

THE COHEN LAW GROUP

A Professional Corporation

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May 24, 2008

Hon. Kathleen Sebelius
Governor of Kansas
300 SW 10th Ave., Ste. 212S
Topeka, KS 66612-1590

RE: Kansas Home Inspector Registration Board

Dear Governor Sebelius:

We represent the International Association of Certified Home Inspectors – InterNACHI.

InterNACHI is the largest trade association representing the interests of home inspectors in North America, with more than 8,000 members. The IRS has granted InterNACHI tax-exempt status under Section 501(c)(6) of the Internal Revenue Code. The two other major trade associations in the industry are ASHI and NAHI (a much smaller organization).

As you know, Kansas recently enacted legislation that will govern home inspectors in your state and that will create a new Board to regulate home inspections. When this legislation was first proposed, a home inspector in Wichita named Jeff Barnes, a member of ASHI, worked mightily to see that the legislation would promote the interests of ASHI and NAHI over those of InterNACHI. Ultimately, this attempt failed, but because of this history InterNACHI strongly opposes the appointment of Mr. Barnes to any Board with authority over home inspectors.

We are presently investigating a lawsuit against Mr. Barnes for defamation and other business torts. He submitted an online application for membership to InterNACHI under a false name and later made public statements that even his dog could join InterNACHI. He has consistently demonstrated public disdain for InterNACHI and claimed InterNACHI's requirements for membership are minimal.

Much of Mr. Barnes' criticism of InterNACHI has focused on the fact that InterNACHI allows on-line applications, but in truth ASHI's entrance requirements are minimal and ASHI also allows on-line applications; you may confirm this by applying for ASHI membership yourself at:

<http://www.homeinspector.org/join/application/default.aspx>

Kansas is a rural state, and InterNACHI is proud of the fact that it offers home inspectors in rural areas an opportunity to better themselves by taking on-line courses and participating in on-line forums with other home inspectors. Mr. Barnes, whose business is in Wichita, criticizes InterNACHI because InterNACHI uses technology to make these services available to its members in rural areas.

The appointment of Jeff Barnes to any Board governing home inspections in Kansas would be of great concern to InterNACHI members in Kansas and to other fully qualified home inspectors who do not want to see the new legislation enforced in a discriminatory manner by a man who has clearly demonstrated his own agenda.

Thank you for your consideration.

Sincerely,
THE COHEN LAW GROUP
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Mark Cohen

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MSC:tb