



CREIA INSPECTOR • Magazine

A PUBLICATION OF THE CALIFORNIA REAL ESTATE INSPECTION ASSOCIATION

VOLUME 42 | NO. 1 | SPRING 2021



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CREIA INSPECTOR Magazine

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VISION

To protect lives, health, and investments

MISSION

The California Real Estate Inspection Association promotes excellence in the real estate inspection profession and is committed in supporting every member in achieving the highest level of expertise in the industry.

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CREIA

The California Real Estate Inspection Association (CREIA) is a non-profit association dedicated to using all its resources for the benefit of members and the home buying public they serve. CREIA is an association of members for members, founded on the principle that joining and working together can avail much more to advance the home inspection profession and protect the public than could possibly be accomplished individually.

CREIA = TIER ONE INSPECTORS

Unsurpassed testing; Unmatched training and education requirements; Industry leading performance Standards of Practice and Code of Ethics – That's why California Law specifically mentions CREIA as an industry benchmark.

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CHAIRMAN'S MESSAGE

BY TAYLOR VREEKEN, CCI, CHAIRMAN OF THE BOARD.

CREIA Members and Associates,

Hindsight is 2020, right? That was the theme for our 2021 Virtual Conference. If we only knew then what we know now, would you have approached anything differently given the pandemic and your business? The 2021 Virtual Conference presented a focus on looking deeper into your business models, practices, operations and marketing. I think it was a great reminder to pause and make some improvements if you can.

This past year demonstrated how fast our business can recover from an international pandemic. In March, none of us could have imagined what we were about to go through, a sudden stop in all things normal and then a more than full recovery for home inspectors. We may not have had much time to reflect on our business, but you might want to review the sessions again or if you didn't attend, the conference sessions will be available on the website for a fee. It will be worth your time. It pays off to continue to be lifetime learners.

Next year? Live and in Sacramento! I can't wait to see all of you there.

CREIA is asking for volunteers and will be establishing a program to not only give you CECs for volunteer work but these will help you reach Master Certification status in new changes to that program. Write an article, send in case studies, photos and post on the T.I.E., volunteer at your Chapter level or the CREIA Board of Director. Stay tuned for further information on the MCI program.

Now, more than ever we are looking for members who are willing to share their knowledge, and time. We have had nearly 40 new Associate members in 2021. They need mentoring and we need mentors; assist them in getting their inspection careers going strong as so many did for us. We strongly encourage those wanting to be involved to email info@creia.org.

This is my outgoing communication as your Chairman. It has been my privilege to serve in this capacity and I look forward to continuing our work as the new Board gets started in July. Thank you for being a member of CREIA and keep up the good work!



Taylor Vreeken, CCI
Chairman of the Board

A WORD FROM CREIA'S LAWYER ABOUT SHERMAN'S ANTI-TRUST LAW & PRICING

"Talking price is risky, and no group is too small to trigger a response by the Department of Justice. And they play dirty. No warnings, extensive adverse publicity, hugely expensive."

The following policy was adopted by the CREIA Board of Director at the April 2021 Board meeting.

CALIFORNIA REAL ESTATE INSPECTION ASSOCIATION ANTITRUST STATEMENT

(To be read aloud by Chair / Facilitator at the beginning of any Association meeting/gathering.)

CONTINUED ON PAGE 5

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A MESSAGE FROM THE EXECUTIVE DIRECTOR

Hello CREIA Members,

We applaud all of you for making it through an unusual year and are hopeful that you and your families are healthy and thriving. With the housing boom, we are hearing that many of you are going strong and capitalizing on the healthy aspect of the inspection business. In fact, I went through a couple myself, with CREIA inspectors of course.

Sometimes, though, it's time to stop and ask yourselves a few questions. Am I keeping up to date with my CECs and education? Am I using the most recent version of the CREIA contract and SOP? Have I reviewed my pricing recently? What new laws affect my business? Have I recently reviewed my insurance and software? Check out the CREIA affiliates list and take a moment to revise your operations. CREIA education and the virtual conference offers you many ways to catch up and get in the new know.

Grow your business, protect your business and be safe. Ask us how we can help.



Michele Blair

Michele Blair
Executive Director

Michele Blair serves as the Executive Director of CREIA effective August of 2018. For 30 years, Ms. Blair has worked as an advocate and policy expert, working with elected officials, private companies, and non-profit organizations. She has developed and implemented strategic plans, government relations, communications programs, community outreach, media relations, and fundraising initiatives. Ms. Blair graduated from the University of Maryland with a B.A. in Economics.

CONTINUED FROM PAGE 3

It is the policy of CREIA and its members to comply with laws and regulations applicable to their activities.

Among other things, association members and leaders are subject to antitrust laws that prohibit agreements fixing prices, agreements allocating geographic markets, unfair or deceptive practices, agreements setting profit levels or wage or benefit levels; boycotts of competitors or suppliers or resellers; and other anticompetitive actions. CREIA will neither permit nor condone anti-competitive behavior, whether willful or inadvertent, in connection with any association activity.

Additionally, discussion among two or more members that suggests intentional or unintentional fraudulent activity is illegal. For example, discussion of methods to enhance

reimbursement by providing services that are not necessary may amount to a crime (conspiracy to commit fraud).

Conduct that constitutes a violation of antitrust laws is frequently unclear. There is no list of what does and does not constitute anticompetitive practice, and some practices can be anticompetitive even when they are well intended. For this reason, conversations that MIGHT violate applicable laws and regulations should be avoided at or in connection with association meetings or activities, as well as in private settings. Persons engaging in possible violations of association policy during meetings or activities will be required to cease such activities, and if necessary, are subject to ejection by the presiding officer of the meeting.

Questions concerning antitrust or other laws or regulations connected to association activities should be referred immediately to the Executive Director or Chairman.

CREIA LEGISLATIVE UPDATE

BY DAVE PACE, MCI, CHAIRMAN OF THE LEGISLATIVE COMMITTEE



STATUS OF KEY MEASURES

The 3 key measures in which CREIA has been engaged, and their status, are:

Home Inspector Licensure AB 1129 [Frazier]

CREIA position: oppose unless amended

Status – the author has continued his interest in working with CREIA and has decided not to pursue the measure this year. The bill will retain its position in the policy committee of the house of origin until 2022.

Pool Safety Feature Update SB 736 [Newman]

CREIA position: [a] pursue provisions to clarify the current laws regarding the inspection of real property with a swimming pool or spa, so that the inspection is indeed a noninvasive physical examination of the pool or spa and dwelling for the purpose of identifying which, if any, of the 7 specified drowning prevention safety features the pool or spa is equipped with; and [b] obtain removal of provisions that would place responsibility on the home inspector to provide the pool safety feature section of the home inspection report to the home insurance company and mortgage company.

Status – the current version of the bill includes [a], the author and proponents have agreed informally to incorporate [b]. The author has decided not to pursue the measure this year. The bill will retain its position in the house of origin until 2022.

Sewer Lateral Repairs SB 484 [Archuleta]

CREIA position: pursue amendments to ensure that a home inspector will continue to be able to perform a sewer lateral inspection, together with other technical amendments.

Status: the current version of the bill incorporates the CREIA-pursued amendments. The measure is now on the Senate Floor [Senate Third Reading].

The comprehensive report (Legislative Report – 5/1/2021) includes measures that address several public policy issues including requirements for accessory dwelling and home hardening, pandemic-related requirements and assistance to small businesses, and the determination of a worker’s status as an employee or independent contractor.

Measures that have a fiscal impact were required to pass the policy committees in the house of origin by the end of April.

In addition to the 3 Key Measures above, the Governor has just signed into law AB 80 [Burke] that takes effect immediately to allow some businesses to deduct PPP loan assistance by:

- Excluding forgiven PPP loans and EIDL advance grants from gross income for state purposes, in conformity with federal law.
- Conforming state law to federal law to allow deductions for those expenses that were paid for using forgiven PPP loan funds and EIDL advance grants.

These provisions would not apply to entities that are publicly traded companies and taxpayers that did not experience at least a 25% reduction in gross receipts, as specified by federal law.

The bill would also provide that these tax benefits begin on or after January 1, 2019.

This legislation was the product of legislative negotiations over the past few months and has bipartisan support.



POSITION PAPER ON LICENSING

BY DAVE PACE, IF

April 15, 2021

The Honorable Jim Frazier
State Assembly
State Capitol, Room 3091
Sacramento, CA 95814

AB 1129 [Frazier] Home Inspector Licensure - Oppose Unless Amended

As consideration of AB 1129 in the Assembly Business and Professions Committee approaches, the California Real Estate Inspection Association [CREIA] has adopted a position in opposition to the measure unless it is amended to address and resolve several critical issues.

CREIA is a non-profit 501(c)(6) association that was established in 1976 and has twenty chapters located throughout California. CREIA is the oldest and largest nonprofit state inspector association in the country - and California-specific in education and consumer outreach. CREIA strives to enhance consumer protection and promote public awareness.

CREIA's Standards of Practice have been recognized by the State of California, and are considered the source for home inspector standard of care by the real estate and legal communities. The association has established the most rigorous home inspector certification requirements in the state.

CREIA reiterates and reinforces our position on your previous measure regarding home inspector licensing, AB 1024 of 2019, as set forth in our position letter dated March 26, 2019:

“CREIA would oppose this measure unless the bill is amended to provide a licensure program with several provisions that are essential to the protection of consumers. CREIA has consistently maintained a position in support of a licensure framework that acknowledges the association's certification program as the threshold for practice and is therefore meaningful, robust, and protective of the consumers who hire real estate inspectors to inspect their homes. As we have discussed, CREIA is concerned that AB 1024, (now AB 1129) as introduced proposes the licensure of home inspectors without the specifics that are essential to an effective licensure program.”

As we have discussed, CREIA is concerned that AB 1129 proposes the licensure of home inspectors without the specifics that are essential to an effective licensure program. These details include:

Examination – the measure should require passage of an examination in order to qualify for licensure as a home inspector. The examination should include the following elements:

- a. Proctored Certification Examination – to ensure oversight.
- b. Psychometrically Valid Examination – designed to measure the exam taker's suitability based on personality characteristics and aptitude.
- c. NHIE Exam – that is currently used by CREIA and ASHI for certification.

AB 1129 - does not address examinations.

Education – the measure should include provisions setting forth the specific education necessary to obtain a license. This should be a high school diploma plus 120 hours of specific home inspection training together with a limitation that only 50% of the required hours of training can be accomplished online. This could be possibly reduced with prior experience.

AB 1129 – would pass the obligation to establish education, equivalency and minimum requirements to a new bureau chief, and would acknowledge the CREIA and National Home Inspector Certification Council requirements as appropriate minimums. In addition, the National Home Inspection Certification Council does not use the building codes that are established and continually updated here in California.

Criminal Background Checks – in order to protect homeowners, the measure should include a requirement that a background check be performed on an individual who applies to become a licensed home inspector.

AB 1129 - does not address background checks.

Licensure Fees – the measure should provide licensure fees that are reasonable and at a level that does not diminish the ability of an individual to be successful in the profession.

AB 1129 – would set forth maximum fees but without any analysis of whether they will be sufficient to cover the costs of establishing, implementing and maintaining the proposed licensure and enforcement program.

Errors and Omissions Insurance – the measure should include a requirement that insurance be maintained by a person licensed as a home inspector. The insurance should at a minimum provide coverage in the amount of \$100,000 per occurrence.

AB 1129 - would pass the obligation to establish insurance to the bureau chief.

Standards of Practice – the measure should specify the standards of

CONTINUED ON PAGE 8

practice for individuals licensed as home inspectors. The existing, recognized standards CREIA and ASHI have developed and posted on their websites should be referenced and acknowledged as the standards of practice:

<https://www.creia.org/creia-standards-of-practice>

<https://www.homeinspector.org/Standards-of-Practice>

AB 1129 – would acknowledge CREIA standards of practice, but would not clearly refer to those standards throughout the measure.

Continuing education – the measure should include a requirement that individuals licensed as home inspectors obtain at least 30 hours of continuing education on an annual basis. This is the requirement for CREIA membership.

AB 1129 – would pass the obligation to establish education, equivalency and minimum requirements to the bureau chief, and would acknowledge the CREIA and National Home Inspector Certification Council requirements as appropriate minimums.

Grandfathering – the measure should include a provision providing an exemption from the licensure and continuing education requirements for those individuals who have obtained a level of experience prior to the effective date of these requirements. This exemption should apply to an individual who either: [a] has both 5 years of inspection experience and has provided 1,000 fee-paid inspections; or [b] is a certified member of CREIA or a full member of ASHI.

AB 1129 - does not address grandfathering.

There are many other concerns that CREIA believes must be considered and addressed in AB 1129. These include:

- The new Bureau Chief should have more than demonstrated knowledge of the home inspection profession. He or she should also have intimate familiarity with real estate but real knowledge of home inspections.
- It is not clear whether a new Bureau in the Department of Consumer Affairs [DCA] with an empowered bureau chief is a better approach than the Contractors State License Board and a deliberative, transparent process.
- The measure defines a “client” broadly as a person with a direct material interest in the outcome of a home inspection who hires the home inspector. This could be interpreted as including a person who is not a buyer or seller.
- The bill would establish a new definition of home inspector as a natural person, creating the opportunity for a company to claim that its employees are not home inspectors.
- The bill would authorize a home inspection to also include energy efficiency and HERS items, but would fail to specify that these services can be requested by the client and are subject to being agreed upon by the home inspector. This provision would be cost prohibitive for the inspector \$13,000+ to become certified and to purchase the necessary equipment. The fees

which would need to be charged for the service would be cost prohibitive for the client.

- The bill would subject home inspectors to disciplinary action for failure to adhere to a client request, but does not define the term and does not specify that these services can be requested by the client and are subject to being agreed upon by the home inspector.
- The bill would define and require an inspection agreement but does not authorize a duly authorized representative of a client to sign the agreement and does not specify the standards of practice as those set forth in Section 7197.9.
- The bill would repeal the critical provision of current law that, except to comply with professional standards, a real estate appraiser licensed under Part 3 (commencing with Section 11300) of Division 4, performing a real estate appraisal, shall not engage in the activity of a home inspector performing a house inspection.
- The bill would provide that a willful violation of the licensure requirement would be a felony punishable by a term of imprisonment in a county jail for 16 months, or two or three years.
- The bill would exempt a home inspector from accepted standards of practice if he or she is licensed as a general contractor, structural pest control operator, or architect, or registered as a professional engineer. It is important to examine and determine whether these individuals have the required experience to properly protect the public. For instance:
 - Does a pest control operator have the background and experience to inspect electrical panels? A general building contractor can surely evaluate framing. Is a general building contractor qualified to evaluate plumbing or roof flashing?
 - AB 1129 and the proposed licensure requirements would become operative on January 1, 2023, providing an unreasonable one-year ramp-up time.

For each of these reasons, CREIA has adopted an opposition position on AB 1129. Please feel free to contact me at 925.513.0006, or CREIA’s legislative advocate Jerry Desmond, at 916.441.4166.

Sincerely,

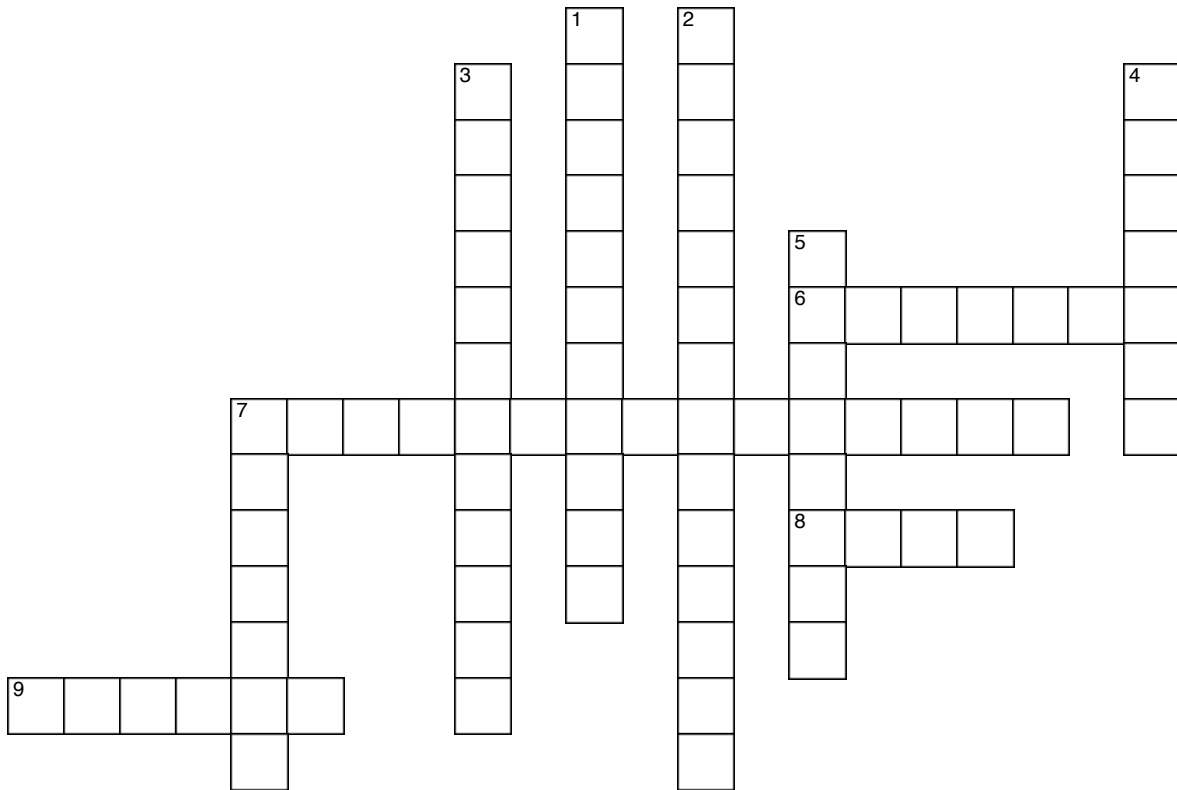


Dave Pace, CREIA Legislative Chair

C: The Honorable Evan Low, Chair, Assembly Committee on Business and Professions
Members, Assembly Committee on Business and Professions

INSPECTEST

BY BILL PARKER, CCI



ACROSS

- 6 A product used in street, driveways, and beneath grade made with petroleum
- 7 Formed metal secured to wall, curb or chimney covering base or step to weatherproof
- 8 Portion of structure extending past load bearing vertical surface
- 9 A vertical projection from roof that may contain a window

DOWN

- 1 Asphalt felt laminated with coal tar, pitch or asphalt surfaced with cap sheet, crushed slag or gravel
- 2 Metal installed around mechanical and plumbing vents penetrating roof diaphragm
- 3 Loss of volatile oils and oxidation from exposure to sun causes
- 4 Air pocket or raised surface in roofing material
- 5 One to four plies of felt bonded and top coated with granules
- 7 Diversionary means at base of wide projection, curb or chimney

ANSWERS:

1 Down – Built-up Roof
 2 Down – Collar Flashing
 3 Down – Alligatoring
 4 Down – Blister
 5 Down – Capsheet
 6 Across – Asphalt
 7 Across – Counter Flashing
 7 Down – Cricket
 8 Across – Eave
 9 Across – Dormer

INSPECTING THE GARBAGE DISPOSAL

BY KEN TERRY, CCI, AMERICAN WEST HOME INSPECTION, INC.

And yet another important component of the house that is the garbage disposal. Here we want to make sure that the disposal is installed correctly and functioning in a safe manner.

Most homes come with a garbage disposal or two located in the kitchen. I've also found disposal located at exterior kitchen areas. It is a simple device that is made to be installed in the kitchen sink for the purpose of grinding and disposing of biodegradable kitchen waste. It is not designed to grind bones, rinds, or such.

We want to make sure that the disposal is mounted solid to the sink with all of the connections in place. It is important to note that many garbage disposals work in unison with the dishwasher, meaning that the wastewater from the dishwasher should first pass through an air gap and then drain to the garbage disposal.

While inspecting the garbage disposal, run the disposal and do a visual inspection of the components under the kitchen sink to make sure that the components are connected correctly, and that the unit is not leaking. Note the garbage disposal should be controlled by a switch somewhere in the proximity of the disposal.

All of the plumbing components should be in place. Also, the garbage disposal should have either a factory cord which is plugged into the disposal outlet under the sink or hard wired into the wall. Either way, look to make sure the wiring is solid, in good condition, with no splices. Exposed splices in electrical wiring are a hazard, especially under the kitchen sink.

Often times while checking the drainage to the garbage disposal you may find the unit is blocked by debris. In most cases the debris can be freed and run down the drain. In other cases, the debris is of a solid type, rocks, glass, screws, and such, which will not clear and would need to be removed. This condition would be in your report as foreign debris

being lodged in the disposal and needing to be removed. When removing debris from the garbage disposal, never stick your hand down into the disposal. Use either a shop vac or vacuum cleaner with hose attachment. This is a much safer way to remove debris.

Sometimes garbage disposals that are frozen. This is a common occurrence as the turning components within the disposal are made of ferrous metals, which if left unused for a length of time, can rust together, making the disposal inoperable. In the old days, mom used to use a broom stick to free the frozen disposal. Now disposals come with an Allen slot below the unit where you can install a certain sized Allen wrench to turn and free up the frozen unit. There is also a small breaker device located under the disposal that acts as a safety switch and will automatically shut off the power to the unit should it overheat, say from having the unit turned on and it being frozen. This is easily reset by simply pushing the little button. If the unit is frozen and will not dislodge then it should either be serviced and/or replaced by a licensed plumber.

And of course, there is the rubber splash guard that should be in place. This is the rubber guard that is located at the throat of the garbage disposal and does exactly what its name implies. If these are damaged or missing, they should be replaced.

At the conclusion of the home inspection, I advise all my clients when using their garbage disposal to do so safely. Never ever stick your hand down the disposal and when servicing always unplug the unit. As with any and all components that make up a home the correct use of, as well as maintaining those components when needed, your home will serve you for years to come.

HAZARDS OF THE BULLDOG ELECTRICAL PANEL

BY KEN TERRY, CCI, AMERICAN WEST HOME INSPECTION, INC

During the course of home inspections we perform, we are always on the lookout for hazardous electrical panels. The Bulldog is one such panel that poses very real and serious hazards. In the home inspection industry these older panels, which are products of the 50's, are notorious for their design and performance issues and hazards. These panels are easily recognized, they typically have a picture of a bulldog on the panel cover and of course the notorious and easily recognized Push-Matic breakers.

One of the most dangerous things in the course of the inspections we perform is to inspect the Bulldog electrical panel. The reason for this is that in the older Bulldog panels the main live feeder bars or service wires serving the panel are located just behind the interior cover plate, also known as the dead front cover.

First you should always practice the following safety protocol when inspecting any and all electrical panels. When you first touch the panel, do so with the back of your right hand while your left hand is behind your back. Also note, never stand in a puddle of water when touching any electrical panel. These safety protocols are important, if the panel is charged you will get knocked to the ground and hopefully not electrocuted.

When removing the interior cover to the Bulldog, it is possible to touch the feeder bars with the interior cover plate, which is made of metal, and become part of the main circuit. You really

need to know what you're doing when inspecting or servicing this type panel. They are dangerous even under the best of circumstances. Mistakes made with any electrical panel, especially the Bulldog, can be lethal.

The main design and performance issues with the Bulldog electrical panel are the Push-Matic circuit breakers. These breakers are the older style breaker that use the thermal type breaker system only. They do not incorporate the magnetic trip system. Newer and more reliable breaker systems use both the thermal and magnetic systems. These are far more likely to sense a short in an electrical circuit and trip the breaker than the older Push-Matic type. I personally have opened panels and found wiring that is melted or burnt which is an indication that the circuit was overloaded, and the breaker did not sense the overload and trip as it should have thus overheating the wiring. This poses a genuine fire and shock hazard.

Another issue with the Push-Matic breakers are the breakers can become stiff from nonuse and stick. On occasion I have found them so stiff that I had to push hard to reset them, and some just wouldn't reset. Note, I don't test these breakers, I only reset them if they trip during the course of an inspection.

And yet another safety issue with the Bulldog Push-Matic breakers, and my personal favorite, is the On-Off indicator flags that indicate what status the breaker is in regard to the circuit



being charged or not charged with electrical power. Either position can become stuck. Do not depend on the flags position when you push it. You push the breaker, which reads "Off," to service a light or other electrical condition in the circuit, but the flag is false and the power is still very much on. This too is dangerous to say the least.

Bottom line, whenever we come across and find a house with a Bulldog electrical panel, obtain an evaluation and/or service by a licensed electrician. Note also, whenever we come across the Bulldog electrical panel you can pretty much count on the electrical wiring to be open ground, another condition that we advise our clients.

Remember, and keep this rule in mind, always practice safety no matter what component you are inspecting. The life you save could be your own.



MOLD AND THE HEALTH AND SAFETY DUTY OF A HOME INSPECTOR

BY STEVE ZIVOLICH, MA, CERTIFICATION BOARD MEMBER, AMERICAN COUNCIL FOR ACCREDITED CERTIFICATION (ACAC), ACAC CERTIFIED MICROBIAL CONSULTANT, EMERITUS, RADON MEASUREMENT PROVIDER, 105129RT, CREIA, RETIRED MEMBER

ETHICS MOLD AND HOME INSPECTION

Home inspectors consider it their ethical and even moral duty to disclose to their client any imminent or potential health and safety issues they discover in the course of an inspection. The California Department of Public Health (CDPH) has determined that the presence of visible mold, or mold odor is unhealthy. While mold may be a health concern in a property, the identification responsibility is considered beyond the scope of a home inspector in the CREIA Contract and Standards of Practice. While inspectors may assume they bear no legal obligation regarding mold conditions, they still have an ethical duty to inform their clients of potential abnormal mold conditions and recommend further appropriate evaluation by a qualified mold professional if the conditions could negatively impact the health of their clients. Of course, home inspectors alone do not bear the burden of a potential mold problem identification. The obligation of mold disclosure also falls to the property owner and any real estate professionals involved in the transaction. Unfortunately, many times

those lay individuals may be unaware, uninformed, misinformed or in denial of an unhealthy mold condition in the home. From these people we often hear comments such as, “its country living,” “its only mildew,” “we have never been sick,” “you’re not a mold expert,” “it’s not mold,” “mold is not a problem,” “just spray it with bleach,” “paint over it,” etc.

MOLD HEALTH RESEARCH

Increasing evidence is reported supporting associations between exposure to abnormal indoor mold growth and/or dampness in water damaged buildings (WDB) and increased respiratory and allergic symptoms. In the 2020 Internal Medicine Review publication, one hundred fourteen epidemiological articles were identified referencing chronic indoor mold growth and/or dampness exposure with adverse human health effects. One hundred twelve (98.2%) were supportive, linking chronic exposure to altered human health. Results referenced numerous systems including respiratory, neurological, immunologic (allergic and non-IgE mediated), cognitive, ophthalmologic and dermatological among others. In

2020 the EPA reported that allergic reactions to mold are common. They can be immediate or delayed. Molds can also cause asthma attacks in people with asthma who are allergic to mold. In addition, mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and non-allergic people. The CDC in 2020 reported mold can cause many health effects. For some people, mold can cause a stuffy nose, sore throat, coughing or wheezing, burning eyes, or skin rash. People with asthma or who are allergic to mold may have severe reactions. Immune-compromised people and people with chronic lung disease may get infections in their lungs from mold.

PROBLEMS WITH IDENTIFY ABNORMAL MOLD CONDITIONS

Mold spores, microbial volatile organic compounds (MVOC's) and particles are microscopic and are not “readily visible”. Mold spores and particles are only visible when they accumulate in large numbers on a visible surface in a home, such as on a single pane win-

CONTINUED ON PAGE 13

dowpane from condensation. MVOC's are a gas like by-product of mold growth and are not visible, but sometimes can be identified by a mold malodor in the home. Further, even when mold is visible, it is not necessarily an indication of a mold problem in the area observed or an abnormal mold condition in the rest of the home. For example, the presence of visible mold that is considered minor and not an indoor health problem when it is found on surfaces that can accumulate moisture as part of their properly functioning and intended use (shower enclosure). Adding to the problem, what looks like mold, may not be so, and usually requires collection of a sample and submission to the third party AIHA certified laboratory for confirmation. This type of mold sampling is beyond the scope of a home inspector, and even if it comes back positive, does not necessarily confirm a mold exposure potential to occupants. To determine if a mold problem exists, a mold inspection is required to determine the probable source of unwanted moisture intrusion that is causing the microbial growth and needed corrections for the condition.

CALIFORNIA MOLD LAW

The California Mold Law (2016) indicates that mold growth is a health and safety concern when it endangers the life, limb, health, property, safety, or welfare of the public or the building's occupants. Such "qualified" mold (visible mold) is unlawful under State Housing Law. In response to the mold law, the California Department of Public Health (CDPH) issued a mold advisory that identifies mold as a health hazard and recommends addressing water damage, dampness, visible mold, and mold odor by (a) identifying and correcting the source of water that may allow microbial growth or contribute to other problems; (b) the rapid drying or removal of damp materials; and (c) the cleaning or removal of mold and moldy materials as rapidly and safely as possible. Using bleach to clean up mold, simply painting over the problem, ozone, and air cleaners are not solutions to visible mold conditions in an indoor environment. These guidelines are similar to EPA and CDC recommendations

regarding mold conditions and corrections. We typically include this CDPH verbiage in our inspection reports for our clients review and information.

LEGAL ISSUES

The top 5 legal allegations against home inspectors can and do typically include a mold complaint that allows the complaint to include personal injury due to health impact, which of course adds to the monetary compensation demanded: (1) Water damage, (2) Roof Issues, (3) Foundation defects, (4) Mold, and (5) Plumbing. Our experience as expert witnesses for home inspectors indicates that they are still sued for mold issues, even though it is excluded as an inspection condition in the contract and standards of practice.

PRUDENT MOLD ISSUE REPORTING

Most CREIA home inspectors that we interact with inform us that they never use the word mold in their reports for liability concerns. For example, if they see something that appears to be visible mold growth they call it a "discoloration," or "organic growth". Due to our mold certification, training and experience, if we see something that looks like mold, we call it mold. For the typical home inspector without mold certification, we recommend you state at least "suspect mold growth," just like you might call out what looks like asbestos ducting, as "suspect asbestos material". Then refer your client to a certified mold inspector for further evaluation. Most home inspection reports we have reviewed typically have health and safety information that informs the client about indoor air quality issues such as asbestos, lead paint, and radon. Be certain that your report has information about abnormal mold. See the California Department of Public Health statement first paragraph on mold as a possible standard insert for your reports. https://www.cdph.ca.gov/Programs/CCDPPH/DEODC/EHLB/IAQ/CDPH%20Document%20Library/MoldDampStatement2017_ENG.pdf

A related concern with using the word "mold" in a report is that the use of the word might be viewed as a potential "deal killer" by the real estate agents involved

in the transaction. The good news is that most abnormal mold conditions can be corrected within a short period of time, typically even within the contracted escrow period. When you discover a potential abnormal mold issue such as visible mold, moisture stains, moisture intrusion, moisture damage, plumbing leaks, roof leaks, exposed soil in a crawl space, etc. be sure to refer the potential defect to an appropriate mold inspection professional for further evaluation. As a CREIA inspector, you know how important proper certification, training and experience is for choosing a professional. The equivalent to CREIA certification quality in the mold inspection profession is issued only by the American Council for Accredited Certification (ACAC). You can refer your clients to the ACAC website for them to find a nationally board-certified mold inspector by zip code: <http://acac.org/find/database.aspx>. Your clients can also find nationally board-certified mold remediation professionals at the same website after their mold inspection, if needed. Note that in California, there is still no licensing for mold inspectors, just like home inspectors; so be sure your client finds a properly certified ACAC professional. Be aware that there are many mold inspectors and remediators that say they are certified, (just like non-CREIA or non-ASHI inspectors). However, the ACAC is the only mold certification that has similar high standards like CREIA and ASHI that requires a closed book psychometrically rated exam, experience and ongoing training.

SUMMARY

As home inspectors, we have a duty to our clients to inform them of any potential or actual health and safety issues we discover. Many of our clients are now more informed about the importance of indoor air quality since the onset of COVID-19, and newer research regarding abnormal mold and negative health impacts. Like COVID-19, the older population are more impacted by abnormal mold exposure. But unlike COVID-19, younger children can also be more impacted by abnormal mold and can develop asthma and other medical conditions from the exposure. So, if you see something regarding a potential mold problem, be sure to report in writing to your client, their health and safety may depend on it.

CALIFORNIA ASSOCIATION OF REALTORS HOME INSPECTOR PROGRAM

BY DAVID PACE MCI, IF, LEGISLATIVE CHAIRMAN

Recently the California Association of Realtors (CAR) introduced a Home Inspector Certification Program. The program website indicates the reason for the formulation of the program is the failure of attempts to license home inspectors. There have been many attempts at a licensure program over the years. As their website correctly indicates, past attempts at a licensure bill have failed to move forward for a variety of reasons. The most recent licensing bill is AB1129 (Frazier) was introduced in February of this year. The current bill remains active but will not go through this year. CREIA is engaged in conversation with Assemblymember Frazier's office as well as other Legislative interests and stakeholders.

We appreciate the working relationship we have had with CAR over the years and stand with CAR in the desire to provide "qualified home inspectors of the utmost quality". The program includes several aspects including background checks, minimum liability insurance, adherence to current COVID-19 best practices and education. While these are desirable aspects to any vetting program, they do very little to "raise the bar". When examining any home inspector program, or licensing provision, the starting point and bottom line is it must raise our standard. One of the questions on the application is, "Have you taken any (emphasis added) educational courses related to Home Inspection?" The question does not instill confidence in "raising the bar" to provide inspectors of the utmost quality.

There are several aspects of the program that are troubling. It is troubling, that there is a fee for a home inspector to be included in the program. This is what CREIA has always termed as "Pay to Play." CAR has indicated the fee covers program expenses and does not go to any Realtor or Broker. To be prudent, at the time of this writing, CREIA's legal counsel is reviewing the CAR program, CREIA's Code of Ethics and a legal opinion provided by CAR to determine if the program is at odds with our Code of Ethics.

Another concerning aspect of the program, it clouds the independence between the home inspector and the real estate community. In the interest of inspection objectivity, CREIA has always recognized the importance of maintaining a separation between the home inspector and a referring REALTOR®. The vision of CREIA is to protect lives, health and investments. One of the values of CREIA is integrity. We do not cut corners. We do not compromise. We do what is right, not

what is easy. The public expects and deserves a fully independent and objective inspection of their investment.

The Legislature of the State of California has placed its confidence in CREIA. The Historical and Statutory Notes of the Business and Professions Code 7195 (1996 Legislation Section 1 of Stats. 1996, c. 338 (S.B. 258)) states:

"It is the intent of the Legislature in enacting this act to assure that consumers of home inspection services can rely upon the competence of home inspectors. It is the intent of the Legislature that, in ascertaining the degree of care that would be exercised by a reasonably competent home inspector pursuant to Section 7196 of the Business and Professions Code, the court may consider the standards of practice and code of ethics of the California Real Estate Association, the American Society of Home Inspectors, or any other nationally recognized professional home inspection association."

The California Legislature has determined and declared the Code of Ethics of CREIA is considered a recognized standards for ascertaining the "degree of care" needed to provide protection of the public.

The CREIA Code of Ethics states: "Inspectors shall avoid conflicts of interest or activities that compromise, or appear to compromise, professional independence, objectivity, or inspection integrity. In particular, home inspectors shall not: .Offer or deliver any compensation, inducement or reward to the owner of the inspected property, the broker, or agent, for the referral of any business to the inspector or the inspection company, or for inclusion on a list of recommended inspectors, preferred providers, or similar arrangements. (emphasis added)

While CAR does not see the program as a violation of our Code of Ethics, as previously indicated, we believe it prudent to obtain our own legal opinion. The question of inspection independence remains. We will continue to investigate the program, seek legal advice and have conversations with CAR. Until such time as the CREIA Board of Directors has had the opportunity to review and evaluate all documentation, we urge our members not to participate in the program.

The reputation of our association, the protection of the public and the integrity of our foundational documents are at stake.

MAY IS DECK SAFETY MONTH

Per the NADRA website:

As families from all over the world are spending more time together, they will be looking to get outdoors and make use of their space.

With more than 60 million decks in the U.S. (50m residential and 10m commercial), it is estimated that 30 million decks are past their useful life and need to be replaced or repaired. It is crucial for homeowners to have their decks inspected to verify the integrity of their deck to ensure user safety as well as help extend the deck's life-span, improve appearance, and increase livability.

NADRA offers an array of tools to help consumers check their decks®, as well as connect with building professionals with the know-how to identify and remedy potential problems.

Consumers & industry professional can scroll below to take advantage of resources to Check Your Deck®

<https://www.nadra.org/deck-safety>



BUILDING SAFETY MONTH IS AN INTERNATIONAL CAMPAIGN CELEBRATED IN MAY TO RAISE AWARENESS ABOUT BUILDING SAFETY

Per the ICC website:

This campaign reinforces the need for the adoption of modern, regularly-updated building codes, and helps individuals, families and businesses understand what it takes to create safe and sustainable structures.

The International Code Council, its 64,000 members, and a diverse partnership of professionals from the building construction, design and safety communities come together with corporations, government agencies, professional associations and nonprofits to promote building safety through proclamations, informational events, legislative briefings and more. We come together to support Building Safety Month because we understand the need for safe and sustainable structures where we live, work and play.

All communities need building codes to protect their citizens from disasters like fires, weather-related events and structural collapse. Building codes are society's best way of protecting homes, offices, schools, manufacturing facilities, stores and entertainment venues. Code officials work day in and day out to keep the public safe.

<https://www.iccsafe.org/advocacy/building-safety-month/2021-building-safety-month/>

ANNOUNCEMENTS

CONGRATULATIONS TO CREIA RETIRING MEMBERS

Gregory J. Beu • Gary DeWitt • Leon Francesconi • James Koeppel
Joey Lee • Chris Temple • Michael Toohey

IN MEMORIAM

Joe Nernberg 1956-2021

CREIA has made a donation in honor of Joe to the Triumph Foundation

CREIA STORE ITEMS

There are many items available to you at the CREIA store! We have Comfort Crawl gloves, Bahama type Camp Shirts, Stationery Work lights, Pool Safety Brochures and Coding Books. Go to CREIA.org then hover on the Membership tab and click on CREIA store.

CREIA RESTRUCTURE

CREIA is in the process of restructuring and many of the Chapters will roll up under the State office where virtual Chapter Meetings will be held monthly. This will be official effective July 1, 2021. About half of the Chapters made the decision to do this; please stay tuned for a formal announcement.

The Chapters rolling up under the state may decide to have a few live meetings a year and a liaison will be assigned to the CREIA Board of Directors. Those staying independent will continue to have local meetings and hopefully, going back to the new normal after the pandemic. All CREIA members will be invited to participate in the State "Chapter" Meetings.

For more information on contacting your local chapter, go to <https://www.creia.org/state-chapters>

Please check in with your local Chapter to get the latest news on live and virtual meetings.

DELTA CHAPTER

GOLDEN GATE CHAPTER

GREATER SACRAMENTO CHAPTER

GREATER SAN GABRIEL VALLEY CHAPTER

INLAND EMPIRE CHAPTER

KERN COUNTY CHAPTER

LA-MID VALLEY CHAPTER

LA/VENTURA CHAPTER

LA WEST/SOUTH BAY CHAPTER

NORTH BAY CHAPTER

NORTH SAN DIEGO/TEMECULA VALLEY CHAPTER

ORANGE COUNTY CHAPTER

PALM SPRINGS CHAPTER

SAN DIEGO CHAPTER

SAN FRANCISCO PENINSULA CHAPTER

SAN JOAQUIN VALLEY CHAPTER

SAN LUIS OBISPO CHAPTER

SHASTA/CASCADE CHAPTER

SILICON VALLEY CHAPTER

TRI-COUNTIES CHAPTER

FOR THE LATEST CREIA INFORMATION, VISIT OUR WEBSITE AT **WWW.CREIA.ORG**

CREIA ADVERTISING POLICY: CREIA INSPECTOR MAGAZINE

GENERAL

Display advertising in the *Inspector Journal* shall comply with the criteria specified for display and classified advertising. Without prior consent, incorporate in a subsequent advertisement the fact that a product or service has been advertised in a CREIA publication. CREIA's acceptance of advertisements shall in no way imply a direct affiliation between CREIA and its advertisers. The appearance of advertising on any CREIA forum is neither a guarantee nor an endorsement by CREIA of the product, service, or company or the claims made for the product in such advertising. As a matter of policy, CREIA will sell advertising space to any advertiser when the content of the advertising does not interfere or directly conflict with the mission, policies, statements, objectives or interests of CREIA. CREIA, in its sole discretion, retains the right to decline any submitted advertisement or to discontinue posting of any advertisement previously accepted.

CIRCULATION

600+ (Members, subscribers, schools, libraries, prospective members). Printed twice yearly.

DISPLAY AD SUBMISSION

Display ads should be submitted as a high resolution (300 dpi or higher) TIF or JPG with fonts embedded in the file. Display ads must be exactly measured according to the listed ad sizes. To determine size correctly, measure ad from outside border to outside border. A compressed file can be sent to info@creia.org. Please e-mail the CREIA office with any questions: info@creia.org.

PAYMENT

Payment must accompany ads. Ads submitted without payment will not be printed. CREIA does not bill for advertisements in the *Inspector Journal*. Advertising rates are subject to change without notice. CREIA advertising is non-commissionable.

DEADLINE

The advertising deadline for the Spring edition is mid-April. The advertising deadline for the Fall edition is mid-October.

DISPLAY AD RATES - ALL LEVELS ARE SUBJECT TO AVAILABILITY.

CREIA Affiliates receive 25% off of all a la carte selections with the exception of cover ads. CREIA Educational and Premier Affiliates receive 50% off a la carte selections with exception of cover ads.

Size	Width x height	Rate
Inside Front Cover*	8.75"x11.25"	\$950
Inside Back Cover*	8.75"x11.25"	\$800
Outside Back Cover Page*	8.5"x 5.5"	\$500
Full page with bleed*	8.75"x11.25"	\$625
Full page w/o bleed	8"x10.5"	\$625
Half page horizontal with bleed*	8.75"x5.75"	\$380
Half page horizontal w/o bleed	8"x5"	\$380
Half page vertical with bleed*	4.5"x11.25"	\$380
Half page vertical w/o bleed	3.75"x10.5"	\$380
Quarter page (no bleed)	3.75"x5"	\$250
Business Card (no bleed)	3.5"x2"	\$200

*All ads with bleeds include .125" bleed on each side and should include a minimum of 3/8-inch safety area between the edge of the ad and any text. Full page ad print size is 8.5"x11". Half page horizontal ad print size is 8.5"x5.5". Half page vertical ad print size is 4.25"x11".

Attention Members: If you have editorial ideas or would like to submit an article for Inspector Journal, please do so at anytime to the CREIA office at info@creia.org.

Inspector Journal is published bi-annually by the California Real Estate Inspectors Association (CREIA), 320 Pine Ave., Suite 1050, Long Beach, CA 90802, 949-715-1768, Fax 949-715-6931, www.creia.org

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CREIA CODE OF ETHICS

All Inspector Members (MCI, CCI and Associate) of the California Real Estate Inspectors Association (CREIA) are committed to providing professional, high quality service to the public. This code will serve as a basis for ethical decision making in the conduct of professional inspection work. It sets forth principles and rules of conduct enforced by CREIA through specific procedures contained in Section B, Judicial Procedures. This Code of Ethics is applicable to all CREIA members as defined in the CREIA bylaws. {EFFECTIVE January 6, 2006}

- I. Inspectors shall avoid conflicts of interest or activities that compromise, or appear to compromise, professional independence, objectivity, or inspection integrity. In particular, home inspectors shall not:
 - a. Perform or offer to perform, for an additional fee, any repairs to a structure on which the inspector, or the inspector's company, has prepared a home inspection report in the past 12 months.
 - b. Inspect for a fee any property in which the inspector, or the inspector's company, has any financial interest or any interest in the transfer of the property.
 - c. Offer or deliver any compensation, inducement or reward to the owner of the inspected property, the broker, or agent, for the referral of any business to the inspector or the inspection company, or for inclusion on a list of recommended inspectors, preferred providers, or similar arrangements.
 - d. Inspect for a fee properties where the employment itself or the fee payable for the inspection is contingent upon the conclusions in the report, pre-established findings, or the close of escrow.
 - e. Accept compensation, directly or indirectly, for recommending contractors, services, or products to inspection clients.
- II. Inspectors shall act in good faith toward each client.
 - a. Inspectors shall perform services and express opinions based on honest conviction and only within their areas of education, training, or experience.
 - b. Inspectors shall be objective in reporting and not knowingly understate or overstate the significance of reported conditions.
 - c. Inspectors shall not disclose personal information about the client, seller, tenant, or others involved in the inspection without the approval of the individual(s) affected.
 - d. Inspectors shall not disclose inspection results to anyone other than the client or the client's agent without the approval of the client.
- III. Inspectors shall avoid activities that harm the public, discredit themselves, or reduce public confidence in the profession.
 - a. Inspectors will maintain professional relationships with clients, colleagues and others associated with the inspection without regard to race, color, national origin, gender, religion, age, sexual orientation, or disability.
 - b. Inspector's advertising, marketing, and promotion of services or qualifications shall not be fraudulent, false, deceptive, or misleading.
 - c. Inspectors shall abide by CREIA bylaws and guidelines in the use of the CREIA logo and other CREIA materials.
 - d. Inspectors will respond professionally to client or CREIA concerns and complaints about an inspection.
 - e. Inspectors shall report substantial and willful violations of this Code to CREIA.
 - f. Inspectors shall refrain from any inappropriate language or behavior towards the CREIA staff.
- IV. Consequences for breach of this Code.
 - a. Inappropriate language or behavior towards CREIA office staff:
 - First offense: Written reprimand placed in associate's or member's file.
 - Second offense: One (1) month "member not in good standing" status and loss of all privileges. Written reprimand placed in associate's/member's file.
 - b. Associate member using CCI, MCI or CNCS logo:
 - First offense: Written reprimand placed in associate's file.
 - Second offense: Six (6) month "member not in good standing" status and loss of all privileges. Written reprimand placed in associate's file.
 - c. CCI member using MCI or CNCS logo:

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- First offense: Three (3) month “member not in good standing” status and loss of all privileges. Written reprimand placed in member’s file.
 - Second Offense: Six (6) month “member not in good standing” status and loss of all privileges. Written reprimand placed in member’s file.
- d. Associate or member falsely claiming Chapter or CREIA State Leadership:
- First offense: Three (3) month “member not in good standing” status and loss of all privileges. Written reprimand placed in associate’s/ member’s file.
 - Second Offense: Six (6) month “member not in good standing” status and loss of all privileges. Written reprimand placed in associate’s/ member’s file.
- e. Associate or member’s company or a company controlled/owned by same individual(s) performing repairs of properties for an additional fee within one year of inspection date by same or related company:
- First offense: Six (6) month “member not in good standing” status and loss of all privileges. Written reprimand placed in associate’s/ member’s file.
 - Second offense: Membership revoked, expulsion.
- f. Associate or member guilty of false or misleading advertising:
- First offense: Written reprimand placed in associate’s/member’s file.
 - Second Offense: Six (6) month “member not in good standing” status and loss of all privileges. Written reprimand placed in associate’s/ member’s file.
- g. Associate or member offering or soliciting incentives to the seller or agents involved in a real estate transaction:
- First offense: Written reprimand placed in associate’s/member’s file.
 - Second offense: Six (6) month “member not in good standing” status and loss of all privileges. Written reprimand placed in associate’s/ member’s file.
- h. Breaches of this Code that are not specifically covered by this Section IV shall be subject to consequences as determined by the CREIA Board. Such consequences shall be reasonable in light of and in comparison to those expressly stated herein.

SO HERE’S HOW IT HAPPENED

BY ANONYMOUS

The single story house had been vacant for some time. Apparently the water, inside the electric water heater had evaporated over time. It likely combined with some magnesium inside the tank and created Hydrogen Sulfide gas. When I turned the dishwasher on, the gas was released through the hot water line and released into the unit. At some time during the cycles, the timer relay sparked, and became the source of ignition for the gas. KA-BOOM!

HYPOTHESIS:

Hydrogen gas has one of the broadest flammable ranges of any gas. Virtually any mixture can be enough to result in an explosion. Hydrogen gas isn’t soluble in water, so it can remain in the water-heater or plumbing system as a gas under pressure for some time. There is little chance to stop hydrogen gas from forming in most hot-water heater tanks due to the metals used in construction. Typically, the gas will migrate to

the upper levels of the plumbing system, where it is expelled through an open sink or tub/shower valve. Evidently the gas can end up trapped in the lower plumbing lines. In such a case, when the dishwasher solenoid valve is opened, the gas escapes into the dishwasher itself and the timer can obviously spark an explosion.

REMEDY:

When inspecting an empty house. Try to determine how long the house has been vacant. If it’s more than a few weeks, you should consider getting rid of the gas before activating the dishwasher. To flush the gas out of the system, simply open a number of hot-water faucets to allow the gas to escape the system. We should likely do this every time you inspect a house that has been vacant for some time. I can assure you that I certainly do.



THANK YOU TO THE CREIA AFFILIATE MEMBERS!

ASSOCIATIONS & ORGANIZATIONS

American Society of Home Inspectors
www.homeinspector.org

International Code Council (ICC)
www.iccsafe.org/

North American Deck and
Railing Association
www.nadra.org

California Earthquake Authority
www.calquake.com

BUSINESS SERVICES

Life Deck Coating Installations
www.lifedeck.com

Horizon Inspection Software
by Carson Dunlop
www.carsondunlop.com/horizon

EDUCATION & TRAINING PROVIDER

American Home Inspectors Training
www.ahit.com

Horizon Inspection Software
by Carson Dunlop
www.carsondunlop.com/horizon

Green Training USA
www.greentrainingusa.com

Home Inspection University
www.homeinspectionuniversity.com

Michael Casey & Associates
www.michaelcasey.com/

Monroe Infrared Technology
www.monroeinfrared.com

Professional Home Inspection Institute
www.homeinspectioninstitute.com

McKissock
www.mckissock.com

PRO-LAB
reliablelab.com

InspectionGo
inspectiongoacademy.com

FRANCHISES & MULTI-INSPECTOR NETWORKS

DeBerry Inspection Services
www.deberryinspections.com

INSPECTION REPORTING PRODUCTS & SYSTEMS

Spectacular Inspection System
www.spectacularapp.com

InspectionGo
inspectiongoacademy.com

Inspection Support Network
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NEW! Home Inspector Pro
www.HomeInspectorPro.com

INSURANCE

Alia Insurance
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InspectorPro Insurance
www.inspectorproinsurance.com

OREP (Working RE Magazine, LLC)
www.orep.org

OTHER ANCILLARY SERVICES

Always Sparkling Pool & Spa Inspections
www.AlwaysSparklingPoolAndSpa.com

ASI Hastings Heating & Air
www.asiheatingandair.com

NEW! Certified Pool Inspections
certifiedpoolinspections.com

Ed Daher Plastering
Forensic Stucco Consultant
eddaher@cox.net

English Pool Consulting
www.poolinspections.com

John White Sewer Line
Video Inspections
SewerVideo.com

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www.peengineers.com

SD Engineering
www.sdengineeringsandiego.com

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www.ramjackpacific.com

NEW! Rescue Roofer
rescueroofer.net

WHEN TROUBLE COMES...



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