significant retaining wall defect can result in a costly claim, even if the wall may be out of scope. The prudent inspector, therefore, either inspects retaining walls and reports visible defects, or disclaims inspection of the walls in the report.

Memo to Gaea, goddess of the earth: The Word does not reside on Mt. Olympus (just at its base) and welcomes other viewpoints. Send your lightning bolts or emails to Bruce@DreamHomeConsultants.com. The thoughts contained herein are those of The Word. They are not ASHI standards or policies.



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IT'S ALL IN THE DETAILS: A CLOSER LOOK AT YOUR NEW ASHI MEMBERSHIP BADGE

*By Jen Gallegos,
ASHI Membership Manager*

Greetings, ASHI Members! November is a good time to give thanks, so I'd like to thank all the members of ASHI for elevating the profession as a whole. The ASHI Membership Team is very thankful to have the privilege of working with you.

In October, many of you received an email from me regarding the newly redesigned ASHI membership badge. I'm so excited about this new design that I want to outline the updates that were made.

UPDATES TO THE ASHI BADGE:

- *The new badge has a sleek, professional design.*
- *The logos for ASHI Inspector and ASHI Certified Inspector are made of **metallic foil**, which makes them "pop" and shine.*





Background Verified Inspector (BVI) Program



- Your name, ASHI member number and membership expiration date are listed on the front of the card, making that information visible to your clients.
- There is no picture on the badge, so there is no need for you to provide a picture of yourself. This change also makes the badges "selfie-free."
- The ASHI Mission Statement is stated on the back of the badge for easy reference.

- If you are a member who has successfully completed the Background Verified Inspector (BVI) Program, you also have access to use the BVI logo on your badge and marketing materials. We enhanced the BVI logo to be embossed silver with a holographic sheen. This redesigned logo will be added to all badges of ASHI members' badges who are in the BVI program.
- If you are not yet designated as a BVI, you can apply for this status by going to the ASHI website. Under the heading Members-Only, select My Membership and you will see a link to Background Verified Inspector (BVI). Once you complete the application and receive the BVI status, you may use the BVI logo for two years before renewing it.

We are excited about these design changes to the ASHI Membership Badges and we hope that the new design appeals to you as well. You will receive a new badge the next time you renew your ASHI membership.

As always, if you have any questions, please contact the ASHI Membership Team at membership@ashi.org or via phone at 847-759-2820.

Once again, thank you to each and every ASHI Member!

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WORDS & LAW

THE SIGNIFICANCE OF WRITTEN REPORTS

By Keith Swift Ph.D.



Keith Swift was born and raised in England and, after traveling through the Mideast and the Far East, he emigrated to the United States. He earned a doctorate in 1982 with a dissertation on the work of W.S. Merwin, who was appointed poet laureate in 2010 and died in March 2019. After teaching at California State University for a few years, Keith obtained a general contractor's license, together with a certification in asbestos, and embarked on a career as a residential and commercial building inspector until retiring in 2016. He enjoys reading and writing and working with his hands, and sharing what he has learned with others. Contact him at Keithswift2@gmail.com



SUITS:

The opinions expressed in this article are those of the author only and do not necessarily reflect the opinions or views of ASHI. The information contained in the article is general and readers should always independently verify for accuracy, completeness and reliability.

Many years ago, in the pursuit of money and a better way of life, I gave up teaching and became a building inspector. In those days, the inspection industry was growing rapidly and inspectors were in high demand. Soon, I had more work than I could handle and the money kept rolling in. But this was in California, where the threat of frivolous lawsuits was spreading among inspectors like a disease. Everyone felt vulnerable, but few wanted to talk about it. Attorneys must have felt like Midas; everything they touched turned to gold.

Inspectors spend only a few hours at a property, but when they leave, they carry with them the tacit responsibility for everything on that property. In fact, for as long as three or four years, they remain vulnerable to the legal assault of unhappy clients and corrupt attorneys. As one senior insurance executive confided in me after a few beers: “Lawsuits are a numbers game. It’s just a matter of time.” I remember sipping my beer and nodding in silent dismay.

I’ve written extensively about this threat, but it’s easy to understand how it came to be and why it won’t go away any time soon. Most inspectors are aware of this and elect to carry errors and omissions insurance. However, such insurance not only protects against lawsuits, but it also invites them. It gives inspectors figuratively deep pockets and makes them attractive targets.

We could complain about how easily the legal system can be corrupted, as I have done for years. You might think that insurance companies would defend the innocent and fight frivolous and spurious lawsuits, but they don’t and they won’t. It’s far cheaper for them to settle with scoundrels than pay the exorbitant cost of defending the innocent. Money talks.

I’ve referred to this elsewhere as “perfectly legal extortion,” which is an abstract phrase that’s not mine and fails to convey the pain of frivolous lawsuits. If you don’t believe this or feel I’ve overstated it, you should probably stop reading, but if you need proof, you can read about lawsuits in my book *Inspect and Protect*, which is available at lulu.com. It will cost you time and money, and likely depress you. Some examples are so outrageous as to defy belief, which is why I included legal documentation.

So, what can we do about this continuous threat? First, there must be the desire to change, but change is difficult and often requires a trauma, like a lawsuit, and then a modicum of trust. Anyway, try to suspend any doubt and disbelief you may have for a while, and I’ll do my best to explain what I mean, and keep the explanations short and simple. But first, a caveat.

Lawsuits are a numbers game. It’s just a matter of time.

Out of respect for the legal profession and decent attorneys, I must state that many lawsuits are legitimate and serve justice, but what I’m going to describe are the frivolous ones and the way they can be avoided. I say “avoided,” because only tort reform can stop them and also, because once you’ve been named in a lawsuit, you’ve already lost—you’ve lost your deductible, your premiums will probably increase, your coverage could be cancelled, and you’re going to lose time and therefore money, as well as any real faith you may have had in the legal system.

Careful report writing can help

Avoiding lawsuits requires a sophisticated report-writer and a commitment to take a series of premeditated steps or, more precisely, a combination of interrelated and carefully constructed narratives that lead to irrefutable and, therefore, easily defensible truths.

Here’s the concept:

As inspectors, we are only on site for a few hours, but our reports are the product of that time, and memorialize our actions and evaluations. So, in a sense, they’re “the truth, the whole truth, and nothing but the truth.” They’re obviously intended to be read carefully by clients, but they’re sometimes read extremely carefully by disgruntled clients and corrupt attorneys. For this reason, it would be nice if inspectors were blessed with encyclopedic knowledge, instant recall and superior writing skills. But the chance of anyone possessing all these skills is highly unlikely.

Let’s return to the concept which, among other things, involves industry standards and contracts, as well as a series of interrelated narratives functioning as testimony to a truth. We’ll also consider the power of words and the art of communication.

Industry standards

Industry standards are general and represent groups of people, whereas contracts are specific and represent individuals. Both should be viewed as a first line of defense against lawsuits. Industry standards were compiled by the best minds in the business and continue to evolve. They should be included as an integral part of a report, or they should be alluded to and recommended to be accessed and read as an adjunct to a report. They should also be alluded to in contracts, many of which were also compiled or reviewed and approved by the best minds in the business, and quite often by attorneys—not that those have any added merit. Regardless, many of them include exculpatory clauses that are required to be initialed.

I won't say anything more about contracts, but I've read some clauses that are absurd and, although not useless, are likely to be ignored, including a popular one about returning a fee. But some are truly useful and have the power to prevent lawsuits. I had one in my inspection contract that was also required to be initialed and, although I can't prove it, prevented lawsuits, I truly believe it did. Anyway, this is it. You are welcome to edit it and use it as your own:

I agree and understand that I should follow any and all recommendations for service or a second opinion by a specialist, and that by failing to do so, I will violate the terms of the contract and agree to hold Swift Inspections harmless for any subsequently alleged defects or deficiencies.

This clause is reasonable and has never been disputed, but what's most relevant about it is this: I rarely found "things" on my inspections that were perfect, even on brand-new houses, and even fewer things that earned my complete approval.

Take roofs, for instance, which feature prominently in lawsuits, I rarely found one that didn't need specialized service of some kind and, therefore, I selected a narrative that not only recommended service, but also a second opinion and an evaluation of the entire roof. And the same is true of other "things" we inspect.

This is not only sensible, but strategic and best served my clients, because I'm not a specialist and, in this case, an approval by one was like conferring peace of mind and a warranty against leaks. But, more importantly, it also provided me with a perfect defense in accordance with the terms of my contract. So, keep in mind, selection of narratives is a step in a process involving multiple aspects of an inspection and a report.

My reports also alluded to industry standards, but the body of them began with the scope of my service, in which I defined myself as a generalist, described the difference between myself and a specialist (which is a difference in knowledge and the use of specialized instruments), and in which I stated precisely what I did and didn't do. Next, I promised to respond to any concerns that my clients might have in the future and pledged to remain their consultant indefinitely. Yes, I said indefinitely and I meant it. It made my clients feel more secure, and very likely prevented disputes and even lawsuits. In addition, the scope of my service repeated things that were in the standards and in my contract, and which served to magnify irrefutable truths. Repetition is also strategic and substantiates meaning.

Irrefutable truths

Furthermore, every individual section of my report began with a general description that educated clients, which I'd "polished" over many years and which printed automatically. They're too long to quote, but they also expressed as irrefutable truths. Here are the first few lines from one on roofs so you can get a sense of it and see how it contributes to the concept:

There are different roof types and materials and different methods of installing them, but all have limited warranties and most eventually leak. Every roof is only as good as its waterproof membrane, which is concealed and cannot be examined without removing the material, and this is true of almost every type of roof.

This general description was followed directly by a detailed one about a specific roof type, which was also educational and printed automatically. You'll probably notice the movement of the narratives is from the general to the specific, from the large to the small, but the movement concluded with an evaluation of a specific roof comprised of concise declarative sentences, and the same was equally true of grading and drainage, electrical, plumbing, and heating and air-conditioning, to name a few, each one of which appeared with a single click of a mouse.

I won't go into detail about how valuable specialized instruments have become in avoiding lawsuits; however, I will say that my digital camera, laser level and moisture meter were among the most critical tools that I used in my inspections, and my computerized report-writer was by far the most important resource I had at my disposal.

Computers are a mechanism of storage and retrieval. My report-writer was not only a portable reference library, but it also gave me the ability me to select from a vast array of prewritten narratives to indicate, in this instance, how a roof was evaluated, and its apparent age and condition, which most sellers were likely to know more about than I did after my brief site visit. But don't ever rely on the integrity of sellers, for which reason many of my evaluations referred to the responsibility of sellers. Regardless, few roofs were so perfect that I didn't find some reason to recommend service or a second opinion. However, if I did happen to find one that was perfect—which, to me, meant perfect factory flashings, not mastic, and complete and professional gutters—this is one of many narratives I selected from my report-writer:

The roof appears to be ___ years old, but this should be confirmed by the sellers or documented by permit research. It has a ___ year design life and was likely guaranteed against leaks by the installer for three years. It should be kept clean and inspected annually, and particularly before the rainy system, but based on the appearance of it and its drainage system, it is performing as intended, as shown with representative pictures. However, this is not a guarantee against leaks, for which you'd need to have a local roofing specialist evaluate it before the close of escrow and issue a roof certification.

I promised to respond to any concerns that my clients might have in the future and pledged to remain their consultant indefinitely.

This is one of thousands of narratives in my report-writer to which I had instant access, and all of which could be edited and added to indefinitely. Feel free to take it and use it, but notice how the narratives work together to inform and educate clients, and lead to irrefutable truths about “things” and, in this case, the truth about roofs in general and a specific roof type. It's a complicated story and a truth that should be irrefutable.

There are other equally important things such as health and safety, and the growing threat of mold, which after an alarming influx of lawsuits, became known as “the new asbestos.” Regardless, this is the reason my reports contained a great deal of information about mold and, also, clearly defined my responsibilities as a generalist as opposed to a specialist. Remember, it's not enough to disclaim things just once in what some attorneys might dismiss as “boiler-plate” language. They must be addressed repeatedly and concisely in the reports to establish indisputable truths. An entire section of my reports was devoted to “health and safety.”

My reports contained a great deal of information about mold and, also, clearly defined my responsibilities as a generalist as opposed to a specialist.

The importance of good communication

A report is all about communication between one human being and another. In fact, the word “communication” comes from a root word that means “to share.” I made a point of talking candidly with my clients before and after an inspection. I’d tell them of the pride I took in my work and not only of my intention to stand behind it, but to defend it fiercely and, finally, to represent them and only them in what was likely to have been one of the most expensive and intimate investments they’d ever made.

The different narrative types I’ve described made my reports quite lengthy, but my clients paid for a professional service, and deserved a comprehensive and educational report that would be hard to dispute even by an unscrupulous attorney. However, my report-writer did allow me to save space by summarizing “things” which, depending on their precise location, were rarely contentious and, which after a thorough inspection, met with my approval, such as living rooms, dining rooms, family rooms and bedrooms, although each type of room was preceded by an educational narrative. I never took the same option with kitchens and bathrooms, however, which can be dangerous places, and for which I wanted to test and comment on every single aspect. For example, if a tub or a tub/shower met with my approval, I selected a narrative such as the following:

The bathtub is functional but was not filled to the brim, which would be an irresponsible waste of water, and its overflow valve was not tested.

It’s all about the power of words and about a sincere desire to share, to communicate and to educate in the pursuit of truth.

The conclusion of the report

I ended all my reports with a letter to my clients, which was stored in my report-writer and printed it automatically. In the letter, I congratulated them on the purchase of their home, wished them health and happiness, and pledged to remain their consultant. I mentioned health and safety issues again, particularly those regarding small children, and I told them quite bluntly in advance that “roofs will leak, drain lines will become clogged, and components and systems will fail without warning.” Finally, I cautioned them to beware of anyone who uses inflammatory language or who defames inspectors, and about real estate agents who flaunt home protection policies while proclaiming: Don’t worry about a thing. If anything goes wrong, all you need to do is pay a small fee of \$40 and they’ll come right out and fix it. If they can’t fix it, they’ll replace it.

Do you believe that? I never did and common sense tells us what’s more likely to happen.

You should always be prepared to defend your service, but to really appreciate what I mean about avoiding frivolous lawsuits, you’d need to see one of my illustrated full reports and its summary, and to take the time to not only read them, but to study them and ask questions. If we could share a computer screen, I’d show them to you. Perhaps we will someday share a screen because I’m considering offering seminars on avoiding lawsuits or perhaps conducting an online seminar if enough inspectors express an interest. In summary, it’s all about the power of words and about a sincere desire to share, to communicate and to educate in the pursuit of truth. Justice is merely an ideal, but it’s a noble one indeed.

I’m retired now, in Idaho, and spend time outside reading, listening to birds, and watching families of deer and wild turkeys as they forage. But for a few years, and in the pursuit of an ideal, I’ve also been working on inspection software with multiple “libraries.” So, if you want to talk about inspections and the way to avoid lawsuits, give me a call. However, my legal advice is given in the spirit of fraternity and has no authority. Always remember that justice is worth fighting for and, in the words of an ancient Asian proverb: “The feathers come first, then flight.”

NORTH CENTRAL

ASHI Central PA

www.ashicentralpa.com
Second Monday, 6 pm, except Jan. & July, Hoss's Steakhouse
61 Gettysburg Pike, Mechanicsburg, PA
Kevin Kenny, 717-226-3066
info@midpennhomeinspections.com

Keystone (PA)

www.keystoneashi.org
First Monday, 5:30 pm
Double Tree, 10 N. 5th Street
Reading, PA 19601
Robert H. Conner, 610-375-9675
rhconnerbcs@yahoo.com

Ohio

www.ohioashi.com
Ken Harrington, 614-507-1061
ohioashi@yahoo.com

North Central Ohio

www.ncohioashi.com
Paul Wancata, 216-571-1074
inspectionsunlimited@cox.net

OHIO SOUTH ASHI

Meeting: Third Tues. every month,
6:30 pm @ Kriemer's Bier Haus, OH-128
Cleves, OH 45002
P.O. Box 532197
Cincinnati, OH 45252
Chris Green, 513-939-4036
Email president@ohsoashi.com

Pocono-Lehigh (PA)

www.pocono-lehighashi.org
Third Tuesday, Tannersville Inn
Tannersville
Ronald Crescente, 570-646-7546
amerispec@pa.metrocast.net

PRO-ASHI (PA)

www.proashi.com
Second Wednesday of
Jan., March, May, Sept. & Nov.
Ray Fonos, 412-461-8273
southpittsburgh@hometeam.com

Tri-State (DE, NJ, PA)

www.tristateashi.org
Second Tuesday except April,
Aug. & Dec., Dave & Buster's
Plymouth Meeting, PA
Gary Kershaw, 215-295-2030
pluckem@verizon.net

MIDWEST

Great Lakes (IL, IN, IA, KY, MI, MN, OH, WI)

For monthly meetings:
www.greatinspectors.com/schedule-of-events/
Janni Juhansz, 734-284-4501
greatlakes.president@gmail.com

Greater Omaha (NE)

www.ashiomaha.com
Jon Vacha, 402-660-6935
jon@hsinspections.com

Heartland (IA, MN, ND, SD, WI)

www.ashiheartland.org
Second Monday, 6:30 pm, except
Nov. & April. Frankie's Pizza
3556 Winnetka Ave. N., New Hope, MN
Reuben Saltzman, 612-205-5600
reuben@ashiheartland.org

Indiana ASHI

www.inashi.com
Quarterly
Bill Halstead, 765-465-6185
hhinspect@outlook.com

Iowa ASHI

www.iowaashichapter.org
Fourth Tuesday, 6:00 - 8:00 pm
Iowa City Area Assoc. of Realtors
Education Center
847 Quarry Road, Coralville, IA
Craig Chmelicek, 319-389-7379
elitehomeandradon@gmail.com

Northern Illinois

www.nicashi.com
Second Wednesday (except Dec.)
5:30 pm - 9:00 pm
Allegra Banquets, 237 W. St. Charles Rd.
Villa Park, IL 60181
Joe Konopacki, 630-283-2248
joe@insightpsinc.com

SOUTH MIDWEST

Arkansas

Kyle Rodgers, 479-599-9314
kyle@aplus-inspection.com

Great Plains (KS, MO)

www.ashikc.org
Second Wednesday of every month
The Great Wolf Lodge, Kansas City
Randy Sipe, 913-856-4515
randy@familyhomeinspections.com

Midwest PRO ASHI (KS)

David Mason, 316-393-2152,
david@allprohomeinspec.com

St. Louis (MO)

www.stlashi.org
Second Tuesday, 5 pm
Creve Coeur Government Center
Multi-Purpose Meeting Room
300 N. New Ballas
Creve Coeur, MO 63141
Mark Goodman, 636-391-0091
mark@homeinspectstl.com

Lone Star (TX)

www.ashitexas.org
Bud Rozell, 214-215-4961
goodhomeinspection@att.net

MOUNTAIN

Arizona

www.azashi.org
Bryck Guibor, 520-419-1313
bryck@msn.com
Quarterly education on
azashi.org

New Mexico

www.ashinm.org
Bi-monthly meetings are held on the
second Saturday of the month at
Drury Hotel (Jan., March, May, July,
Sept.) located at 4630 Pan American
Freeway NE in Albuquerque.
Meeting starts at 8:30 am.
Lance Ellis, 505-977-3915
lellis@amerispec.net

Northern Rockies (ID, MT)

Steve Jenicek, 406-949-6461
Steve@taskmasterinspections.com
Secretary: Kelly Campeau
877-749-2225
Kelly@inspectormt.com

Rocky Mountain

Fourth Tuesday, 6:30 pm
Bob Kadera, 303-588-2502
bob@360degreeinspections.com

Southern Colorado

www.ashi-southerncolorado.org
Second Thursday each month, 6:30 pm
Valley Hi Golf Club, 610 S. Chelton Rd.
Colorado Springs, CO 80910
Aaron Hunt, 719-334-5455
aaron@huntproperty
inspections.com

PACIFIC

Alaska

Meeting dates: Jan. 1,
March 1, Aug. 1, Nov. 1
Location varies each meeting
David Mortensen, 907-243-4476
dave@discoveryinspect.com

ASHI Hawaii

www.ashihawaii.com
Oscar Libed, 808-330-2302
oscar@inspecthawaii.com

California

Randy Pierson, 310-265-0833
randy@southbayinspector.com

Central Valley CREIA-ASHI

Peter Boyd, 530-673-5800
Boyd.p@comcast.net

Golden Gate (CA)

www.ggashi.com
Brian Cogley, v 510-295-8021
f 510-355-1073
CogleyInspections.com

Inland Northwest (ID, WA)

Vince Vargas, 208-772-3145
vince@vargasinspections.com

Orange County CREIA-ASHI (CA)

www.creia.org/orange-county-chapter
Third Monday, 5:30 pm
Hometown Buffet
2321 S. Bristol, Santa Ana
Bill Bryan, 949-565-5904
bill@rsminspections.com

Oregon

www.oahi.org
Fourth Tuesday, 6:30 pm
4534 SE McLoughlin Blvd.
Portland
Jon Nichols, 503-324-2000
housedetective@hotmail.com

San Diego CREIA-ASHI

First Tuesday each month
Elijah's Restaurant
7061 Clairemont Mesa Boulevard
San Diego, CA 92111
Ray (Cliff) Sims Jr., 619-334-1138
cliffsims@cox.net

San Joaquin Valley (CA)

Third Thursday, 6 pm
1736 Union Avenue, Bakersfield, CA
Raymond Beasley, 661-805-5947
rbinspector@aol.com
Mail: 3305 Colony Oak St.
Bakersfield, CA 93311

Silicon Valley ASHI-CREIA (CA)

www.siliconvalleyinspector.com
Tammy Nicholas, 408-771-4939
tnicholas490@gmail.com

Southwestern Idaho

Second Monday
David Reish, 208-941-5760
dave@antheminspections.com

Los Angeles-Ventura County ASHI-CREIA

Third Wednesday, 5 pm
Holiday Inn, Woodland Hills
Bob Guyer, 805-501-0733
guyerinspections@roadrunner.com

South Bay (CA)

Webinar meetings
Randy Pierson, 310-265-0833
randy@southbayinspector.com

Western Washington

www.ashiww.com
Chapter Meetings held at chapter seminars in March and Sept.
Karl Nueffer
karl@G4inspections.com

NEW ENGLAND

Coastal Connecticut

www.coastalctashi.org
Third Thursday, 6 pm, Westport VFW
Lodge, 465 Riverside Avenue, Westport
John Hamlin, 203-912-1917
john.hamlin@pillartopost.com

New England (ME, MA, NH, RI, VT)

Third Thursday (usually), 5 pm
Hilton Garden Inn, Waltham, MA
Alex Steinberg, 617-924-1028
alex@jbsinspections.com

Northern New England (NNEC) (ME, MA, NH, VT)

www.ashi-nnec.org
Third Thursday of Jan., April,
June and Sept.
Tim Rooney, 603-770-0444
homeviewnh@comcast.net
nnec.ashi.2016@gmail.com

NEW YORK/JERSEY/ DELAWARE

Central New York

www.cnyashi.com
Third Wednesday each month, 6 pm
Tony's Family Restaurant, Syracuse
Richard Alton, 315-415-4847
dick@altoninspect.com

First State (DE)

www.firststateashi.org
Third Wednesday, 7 pm
The Buzz Ware Center
2121 The Highway, Arden
Mark Desmond, 302-494-1294
mark@delvalleyhome.com

Garden State (NJ)

www.gardenstateashi.com
Second Thursday
The Westwood, Garwood
Kevin Vargo, 732-271-1887
gsashipresident@gmail.com

Greater Rochester (NY)

www.ashirochester.com
Second Tuesday, 6 pm
Jeremiah's Tavern, 2200 Buffalo Rd.
Gates, NY 14624
Jim Brennan, 585-520-5575
jbrennan@independentinspection-service.com

Hudson Valley (NY)

Second Tuesday, 6 pm
Daddy O's Restaurant
3 Turner Street
Hopewell Junction, NY 12533
Michael Skok, 845-592-1442
ashistatewide@yahoo.com

Long Island (NY)

www.liashi.com
Third Monday, 6 pm, Domenico's
Restaurant, Levittown
John Weiburg
516-603-5770
john@greenlinkhi.com

New York Metro

www.nyashi.com
Last Thursday, 5 pm
Travelers Rest
25 Saw Mill River Road
Ossining, NY 10562
Chris Long, 914-260-8571
pres@nyashi.com

Southern New Jersey (NJ)

www.southernnjashi.com
Third Wednesday, 6:30 pm
Ramada Inn, Bordentown
Rick Lobley, 609-208-9798
rick@doublecheckhi.com

MID-ATLANTIC

Central Virginia

www.cvashi.org
Second Tuesday, 6:30 pm
Independence Golf Course
600 Founders Bridge Blvd.
Midlothian, VA 23113
John Cranor, President
804-873-8537
cranorinspectionsservices@gmail.com

Hampton Roads (VA)

Second Thursday, 7 pm, Cypress Point
Country Club, Virginia Beach
Gregory Murphy, 757-535-4355
gmurphy@coastalinspect.com

MAC-ASHI (MD, VA)

www.mac-ashi.com
Second Wednesday, 6 pm
Senior Center, Rockville
Mark Mostrom, 301-536-0096
pivotalinspections@comcast.net

NOVA-ASHI (MD, VA)

www.novaashi.com
Fourth Tuesday, Associate hour 6-7 pm,
Membership meeting 7-9 pm, Northern
Virginia Resources Center, Fairfax
Tony Toth, 703-926-6213
tony_toth@msn.com

SOUTH ATLANTIC

ASHI Georgia

www.ashigeorgia.com
Brent Drake, 770-778-81076
drakesinspection@gmail.com

East Tennessee

www.etashi.org
Third Saturday of Feb.,
May, Aug. and Nov.
Paul Perry, 866-522-7708
cio@frontiernet.net

Mid-Tennessee

Ray Baird, 615-371-5888
bairdr@comcast.net

Mid-South (TN)

Steven Campbell, 901-734-0555
steve@memphisinspections.com

North Carolina

www.ncashi.com
Meeting TBA
Bruce Barker, 919-322-4491
bruce@dreamhomeconsultants.com

South Carolina

First Saturday of Feb., May,
Aug. & Nov., 8 am
Roger Herdt, 843-669-3757
herdtworks@msn.com

GULF

ASHI South (AL)

www.ashisouth.org
Quarterly, Homewood Library
Homewood
John Knudsen, 334-221-0876
jgknudsen111@gmail.com

Florida Wiregrass

www.ashiwiregrass.org
Second Wednesday, 6:30 pm
Sleep Inn Hotel, Wesley Chapel
Nancy Janosz, 813-546-6090
ProTeamInsp@aol.com

Gulfcoast (FL)

First Thursday, 7 pm, The Forest
Country Club, Fort Myers
Len Gluckstal, 239-432-0178
goldenrulehi@comcast.net

Louisiana

Quarterly Meetings
Michael Burroughs
318-324-0661
Mburroughs2@comcast.net

Suncoast (FL)

www.ashisuncoast.com
First Tuesday, 6:30 pm; Please see our
website for meeting locations.
Neal Fuller, 727-858-2975
nealf.ma@yahoo.com

Southwest Florida

www.swashi.com
Serving Manatee, Sarasota & Charlotte
Second Wednesday, 6 pm
Holiday Inn, Lakewood Ranch
6321 Lake Osprey Drive, Sarasota
Michael Conley, 941-778-2385
FLinspector@outlook.com

CANADA

CAHPI Atlantic

www.cahpi-alt.com
Lawrence Englehart
902-403-2460
inspections@eastlink.ca

CAHPI Ontario

www.oahi.com
Rob Cornish, 613-858-5000
robcb@homexam.ca

Alberta Professional Home Inspectors (APHIS)

www.aphis.ca
Meetings held 3 times a year
Alan Fisher, 403-248-6893
admin@aphis.com

Quebec AIBQ

www.aibq.qc.ca
Pascal Baudaux, 450-629-2038
info@almoinspection.ca

COMMERCIAL INSPECTION CLASS

When: November 3-4, 2019

CEUs: 16 ASHI CEs

The commercial inspection class is an ASTM/ASHI hybrid commercial inspection class taught by David Goldstein.

Contact: Mark Goodman 314-409-3991

MAC-ASHI TECHNICAL SEMINAR

When: November 16, 2019

Where: Gilchrist Hall

9601 Medical Center Drive
Rockville, MD 20850

CEUs: 8 ASHI, MD and VA CEs

Register at: www.macashi.org/fall-seminar

GREAT LAKES ASHI CHAPTER

When: November 20, 2019

Where: Temperature Equipment Corp.

2055 N. Ruby St.
Melrose Park, IL 60160

Speaker: Ryan Hogan

Topic: HVAC—New Equipment Accessories

CEUs: 2 ASHI CEs

Contact: Dave Yost, (630) 347-6400

ASHI LOS ANGELES/ VENTURA COUNTY CHAPTER

When: November 21, 2019

Where: Vertigo Event &
Banquet Center, Glendale

Topic: Pre-Drywall Inspection Program for
Home Inspectors presented by
Bruce Barker

CEUs: 8 ASHI CEs

Contact: guyerinspections@icloud.com

ASHI LOS ANGELES/ VENTURA COUNTY CHAPTER

When: December 17, 2019

Where: Vertigo Event &
Banquet Center, Glendale.
Special 4-hour dinner meeting

Topic: Inspector-Pro Insurance to present
home inspection insurance and
benefits package

Contact: guyerinspections@icloud.com

LONG ISLAND ASHI CHAPTER WINTER SEMINAR

When: February 6 & 7, 2020

Where: Domenico's Restaurant, Levittown

CEUs: 12 ASHI CEs

Contact: Mitchell Allen (516) 662-1746

ASHI CENTRAL PA CHAPTER

When: March 7, 2020

Where: Park Inn by Radisson, Harrisburg West
5401 Carlisle Pike
Mechanicsburg, PA 17050

CEUs: ASHI 8 CEs

Contact: Pat Reilly, pwreilly@comcast.net

**TO HAVE YOUR CHAPTER SEMINAR
LISTED HERE, EMAIL ALL INFORMATION
ABOUT YOUR CHAPTER SEMINAR TO:**
micheleg@ashi.org.

IMPORTANT REPORTER DEADLINES:

- DECEMBER 2019 ISSUE - 10/7/19
- JANUARY 2020 ISSUE - 11/7/19
- FEBRUARY 2020 ISSUE - 12/7/19

The Reporter is produced 6-8 weeks ahead of
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Stephen R. Dallmus

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Ted Lemek
Craig Moorhead
Kurt Salomon
Simon J. Swain
David Wandrisco
Scott Wilder

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Richard Justice
Andrew Ling
Roger Rixon
William Rourke
Lee Sellick

Fifteen Years

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Richard Haber
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Dan Kopp
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Robert S. Miskae
Denver J. Parrett
Steve Traylor, ACI
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Craig Singley
Michael S. Sporik
Robert Warth
Paul Waslin
Jarrett Ziegler

CURRENT ASHI MEMBERSHIP

ASHI Certified Inspectors: 3,500

Inspectors: 219

Associates: 3,203

Retired Members: 126

Affiliates: 85

Total: 7,133 Members as of 10/9/2019

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ASHI-ENDORSED PROGRAMS

ASHI's E&O Insurance Program:
InspectorPro Insurance
inspectorproinsurance.com/ashi/
866-916-9419

ASHI Personal Lines Insurance
Program: Liberty Mutual
www.libertymutual.com/ashi/

ASHI's Protecting Home
Inspectors From Meritless
Claims Program: Joe Ferry –
The Home Inspector Lawyer
855-MERITLESS (637-4853)
contact@joeferry.com
www.joeferry.com/ashi

ASHI Service Program
BuildFax
Tricia Julian, 877-600-BFAX
x161
TJulian@BuildFax.com
www.buildfax.com
<http://go.buildfax.com/ASHI>

HomeAdvisor.com
Brett Symes, 913-529-2683
www.homeadvisor.com
ashi@homeadvisor.com

LegalShield
Joan Buckner, 505-821-3971
buckner.legalshieldassociate.com

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In this column, ASHI's Ethics Committee addresses dilemmas faced by home inspectors.



Are These Violations of the ASHI Code of Ethics?

By Jamison Brown, ASHI Ethics Committee Chair

Know the Code: The ASHI Code of Ethics can be found at [this link](https://www.homeinspector.org/Code-of-Ethics): <https://www.homeinspector.org/Code-of-Ethics>

Know the Standard of Practice: The ASHI Standard of Practice can be found at [this link](https://www.homeinspector.org/Standards-of-Practice): <https://www.homeinspector.org/Standards-of-Practice>

Jamison Brown is the owner of Home Inspections by Jamison & Company, Poquoson, VA. Before becoming an ASHI member in 1988, Jamison was a project manager, and supervised the construction and remodeling of more than 10,000 housing units for the U.S. Department of Defense (DoD) and the U.S. Department of Housing and Urban Development (HUD). Jamison is a former member of the Carpenters and Joiners of America, and a former licensed plumber in the state of Virginia. He is a member of the International Code Council, International Association of Electrical Inspectors (IAEI) and a certified member of the American Society of Home Inspectors (ASHI). He has been a member of ASHI's Technical and Membership Committees, and was chair of the CEPP Committee. Currently, he chairs the ASHI Code of Ethics Committee. Jamison has personally inspected more than 18,000 residential and commercial properties. Contact him at jamison.brown@gmail.com.

QUESTIONS & INTERPRETATIONS

Question: Is it unethical for an inspection company to be listed on a real estate firm's preferred vendor list when no other inspection companies are listed, and to receive all of the real estate firm's inspection referrals, if no payments are being made for the privilege?

RESPONSE: The circumstances presented in this inquiry do not constitute a violation of the ASHI Code of Ethics. It is not unethical under the Code to be the sole inspection company referred by a real estate agency.

However, it is highly unusual for a real estate agency to take on the liability associated with referring a single home inspection company to its clients unless significant financial incentives exist to do so. Such inducements might include inspection reports that "go easy" on the house, routinely fail to disclose defects that could derail real estate sales or intentionally fail to meet the requirements of the ASHI Standard of Practice.

There also may be contingent arrangements for which future referrals are dependent on specific findings or some other form of hidden or indirect compensation to the agency. These inducements or arrangements would clearly violate the Code of Ethics.

In addition, an exclusive arrangement may appear to be a conflict of interest to the general public and may be a violation of some state laws. Given these circumstances, we recommend that any home inspector who finds himself or herself in this type of situation exercise caution and consult with an attorney.

QUESTION: IF MY COMPANY WERE TO OFFER AN ANNUAL HOME INSPECTION TO HOMEOWNERS WITH THE SERVICE UNRELATED TO ANY AND ALL REAL ESTATE TRANSACTIONS, CLOSINGS OR ESTATE SETTLEMENTS, COULD I PAY A THIRD PARTY (FOR EXAMPLE, A LICENSED REAL ESTATE BROKER) TO MARKET THE SERVICE FOR MY COMPANY, AND FOR THE MARKETING AND ADMINISTRATIVE SERVICES PERFORMED IN THE PLACEMENT OF THE ANNUAL HOME INSPECTION SERVICE BUSINESS?

RESPONSE: The ASHI Code of Ethics states: "Inspectors shall not...compensate realty agents...for the referral of inspections." In the scenario that you described, you would, at least in part, be paying a third party (in this case, a real estate agency) for referrals and, therefore, technically, you would be in violation of the Code.

Any business relationship with a third party (such as a real estate broker) that involves payment for referrals can clearly result in potential conflicts of interest to the detriment of the home inspector's consumer and the integrity of the inspection report when that consumer is a prospective homebuyer.

Presuming that you also will be dealing with the same broker with regard to inspections for homebuyers, the intertwining of financial arrangements between the real estate broker and the home inspector can create the appearance of a conflict of interest for the inspector's present and future clients.

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Guess these
mystery items?

(See Page 44
for the answer!)

LARRY DIPIETRO
Lawrence DiPietro LLC
Wakefield, MA

When is a GFCI not
a GFCI... at least they
warned us!

LAWRENCE TRANSUE
????

Why use the proper fitting
when you can be creative?

MATT LEAHY
The Edge Home Inspections
Tucson, AZ

Creative copper-to-rubber
to-atmosphere adhesive?

JOHN S. GAMACHE, Capstone
Home Inspection Service
Escondido, CA

Got Mold?

CHRIS MONAHON
National Home Inspection Service
Boston, MA

Jenga®, anyone?

GARY TUCKER,
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Emeryville, CA

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ANSWER

If you guessed automobile parts (specifically, a fly-wheel), you are correct. Very ingenious!



LARRY DIPIETRO
 Lawrence DiPietro LLC
 Wakefield, MA

This roof was installed about 12 months ago according to the disclosure, but someone forgot something.



MATTHEW STEGER
 WIN Home Inspection,
 Elizabethtown, Lancaster, PA

Brick versus Garage Door Opener. Winner: Garage Door Opener.



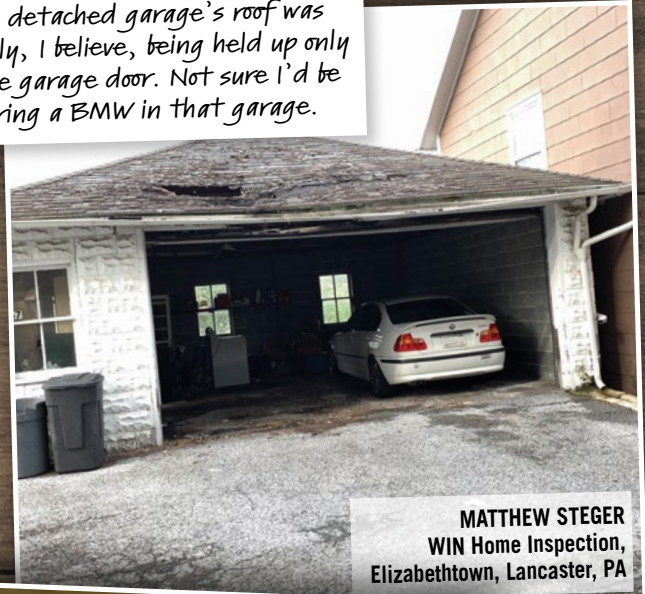
JAMES BROCK
 Boston Home Inspectors
 Boston, MA

While at a stucco application and the stucco crew does not have a hose to gather water, I guess they will just build one!



ADAM MCCLUSKY
 Property Inspection Service, Inc.
 Hilton Head Island, SC

This detached garage's roof was literally, I believe, being held up only by the garage door. Not sure I'd be storing a BMW in that garage.



MATTHEW STEGER
 WIN Home Inspection,
 Elizabethtown, Lancaster, PA



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Vote for ASHI's Proposed Bylaws Changes

Scott Patterson,
ASHI President



As your ASHI President, I must say that 2019 is turning out to be a monumental year for ASHI and our members! We have been able to make significant advancements in our internal operations—from adding a new back-office database, a new advanced discussion board and our new website that will go live in a few months. In addition, we will be launching our very own ASHI Insurance Program this fall. Even with all of this, the most important achievement is the fruition of almost four years of work by more than 50 individuals on a committee and a task force to design, develop and form the future of ASHI for many years to come.

I would like to thank the Relevance Task Force for their work and the Strategic Planning Committee for their nearly three years of work. These groups' in-depth evaluation and study provided the groundwork and much of the supporting information that was then taken up by the Bylaws Committee to formulate the proposed Bylaw updates that were emailed to members. Be sure to check your email from ASHI and vote today.

The proposed changes reflect the changes in our profession, changes in association management, changes in social interaction and technological advancements. We all must keep in mind that ASHI is here to serve the entire membership. Your elected leaders recognize the importance of our chapters, newly formed meeting groups and non-affiliated members, and the proposed changes to our bylaws reflect this purpose—to serve the entire membership.

Your elected ASHI Board of Directors has voted to support all the proposed Bylaw changes, and I encourage all voting members to support and vote for the proposed changes as well.

Proposed Changes to ASHI's Bylaws

Brendan Ryan, Chair,
Bylaw Committee



The Bylaws for the American Society of Home Inspectors (ASHI) have not undergone a full evaluation in many years, nor have they undergone a substantial, document-wide update to reflect the best practices of modern association management.

The findings of the ASHI Relevance Task Force's report reflected the need for updating our guiding document. Issues relating to technology, communication, board size, elections, the Council of Representatives and other items show a cumbersome older model. In order for ASHI to be a nimble and efficient decision-making association that always represents its entire membership, the ASHI Relevance Task Force recommended that changes be made.

The major changes proposed for the bylaws represent a change to ASHI's culture—to embrace innovation in the profession and expansion of the roles and expertise of home inspectors. Any past emphasis on adversarial relationships within ASHI groups is being set aside, and resources are being allocated to programs and services that provide tangible benefits for all members.

A key to the success of these changes in the ASHI Bylaws is to increase the efficiency and effectiveness of the Board. Reduction in size, availability for all members to serve and setting term limits all address this issue. A Board size of 11 members is reflective of an association of ASHI's size.

Consolidating the Nominating Committees into one oversight group to verify credentials will streamline the election process. All positions will be available to the entire membership. There will no longer be a petition process to get on the ballot; all qualified persons will be included on the ballot.

The purpose and mission of the Council of Representatives must evolve to be a group focused on benefits and programs that have value for the entire membership. From this Council, we will form a new Membership Relations Committee. All members, chapters and meeting groups will be welcome to participate on this committee.

ASHI leaders recognize that, as an entity, ASHI represents all members on an equal level. ASHI leaders also recognize the importance of chapters and that the newly formed meeting groups are keys to ASHI members' experience. The value to members of these entities should be independent of and in addition to the value provided by ASHI national.

The Bylaw Committee is confident that the changes are in the best interest of the membership of ASHI and a needed update to our guiding document. Please join us in supporting the proposed changes to the ASHI bylaws.

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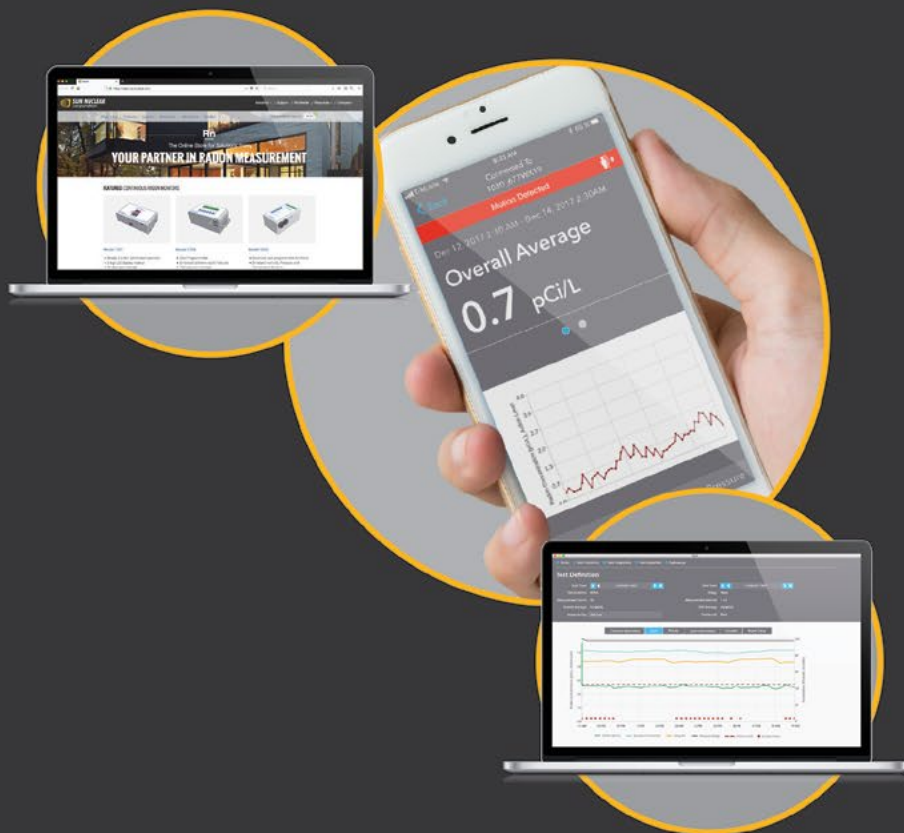
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