

# VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

Department of Professional and Occupational Regulation  
9960 Mayland Drive  
Richmond, Virginia 23233

Tuesday, January 6, 2026 - 10:00 a.m.  
Second Floor, Board Room 2

**Our mission** is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses and enforcing standards of professional conduct for professions and occupations as designated by statute.

## I. CALL TO ORDER

- a. Emergency Evacuation Procedures
- b. Determination of Quorum

## II. ADMINISTRATIVE MATTERS

- a. Approval of Agenda
- b. Approval of Minutes:
  - i. September 11, 2025, Board for Asbestos, Lead, and Home Inspectors draft meeting minutes.

## III. PUBLIC COMMENT PERIOD **\*FIVE MINUTE PUBLIC COMMENT, PER PERSON\***

## IV. CASE FILES

### Licensing Case Files

- L1.1 2025-02493 – Marvin Antonio Alvarez (Jackson-Bailey)
- L2.2 2026-00246 – Raymond Paul Gessner (Burgess)

### Disciplinary Case File

- D1.3 2025-00378 – Kevin Terrell Marshall, Jr. (Burgess)

### Consent Order Case File

- C1.4 2025-02089 – Curtis Wayne Gray (Cranor)

## V. EDUCATION

## VI. NEW BUSINESS

- a. Examination Update
- b. Regulatory Update
- c. Investigations Guidance Document
- d. NESHAP Exemption Discussion
- e. Fee Change
- f. Executive Director Report

- g. Board Member Professional Development

## **VII. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER.**

## **VIII. ADJOURNMENT**

### **NEXT MEETING SCHEDULED FOR THURSDAY, FEBRUARY 5, 2026**

- ❖ *Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.*
- ❖ *Five-minute public comment, per person, with the exception of any open disciplinary or application file.*
- ❖ *Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-2785 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation.*
- ❖ *The Department fully complies with the Americans with Disabilities Act.*

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**PERIMETER CENTER CONFERENCE CENTER**  
**EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS**  
(Script to be read at the beginning of each meeting.)

**PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.**

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff.

**Board Room 1**

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Board Room 2**

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door **(Point)**, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Board Rooms 3 and 4**

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Training Room 1**

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Training Room 2**

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

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

The Virginia Board for Asbestos, Lead, and Home Inspectors met on September 11, 2025, at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 3, Richmond, Virginia, 23233.

The following members of the Board were present:

Stacy J. Armentrout, Jr., Chair  
Patrick Studley, Vice-Chair  
John Broadway  
Douglas Burgess  
Ralph "Tripp" Costen  
Jesse Phillips (arrived at 10:57 am)  
Anthony J. Robinson  
Paul D. Thomas  
Louis Walker  
Robin Wilder  
William "Bill" Wilmoth, Jr.

Board member absent from the meeting:

Michael Baum

Joshua Laws, Board Counsel, was present at the meeting.

Gaby Rengifo, Board Liaison, was not present at the meeting.

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

Steve Kirschner, Director of LRPD  
Marjorie King, Executive Director  
Stephanie Keuther, Assistant Executive Director  
Joseph Haughwout, Regulatory Affairs Manager  
Cameron Parris, Regulatory Operations Administrator  
Lisa Robinson, Licensing Operations Administrator  
Khang Le, Administrative Coordinator

**Chair, Armentrout** called the September 11, 2025, Board for Asbestos, Lead, and Home Inspectors Meeting to order at 10:02 A.M.

**Call To Order**

**Chair, Armentrout** declared a quorum of Board members to be in attendance.

**Determination of Quorum**

**Marjorie King, Executive Director** reviewed the emergency egress procedures with the Board and members of the public.

**Emergency Egress**

**II. ADMINISTRATIVE MATTERS**

**Ms. Wilder made a motion, seconded by Mr. Burgess**, to adopt the agenda of the September 11, 2025, Asbestos, Lead, and Home Inspectors meeting.

**Approval of the Agenda**

**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Burgess, Costen, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Phillips, Baum.

**Mr. Studley made a motion, seconded by Mr. Thomas**, to approve the draft minutes of the May 8, 2025, Board for Asbestos, Lead, and Home Inspectors meeting as presented.

**Approval of Minutes**

**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Burgess, Costen, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Phillips, Baum.

**IV. PUBLIC COMMENT**

**Public Comment**

**Chair, Armentrout** opened up the public comment period of the meeting.

Mr. Armentrout presented the following resolutions into the record.

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# Commonwealth of Virginia



## Department of Professional and Occupational Regulation

### Virginia Board for Asbestos, Lead, and Home Inspectors

#### Resolution for

## *John E. Cranor*

WHEREAS, **John E. Cranor** did faithfully and diligently serve the Virginia Board for Asbestos, Lead, and Home Inspectors, and the Department of Professional and Occupational Regulation from 2017 to 2025;

WHEREAS, **John E. Cranor**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **John E. Cranor**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Asbestos, Lead, and Home Inspectors wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Asbestos, Lead, and Home Inspectors this eleventh day of September 2025, that **John E. Cranor** be given all honors and respect due him for his outstanding service to this Board and the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

# Commonwealth of Virginia



## Department of Professional and Occupational Regulation

### Virginia Board for Asbestos, Lead, and Home Inspectors

#### Resolution for

## Sharad Tandale

WHEREAS, **Sharad Tandale** did faithfully and diligently serve the Virginia Board for Asbestos, Lead, and Home Inspectors, and the Department of Professional and Occupational Regulation from 2022 to 2025;

WHEREAS, **Sharad Tandale**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Sharad Tandale**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Asbestos, Lead, and Home Inspectors wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Asbestos, Lead, and Home Inspectors this eleventh day of September 2025, that **Sharad Tandale** be given all honors and respect due him for his outstanding service to this Board and the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

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

**V. CASE FILES**

**CONSENT ORDER CASE FILES**

**In the matter of Consent Order File Number 2024-02137, John Joseph Becci (Regulant)**, the Board reviewed the Consent Order as seen and agreed to by John Joseph Becci.

The Regulant did not attend the Board meeting in person, by counsel, nor by any other qualified representative.

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

John Joseph Becci consents to the following violations of the Board's regulations:

- Count 1: 18VAC 15-40-120.B      \$300.00**
- Count 2: 18VAC 15-40-130.A      \$50.00**
- Count 3: 18VAC 15-40-130.B      \$250.00**

John Joseph Becci agrees to Board costs of **\$150.00**.

**Total fines and costs of \$750.00**

**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Burgess, Costen, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Phillips, Baum.

**In the matter of Consent Order File Number 2025-00378, Kevin Terrell Marshall, Jr. (Regulant)**, the Board reviewed the Consent Order as seen and agreed to by Kevin Terrell Marshall, Jr.

The Regulant did not attend the Board meeting in person, by counsel, nor by any other qualified representative.

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

**After discussion**, the motion was withdrawn by Mr. Burgess.

**A motion was made by Mr. Studley, seconded by Ms. Wilder**, to reject the proposed Consent Order offer.

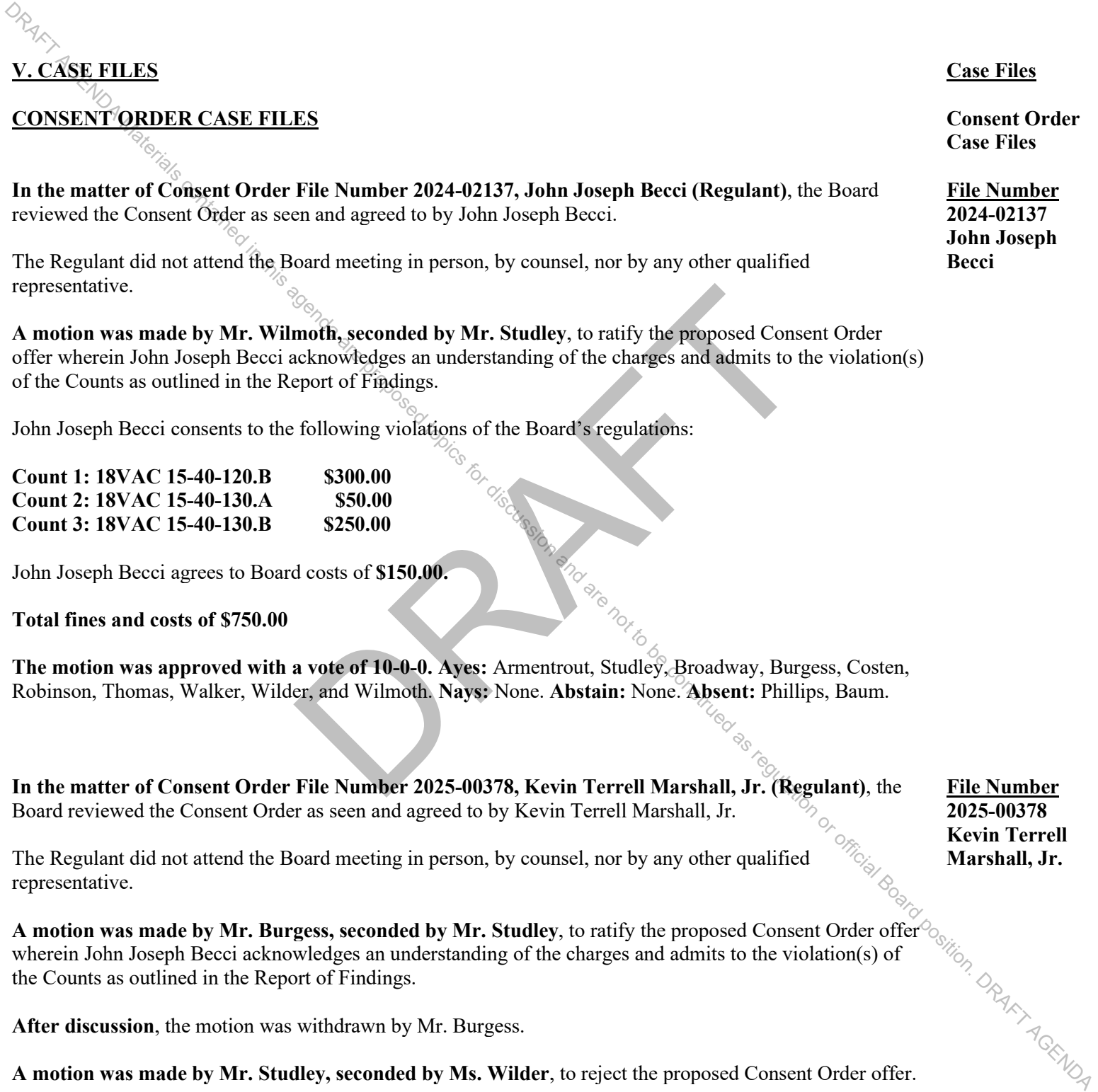
**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Burgess, Costen, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Phillips, Baum.

**Case Files**

**Consent Order  
Case Files**

**File Number  
2024-02137  
John Joseph  
Becci**

**File Number  
2025-00378  
Kevin Terrell  
Marshall, Jr.**



**DISCIPLINARY CASE FILE**

**Disciplinary Case  
File**

**In the matter of Disciplinary File Number 2025-00768, K & M Construction and Contracting Inc. (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  
2025-00768  
K & M  
Construction and  
Contracting Inc.**

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

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 closes the file with a finding of no violations.

**The motion was approved with a vote of 8-1-1. Ayes:** Studley, Broadway, Burgess, Costen, Robinson, Walker, Wilder, and Wilmoth. **Nays:** Thomas. **Abstain:** Armentrout. **Absent:** Phillips, Baum.

**V. EDUCATION**

**Education**

**Education Provider Applications**

**Education  
Provider  
Applications**

**Stephanie Keuther, Assistant Executive Director, shared that staff recommends approval for:**

**HomeSpection Inc.** – One (1) classroom pre-license education course for Home Inspectors.

**HomeSpection  
Inc.**

**A motion was made by Mr. Studley, seconded by Ms. Thomas,** for approval.

**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Burgess, Costen, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Phillips, Baum.

**VI. NEW BUSINESS**

**NEW BUSINESS**

**Regulatory Update**

**Regulatory  
Update**

Home Inspector Regulations General Review	<ul style="list-style-type: none"> <li>Regulation will be published in Volume 42, Issue 1 of the Virginia Register on August 25, 2025, after which a 30-day final adoption/public comment period will follow.</li> </ul>
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	<ul style="list-style-type: none"> <li>Regulation will become effective October 1, 2025.</li> </ul>
Virginia Asbestos Licensing Regulations General Review	<ul style="list-style-type: none"> <li>Board to consider comment received during the public hearing and adoption of Final regulation at September 11, 2025, meeting.</li> </ul>
Lead-Based Paint Activities Regulations General Review	<ul style="list-style-type: none"> <li>Board to consider comment received during the public comment period and adoption of Final regulation at September 11, 2025, meeting.</li> </ul>
Maintenance of Insurance (Home Inspectors)	<ul style="list-style-type: none"> <li>Board staff to file proposed fast-track action, followed by Executive Branch review and public comment period.</li> </ul>

**\*Board member Jesse Phillips arrived at the meeting.\***

**Board Member Attendance**

**Asbestos Licensing Regulations: 2023 General Review**

**Asbestos Licensing Regulations: 2023 General Review**

**Review of Public Comment**

**Review of Public Comment**

**Joe Haughwout, Regulatory Affairs Manager**, presented the Board with one public comment pertaining to the Board’s education and experience requirements.

**The Board shares the following response.**

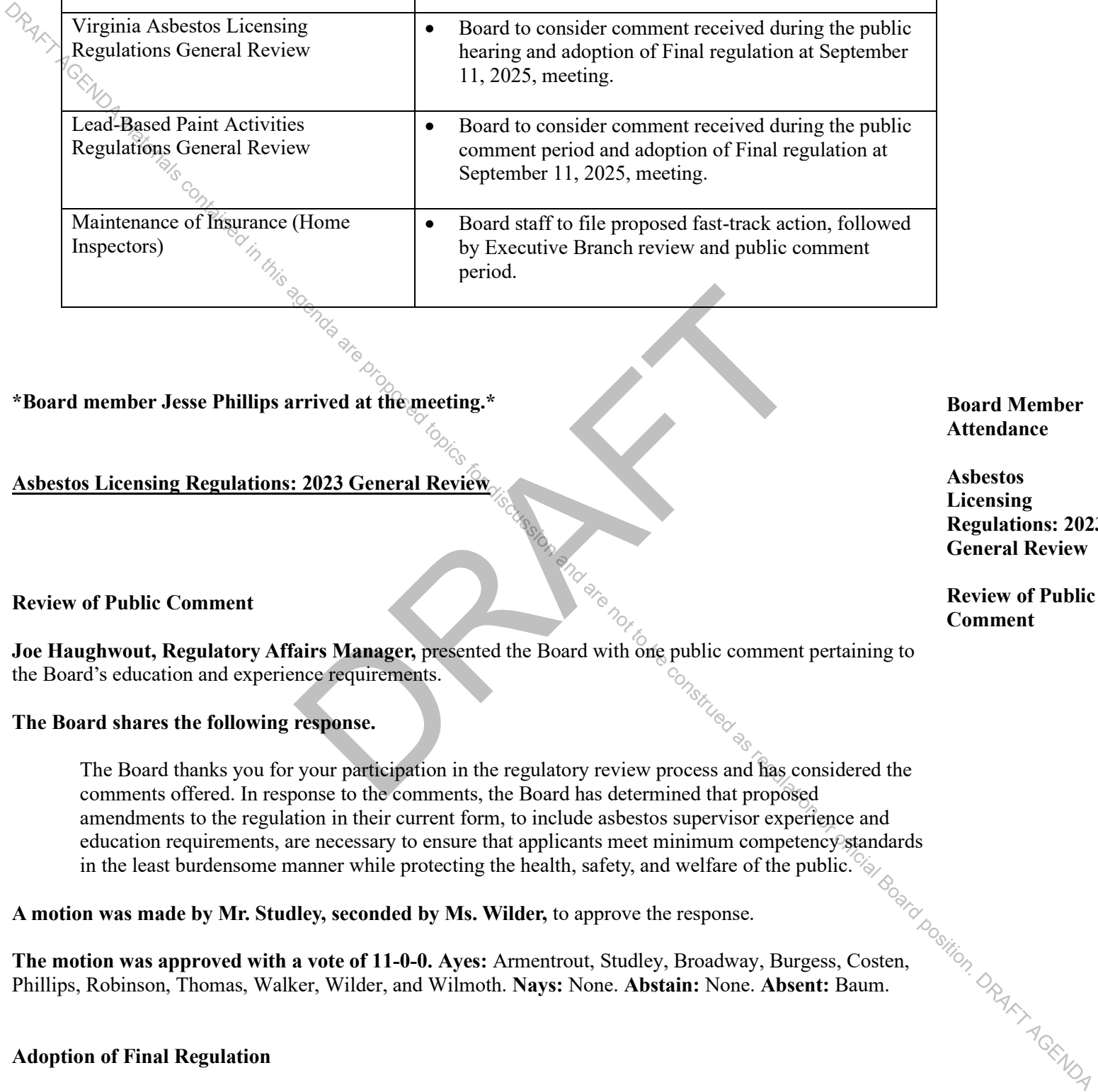
The Board thanks you for your participation in the regulatory review process and has considered the comments offered. In response to the comments, the Board has determined that proposed amendments to the regulation in their current form, to include asbestos supervisor experience and education requirements, are necessary to ensure that applicants meet minimum competency standards in the least burdensome manner while protecting the health, safety, and welfare of the public.

**A motion was made by Mr. Studley, seconded by Ms. Wilder**, to approve the response.

**The motion was approved with a vote of 11-0-0. Ayes:** Armentrout, Studley, Broadway, Burgess, Costen, Phillips, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Baum.

**Adoption of Final Regulation**

**Mr. Haughwout** presented the Board with draft proposed amendments to the Board’s regulations as part of the 2023 General Review of Asbestos Licensing Regulations.



**After discussion, a motion was made by Mr. Thomas, seconded by Mr. Studley, to adopt the final regulation as amended, authorize staff to correct any technical and grammatical errors, and file the regulation.**

**The motion was approved with a vote of 11-0-0. Ayes:** Armentrout, Studley, Broadway, Burgess, Costen, Phillips, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Baum.

**Marjorie King, Executive Director, called a recess to the meeting at 11:52 am.**

**Recess**

**Ms. King called the meeting to order at 12:18 pm.**

**Lead-Based Paint Activities Regulations: General Review**

**Lead-Based Paint  
Activities  
Regulations:  
General Review**

**Board member Douglas Burgess exited the meeting.**

**Board Member  
Attendance**

**Review of Public Comment**

**Review of Public  
Comment**

**Joe Haughwout, Regulatory Affairs Manager, presented the Board with one public comment regarding secondhand smoke in residential communities and with state marijuana legislation.**

The Board shares the following response.

The Board thanks you for your comment. The Board does not have any authority regarding marijuana or the implementation of rules or regulations concerning marijuana legislation. As such, you are encouraged to contact the appropriate authority regarding your concerns.

**A motion was made by Ms. Wilder, seconded by Mr. Studley, to approve the response.**

**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Costen, Phillips, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Baum, Burgess.

**Adoption of Final Regulation**

**Adoption of Final  
Regulation**

**Mr. Haughwout presented the Board with draft proposed amendments to the Board's regulation as part of the General Review of Lead-Based Paint Activities Regulations.**

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

**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Costen, Phillips, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Baum, Burgess.

## Criminal History Matrix

## Criminal History Matrix

**Marjorie King, Executive Director**, presented the Board with a revised draft criminal history application review matrix for the Virginia Board for Asbestos, Lead, and Home Inspectors.

**Ms. King** explained upon approval of the revised matrix, the Board delegates authority to conduct predetermination fact-findings and license eligibility fact-findings to the Department of Professional and Occupational Regulation in accordance with the applicable portions of the Administrative Process Act (Code of Virginia 2.2-4000 et. seq.).

**Ms. King** further explained upon approval of the matrix, the following convictions would not be reviewed by the Board.

1. Felony convictions more than three years old with no subsequent reportable convictions unless the conviction resulted in incarceration where the release date is less than one year from the application date. This does not include convictions involving murder, manslaughter, sexual assault, rape, robbery, indecent liberties, fraud, embezzlement, abduction, assaulting a police officer, larceny, burglary, or environmental remediation activity related convictions.
2. Misdemeanor convictions for possession of a controlled substance with no other convictions.
3. Felony convictions for possession of controlled substance more than two years old with no other convictions. For convictions less than two years old if the applicant has completed a deterrence program.
4. Felony convictions of Title 46 of the *Code of Virginia* (Traffic Code).
5. Misdemeanor convictions for simple assault (except domestic assault and assaulting a police officer), disorderly conduct, and/or trespassing.
6. Misdemeanor DUI convictions. This does not include DUI felony convictions.

**After discussion, a motion was made by Mr. Thomas, seconded by Mr. Robinson**, to adopt the revised criminal history matrix as presented.

**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Costen, Phillips, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Baum, Burgess.

## Review of Guidance Documents

## Review of Guidance Documents

### Incorporation of Guidance Document

**Cameron Parris, Regulatory Operations Administrator**, presented the Board with the following guidance document.

**Mrs. Parris** explained that a portion of the following guidance document was incorporated into the Board's regulations as part of the General Review of Lead-Based Paint Activities Regulations with the remainder of the document to be revisited at a later date.

- **Document ID #6630**, Requirement to Take the Virginia Lead Law Examination

No action was taken at this time.

### Repeal of Guidance Documents

**Mrs. Parris** presented the Board with the following guidance documents to be repealed.

- **Document ID #5584**, Review of ALHI Applications with Criminal Convictions
- **Document ID #5747**, Requirements for Individuals who Analyze PCM Air Samples Onsite
- **Document ID #6018**, Clarification of Acceptable Degree Programs for Asbestos & Lead Licensing
- **Document ID #6374**, Renewing Asbestos Workers License with Asbestos Supervisor Refresher Training
- **Document ID #6834**, Clarification Regarding Asbestos Abatement Projects that Require a Project Monitor
- **Document ID #7208**, Verification of Course Completion Certificates Awarded to Training Program Managers and Principal Instructors
- **Document ID #7209**, Electronic Delivery of Asbestos and Lead Refresher Courses.

**A motion was made by Mr. Thomas, seconded by Mr. Wilmoth**, to repeal the presented guidance documents.

**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Costen, Phillips, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Baum, Burgess.

### Examination Statistics

### Examination Statistics

**Marjorie King, Executive Director**, presented the Board with various Lead examination statistics covering the period from January 1, 2023, to August 31, 2025.

**Ms. King** shared that Board staff is seeking a formation of members to conduct lead examination reviews.

**After discussion, a motion was made by Mr. Phillips, seconded by Mr. Studley**, to allow staff to conduct examination reviews.

**The motion was approved with a vote of 10-0-0. Ayes:** Armentrout, Studley, Broadway, Costen, Phillips, Robinson, Thomas, Walker, Wilder, and Wilmoth. **Nays:** None. **Abstain:** None. **Absent:** Baum, Burgess.

**Executive Director Report**

**Executive  
Director Report**

**Marjorie King, Executive Director**, informed the Board of current and past statistical data related to licensing applications and current licensees.

**Board Member Professional Development**

**Board Member  
Professional  
Development**

**Marjorie King, Executive Director**, informed the Board there would be no Board Member Professional Development at this meeting due to time constraints.

**VIII. Completion of Paperwork**

**Completion of  
Paperwork**

**Marjorie King, Executive Director**, reminded Board members to complete their Conflict-of-Interest Statements and Travel Reimbursement Forms.

**IX. Adjournment**

**Adjournment**

**Chair, Armentrout** thanked the Board for Asbestos, Lead, and Home Inspectors and adjourned the meeting at 1:23 P.M.

The next board meeting is scheduled for **November 20, 2025**.

\_\_\_\_\_  
**Stacy J. Armentrout, Jr., Chair**

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

\_\_\_\_\_  
**James B. Wilkinson, Jr., Director**

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

**Copy teste:**

\_\_\_\_\_  
Custodian of the Record

DRAFT AGENDA Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position. DRAFT AGENDA

# Update on Regulatory Actions

(as of October 31, 2025)

## Action: Home Inspector Regulations General Review

### Effective

- Regulation became effective October 1, 2025.

## Action: Virginia Asbestos Licensing Regulations General Review

### Current Stage: Final

- Board adopted Final regulation at September 11, 2025, meeting.

### Next Step: Final Effective

- Final stage will be published on December 1, 2025, in Volume 42, Issue 8, of the Virginia Register, which will be followed by a 30-day public comment period.
- Regulation will become effective January 2, 2026.

## Action: Lead-Based Paint Activities Regulations General Review

### Current Stage: Final

- Board adopted Final regulation at September 11, 2025, meeting.

### Next Step: Final

- Final stage will be published on December 1, 2025, in Volume 42, Issue 8, of the Virginia Register, which will be followed by a 30-day public comment period.
- Regulation will become effective January 2, 2026.

## Fast-Track Action: Maintenance of Insurance (Home Inspectors)

### Current Stage: Fast-Track

- Board authorized fast-track action to amend the regulation on 2/8/2024.

### Next Step: Proposed Fast-Track

- Board staff to file proposed fast-track action, followed by Executive Branch review and a public comment period.

DRAFT AGENDA  
GENERAL materials contained herein are proposed topics for discussion and are not to be construed as regulation or official board position. DRAFT AGENDA

## Home Inspector Standards of Practice and Conduct – Investigations Guidance Document

The following chart outlines the revised Home Inspector Standards of Practice and Conduct (HISPC) and shall guide the Investigations section of D.P.O.R. in determining whether a technical review by a board member is required prior to recommending a potential violation of the HISPC to the Board or closing a complaint.

Regulation = 18 VAC 15-40-

Conduct = abbreviated text of Regulation or Statute

Staff = Board delegated authority for Investigations staff to recommend a potential violation

WBMA = Board member approval required prior to Investigations staff recommending a potential violation or case closure

Regulation or Statute	Conduct	CO
140.A.1	Shall not design or perform repairs to building where inspection performed in previous 12 months	Staff
140.A.2	Shall not perform inspection to building where repairs made in previous 12 months without disclosure	Staff
140.A.3	Shall not refer client to another to make repairs where inspection performed, unless...	Staff
140.A.4	Shall not represent financial interests to parties of sale transfer where inspection performed without disclosure	Staff
140.A.5	Shall not perform inspection under contingent agreement for future referrals	Staff
140.B	Shall not disclose results without client approval	Staff
140.C	Shall not accept compensation from more than one party for same service without consent of interested parties	Staff
140.D	Shall not accept nor offer compensation from other parties dealing w/client in connection with the home inspection	Staff
140.E	Disclosure of additional services and must be in writing	Staff
140.F	Home inspection must not be used as a pretext to solicit or obtain work in another field	Staff
145.A	Shall undertake to perform assignments only when qualified	WBMA
145.B	Shall not misrepresent qualifications and scope of responsibility	WBMA
152.A.1	Notify the board of disciplinary action in another jurisdiction	Staff
152.A.2	Notify the board of voluntary surrender in another jurisdiction	Staff
152.A.3	Notify the board of criminal convictions	Staff
152.B	Notify the board within 30 days of action	Staff
155.1	Violating, including inducing another to violate, any of the provisions of Chapter	Staff

	1, 2, 3, or 5 of Title 54.1 of the Code of Virginia	
155.2	Obtaining or attempting to obtain a license by false or fraudulent representation	Staff
155.3	Failing to maintain the required insurance policy	Staff
155.4	Failing to report a change or maintain records pursuant to 18 VAC 15-40-160	Staff
155.5	Licensee convicted, found guilty or disciplined in another jurisdiction	Staff
155.6	Failing to inform board of conviction, guilt or discipline to board in 30 days	Staff
155.7	Failing to use a contract that complies with 18 VAC 15-40-130	Staff
155.8	Failing to produce a home inspection report that complies with 18VAC15-40-130	Staff
155.9	Failing to comply with the requirements of 18 VAC 15-40-120	Staff
155.10	Committing an action that constitutes negligence, incompetence, or misconduct in the practice of the profession, including:	WBMA
155.11	Committing an action that constitutes engaging in improper, fraudulent, or dishonest conduct, including:	WBMA
155.12	Allowing a license issued by the board to be used by another	Staff
155.13	Failing to comply with the requirements of 18VAC15-40-180	Staff
160.A	Licensees to notify board of change of address within 30 calendar days	Staff
160.B	Licensees to notify board of change of name within 30 calendar days	Staff
160.C	Retain records pertaining to home inspection for three years	Staff
160.D	Licensees must report cancellation, amendment, expiration, or any other change to the insurance policy	Staff
180.A	Must respond w/in 10 days to a request by board regarding a complaint	Staff
180.B	Must produce records to board w/in 10 days of request	Staff
180.C	Must not provide false, misleading or incomplete information	Staff
180.D	Must respond to inquiry of board w/in 21 days	Staff

DRAFT AGENDA



**TO:** BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS  
**FROM:** CAMERON PARRIS, REGULATORY OPERATIONS ADMINISTRATOR  
**SUBJECT:** NESHAP EXEMPTION - DISCUSSION  
**DATE:** NOVEMBER 20, 2025

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The Board should discuss whether Virginia’s current regulation is lacking clarity in regard to the NESHAP “residential exemption.”

The concern is that the exemption is being incorrectly applied in the field and the effect of the application of the exemption is that residences are not being monitored when they should be.

Please refer to the handouts provided that include Virginia’s regulatory requirements, a brief description of how other states address monitoring/sampling requirements, and the Federal Register’s publication of 40 CFR Part 61 – Asbestos NESHAP Clarification of Intent.

DRAFT AGENDA. Matters contained in this agenda are proposed for discussion and are not to be construed as regulation or official Board position. DRAFT AGENDA

refinery equipment; Manufacture of synthesized pharmaceutical products; Manufacture of pneumatic rubber tires; Automobile and light duty truck manufacturing; Fire truck and emergency response vehicle manufacturing; Manufacture of high-density polyethylene, polypropylene, and polystyrene resins, a.k.a. polymer manufacturing; Leaks from synthetic organic chemical and polymer manufacturing equipment; Air oxidation processes at synthetic organic chemical manufacturing industries; and Equipment leaks from natural gas/gasoline processing plants. These negative declarations are approved into the Wisconsin ozone SIP.

(B) On June 30, 1994, Wisconsin submitted a list of facilities subject to the post-enactment source categories listed in Appendix E to the General Preamble. 57 FR 18070, 18077 (April 28, 1992). The list included facilities covered by the source categories cleanup solvents, offset lithography, plastic parts coating, and wood furniture coating. This list is approved into the Wisconsin ozone SIP.

[FR Doc. 95-18523 Filed 7-27-95; 8:45 am]  
BILLING CODE 6560-50-P

#### 40 CFR Part 61

[FRL-5266-2]

#### Asbestos NESHAP Clarification of Intent

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of clarification.

**SUMMARY:** On November 20, 1990, the **Federal Register** published the Environmental Protection Agency's (the Agency's) revision of the National Emission Standard for Hazardous Air Pollutants for Asbestos (asbestos NESHAP), 40 CFR part 61, subpart M. 55 FR 48406. Since the publication of this revision, EPA has received several inquiries from municipalities regarding whether the "residential building exemption" from the asbestos NESHAP applies to the demolition or renovation of isolated residential buildings with four or fewer dwelling units ("small residential buildings") that have been declared safety hazards or public nuisances by local governments. EPA is publishing this notice to clarify that, in EPA's opinion, the demolition or renovation of an isolated small residential building by any entity is not covered by the asbestos NESHAP. This notice does not affect EPA's policy regarding demolition by fire. However,

EPA also believes that the demolition or renovation of multiple (more than one) small residential buildings on the same site by the same owner or operator (or owner or operator under common control) is covered by the asbestos NESHAP.

**FOR FURTHER INFORMATION CONTACT:** Mr. Tom Ripp, United States Environmental Protection Agency (2223A), 401 M Street, SW., Washington, DC 20460, telephone (202) 564-7003.

**SUPPLEMENTARY INFORMATION:** This clarification does not supersede, alter, or in any way replace the existing Asbestos NESHAP. This notice is intended solely as guidance and does not represent an action subject to judicial review under section 307(b) of the Clean Air Act or section 704 of the Administrative Procedure Act.

#### I. The Asbestos NESHAP and the "Residential Building Exemption"

On April 6, 1973, the Agency published its initial NESHAP for asbestos (38 FR 8820) after determining that asbestos was associated with asbestosis and certain cancers. The initial asbestos NESHAP covered "any institutional, commercial and industrial building (including apartment buildings having more than four dwelling units), structure, facility, installation or portion thereof \* \* \*" 38 FR 8829 (codified at 40 CFR 61.22(d) (1973)). The NESHAP did not cover individual residential buildings containing four or fewer dwelling units. EPA based this "residential building exemption" on a National Academy of Sciences' Report which stated "[i]n general, single-family residential structures contain only small amounts of asbestos insulation." EPA stated that apartment houses with four or fewer dwelling units were considered to be equivalent to single-family residential structures. 38 FR 8821.

Since that time, EPA has revised the asbestos NESHAP on several occasions. EPA has not substantially revised the exemption for small residential buildings. However, EPA has stated that residential buildings demolished or renovated as part of larger projects, for instance, highway construction projects, were not exempt from the NESHAP. See Letter from John S. Seitz, Director, Stationary Source Compliance Division, U.S. EPA to Thomas S. Hadden, Supervisor, Division of Air Pollution Control, Ohio EPA, dated March 15, 1989; letter from Ann Pontius, U.S. EPA Region 5 to Thomas Hadden, dated September 28, 1988; letter from David Kee, Air Section, U.S. EPA to Richard Larson, Minneapolis Housing and

Redevelopment Authority, dated May 16, 1973.

#### II. The 1990 Revisions to the Asbestos NESHAP

On November 20, 1990, EPA published a revision to the asbestos NESHAP. 55 FR 48406. The purpose of the revision was "to enhance enforcement and promote compliance with the current standard without altering the stringency of existing controls." *Id.* The revisions revised and added several definitions in order to clarify the requirements of the NESHAP. The preamble accompanying the revisions also contained clarifying information.

In particular, the 1990 revisions clarified the definition of "facility" to include:

Any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units) \* \* \*

*Id.* at 48415 (codified at 40 CFR 61.141). The 1990 amendments also added a definition of "installation" that stated:

Installation means any building or structure or any group of buildings or structures at a single demolition or renovation site that are under the control of the same owner or operator (or owner or operator under common control).

*Id.* (codified at 40 CFR 61.141). In responding to comments regarding the "residential building exemption," the preamble noted that:

EPA does not consider residential structures that are demolished as part of a commercial or public project to be exempt from this rule. For example, the demolition of one or more houses as part of an urban renewal project, a highway construction project, or a project to develop a shopping mall, industrial facility, or other private development would be subject to the NESHAP. \* \* \* The owner of a home that renovates his house or demolishes it to construct another house is not to be subject to the NESHAP.

*Id.* at 48412.<sup>1</sup> Further, in response to a comment asking whether a group of residential buildings at one location would be covered by the rule, the preamble stated:

A group of residential buildings under the control of the same owner or operator is considered an installation according to the definition of "installation" and is therefore covered by the rule.

<sup>1</sup> EPA considers demolitions planned at the same time or as part of the same planning or scheduling period to be part of the same project. In the case of municipalities, a scheduling period is often a calendar year or fiscal year or the term of a contract.

*Id.*

### III. Programs to Demolish or Renovate Residential Buildings

Since the publication of the 1990 revisions to the asbestos NESHAP, certain questions have arisen regarding whether demolitions or renovations of residential homes that are demolished or renovated by municipalities for reasons of public health, welfare or safety ("nuisance abatement demolitions") are covered by the asbestos NESHAP.<sup>2</sup> Several municipalities have stated that they believe such demolitions or renovations to be excluded from the NESHAP under the residential building exemption. Municipalities have also stated that EPA officials have been inconsistent in their determinations of this issue. In particular, officials from several municipalities in Florida have asked EPA to issue a notice clarifying EPA's interpretation of the asbestos NESHAP with regard to this issue. In addition, the House of Representatives Report accompanying H.R. 4624 (House Report 103-555, reported by the House Appropriations Committee), also noted these allegedly inconsistent interpretations and directed EPA to issue a notice of clarification that a nuisance abatement demolition or renovation does not subject an otherwise exempt structure to the asbestos NESHAP regulations. In an effort to clarify this issue for the regulated community, EPA is presenting this notice giving its interpretation of the NESHAP with regard to this issue.

### IV. EPA Interpretation

EPA believes that individual small residential buildings that are demolished or renovated are not covered by the asbestos NESHAP. This is true whether the demolition or renovation is performed by agents of the owner of the property or whether the demolition or renovation is performed by agents of the municipality. EPA believes that the residential building exemption applies equally to an individual small residential building regardless of whether a municipality is an "owner or operator" for the purposes of the demolition or renovation. EPA believes that the exemption is based on the type of building being demolished or renovated and the type of demolition or renovation project that is being

undertaken, not the entity performing or controlling the demolition or renovation.

However, EPA believes that the residential building exemption does not apply where multiple (more than one) small residential buildings on the same site<sup>3</sup> are demolished or renovated by the same owner or operator as part of the same project or where a single residential building is demolished or renovated as part of a larger project that includes demolition or renovation of non-residential buildings. The definition of facility specifically includes "any residential structure, installation or building" but excludes only "residential buildings having four or fewer dwelling units" [emphasis added]. *Id.* at 48415. Specifically not excluded from the definition of facility were residential installations. EPA believes that the fact that the residential building exemption is limited to residential buildings, and does not include residential installations, shows that the residential building exemption was not designed to exempt from the NESHAP demolitions or renovations of multiple buildings at a single site by the same owner or operator. Moreover, to the extent the regulations are ambiguous, EPA believes the language of the preamble to the 1990 regulations quoted above makes clear that the Agency interpreted the residential building exemption not to include the demolition of a group of residential buildings on the same site under the control of the same owner or operator. The preamble also notes that demolitions of residential buildings as a part of larger demolition projects (e.g. construction of a shopping mall) are not excluded from the NESHAP. EPA believes that this interpretation is consistent with the original purpose of the residential building exemption,

<sup>3</sup>The term "site" is not defined in the regulations and EPA does not intend to provide any determination of the boundaries of a "site" in today's clarification. However, to provide guidance, EPA notes that a "site" should be a relatively compact area. In EPA's view, an entire municipality, or even a neighborhood in a municipality, should not be considered a single site. Where an area is made up of multiple parcels of land owned and operated by various parties, EPA believes that parcels on the same city block may be considered as a single site. (Where a site can not be easily defined as a city block, the site should be a comparably compact site. In any event, the local government should use common sense when applying this guide.) Obviously, EPA believes that if a demolition project involves the demolition of several contiguous city blocks, the entire area could be considered a site. However, EPA believes that demolition of two individual residences separated by several city blocks should not be considered a demolition on a single site. In EPA's view, the area of a site may be larger where the area is owned and operated as a unitary area by a single owner/operator (e.g. a shopping mall or amusement park).

which was to exempt demolitions or renovations involving small amounts of asbestos. EPA does not believe the residential building exemption was designed to exempt larger demolitions or renovations on a particular site, even where small residential buildings are involved.<sup>4</sup>

While this notice clarifies EPA's belief that certain demolitions or renovations performed by municipalities are not subject to the asbestos NESHAP, EPA encourages municipalities (and other owners and operators) to perform such demolitions or renovations in a manner that provides appropriate consideration for any potential adverse health impacts to the public. This notice applies only to the Federal asbestos NESHAP. Other Federal, State or local agency regulations may apply.

Dated: July 17, 1995.

**Richard Wilson,**

*Acting Assistant Administrator for Air and Radiation.*

[FR Doc. 95-18620 Filed 7-27-95; 8:45 am]

BILLING CODE 6560-50-P

### 40 CFR Part 81

[UT22-1-6925a; FRL-5265-5]

#### Designation of Area for Air Quality Planning Purposes; Utah; Designation of Ogden City PM<sub>10</sub> Nonattainment Area

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** In this notice, EPA is revising the PM<sub>10</sub> (particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers) National Ambient Air Quality Standards (NAAQS) designation for Ogden City, a portion of Weber County, Utah. Previously, consistent with section 107(d)(3)(A) of the Act, EPA notified the Governor of Utah that Weber County, Utah should be redesignated from unclassifiable to nonattainment for PM<sub>10</sub>. The redesignation is based upon violations of the PM<sub>10</sub> NAAQS which were monitored between January 1991 and January 1993.

**DATES:** This final rule will become effective on September 26, 1995 unless adverse comments are received by August 28, 1995. If the effective date is delayed, timely notice will be published in the **Federal Register**.

<sup>4</sup>EPA notes that 40 CFR 61.19 forbids owners and operators from attempting to circumvent any NESHAPs by carrying out an operation in a piecemeal fashion to avoid coverage by a standard that applies only to operations larger than a specified size.

<sup>2</sup>Demolition of such homes typically occur after a municipality orders a building condemned for public health or safety reasons (e.g. condemnation of a building that is abandoned and/or in danger of collapse). This type of demolition does not include demolitions of buildings for the purpose of building public facilities like highways or sports arenas.



**TO:** Virginia Board for Asbestos, Lead, and Home Inspectors  
**FROM:** Marjorie King, Executive Director  
**SUBJECT:** Executive Director Update  
**DATE:** November 20, 2025

**Application Statistics**

The table below outlines the number of applications received per calendar year (Jan. 1 – Dec. 31) since 2019. At the current rate applications are being received, the ALHI Board is expected to receive 1,488 applications during the 2025 calendar year.

*2025	2024	2023	2022	2021	2020	2019
1,240	1,503	1,285	1,651	1,474	1,115	1,639

\*As of 10/31/2025

Below is a breakdown of the 1,240 applications received in calendar year 2025.

Initial Asbestos Worker	434	Interim Lead Abatement Supervisor	12
Initial Asbestos Supervisor	268	Interim Lead Abatement Inspector	19
Initial Asbestos Inspector	110	Interim Lead Abatement Assessor	9
Initial Asbestos Management Planner	11	Initial Lead Abatement Worker	54
Initial Asbestos Project Designer	12	Initial Lead Abatement Supervisor – Exam eligibility	26
Initial Asbestos Contractor	25	Initial Lead Abatement Inspector – Exam eligibility	32
Initial Asbestos Project Monitor	37	Initial Lead Abatement Risk Assessor – Exam eligibility	22
Initial Training Provider	3	Initial Lead Abatement Project Designer	1
Initial ASB/Lead Training Course	1	Initial Lead Abatement Contractor	12
Initial Home Inspector Course	7	Home Inspector	91
Initial Asbestos Analytical Lab	9	Home Inspector – Add NRS Specialty	44
Initial Asbestos Analytical Lab Branch Office	1		
	918		322

## Licensing Statistics

As of November 1, 2025, there are 5,819 individuals licensed through the Virginia Board for Asbestos, Lead, and Home Inspectors. 35 Individuals have been licensed through Universal License Recognition.

As of November 1, 2025, DPOR's total regulant population is 325,538.

	<u>1/1/25</u>	<u>2/1/2025</u>	<u>3/1/2025</u>	<u>4/1/2025</u>	<u>5/1/2025</u>	<u>6/1/2025</u>
Asbestos Worker	1,242	1,271	1,288	1,297	1,294	1,313
Asbestos Supervisor	1,354	1,338	1,351	1,349	1,334	1,352
Asbestos Inspector	672	679	691	690	690	676
Asbestos Management Planners	116	117	118	116	117	125
Asbestos Project Designers	136	134	131	131	135	131
Asbestos Contractors	171	176	176	175	177	180
Asbestos Project Monitors	296	292	291	297	293	294
Asbestos Laboratories	58	60	59	63	61	64
Asbestos Laboratory Branch Office	15	15	15	16	16	16
Interim Lead Supervisor	4	4	6	7	5	7
Interim Lead Inspector	6	7	7	11	10	4
Interim Lead Risk Assessor	1	2	3	5	4	2
Lead Worker	331	321	317	306	300	307
Lead Supervisor	132	130	129	132	131	131
Lead Inspector	80	79	78	78	78	80
Lead Risk Assessor	159	156	152	154	153	153
Lead Project Designer	24	24	23	23	21	19
Lead Abatement Contractor	58	59	59	58	59	59
Home Inspector	954	952	946	931	939	924
TOTAL	5,809	5,816	5,840	5,839	5,817	5,837

	<u>7/1/2025</u>	<u>8/1/2025</u>	<u>9/1/2025</u>	<u>10/1/2025</u>	<u>11/1/2025</u>	<u>12/1/2025</u>
Asbestos Worker	1,286	1,331	1,296	1,352	1,357	
Asbestos Supervisor	1,348	1,365	1,367	1,347	1,325	
Asbestos Inspector	676	679	690	695	697	
Asbestos Management Planners	125	124	123	120	118	
Asbestos Project Designers	136	133	130	133	134	
Asbestos Contractors	176	180	176	174	176	
Asbestos Project Monitors	294	294	286	284	287	
Asbestos Laboratories	64	67	65	64	65	
Asbestos Laboratory Branch Office	16	15	16	16	17	
Interim Lead Supervisor	8	6	4	3	2	
Interim Lead Inspector	7	5	5	7	9	
Interim Lead Risk Assessor	2	3	3	2	2	
Lead Worker	315	314	312	318	308	
Lead Supervisor	133	132	131	130	128	
Lead Inspector	81	82	81	78	83	
Lead Risk Assessor	158	158	149	150	151	
Lead Project Designer	18	18	18	18	18	
Lead Abatement Contractor	62	63	62	62	62	
Home Inspector	900	901	885	886	880	
TOTAL	5,805	5,870	5,799	5,836	5,819	

DRAFT AGENDA Materials Contained Herein are Proposed Only for Discussion and are not to be construed as regulation or official Board position. DRAFT AGENDA