



**Ric Thompson
President**

May 2022

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www.wahigroup.com

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Good day all!

The vocabulary words for May are *Privity of Contract*. These 3 words may help clarify the liability question, on the minds of many WAHI members, since the legislation became law on June 1 of 2021.

When home inspectors were told that they would be required to use the “D” word (Defect), the first thing that came to mind for many was an increase in liability on the home inspector. From the very beginning, Cori Lamont of the WRA was steadfast in the fact that it wouldn’t change or increase the liability of inspectors. And she was right, it doesn’t....as it pertains to the real estate transaction.

I recently had a conversation with my attorney about where the liability of the inspector ends and where that of the Realtor begins. The key thing to remember is that OUR contract is with the client for a home inspection, not the contract to purchase the home – which takes us back to those vocabulary words!

Privity of Contract is defined as: A common law principle which provides that a contract cannot confer rights or impose obligations upon any person who is not a party to the contract.

It is OUR duty to inform our client of current and potential issues in the home as we inspect it. It is then the duty of the Realtor to take our report and guide their client to what they should do with those findings. It is through that discussion that decisions will be made regarding if something is “significant” enough, in the eyes of the client, to be addressed in the transaction.

(continued on pg. 4)

CHAPTER UPDATES



NEXT MEETING: Wednesday, May 18

Social at 6:00 pm & Meeting/Dinner/Education at 6:30 pm

[Sconni's Alehouse & Eatery, 1239 Schofield Ave, Schofield, WI 54467](#)

Education: To Be Announced

For speaker information, or to provide a suggestion/lead, please contact the Chapter President, Mike Carson 715.212.4051



NEXT MEETING: Wednesday, May 4

Check-in by 5:15 pm & Meeting/Dinner/Education to follow

[Hangar 54 Grill \(in CV airport\), 3800 Starr Ave, Eau Claire, WI 54703](#)

Education: Andres Bustista, Louisiana Pacific Corp.

Andres is a field rep and will address LP siding - installation requirements and procedures.

For speaker information, or to provide a suggestion/lead, please contact Chapter Education Co-Chairs, Pete Saltness 715.829.7348 and Marc Steig 715.797.1475



NEXT MEETING: Tuesday, May 17

Check-in at 5:30 pm & Roundtable/Meeting/Dinner/Education at 6:00 pm

[Waverly Beach, N8870 Fire Lane 2, Menasha, WI 54952](#)

Education: To Be Announced

For speaker information, or to provide a suggestion/lead, please contact Chapter Education Chair, Scott Hansen at 920.716.3025



NEXT MEETING: 2nd Wednesday (NEW night of the month!) - May 11

NEW Location - [The Thirsty Goat, 3040 Cahill Main, Fitchburg, WI 53711](#)

Check-in starts at 5:30 pm & Meeting/Dinner/Education at 6:00 pm

Education: Longtime Home Inspector member John Freiburger, FCC Inc.

John will speak on The Art and Science of Masonry Inspection.

For speaker information, or to provide a suggestion/lead, please contact Chapter Education Chair, Ron Miller at 608.235.9836



NEXT MEETING: Tuesday, May 10

Check-in starts at 5:30pm, Dinner available 5:45 pm & Meeting/Education at 6:30 pm

[The Pallas Restaurant, 1657 S 108th St, Milwaukee](#)

Education: WI Association of Foundation Repair Professionals (WAFRP) Engineer Vince Matarrese and President Chris Wilson.

Vince and Chris will share updates to the foundation repair standards.

For speaker information, or to provide a suggestion/lead, please contact Chapter Education Chair, Ryan Eigenfeld at 414.795.9018

This is a brief recap of activity in the past month and a preview of what lay ahead. If anyone would ever like further information on something mentioned in this piece, just let me know - julie@wahigroup.com or 414.299.9766.

April 2022

- **Act 17 (Home Inspector Bill):** DSPS has finalized the home inspector rules pertaining primarily to the new education requirement for incoming inspectors and reciprocity with other states. It is still considered “Emergency Rule” until, at the earliest, January when the legislation goes back in session. WAHI will remain involved during the continued legislative process in an effort to ensure the language in the rules is clear and does in fact result in incoming home inspectors receiving the best training available.
- **Spring 2022 State Election:** Woo-hoo, we reached our quorum! See page 5 in this newsletter for the results. Thank you to all who participated in this year’s election - both candidates and voters!
- **Increasing WAHI Awareness:** WAHI is striving to increase our awareness among realtors, consumers, nonmember home inspector/affiliates and those interested in entering the industry. As we move forward, we will share ways you can increase your online presence and at the same time you help to elevate WAHI’s. It takes a village to get the best results!
- **YOUR Profile on the WAHI Website:** Reminder...add a photo, add your logo, submit a Testimonial to be included as a Featured Member on the Home Page, detail your Services Provided, etc. Make your profile POP!



Julie Arnstein
Executive Director

May 2022 and Beyond...

- **Membership Renewal:** Renewal notices will go out in May, with payment due by July 1st to avoid the \$25 late fee. With this renewal, members will have the option to save their credit card in the system for auto-renewal going forward. Watch your email for further details .
- **Pre-Licensing Training:** Our next class will be held September 26 -30 in Fond du Lac - spread the word!
- **Fall 2022 Education House and Training Seminar:** We will be in Milwaukee or Steven Point in the fall. I’m still going through price quotes, available dates, etc. with a few locations - stay tuned!
- **Spring 2023 Education House and Training Seminar:** Our plan is to be in the Fox Valley area for this training program. I have a couple of leads on a suitable location, but if you have one to suggest, let me know. We will schedule a March date - again, stay tuned!

You can **add your photo, logo, services provided, a testimonial and/or a link to your website** to your WAHI profile!

See page 10 in this newsletter for step by step instructions OR submit additions to me at: julie@wahigroup.com

PRESIDENT (cont'd)

How we label things in our reports is our opinion at the time of the inspection, plain and simple...well, kind of. The "kind of" lays in the gray areas that we find ourselves uncovering during an inspection, not how it relates to the transaction and/or the definition of Defect in the Offer to Purchase.

As a member of WAHI, you have access to education that helps clear up some gray areas and gives you the ability to best inform your client on the imperfections in a home. In addition, our report and commentary can help them determine what is urgent and what can be left for them to address when they become the owners.

My attorney backed this up by saying that he has not been involved in a case where an inspector lost because of an improper label on an item. Home inspector who lose in court and/or in arbitration, happen more when an inspector misses an item entirely - missing an item could point to some level of negligence on the part of the home inspector.

With all of that being said, it's time for... **Defect or Not!** Step 1: Insert an issue here. Step 2: Determine your *opinion* to best determine the level of importance of that issue to your client. That is your answer. We have repeatedly stated that home inspectors need to make decisions on Defects that are best for you, your business and your client. I hope that my findings give you clarity and confidence to do just that with some weight lifted off you.

Feel free to reach out with any questions.

Be Safe Out There!

Ric Thompson, WAHI President



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Visit our website for more details to see photos of our work - www.smokestacks.net

STATE ELECTION

THE RESULTS ARE IN!

The results are in! I am happy to report that we met our quorum - thank you to everyone who cast their vote.

Our newly elected Board members who will serve a 2-year term starting May 1st are:

- Vice President Terry Elliott
- Member at Large Sean Martinson
- Member at Large Scot McLean
- Member at Large Ron Miller
- Member at Large Marc Steig

Sincere thanks to all of our members who added their name to the State ballot - Todd Jones, Blake Teschner and Tom Ruemenapp. WAHI needs members to step up...and you did!

Chapter Election News...

Fox Valley Secretary Matt Hankey is no longer able to serve in that position. It was announced at the FV April meeting that Paul Vander Heiden will fill Matt's seat until the spring 2023 chapter election. Thank you, Matt and Paul!



Andy Helgeson
Nominations & Elections Chair

Feel free to contact me:

414.315.0266 or
helge4674@outlook.com

An advertisement for 'INDOOR ENVIRONMENTAL PROFESSIONALS'. The background is a blue-tinted image of a microscope. The text is white and positioned on the right side of the image. The services listed are: mold testing, indoor air quality, odor assessments, water damage assessments, chemical & allergen sampling, and asbestos testing & assessments.

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Website: **www.inspectorproinsurance.com**

See page 11 for an informative article provided by InspectorPro

NEW MEMBERS

Brandon Arndt (Chippewa Valley)
Home Inspector Member
Next Level Property Inspections
715.400.4722
inspections@yahoo.com

Diane Krueger (Milwaukee)
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www.puroclean.com

Andrew Risch (Milwaukee)
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ARBITRATION COMMITTEE UPDATE

This year's fall seminar ended with an informative presentation by Peter Merrill, President and CEO of [Construction Dispute Resolution Services \(CDRS\)](#), WAHI's current arbitration service provider and Brianne Smith, of [Inspector Pro Insurance](#), who shared her insight on arbitration from the point of view of an insurer.

Peter's presentation displayed his passion and wealth of knowledge on arbitration, which he has been involved with nationwide for many years. He focused on two main points with his presentation:

- 1) A CDRS trained arbiter will always make his/her decision based on the contract in place between the two parties.
- 2) Any judge that dismisses an arbitration clause in an agreement or contract signed by both parties is breaking federal law.

Brianne expressed the confidence that Inspector Pro has in the ability of CDRS to arbitrate complaints against their insureds fairly and the importance of having your inspection agreement signed **before** you begin any part of a home inspection.

I encourage any member with any questions or concerns about WAHI's arbitration program to reach out to me; Peter has expressed his willingness to answer any questions WAHI members may have as well. You can find his contact information at:

<https://www.constructiondisputes-cdrs.com/contact-information.htm>

If you have questions about Inspector Pro Insurance, you can find their contact information in their ad in the newsletter.

The WAHI Arbitration Committee is aware of several arbitrations involving WAHI members that were recently handled by CDRS. For privacy reasons, the Committee is not given the personal or business names of the parties involved with the arbitration, only that the arbitration occurred, the complaint details and the decision made. I am asking any inspector member involved in an arbitration to provide feedback about their experience with the arbitration process. The member may remain anonymous, if they desire, and can provide the amount of feedback they are comfortable with. Any information about the process will be very beneficial to WAHI and your fellow members.



David Nason
Arbitration
Committee Chair

Feel free to contact me:
262.443.8958 or
bestinspectionsllc@gmail.com



Affiliate member Attorney Lauren Triebenbach of Michael Best and Friedrich offers a risk-free, INITIAL consultation to WAHI members with legal concerns. WAHI members have the right to contact any attorney of their choice. Should a WAHI member decide to work with Lauren, the steps below, provided by Lauren, provide an explanation of her services.

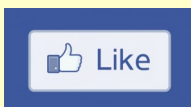
1. If you receive an email, letter, text, or pleading from a customer, please contact my office.
2. I will ask that you provide me with the communication you received plus your inspection agreement and report. If there are other communications related to the claim, I will ask for those too.
3. After I review your documents, I will schedule a time to talk to you. Calls generally last 15-30 minutes. I will discuss with you your options, which could include working it out on your own, engaging me to respond on your behalf, or tendering the claim to your insurance company. The strategy I discuss will be based on your specific claim, whether litigation or arbitration has already been initiated, and whether your inspection agreement specifies arbitration as the method of dispute resolution.
4. If you don't hire me, you don't get a bill. If you do hire me, the time spent reviewing the case will be included in the final billing.
5. Knowledge is power. I want inspectors to know their options so they can the decision that's best for them and their business.

Visit the WAHI Affiliate Member page to contact Lauren: <https://wahigroup.com/Affiliate-Members/>

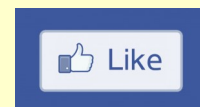
Stay in touch with the WAHI Facebook page!

Our WAHI Facebook community provides the perfect opportunity to: post minutes, make chapter announcements, post meeting changes, start a dialog/ask questions of other inspectors or just see what your fellow WAHI members have been up to.

If you have any questions,
please contact:



Bob Turicik
920.892.7654
homeview@wi.rr.com



UPDATE YOUR WAHI PROFILE IN 5 EASY STEPS

1. Go to www.wahigroup.com.
2. From the Home Page - upper right corner, **select "LOG IN."**
ENTER your email address on file with WAHI and password.
*If you have questions, contact Julie at julie@wahigroup.com.
3. Once logged in, the upper right corner shows your name,
"Change Password" and "Log Out." **CLICK on your name.**
4. You should now be on the "My Profile" page. **Select "EDIT PROFILE"** in the gray rectangular box.
5. After making your updates, **select "SAVE"** in the gray rectangular box at the bottom of the page.

WAHI ARBITRATION PROGRAM

Not every homeowner/inspector interaction goes smoothly. Although all members are encouraged to make every effort to resolve disputes on their own, we know that is not always successful.

WAHI's Dispute Resolution Program is here for you during those difficult times.

For information, please contact:

WAHI Arbitration Chair David Nason
262.443.8958

or

Construction Dispute Resolution Services (CDRS)
President & CEO Peter Merrill
505.473.7733

WAHI was recently asked, and answered, a question presented by a Home Inspector member on the "cusp" of retirement.

*Must a home inspector continue his/her WAHI membership for the 2 year liability period following retirement to take advantage of the arbitration system in the event of a claim?
If so, at what level...Home Inspector member or Retired member?*

While WAHI would appreciate your continued support and involvement as a Retired member, it is not required. Currently, if a Home Inspector member has not renewed their state license they are eligible to renew their membership in WAHI at the Retired status.

This article is the sole opinion of the author. WAHI strongly advises you to explore any specialized training and/or certification necessary to perform additional services as a part of your inspections.

HOME INSPECTORS: PROTECT YOURSELF FROM SNAKES

By Tanner Weyland, Content Marketing Specialist InspectorPro Insurance

As a home inspector, protecting yourself from snakes may not feel like a priority. Other dangers—such as lawsuits, falling off the roof, or encountering a territorial dog—may seem like more present concerns. However, you'll be kicking yourself for not preparing better if you come face-to-face with one of our scaly neighbors in a cramped crawlspace or attic.

One inspector, Todd Thuss of [Integra Inspection Services](#) in Alabama, found himself in that exact situation. It was under his own home, in fact, that he ran into a snake.

"That crawlspace was too narrow to really be in safely. I was on my belly when I came face to face with a snake that was up on a floor joist. He was within inches of actually licking my face with his tongue."

Todd backed away slowly. The snake wasn't venomous, and he didn't get bit, but the experience taught him how quickly he could find himself in a dangerous position.

"That kind of situation was scary, because, had that been a rattlesnake, I would've gotten it right in the face," Thuss said. Thankfully, by preparing and learning now, you can avoid feeling helpless if you ever have a close call of your own. In this article, you will learn about venomous snakes, their habits, and which actions to take when you see or suspect a snake is nearby.

Know Your Snakes

When you begin home inspecting, and periodically afterwards, research which snakes and sub-species are active in your inspection area. Try going to a local zoo and seeing the snakes in person. When you get to the point that you know what the different types of snakes are, you will be better prepared for responding to snakes on your inspections. Speed and clarity are important when dealing with snakes, since the symptoms (ex: swelling, nausea, disturbed vision, muscle failure, difficulty breathing, etc.) may escalate to death or an amputated limb if your response is poor.

In the United States, there are many species of snakes, but there are four primary types that are venomous: rattlesnakes, copperheads, cottonmouths, and coral snakes. Since other, non-venomous species are not nearly as large of a safety concern, we will focus our attention on these four types—and there is plenty to know about them! They can be researched in various places, like the National Institute for Occupational Safety and Health ([NIOSH](#)), the Forest Service of the U.S. Department of Agriculture ([USDA](#)), and [various publications](#)—where we pulled much of the information in this article. Learn more about these four venomous snakes below.

Rattlesnakes

The largest group of venomous snakes in the U.S., rattlesnakes are pit vipers, meaning they have a heat-sensing pit organ between their eyes and nostrils. They have many sub-species, so their scales and coloring can vary significantly. However, their most distinctive feature, the rattle at the end of their tail, makes them easy to identify. You'll find them in more arid climates—such as mountains, deserts, prairies, and beaches—across the nation.

Copperheads

They get their name from the iconic coloring, typically a red or tan color banded with hourglass stripes. Like their rattlesnake cousins, copperheads are pit vipers. You may find copperheads in forests, swamps, rocky areas, and near water sources in the eastern United States, from the East Coast to Nebraska and Texas.



[READ MORE](#)

See our ad on page 6!

MEMBERS ONLY INTERACTIVE FORUM

It has come to our attention that many of you may be unaware the WAHI website hosts an interactive forum on the Members Only page.

We encourage all members to check it out!

This is a very useful tool for communicating directly with fellow members and with our large membership, chances are very good that you will find someone who has a shared experience similar to yours or an answer to your question!

To access the forum section of the website you need to log-in to the website.

See page 10 for step-by-step instructions to log-in to your profile and make use of this additional "tool" and benefit WAHI offers to their members.



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The advertisement features a smartphone displaying the HomeGauge ONE Web Writer interface. The screen shows a search bar, a list of inspections, and a detailed view of an inspection report for '102 Lyman Street'. The report includes sections for 'INSPECTIONS', 'BELIEVERS', 'DESCRIPTIONS', and 'APPLIANCES'. The interface is clean and modern, with a white background and orange accents.

An IMPORTANT Announcement regarding Chapter Meetings Online

WAHI has been, and still is, a believer in our approach to education - what I call the “WAHI way”! We still see great value in holding our seminars and chapter meetings in person, with the speaker right there in the room for full interaction, Affiliate members and vendors in attendance to develop relationships of confidence and trust, and last but certainly not least, your fellow inspectors, many sole proprietors like you, to share experience, insight and lessons learned along the way!

But, with all of that said, we recognize the need for online programming from WAHI, the ONLY continuing education provider **focused solely** on WI inspectors, WI Standards of Practice and WI rules and regulations (State Statutes)! Long before COVID entered our lives, we knew that some of our members found it difficult to attend their local chapter meetings for a variety of reasons.

Since COVID, many of our chapters have been recording and/or live streaming their meetings. As a courtesy to our members, as we coped with these strange, uncertain times, we offered continuing education credits for those meetings at no charge. This process has been by trial and error, while not perfect, the chapters did the best they could. We recognize how critical it is for speakers to speak clearly and at a reasonable volume for the value of the presentation to effectively reach our at-home viewers.

Any member not comfortable or unable to attend a meeting in-person may continue to connect with their chapter online (and we encourage that!), however, **to earn the 2 continuing education credits there will be a charge of \$20.00** - to be paid through your local chapter treasurer, in most cases. You will be notified by email if your chapter has a different plan in place. WAHI will also be **posting one “highlighted” chapter meeting per month on the WAHI YouTube channel** – for now, payment and certificates for that will be handled by WAHI Executive Director Julie Arnstein. Watch your email for specific details each month.

There are online service providers who can streamline this process but for now, we are “testing the water” to explore the response from our members and determine our best route going forward.

On behalf of WAHI, I thank you for your continued support of our educational programming and your patience as we embarked on this new path.

OFFICE DEPOT DISCOUNT

Office Max and Office Depot merged some time ago. The Office Max discount program offered to WAHI members no longer exists – the savings became spotty as the merger was coming together and then finalized.

Office Depot has come to WAHI with a new, improved program. See page 16 for information on their in-store program and page 17 for a program overview and the contact person to establish an online account.

From one of our Central Chapter members - “I needed 2,000 copies made – they quoted me \$160.00. AFTER I presented my WAHI card, the cost dropped to \$50.00! What an AWESOME savings!”

From one of our Madison Chapter members - “I recently had printing done at my local Office Depot/Max. Cost before WAHI discount = \$137.00. AFTER the WAHI discount was applied = \$36.00!!! WOW!”

SURVEILLANCE CAMERAS

A realtor contacted me regarding a WAHI inspector who turned off 2 video cameras in a home he was inspecting. The agent was calling for clarification as she was not certain what the rules are concerning recording devices. At the time of the inspection, the inspector explained he disengaged the 2 cameras in order to be compliant with the State Statutes - he explained that if his actions and any commentary were recorded and viewed by a party other than his client he would be in violation of State Statute 440.975

(7) A home inspector may not do any of the following:

(b) Deliver a home inspection report to any person other than the client without the client's consent.

In the inspector's mind, by being filmed, he was "delivering" contents of his report to someone other than his client. I reached out to the Department of Safety and Professional Services (DSPS) to see how they would view this situation should someone file a complaint.

The Department would not view it as the inspector did. They said that video surveillance does not fall under sharing contents of the inspection and/or an inspection report. State Statute 440.975 (3) reads as follows:

After completing a home inspection, a home inspector shall submit a WRITTEN report to a client that does all of the following: etc. etc. (See 440.975 (3) (a-d) for remaining details)

In January 2020, Senate Bill 247 passed and a portion reads as follows:

995.60 (2) USE OF SURVEILLANCE DEVICES. Except as provided under sub. (3), an owner of real estate may use a surveillance device in or on the real estate to observe or record an individual who is present in or on the real estate for a private showing, open house, or other viewing of the real estate in connection with the owner's attempt to sell the real estate.

At the WAHI Spring 2019 Training Seminar, a speaker touched on surveillance cameras. He suggested attendees seek legal advice regarding privacy/disclosure rules in our state and/or add a disclaimer to their report. Something along the lines of:

We will make every reasonable effort to keep the results of the inspection confidential and will provide a report to you only (unless otherwise directed by you in writing). However, we have no control over home security surveillance systems that may be present and activated during the inspection, and it is possible that other parties might observe the inspection without our knowledge.

Please contact me with any questions or concerns – julie@wahigroup.com or 414.299.9766

WAHI WELCOME COMMITTEE

Our Welcome Committee is intended to do just that.... *welcome* our new members into WAHI. As a new member, expect a call from a member from your chapter. If you are a "newer" member – maybe you joined a while ago but haven't yet attended a meeting - feel free to reach out to a committee member from your chapter and make arrangements to meet at the next or an upcoming meeting.

We want our new members to feel "welcome", feel a connection with the group... and the members listed below are the right people to do that!

CENTRAL

Mike Carson - 715.212.4051 or carsonhomeinspector@gmail.com

Paul Zenker - 715-303-1937 or pzenker@onpointwisconsin.com

Kyle Zimmermann - 715.897.3636 or kyle@royaltinspections.com

CHIPPEWA VALLEY

Jon Hempel - 715.210.3217 or jhempel@newageinspection.com

Marc Steig - 715.797.1475 or inspectormarc3@gmail.com

FOX VALLEY

Dave Brading - 920.889.2120 or dave.brading@yahoo.com

Bob Turicik - 920.946.0433 or homereview@wi.rr.com

MADISON

Sean Martinsen - 608.206.1108 or sktailhook@yahoo.com

Rich Reinart - 608.535.9206 or thehomeinspectorllcwi@gmail.com

MILWAUKEE

Brian Derewicz - 262.343.1614 or briandthehomeinspector@gmail.com

Ryan Eigenfeld - 414.795.9018 or flarsbar@gmail.com

Nick Hammetter - 414.412.2637 or humblehomeinspector@gmail.com

Andy Helgeson - 414.315.0266 or helge4674@outlook.com

Mike von Gunten - 262.945.2446 or mvgbvg@wi.rr.com

Thank you all for stepping up to serve on one of the **most important** committees within the WAHI organization!

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3. This coupon is not valid for use at participating Office Depot® and OfficeMax® stores. Coupon is good for one-time use only, is not transferable, is not for resale or auction and cannot be combined with other offers or promotions. No cash back. Void where prohibited. Limit 1 coupon per customer.

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5. This coupon is not valid for use at participating Office Depot® and OfficeMax® stores. Coupon is good for one-time use only, is not transferable, is not for resale or auction and cannot be combined with other offers or promotions. No cash back. Void where prohibited. Limit 1 coupon per customer.

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