



**Ric Thompson
President**

October 2022 Vol. 26, Issue 10 www.wahigroup.com

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Happy Fall Y'All!

Fall is my favorite season of the year, and it sounds like the fall “home inspection season” will be too!

For the past couple of months, I have been periodically asking Realtors how they feel about the upcoming market. All indications are that we home inspectors should have a busier than usual fall season. Why, you ask? Let me tell you what I am hearing.

Rising interest rates have slowed the market but hasn't stopped it. Buyers are still out looking for homes, just not at such a crazy rate. The reduced “intensity” has brought having a home inspection back into the process.

I have heard time and time again that clients are requiring a home inspection because of what they have heard from friends and family that bought homes in the past year+ and waived their inspection. Thousands of dollars in repairs, that could have been found by a home inspector, have become the responsibility of the new owner. Thank you, Horror Stories! In addition, the WRA focused their September WRA Magazine on home inspections. A large part was giving Realtors tips on how to get inspections back into the transaction in the market's current state of competitiveness. I believe that this will help us get back to work this fall and prepare us for a strong 1st quarter of 2023.

Lastly, the number of home inspectors in the state has dropped over the past couple years due to the market conditions. This work has to be picked up by someone and that *someone* are the inspectors that were able to weather the storm.

In closing, our Fall 2022 Education House and Training Seminar in Stevens Point! We have a great line up of speakers and topics for the weekend. Watch your email for the announcement that registration has begun - we're just finalizing a few more details. As always, this is a can't-miss event!

Be safe out there!

Ric Thompson, WAHI President

CHAPTER UPDATES



NEXT MEETING: Wednesday, October 19th

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, October 5th

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: Mike Richardson, Bertrang Roofing

Mike's presentation will cover all types of metal roofing and low-pitched roofs.

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, October 18th

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: Wednesday, October 12th

[VFW Stoughton Post #328, 200 Veterans Rd, Stoughton, WI 53589](#)

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

Education: Affiliate member Lance Rule, Wisconsin Radon Services

Lance will address mitigation and inspecting existing systems.

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



NEXT MEETING: Tuesday, September 1th...ANOTHER FIELD TRIP!©

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

[Hoppe Urban Wood Lab, 195 27th St, Caledonia, WI 53108](#)

Education: Affiliate member Fred Hoppe, Hoppe Tree Service

Fred has graciously offered to host and educate the chapter members on their unique approach to producing high quality, usable wood products from local urban trees.

For speaker information, or to provide a suggestion/lead, please contact NEW Chapter Education Chair Bingo Emmons at 414.397.4072

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.

September 2022...

- **Membership Renewal:** A good old-fashioned, hard copy Lapsed Notice via US Mail brought in 13 renewals we might not otherwise have. 😊 It's an electronic world we live in but sometimes the way we communicated "back in the day" works too!
- **Pre-Licensing Training:** Our next class is planned for September 26 -30 in Fond du Lac. We have a good turnout... especially since we didn't do any advertising for this one! Most registrations came from a internet search and that's awesome! It's an indication that our SEO efforts are working, and the "WAHI Word" is getting out!
- **Inspection Agreement Update:** The arbitration clause in the WAHI Inspection Agreement has an update - Construction Dispute Resolution Systems (CDRS) no longer using a PO Box - the current mailing address for CDRS is 4 Toro Lane, Santa Fe, NM 87508.
- **Political Action Committee (PAC):** Attending fundraisers for candidates who serve on committees that directly, as well as indirectly, affect the home inspection industry is the reason WAHI started a PAC - this is how we create and/or further develop WAHI-awareness! We continue to seek PAC Committee members and member contributions to fund the PAC. If you are interested in either (or both!), please let me know at julie@wahigroup.com. For contributions, be sure to include the dollar amount you would like to contribute - I will generate an invoice and email that to you.
- **Increasing WAHI Awareness:** WAHI is striving to increase our awareness among realtors, consumers, nonmember home inspector/affiliates and those interested in entering the industry. Please include your membership in WAHI in your social media efforts - it will help elevate WAHI's online presence.
- **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

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

See page 6 in this newsletter for step by step instructions OR submit additions to me at: julie@wahigroup.com

October 2022 and Beyond...

- **WAHI Booth at the WRA Convention, October 3rd and 4th:** My sincere thanks to WAHI Public Relations Chair Bob Turicik for AGAIN coordinating the booth volunteers to represent WAHI at the convention.
- **Fall 2022 Education House and Training Seminar:** We will be in Stevens Point in fall - November 4th and 5th. The Holiday Inn Hotel and Conference Center will again host our event. Registration is coming SOON!
- **Spring 2023 Education House and Training Seminar:** We will be at the Radisson Hotel and Conference Center in Fond du Lac on Friday, March 3 and Saturday, March 4 - SAVE THE DATE!
- **WAHI State and Chapter Elections:** In spring of 2023, WAHI will hold an election to determine the next State President to serve on the WAHI Board of Directors. The chapters will conduct their elections as well which will determine the 5 local members that will serve on the State Board as the Chapter-Elected Member at Large. Please consider "giving back" to WAHI - be it on your chapter level or on the State Board. WAHI leadership positions carry a 2-year term..

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.



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IMPORTANT ARBITRATION INFORMATION

At a recent seminar Peter Merrill, President and CEO of Construction Dispute Resolution Services (CDRS), WAHI's current arbitration service provider, reminded everyone of the value of arbitration and your rights to go that route when it is in your signed agreement. In addition, Brianne Smith, of Inspector Pro Insurance, shared her insight on arbitration from the point of view of an insurer. Peter's focused on two main points: 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 Inspector Pro's confidence in CDRS to arbitrate complaints fairly and the importance of having your inspection agreement signed **before you begin** any part of a home inspection. See more details on their joint presentation in my full article on page 8 of the [September 2022 WAHI Inspector](#).

This summer a WAHI member had a previous customer file for arbitration AFTER the 2 year statute of limitations had expired. The inspector still had to respond to the arbitration but rather than going through the full arbitration process, the inspector requested a much shorter process called a Documents Only Arbitration. **It is up to the inspector to make that request.** See my full article on this situation as well as your rights, and what is your responsibility, when faced with an arbitration on page 4 in the [September 2022 WAHI Inspector](#).

I welcome any member with questions or concerns about WAHI's arbitration program to contact me. Peter Merrill's contact information can be found at: <https://www.constructiondisputes-cdrs.com/index.htm>. Note: Peter prefers phone calls rather than reply to long emails.

The WAHI Arbitration Committee is made aware of arbitrations involving WAHI members that are handled by CDRS. For privacy reasons, the Committee is not given the personal or business names of the parties involved with the arbitration, only the complaint details and the decision made. I am grateful for the candor of the member involved in the case cited above. I ask all members 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 you share will be very beneficial to WAHI, your fellow members and the continued success of arbitration as a path for conflict resolution.



David Nason
Arbitration
Committee Chair

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



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/>



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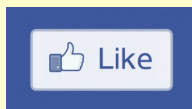
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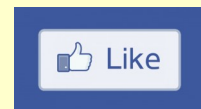
Stay in touch with the WAHI Facebook page!

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



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CONGRATS TO AFFILIATE MEMBER ATTORNEY TRACE HUMMEL



On July 7th 2002, von Briesen & Roper, s.c. announced that Trace P. Hummel had been promoted to Shareholder.

Trace is a member of the Litigation and Risk Management Practice Group and the Construction and Real Estate Sections. He practices in the firm's Milwaukee and Neenah offices where he focuses on commercial and contract litigation, including lease disputes, boundary disputes, water litigation, and construction defects. He also works with residential and commercial real estate owners on real estate projects. Hummel is a member of the Wisconsin Association of Home Inspectors, Wisconsin Society of Land Surveyors, Milwaukee Bar Association, State Bar of Wisconsin, Eastern District of Wisconsin Bar Association and American Bar Association. He received a J.D., *cum laude*, from Marquette University and a B.A., *cum laude*, from Illinois Wesleyan University.

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Contact Trace at 414.287.1439 or thummel@vonbriesen.com

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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.

INSPECTION CLAIMS FROM INACCESSIBLE DEFECTS

By Tanner Weyland, Content Marketing Specialist InspectorPro Insurance

Even if your standards of practice (SOPs) include certain systems and components, those areas can be inaccessible. Bad weather, furniture or other obstructions, and lack of clearance are just some of the circumstances that can inhibit your inspection. One inspector learned this the hard way when he was inspecting a home's roof during winter.

While he typically inspected roofs up close, this roof was covered in ice and snow. He could walk the flat parts of the roof, but the sloped areas required a safer approach. From the ground, he inspected the sloped areas with binoculars and noted that he did so and why in his report. He also reported some signs of water stains and recommended his client keep an eye out for leaks in the attic.

Four months later, his client called demanding the inspector pay \$40,000 to replace the roof, which manifested a leak during the rainy months following the inspection. Thankfully, the inspector had done his due diligence, and with the help of our claims team, the inspector resolved the claim at no cost to him.

This home inspector was fortunate enough to have a positive outcome with this claim. Many others, however, pay thousands of dollars dealing with claims arising for inaccessible defects. Understanding why they are common and how to avoid them can protect you whenever you are unable to access areas of a home during an inspection.

Why are inaccessible defect claims so common?

The easiest way to anger a client is to make them feel like they received a subpar inspection. Sadly, because most clients rarely interact with home inspectors, they can feel cheated when you report that you could not access an area of the property. They may wonder why you didn't just "make" that crawlspace or attic accessible. As every inspector knows, there are many reasons why an area may be inaccessible—and many other reasons why the inspector should avoid clearing out obstructions.

Common inaccessible areas include:

Attics: Access hatches may be in difficult to reach places, or stored boxes may block them. [Safety issues](#)—like wild animals, excessive heat, or unsafe footing—may also prevent an inspector from entering).

Crawlspaces: Crawlspaces may be too cramped to enter without the help of a [crawl bot](#). Furthermore, crawlspaces are often home to [snakes](#) and other threatening pests.

Roofs: As our introductory story showed, weather can make [roofs](#) difficult to consistently inspect. Rain, snow, and ice can make it unsafe for an inspector to step onto a roof. Even using a drone or binoculars will not guarantee an unobscured view in bad weather.

Cluttered Spaces: Furniture, belongings, and boxes can severely obstruct your view. If you can barely walk in a room, chances are you can barely inspect it, too.

Many of the common areas listed above are target-rich with defects. If you're unable to inspect one or more of these areas, the likelihood of missing a defect is high. In these cases, be prepared for potential claims.

What can you do to prevent claims for inaccessible defects?

Like the inspector in the claim discussed earlier, you, too, can take steps to protect yourself from claims arising from inaccessibility.



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See page 10 for an informative article provided by InspectorPro

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 6 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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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.

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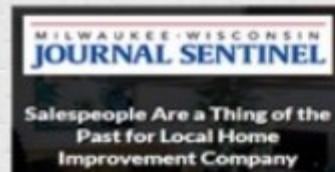
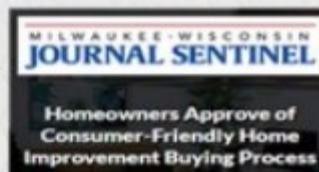
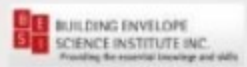
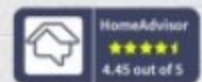
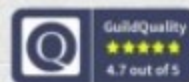
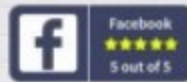
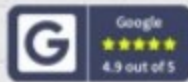
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COMMERCIAL INSPECTIONS

In recent months several WAHI members have considered adding commercial inspections to their services and wondered if WAHI may have any plans to include commercial inspections in an upcoming seminar.

I shared that information with the WAHI Board of Directors and, in return, received what I consider several well thought out responses. As always, decisions like this are ENTIRELY up to you as a business owner but, based on the general consensus among the Board, I do not see WAHI offering a commercial inspection training course anytime soon. I am sharing their “cautionary comments” below.

Words of Caution #1

You can't cover commercial inspections in 1-2 days. Commercial is a different creature. Some inspectors will say that they offer “light” commercial inspections - there is no such thing, either it is, or it is not. Also, there is no state certification required but there are standards out there for commercial inspections.

I see a great many inspectors that use our WAHI residential agreement and wordsmith it for commercial. Also, a great number use a residential report form for commercial use and just change a few things. Not a good practice.

Words of Caution #2

Commercial work is an entirely different world! You don't actually do an inspection - it's a Property Condition Assessment with the inspector performing a Walk-Through Survey (based on ASTM Standards which are the most commonly used standards). An analogy would be the difference between high school or college sports and the Pro's. I'm not aware of any State or Federal standards for this and anyone doing them uses the ASTM or whatever they choose. There are groups offering commercial inspection training with courses usually at least a week long.

Everything is different from what WAHI does. Most of the inspectors doing commercial are long time inspectors with years of experience who decide to branch out or they have a specialized background geared toward this. I highly discourage most inspectors from doing this - you're generally dealing with the big boys who have the wherewithal to crush you!

Words of Cautions #3

Commercial Inspections do not have standards of practice. The reason WAHI pushed for mandated home inspection standards is that attorneys were suing home inspectors over negligence based on their and the client's *opinion* of what *should be* included in standard home inspection - E & O insurance was three to four times the cost, with much larger deductibles, than what it is now. It is far easier to train someone to do a home inspection by using the standards. A course offered in Toronto barely scratches the surface of the technical knowledge you better have to stay out of court doing commercial inspections.

Words of Cautions #4

Commercial is a different animal. The inspections depends on the type of building it is and there are many types, even multiple types mixed together in some instances. These generally require hiring a commercial HVAC tech and Electrician, many times a Mason and/or Structural Engineer. The commercial training I had through House-Master was a full week long. It was called Commercial Property Assessment (not an inspection) and had an Agreement tailored to the specific requirements of that property.

Please contact me with any questions or comments - julie@wahigroup.com or 414.299.9766

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 of 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

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

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715.212.4051

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608.206.1108

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414.228.6573

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608.206.1108

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608.235.9836

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262.636.9909

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262.443.8958

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Welcome

See page 17 in this newsletter

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