

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

The Virginia Board for Asbestos, Lead, and Home Inspectors met on Thursday, **May 14, 2026**, at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia, 23233.

The following members of the Board were present:

Patrick Studley, Vice-Chair  
Douglas “Scooter” Burgess  
Ralph “Tripp” Costen  
Jesse Phillips  
Anthony J. Robinson  
Paul D. Thomas  
Robin Wilder  
William “Bill” Wilmoth, Jr.

Board members absent from the meeting:

Stacy J. Armentrout, Jr., Chair  
Michael Baum  
John Broadway  
Louis Walker

James Flaherty, Board Counsel, was present at the meeting.

Jemmalyn Hewlett, Board Liaison, was not present at the meeting.

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

Laura McClintock, Agency Director  
Steve Kirschner, Director of LRPD  
Stephanie Keuther, Assistant Executive Director  
Joseph C. Haughwout, Jr., Regulatory Affairs Manager  
Wendy Duncan, Licensing Operations Administrator  
Lisa Robinson, Licensing Operations Administrator  
Khang Le, Administrative Coordinator

**Vice-Chair, Studley** called the May 14, 2026, Board for Asbestos, Lead, and Home Inspectors Meeting to order at 10:04 A.M.

**Call To Order**

**Wendy Duncan, Licensing Operations Administrator**, reviewed the emergency egress procedures with the Board and members of the public.

**Emergency Egress**

**Vice-Chair, Studley** declared a quorum of Board members to be in attendance.

**Determination of Quorum**

## **II. ADMINISTRATIVE MATTERS**

**Administrative Matters**

**Mr. Wilmoth made a motion, seconded by Mr. Costen**, to adopt the agenda of the May 14, 2026, Board for Asbestos, Lead, and Home Inspectors meeting.

**Approval of the Agenda**

**The motion was approved with a vote of 8-0-0. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Armentrout, Baum, Broadway, and Walker.

**Mr. Thomas made a motion, seconded by Mr. Wilmoth**, to approve the draft minutes of the January 6, 2026, Board for Asbestos, Lead, and Home Inspectors meeting.

**Approval of Minutes**

**The motion was approved with a vote of 8-0-0. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Armentrout, Baum, Broadway, and Walker.

**Mr. Thomas made a motion, seconded by Ms. Wilder**, to approve the draft minutes of the May 6, 2026, Lead Risk Assessor Examination Review meeting.

**The motion was approved with a vote of 8-0-0. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Armentrout, Baum, Broadway, and Walker.

## **III. PUBLIC COMMENT**

**Public Comment**

**Vice-Chair, Studley** opened up the public comment period of the meeting.

With no one wishing to come forward, Vice-Chair, Studley closed the public comment period of the meeting.

**Introduction of Newly Appointed Staff**

**Steve Kirschner, Director of LRPD**, introduced newly appointed Agency Director, Laura McClintock.

**Ms. McClintock** expressed her enthusiasm for working with the Board and staff in her new role.

**Mr. Kirschner** also introduced Wendy Duncan, Licensing Operations Administrator for the Board for Contractors.

**Mr. Kirschner** explained that recent staff changes resulted in Mrs. Duncan transferring from another department while continuing in her role as Licensing Operations Administrator.

**IV. CASE FILES**

**Licensing Case Files**

**In the matter of License Application, File Number 2026-00031, David Richard Jessee, Jr. (Applicant)**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

Presiding Board Member Burgess was not present, did not participate in the discussion, and did not vote.

The Applicant participated in the Informal Fact-Finding Conference.

The Applicant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

**After discussion, a motion was made by Mr. Wilmoth, seconded by Ms. Wilder**, to deny the application for a Home Inspector license based upon the record and recommendation.

**The motion was approved with a vote of 7-0-1. Ayes:** Studley, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** Burgess. **Absent:** Armentrout, Baum, Broadway, and Walker.

**In the matter of License Application, File Number 2026-00420, WSP USA, Inc. (Applicant)**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**Introduction of  
Newly  
Appointed Staff**

**Case Files**

**Licensing Case  
Files**

**File Number  
2026-00031  
David Richard  
Jessee, Jr.**

**File Number  
2026-00420  
WSP USA, Inc.**

Hillary Jassey, Lauren Slocum, and Jodi Miller participated in the Informal Fact-Finding Conference on behalf of the Applicant.

The Applicant did not attend the Board meeting in person, by counsel, or by any other qualified representative

**After discussion, a motion was made by Mr. Phillips, seconded by Mr. Wilmoth,** to approve the application for an Asbestos Analytical Laboratory license.

**The motion was approved with a vote of 8-0-0. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Armentrout, Baum, Broadway, and Walker.

### Disciplinary Case File

### Disciplinary Case File

**In the matter of Disciplinary File Number 2025-02218, Garrett Lewis Stewart (Regulant),** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number**  
**2025-02218**  
**Garrett Lewis**  
**Stewart**

Presiding Board Member Wilmoth was not present, did not participate in the discussion, and did not vote.

The Regulant and Scott Krause, on behalf of the Regulant, participated in the Informal Fact-Finding conference.

The Regulant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

**After discussion, a motion was made by Mr. Costen, seconded by Ms. Wilder,** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order.

The Board finds substantial evidence that Garrett Lewis Stewart violated the following:

**Count 1: 18VAC 15-40-120.B**

**Count 2: 18VAC 15-40-130.A**

**Count 3: 18VAC 15-40-130.B**

**The motion was approved with a vote of 7-0-1. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, and Wilder. **Nays:** None. **Abstain:** Wilmoth. **Absent:** Armentrout, Baum, Broadway, and Walker.

After discussion, a motion was made by Ms. Wilder, seconded by Mr. Thomas, to impose the following sanctions:

- Count 1: \$250.00
- Count 2: \$50.00
- Count 3: \$100.00 and Probation

Total: \$400.00

For violation of Count 3, the Board placed Garrett Lewis Stewart on probation for a period of ninety (90) days. The terms of the probation are: Garrett Lewis Stewart shall provide proof acceptable to the Board that he has completed four (4) classroom hours of continuing professional education within ninety (90) days of this order. The above-reference continuing professional education hours will not count towards any continuing professional education requirements, if applicable, for renewal, reinstatement, or activation of a license.

The motion was approved with a vote of 7-0-1. Ayes: Studley, Burgess, Costen, Phillips, Robinson, Thomas, and Wilder. Nays: None. Abstain: Wilmoth. Absent: Armentrout, Baum, Broadway, and Walker.

**Consent Order Case File**

**Consent Order Case File**

In the matter of Consent Order File Number 2025-02553, James Anthony Maready (Regulant), the Board reviewed the Consent Order as seen and agreed to by the Regulant.

File Number  
**2025-02553**  
**James Anthony Maready**

Presiding Board Member Burgess did not participate in the discussion and did not vote.

The Regulant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

A motion was made by Mr. Costen, seconded by Mr. Robinson, to ratify the proposed Consent Order offer wherein the Regulant acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

James Anthony Maready consents to the following violations of the Board’s regulations:

Count 1: 18VAC 15-40-130.A No monetary sanction.

James Anthony Maready agrees to Board costs of \$350.00.

The motion was approved with a vote of 7-0-1. Ayes: Studley, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. Nays: None. Abstain: Burgess. Absent: Armentrout, Baum, Broadway, and Walker.

**In the matter of Consent Order File Number 2026-00867, Donald Wayne Penny (Regulant),** the Board reviewed the Consent Order as seen and agreed to by the Regulant.

**File Number**  
**2026-00867**  
**Donald Wayne**  
**Penny**

Presiding Board Member Robinson did not participate in the discussion and did not vote.

The Regulant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

**A motion was made by Mr. Thomas, seconded by Ms. Wilder,** to ratify the proposed Consent Order offer wherein the Regulant acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Donald Wayne Penny consents to the following violations of the Board's regulations:

**Count 1: 18VAC 15-40-155.6                      \$1,250.00**

Donald Wayne Penny agrees to Board costs of **\$350.00.**

**Total fines and costs of \$1,600.00**

In addition, Donald Wayne Penny agrees to complete a minimum of three (3) hours of a Board approved Continuing Professional Education course encompassing the topic of Report Writing and provide proof of attendance and successful completion to the Board within ninety (90) days of the effective date of this Consent Order.

It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license.

**The motion was approved with a vote of 7-0-1. Ayes:** Studley, Burgess, Costen, Phillips, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** Robinson. **Absent:** Armentrout, Baum, Broadway, and Walker.

**Steve Kirschner, Director of LRPD,** informed the Board that Colin Neal, counsel for Donald Wayne Penny, was present at the meeting and wished to address the Board.

**File Number**  
**REOPENED**  
**2026-00867**  
**Donald Wayne**  
**Penny**

**A motion was made by Ms. Wilder, seconded by Mr. Thomas,** to reopen file 2026-00867 for reconsideration.

**The motion was approved with a vote of 7-0-1. Ayes:** Studley, Burgess, Costen, Phillips, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** Robinson. **Absent:** Armentrout, Baum, Broadway, and Walker.

**In the matter of Consent Order File Number 2026-00867, Donald Wayne Penny (Regulant),** the Board reviewed the Consent Order as seen and agreed to by the Regulant.

Presiding Board Member Robinson was not present, did not participate in the discussion, and did not vote.

Colin Neal, on behalf of the Regulant, attended the Board meeting and agreed with the recommendation.

**A motion was made by Mr. Thomas, seconded by Ms. Wilder,** to ratify the proposed Consent Order offer wherein the Regulant acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Donald Wayne Penny consents to the following violations of the Board's regulations:

**Count 1: 18VAC 15-40-155.6                      \$1,250.00**

Donald Wayne Penny agrees to Board costs of **\$350.00.**

**Total fines and costs of \$1,600.00**

In addition, Donald Wayne Penny agrees to complete a minimum of three (3) hours of a Board approved Continuing Professional Education course encompassing the topic of Report Writing and provide proof of attendance and successful completion to the Board within ninety (90) days of the effective date of this Consent Order.

It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license.

**The motion was approved with a vote of 7-0-1. Ayes:** Studley, Burgess, Costen, Phillips, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** Robinson. **Absent:** Armentrout, Baum, Broadway, and Walker.

**Steve Kirschner, Director of LRPD,** informed the Board that case file 2025-02553 would need to be reopened for reconsideration as Mr. Burgess remained in the room during the vote.

**A motion was made by Ms. Wilder, seconded by Mr. Thomas,** to reopen file 2025-02553 for reconsideration.

**The motion was approved with a vote of 7-0-1. Ayes:** Studley, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** Burgess. **Absent:** Armentrout, Baum, Broadway, and Walker.

**File Number**  
**REOPENED**  
**2025-02553**  
**James Anthony**  
**Maready**

**In the matter of Consent Order File Number 2025-02553, James Anthony Maready (Regulant),** the Board reviewed the Consent Order as seen and agreed to by the Regulant.

Presiding Board Member Burgess was not present, did not participate in the discussion, and did not vote.

The Regulant did not attend the Board meeting in person, by counsel, or by any other qualified representative.

**A motion was made by Mr. Costen, seconded by Mr. Robinson,** to ratify the proposed Consent Order offer wherein the Regulant acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

James Anthony Maready consents to the following violations of the Board’s regulations:

**Count 1: 18VAC 15-40-130.A            No monetary sanction.**

James Anthony Maready agrees to Board costs of \$350.00.

**The motion was approved with a vote of 7-0-1. Ayes:** Studley, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** Burgess. **Absent:** Armentrout, Baum, Broadway, and Walker.

**V. EDUCATION**

**Education**

None.

**VI. NEW BUSINESS**

**New Business**

**Examination Update**

**Examination Update**

**Stephanie Keuther, Assistant Executive Director,** presented the Board with pass/fail statistics pertaining to Virginia Lead Abatement examinations.

**Gregory Emerson, Director of Examinations,** informed the Board that examination reviews have progressed smoothly and have been highly successful overall.

**REALLS Examination Sole Source**

**Steve Kirschner, Director of LRPD**, informed the Board that the sole-source contract for the REALLS examinations would require an extension.

**After discussion, a motion was made by Mr. Phillips, seconded by Mr. Thomas**, to approve the renewal of the examination services agreement with PSI Services LLC for the continued administration of the Lead Supervisor and Lead Inspector examinations, contingent upon the renewal amount not exceeding the applicable inflationary increase.

**Regulatory Update**

**Joe Haughwout, Regulatory Affairs Manager**, provided an update on the Board’s pending regulatory items.

**HB1305 – Disciplinary Cases Under Advisement**

**Joe Haughwout, Regulatory Affairs Manager**, provided the Board with proposed amendments to Board regulations resulting from the recent passage of HB1305. Mr. Haughwout explained that the amendments primarily involve revisions to the Board’s authority and the grounds for disciplinary action.

**Mr. Haughwout** also informed the Board that staff recommends adoption of the proposed amendment.

**After discussion, a motion was made by Mr. Wilmoth, seconded by Mr. Costen**, to adopt the proposed amendment as presented and allow staff to file an exempt action.

**The motion was approved with a vote of 8-0-0. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Armentrout, Baum, Broadway, and Walker.

**Lead Regulation Amendment to Comport with Changes to 40 CFR Part 745 (Exempt Action)**

**Joe Haughwout, Regulatory Affairs Manager**, presented the Board with proposed changes to the Board’s lead abatement regulations.

**After discussion, a motion was made by Mr. Wilmoth, seconded by Mr. Costen**, to adopt the final regulation as presented, and authorized staff to correct any technical and grammatical errors and file the regulation.

**REALLS Examination Sole Source**

**Regulatory Update**

**HB1305 – Disciplinary Cases Under Advisement**

**Lead Regulation Amendment to Comport with Changes to 40 CFR Part 745 (Exempt Action)**

**The motion was approved with a vote of 8-0-0. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Armentrout, Baum, Broadway, and Walker.

**Withdrawal of Guidance Document: Initial Auditing of Out-of-State Asbestos Courses Already Approved by MAP States**

**Joe Haughwout, Regulatory Affairs Manager**, informed the Board that staff recommends withdrawal of the guidance document titled *Initial Auditing of Out-of-State Asbestos Courses Already Approved by MAP States*.

**Mr. Haughwout** explained that regulatory changes have rendered this guidance document unnecessary.

**After discussion, a motion was made by Ms. Wilder, seconded by Mr. Phillips**, to withdraw the guidance document.

**The motion was approved with a vote of 8-0-0. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Armentrout, Baum, Broadway, and Walker.

**Executive Director Report**

**Wendy Duncan, Licensing Operations Administrator**, informed the Board of current and past Board statistical data related to licensing applications, current licensees, phone calls, and emails.

**Election of Officers**

**The chair was shifted to Licensing Operations Administrator, Wendy Duncan**, who chaired the meeting so the Board could conduct election of officers.

The floor was open for the nomination for the office of Board Chair: **Mr. Phillips** nominated **Mr. Studley** for the office of Board Chair.

**Mrs. Duncan** asked if there were any additional nominations for the office of Board Chair? (Three times). There being none, **Ms. Wilder** offered a motion to close the floor for nominations. It was seconded by **Mr. Thomas**.

**Withdrawal of  
Guidance  
Document:  
Initial Auditing  
of Out-of-State  
Asbestos  
Courses  
Already  
Approved by  
MAP States**

**Executive  
Director Report**

**Election of  
Officers**

**The motion was approved with a vote of 8-0-0. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Armentrout, Baum, Broadway, and Walker.

**Mrs. Duncan** opened the floor for the nomination for the office of Board Vice-Chair. **Mr. Phillips** nominated **Mr. Thomas** for the office of Board Vice-Chair.

**Mrs. Duncan** asked if there were any additional nominations for the office of Board Vice-Chair? (Three times). There being none **Mr. Phillips** offered a motion to close the floor for nominations. It was seconded by **Mr. Studley**.

**Mrs. Duncan** called for a vote.

**The motion was approved with a vote of 8-0-0. Ayes:** Studley, Burgess, Costen, Phillips, Robinson, Thomas, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Armentrout, Baum, Broadway, and Walker.

**Mr. Studley** resumed as the chair.

**Board Member Professional Development**

**Steve Kirschner, Director of LRPD**, presented the Board with information regarding the Freedom of Information Act (FOIA).

**Board Member Professional Development**

**VII. COMPLETION OF PAPERWORK**

**Vice-Chair, Studley** reminded Board members to complete their Conflict-of-Interest Statements and Travel Reimbursement Forms.

**Completion of Paperwork**

**VIII. ADJOURNMENT**

**Vice-Chair, Studley** thanked the Board for Asbestos, Lead, and Home Inspectors and adjourned the meeting at 11:45 A.M.

**Adjournment**

The next board meeting is scheduled for **September 3, 2026**.

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**Patrick Studley, Chair**

\_\_\_\_\_  
**Date**

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**Laura McClintock, Director**

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**Date**

**Copy teste:**

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Custodian of the Record

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