

FINAL BILL REPORT

ESSB 6606

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Synopsis as Enacted

Brief Description: Requiring the licensing of home inspectors.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Spanel, Kohl-Welles, Honeyford, Prentice, Murray and Rasmussen).

Senate Committee on Labor, Commerce, Research & Development

House Committee on Commerce & Labor

House Committee on Appropriations

Background: Home inspectors are not required to be registered, certified, or licensed in this state. Many home inspectors are licensed by the Washington State Department of Agriculture (WSDA) to perform structural pest inspections.

In 2007 the Legislature requested the Department of Licensing (DOL) conduct a study of the home inspector profession and recommend whether the profession should be regulated to protect the public as required under the statutes dealing with sunrise reviews. In November 2007 DOL issued its sunrise review report on home inspectors and recommended that the Legislature pursue licensure of the home inspector profession.

Summary: Beginning on September 1, 2009, no person may advertise or hold him or herself out as a home inspector or conduct home inspections without first being licensed by the state DOL. Persons who are currently working as home inspectors have until July 1, 2010, to meet licensing requirements. However, a person who is currently performing home inspections may become licensed by only taking the examination if that person applies to the home inspector advisory licensing board by September 1, 2009, and has worked as a home inspector for two years and conducted at least 100 inspections. The DOL may begin issuing licenses July 1, 2009.

Duties. A home inspector must perform a visual and noninvasive inspection of readily accessible systems and components of a home and report on the general condition of those systems and components at the time of the inspection in the inspector's written report. The inspection must meet the minimum standards of practice developed by the board and must include looking for certain fire and safety hazards.

Licensing Board. A state home inspector advisory licensing board is created consisting of seven members appointed by the Governor. Of the seven members, six must be actively engaged as home inspectors immediately before their appointment to the board; and one must be currently teaching in a home inspector certification program. The composition of the home inspector members must be representative of the geographic distribution of home inspectors in the state. No more than two board members may be members of a particular national home inspector association or organization.

A home inspector must have the following qualifications to be appointed to the board: five years experience as a home inspector in Washington; licensed as a home inspector in this state; and have performed 500 home inspections in this state.

Board members are entitled to compensation for each day spent conducting official business and to travel reimbursement.

Director's Authority. The Director of DOL may adopt rules, fees, and standards of professional conduct, and administer licensing examinations approved by the board. The Director must establish under what circumstances a home inspector license may be suspended or revoked.

Licensing Board's Authority. The board may do the following: establish rules for adoption by the Director; establish minimum qualifications for licensing applicants; approve the method by which exams will be administered; approve exams prepared by other entities to be used by DOL; set the time and place for exams with approval of DOL; and establish and review standards of professional conduct, practice, and ethics for adoption by DOL.

Qualifications for Licensure. To become licensed as a home inspector, an applicant must submit the following to DOL: an application on a form developed by DOL; the appropriate fee; proof of 120 hours of classroom instruction approved by the board; proof of 40 hours of field training; and evidence of successful passage of a written exam.

License Length. Licenses are issued for two years and expire on the applicant's second birthday following issuance of the license.

Advertising. All advertising, correspondence, and documents incidental to a home inspection must display the term "licensed home inspector" and the inspector's license number. However, national or interstate businesses or organizations are not required to include the license number of an inspector in advertising so long as the license number is included in all documents relating to the home inspection.

Continuing Education Requirements. Before a home inspection license will be renewed, the applicant must present satisfactory evidence that he or she has completed 24 hours of instruction every two years in courses approved by the board.

Written Reports. All licensed home inspectors must provide a written report, within a time period established by the board, to each person for whom the inspector performs a home inspection. An inspector may not perform any work on the inspected home, other than a home inspection-related consultation, for one year from the date of the report.

Penalties. DOL may issue civil infractions if a person: conducts a home inspection without being licensed; uses the license of another; gives false evidence to the Director in obtaining a license; falsely impersonates another licensee; or attempts to use an expired or revoked license. The Director may also apply for relief by injunction to restrain a person from the commission of a prohibited act.

Exemptions. Architects and engineers are exempt from the licensing requirements. Also exempt from the licensing requirements are electricians and plumbers licensed by the

Department of Labor and Industries, pesticide operators, structural pest inspectors licensed by the WSDA, and certified real estate appraisers.

Reciprocity. Persons licensed in other states that have licensing requirements that meet or exceed the requirements of this state may become licensed if they pass the Washington portion of the written exam.

Structural Pest Inspector. A person licensed as a home inspector is exempt from licensing as a structural pest inspector except when reporting on the identification of or damage by wood destroying insects.

Votes on Final Passage:

Senate	39	8	
House	93	0	(House amended)
Senate	39	8	(Senate concurred)

Effective: June 12, 2008