

SENATE BILL REPORT

SB 6433

As Reported by Senate Committee On:
Labor, Commerce & Consumer Protection, February 4, 2010

Title: An act relating to home inspector licensing requirements.

Brief Description: Extending the time in which certain experienced home inspectors can apply for licensure without meeting instruction and training requirements.

Sponsors: Senators Honeyford, Parlette, Holmquist and Stevens.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 1/26/10, 2/04/10 [DPS].

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Majority Report: That Substitute Senate Bill No. 6433 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin, Honeyford, King and Kline.

Staff: Kathleen Buchli (786-7488)

Background: Since September 1, 2009, no person may work as a home inspector without first obtaining a home inspector license. In order to become licensed as a home inspector, a person must submit the following to the Department of Licensing (DOL): an application on a form developed by DOL; proof of at least 120 hours of classroom instruction approved by the Home Inspector Advisory Licensing Board (Board); proof of up to 40 hours of field training supervised by a licensed home inspector; evidence that the person has successfully passed a written exam administered by the Department; and the fee set by the Department.

Before September 1, 2009, a home inspector could apply to the Board for licensure without meeting the instruction and training requirements. This applies to home inspectors who were practicing on June 12, 2008, and could demonstrate two years of experience and had performed at least 100 home inspections. Other home inspectors who were practicing on June 12, 2008, have until July 1, 2010, to become licensed.

Summary of Bill (Recommended Substitute): A home inspector who was practicing on June 12, 2008, and can demonstrate two years of experience and the performance of at least

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100 home inspections, has until July 1, 2010, to apply to the Board without meeting the instruction and training requirements.

Experienced home inspectors who enrolled in classes after September 1, 2009, and before the effective date of the act are exempt from the first four years of continuing education requirements. The Board is required to consult with community and technical colleges in Eastern Washington to develop qualified instruction programs in that area. If classes are not approved in Eastern Washington by December 1, 2010, the Board must report to the Legislature why classes have not been approved and identify barriers to providing instruction in Eastern Washington.

EFFECT OF CHANGES MADE BY LABOR, COMMERCE & CONSUMER PROTECTION COMMITTEE (Recommended Substitute): Home inspectors who enrolled in classes after September 1, 2009, and before the effective date of the act are exempt from the first four years of continuing education requirements. The Board is required to consult with community and technical colleges in Eastern Washington to develop qualified instruction programs in that area. If classes are not approved in Eastern Washington by December 1, 2010, the Board must report to the Legislature why classes have not been approved and identify barriers to providing instruction in Eastern Washington.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony on Original Bill: PRO: This bill moves the date for compliance with the home inspector requirements from September 1, 2009, to July 1, 2010. The bill that established the home inspector licensing program did not have a notice requirement. This would support the goals of the law and allow experienced home inspectors the opportunity to take the examination before July 1, 2010. We have extended deadlines in other bills when there is no way to notify the people directly.

CON: Changing the deadline does not apply the law equitably and is not fair to those home inspectors who have complied with law. Some people have missed the deadline and signed up for classes as a result. We don't know how people did not get notice of this. This was a constant topic in home inspector meetings after the bill was passed. We have been working on this issue for three years and we do not know how people could not be aware of it. This bill creates a special class of people; the law was set up so home inspectors could be treated equally. Dozens of people have gone to school, spent their money, and done the responsible thing; this is unfair to them.

Persons Testifying: PRO: Senator Honeyford, prime sponsor.

CON: Michael O'Handley, Your Inspector Inc.; Charles Buell, Bellingham Technical College; Bruce MacKintosh, Home Inspectors Licensing Board.