

# MARK COHEN, J.D., LL.M.

*Lawyer*

CONTRACTS, BUSINESS, REAL ESTATE, INTELLECTUAL PROPERTY, AGRICULTURAL LAW, AND RELATED LITIGATION  
PLAIN ENGLISH CONSULTING

---

October 4, 2016

California Real Estate Inspection Association, Inc.  
c/o Jerry Packer, Registered Agent  
906 Glenneyre Street  
Laguna Beach, CA 92651

California Real Estate Inspection Association, Inc.  
c/o Michele Hyson, Executive Director  
65 Enterprise  
Aliso Viejo, CA 92656

RE: InterNACHI v. CREIA

Dear Mr. Packer and Ms. Hyson:

I am the General Counsel for the International Association of Certified Home Inspectors ("InterNACHI"). InterNACHI is a non-profit corporation with tax-exempt status as a trade association under Section 501(c)(3) of the Internal Revenue Code. InterNACHI represents the interests of more than 17,000 home inspectors.

I have attached a printout of several pages from a CREIA website. This website contains several highly questionable statements. InterNACHI is writing to ask that CREIA voluntarily provide certain information to InterNACHI so it can evaluate whether it has any legal claims against CREIA and/or officers or agents of CREIA. The specific statements and requested information are set forth below.

1. The website states, "The vast majority of home inspections done in San Diego County are done by a CREIA home inspector..." I think we can agree that a majority would be anything over fifty percent. It is not clear what a "vast" majority would be, but the average person would interpret it to mean something like 2/3 or 75%. Therefore, InterNACHI asks you to provide all documents showing that the majority or a "vast" majority of inspections done in San Diego County are done CREIA inspectors. InterNACHI assumes CREIA has data that can support this statement. ("Documents" as used in this letter includes emails and electronic documents).

2. The website states, "CREIA and ASHI are the only reputable professional, non-profit, voluntary certification organizations for home inspectors in California." Please provide all documents showing that this is true. We assume that prior to publishing this statement CREIA conducted surveys or polls to determine what organizations are "reputable," and we ask that you

---

START EARLY. WORK HARD. FINISH.®

P.O. Box 974, NEDERLAND, CO 80466

(303) 638-3410

[WWW.COHENSLAW.COM](http://WWW.COHENSLAW.COM)

provide those and any other relevant information. We need to know how many people were questioned, the exact wording of the question, the response rate, and so forth.

3. The website states, "There are individuals out there who claim to be 'Certified' inspectors when they have received some bogus certification through the Internet from disreputable organizations out for a profit." Please provide the name and contact information each such individual and the name and contact information for each such disreputable organization. For each such organization, please provide all evidence that supports the assertion that the organization is "disreputable" or "out for a profit."

4. The website states, "The CREIA and ASHI Standards of Practice are the only standards mentioned in the State Business and Professional Code as the guidelines for home inspectors in the state." Please provide the citation or any provision in the California Business and Professional code that refers to the CREIA and ASHI Standards of Practice." Please identify the person or persons that researched the truth or falsity of this statement before it was published. ("Identify" means to include the name and contact information).

5. Please state when each of the above statements first appeared on the website.

6. Please identify the person or company that hosts the website [www.creia.org](http://www.creia.org).

7. Please identify the person or person that authored each of the statements referred to above.


8. Please identify the person or persons responsible for maintaining CREIA's website.

InterNACHI asks that you provide the requested information to me within seven days. To save time, you may email it to me at [mark@cohenslaw.com](mailto:mark@cohenslaw.com).

Finally, please preserve all records, including emails, relevant to any of these issues. Destruction of potentially relevant evidence could be tortious and/or give rise to an adverse inference.

Thank you for your prompt attention to this matter.

Sincerely,



MARK COHEN

MSC:kjd