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AMERICAN SOCIETY OF HOME INSPECTORS
**Position Statement on
REGULATION OF HOME INSPECTORS**

October 2007

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Executive Summary

The American Society of Home Inspectors (ASHI) is the nation's oldest and largest professional association representing the interests of more than 6,000 home inspectors and home inspection as a profession. ASHI has a vital interest in any matters that may affect its members, the profession or the home buying public. Government regulation of home inspectors, or the profession of home inspection, has been an area of increasing concern and activity in recent years.

Prior to 1985, there was no state regulation of home inspectors or home inspection. That changed in 1985 when Texas enacted the first Professional Practice Act regulating home inspection. In 1987, Texas required home inspectors to be registered with the State. In 1991, Texas was first again when a full licensing law for home inspectors was enacted. Since 1991, 32 states (current number) have adopted some form of regulation of the home inspection profession. Regulation varies widely, from laws dictating what is required in a home inspection (i.e., a practice act) to laws requiring home inspectors to be registered, certified or licensed.

Given that 28 states (current number) have enacted laws regulating home inspections in the past 10 years, ASHI leadership recognizes that the remaining states will likely consider the adoption of similar regulatory legislation. This document outlines ASHI's official position on the regulation of the home inspection profession.

ASHI maintains that where regulation is determined to be advisable for the protection of public health, safety or welfare, any laws regulating home inspection should include standards of practice and a code of ethics, and should require proven experience, continuing education and demonstrated knowledge through passage of a psychometrically valid examination. (According to the Encyclopædia Britannica, psychometrics is the systematic use of tests to quantify psychophysical behavior, abilities and problems and to make predictions about psychological performance.) Legislative proposals that do not include these criteria will not adequately protect the consumer and will be opposed by ASHI.

When a need for regulation is recognized, ASHI is dedicated to working with legislators to enact regulation that will clearly protect the interests of consumers and qualified home inspectors. ASHI has successfully worked with state legislators and regulators to draft, pass and implement legislation and will continue to make its resources available to those states considering the regulation of home inspection as one means of protecting the homebuying public.

The ASHI Model Home Inspection Licensing Legislation on page 10 provides the best starting point for national legislative uniformity and consumer protection. The Model reflects standards that have worked well in the marketplace. ASHI encourages state legislators to adopt the ASHI framework as a template for drafting new laws regulating home inspectors and home inspection practices.

Overview of ASHI 2007 Grading of Existing State Laws Regulating Home Inspectors

In October of 2007, the ASHI Legislative Committee evaluated the existing laws of the 32 states (current number) that regulate the home inspection profession. Because programs vary significantly from state to state, a detailed set of criteria was used to review each state's regulation and to determine the positive elements of state regulatory legislation as well as areas that may need improvement.

State ratings were based upon a multi-criteria system. States received points according to the weight or importance ASHI places on different regulation standards. Several of the most important criteria include experience, education, testing requirements, standards of practice and code of ethics, among others.

Following are the ASHI 2007 rankings of state regulations governing the home inspection industry:

- | | |
|--------------------------------|-----------------------------|
| 1. Louisiana | 17. Oklahoma |
| 2. New Jersey | 18. Kentucky |
| 3. Arizona | 19. Alaska/Illinois |
| 4. Texas | 21. Alabama/Oregon/New York |
| 5. Massachusetts | 24. Maryland |
| 6. Connecticut/North Carolina | 25. Nevada |
| 8. Arkansas | 26. Florida |
| 9. Indiana | 27. Pennsylvania |
| 10. Rhode Island/West Virginia | 28. South Carolina |
| 12. South Dakota/Tennessee | 29. Montana |
| 14. Mississippi | 30. North Dakota |
| 15. Virginia | 31. Georgia |
| 16. Wisconsin | 32. California |

Note: Rankings are based upon the overall grading of states with existing laws regulating home inspectors where "1" indicates the best ranking and "32" indicates the poorest ranking. For complete details on grading of state regulations, including evaluation system, criteria and detailed rankings, see pages 19-23.

What is a Home Inspection and What Does it Involve?

A home inspection is an objective examination of the condition of the visible and accessible components of a home. Homebuyers now entering the marketplace view inspections as a way to gain valuable information about one of the most important purchases of their lifetimes. It helps them to determine whether there are any major defects or system inadequacies before they buy.

Home inspectors do not point out every small problem or defect in a home. Minor or cosmetic flaws should be apparent without the aid of a professional. The inspection also should not be confused with an appraisal, a municipal code inspection, or a guarantee of any kind.

The home inspector's observations or recommendations may provide useful home repair and maintenance suggestions. The home inspector's service is primarily one of education. The goal of the inspector is to provide buyers with a better understanding of the physical condition of their prospective homes.

ASHI's Standards of Practice (*see Addendum*), recognized internationally as the benchmark of performance for professional home inspectors, lists the many elements and requirements of a typical pre-purchase home inspection: the heating system; central air conditioning system; interior plumbing and electrical systems; the roof, attic, and visible insulation; walls, ceilings, floors, windows and doors; the foundation, basement, and visible structure.

Following the inspection, a written report is prepared for the client that details the general condition of the home and its components.

A Brief History of ASHI and Its Membership Requirements

The American Society of Home Inspectors, Inc. (ASHI®) is the oldest and largest non-profit professional association of, and for, home inspectors. Since its formation in 1976, ASHI's Standards of Practice have served as the home inspector's performance guideline, universally recognized and accepted by professional and government authorities alike.

ASHI Members are independent professional home inspectors who have met the most rigorous technical and experience requirements in effect today. To become an ASHI Member, an inspector must pass two written tests, including the National Home Inspectors Examination, and have performed a minimum of 250 professional fee-paid inspections conducted in accordance with the ASHI Standards of Practice. Members are also required to follow the Society's Code of Ethics, and to obtain 20 continuing education credits per year to keep current with the latest in building technology, materials and professional skills.

ASHI Members ascribe to a professional Code of Ethics that prohibits them from engaging in activities that may compromise their objectivity. Even the appearance of conflicts of interest is strictly prohibited. A Member will not accept anything of value from those who are involved in the sale of a property other than the fee for services, and ASHI Members may not use an inspection to solicit repair work related to the inspected property. ASHI's Code of Ethics is a consumer's best assurance that the home inspector is working in the best interest of the consumer. In the majority of transactions, the home inspector is the only professional participant whose sole allegiance is to the buyer.

ASHI encourages inspectors to stay current with industry developments by sponsoring technical seminars and workshops each year in cooperation with its 80-plus chapters across the country. ASHI also serves the public interest by providing accurate and helpful consumer information. ASHI provides information to government entities about the Society, its Standards of Practice and Code of Ethics, the home inspection profession and practice, and answers questions relating to consumer protection and safety. ASHI responds to requests for information and assistance from states considering regulation and from federal housing organizations. ASHI resources such as model legislation, statistics, and its official position statement are openly shared.

Policy: ASHI Position on Regulation of Home Inspectors

The American Society of Home Inspectors, Inc. (ASHI®) is the leader and national voice of the home inspection profession. It is ASHI's policy to influence any legislation or regulation intended to affect the profession, housing consumer interests, publicly financed homeownership programs, or other related programs.

ASHI strongly recommends that any proposed governmental regulation of home inspectors be subject to rigorous "sunrise review" by a neutral public agency to determine the need, costs, benefits, and alternatives to the proposed regulations.

ASHI will oppose governmental actions that would work to the detriment of the profession and/or the home buying consumer.

ASHI insists that any legislation that seeks to institute regulation of the home inspection profession require, at a minimum, passage of a psychometrically valid and defensible technical examination, proven experience, continuing education, and adherence to professional standards of practice and code of ethics. ASHI will oppose regulations that do not include these essential requirements.

ASHI Policy Statements Outlining the Critical Elements in Home Inspector Regulation

STANDARDS OF PRACTICE

Legislation must include clearly defined standards of practice that inform the public of the systems and components that are to be inspected. The standards should also point out the limitations of the inspection by identifying any systems and components that are not to be inspected. Standards of practice are essential to any regulation that purports to protect the consumer.

The ASHI Standards of Practice have evolved over a period of 31 years and are the most widely accepted professional standards. The Standards are reviewed every two years to ensure that they are reflective of changes in the building industry and home buying process. Following these Standards is a mandatory requirement for ASHI Members. Any jurisdiction may adopt in full the ASHI Standards of Practice, and is encouraged to do so. Many states have incorporated the ASHI Standards of Practice into their home inspection regulations. States that adopt the ASHI Standards are asked to provide acknowledgment credit to ASHI. For the ASHI Standards of Practice, please see Addendum.

Homebuyers and inspectors must have an understanding of the scope of inspection services and the limitations of specific inspections. Misunderstandings are avoided when the parties understand and follow through with their contractual responsibilities. ASHI recommends that a negotiated pre-inspection agreement be signed prior to every inspection.

CODE OF ETHICS

Government regulations must include ethical standards. The public must be assured that the inspector is independent and has no hidden alliances or conflicts of interest. Professional ethics are critical for the home inspection profession. Adherence to a code of ethics will protect both the public and the inspector from outside influences.

ASHI's Code of Ethics is intended to ensure that consumers are treated in a fair, impartial and professional manner. Members are required to abide by this Code of Ethics. Any jurisdiction may adopt in full the ASHI Code of Ethics and is encouraged to do so. States that adopt the Code are asked to provide acknowledgement credit to ASHI. For the ASHI Code of Ethics, please see Addendum.

REPORTING STANDARDS

A written report must be a requirement of any home inspection. The report should address all of the items that are required by the Standards of Practice. The report format may be a narrative, a checklist or a combination of the two. State mandated report forms, however, would adversely affect the consumer and the home inspector. A mandated report form restricts the amount and type of information that can be delivered to a consumer and,

therefore, can be a disservice to those deciding whether or not to purchase a property. Mandated forms also harm home inspectors who can differentiate themselves from competitors by the characteristics of their report. Finally, nationwide home inspection companies use forms that are appropriate for multiple states, exacerbating the limitations of mandated forms.

EXPERIENCE

The consumer must be assured that an inspector is experienced in inspecting homes. Training in observing and identifying defects in a building's systems and components under the guidance and supervision of experienced inspectors is a proven method of learning to perform inspections. Training inspections should include supervised training in inspection standards, procedures and report writing. The number of required onsite supervised training inspections should be sufficient to expose the applicant to a variety of properties and a variety of conditions. A minimum of 50 training inspections is recommended.

(One of the requirements for full membership in ASHI is performance of a minimum of 250 professional fee-paid inspections conducted in accordance with the ASHI Standards of Practice).

EDUCATION

The general or basic formal education requirement for any individual desiring to enter the home inspection profession should be a high school diploma or its equivalent.

To ensure that home inspectors are knowledgeable, additional education must be an essential requirement of any regulation. A minimum of 80 hours of education should be required. The education may include classroom, distance education and field training. In 1998, ASHI conducted a national study to identify the specific body of knowledge required to perform a competent home inspection. In 2003, the Examination Board of Professional Home Inspectors (EBPHI) conducted a second national study to revisit the body of knowledge. Individuals performing home inspections must demonstrate knowledge of each component and system of the home. Education must include training in observing and identifying defects in structural components; foundations; roof coverings; insulation and ventilation; exterior and interior components; and plumbing, heating, cooling and electrical systems. Education should also include instruction in any state-specific requirements and business management.

The body of knowledge and professional training curriculum that covers this knowledge is available to all regulatory bodies.

CONTINUING EDUCATION

The homebuilding industry is constantly evolving as new materials and techniques are introduced. Home inspectors must be aware of these changes. Mandatory continuing education assures consumers that inspectors are staying current. ASHI requires 20 hours of continuing education credits per year to maintain Membership and recommends continuing education be a part of any regulation of the profession.

TESTING

A valid and reliable public protection examination is central to meaningful regulation and credentialing. An examination requirement assures the state and the public that licensed individuals have met a level of competence, knowledge and practice sufficient to protect consumers. While it is not advisable to specifically name an examination in legislation, ASHI strongly supports language that calls for the highest level of public protection testing.

In order to be effective in public protection, such an examination must meet accepted standards for development, maintenance and administration. The test must be valid, i.e. it measures what it is supposed to measure; reliable, i.e. it indexes how accurately the test measures a candidate's skills; and legally defensible for the state. The scientific methodology applied to generate such an examination is called "psychometrics."

An examination that is valid, reliable and defensible is developed pursuant to accepted psychometric standards promulgated by the American Education Research Association (AERA), the American Psychological Association (APA) and the National Council on Measurement in Education (NCME). Together, these three organizations jointly publish "Standards for Educational and Psychological Testing." Other organizations promulgate similar standards, including the National Commission for Certifying Agencies (NCCA) and the Council on Licensing, Enforcement And Regulation (CLEAR).

Among other matters, these accepted standards call for an examination developed and administered by an independent body; based on a formal role delineation study to determine the knowledge domains, skills and tasks required for adequate practice of the profession; and continuous monitoring and maintenance of the examination. These standards should be referenced in legislation to ensure that any test adopted by the state to regulate home inspectors is valid, reliable, legally defensible and is focused on public protection.

The examination must be administered and proctored by an approved and recognized testing organization at a physical location to ensure both the security and integrity of the examination.

FINANCIAL ASSURANCE AND LIABILITY

The consumer has a right to expect the home inspector to be financially solvent and the inspector should be required to provide financial assurance comparable to that which is required of similar license holders, such as brokers, appraisers, engineers, etc., in each state. A home inspector should be able to limit his/her liability by mutual agreement with the client.

RECIPROCITY

Different states regulate the home inspection profession in different ways: licensing, registration, certification and/or practice acts. Home inspectors from jurisdictions with similar general requirements for education and experience who have passed the National Home Inspector Examination or another psychometrically valid exam should be allowed to inspect homes in other areas of the country, provided all other requirements of the state law are met by the nonresident inspector.

ASHI Model Home Inspector Licensing Legislation

This model details the essential elements for licensing and provides for the creation of an appointed governing body, or board, to administer the law. ***ASHI encourages state legislators to adopt this model as a template for drafting new laws regulating home inspectors and home inspection practices.*** The governing body should have no inherent interest in the regulation of home inspectors. For instance, the governing body should not be associated with a board governing related professions such as builders, contractors or those who sell real estate.

Professional Licensing Act Model Bill

Intent

It is the intent of this act to require the regulation of home inspectors and to assure that consumers of home inspection services can rely on the competence of home inspectors, as determined by educational and experience requirements and testing. In order to protect consumers, the act defines home inspection, outlines the criteria to be licensed as a home inspector, outlines what must be included in a home inspection, defines unethical conduct by home inspectors and creates penalties for prohibited acts.

Definitions of Home Inspection Industry Terms

Home Inspection: A visual analysis for the purposes of providing a professional opinion of the condition of a building and its carports and garages, any reasonably accessible installed components and the operation of the building systems, including the controls normally operated by the owner, for the following components of a residential building of four units or fewer: heating system, electrical system, cooling system, plumbing system, structural components, foundation, roof covering, exterior and interior components and site aspects as they affect the building.

Home Inspector: Any person who is credentialed pursuant to this act as a home inspector and who engages in the business of performing home inspections and writing home inspection reports.

Home Inspection Report: A written report prepared for compensation and issued after a home inspection. The inspector shall report:

- On those systems and components inspected which, in the professional opinion of the inspector, are significantly deficient or are near the end of their service lives.
- A reason why, if not self-evident, the system or component is significantly deficient or near the end of its service life.
- The inspector's recommendations to correct or monitor the reported deficiency.
- Any systems and components designated for inspection in the Standards of Practice which were present at the time of the inspection but were not inspected, and a reason they were not inspected.

Board: The governing body regulating home inspectors.

Client: Any person who engages, or seeks to engage, the services of a home inspector for the purpose of obtaining inspection of, and a written report upon, the condition of a residential building.

Compensation: Direct or indirect payment, including the expectation of payment whether or not actually received.

Component: A readily accessible and observable aspect of a system, such as a floor or wall, but not individual pieces such as boards or nails where many similar pieces make up a system.

Readily Accessible: Available for visual inspection without requiring moving of personal property, dismantling, destructive measures, or any action that likely will involve risk to persons or property.

Residential Building: A structure consisting of from one to four family dwelling units.

Significantly Deficient: A system or component that is unsafe or not functioning.

System: A combination of interactive or interdependent components assembled to carry out one or more functions.

Technically Exhaustive: An investigation that involves dismantling, the extensive use of advanced techniques, measurements, instruments, testing, calculations or other means.

Board/Governing Body

The creation of a Home Inspector Licensing Board shall be based upon the following:

The Board shall consist of seven members, comprised of five licensed and practicing home inspectors, and two representatives of the general public.

The home inspector members that are initially appointed to the board shall have been actively engaged in the practice of home inspection for at least five years immediately preceding their appointment, have performed a minimum of 500 home inspections for compensation and demonstrate that they have passed an examination administered by a national examination organization that complies with the standards established by the National Commission of Certifying Agencies.

Powers and Duties of the Board: The Board shall have the following powers and duties:

1. Administer and enforce the provisions of this Act.
2. Issue and renew licenses to home inspectors pursuant to the provisions of this Act.
3. Suspend, revoke or fail to renew the license of a home inspector.
4. Establish standards for the initial and continuing education of home inspectors.
5. Adopt and publish a code of ethics and standards of practice for licensed home inspectors.
6. Prescribe or change the fees charged for examinations, licenses, renewals and other services.
7. Establish rules for acquiring the training and experience requirements of home inspectors.

License Criteria

No person shall provide, nor present, call or represent himself as able to provide a home inspection for compensation unless licensed in accordance with the provisions of this Act.

No business entity may provide home inspection services unless each of the home inspectors employed by the business entity is licensed in accordance with the provisions of this Act.

No business entity may use, in connection with the name or signature of the business entity, the title "home inspector" to describe the business entity's services, unless each of the home inspectors employed by the business entity is licensed in accordance with the provisions of this Act.

To be eligible for a license as a home inspector, an applicant shall fulfill the following requirements:

1. Be of good moral character.
2. Have successfully completed high school or its equivalent.
3. Have completed a course of study of no less than 80 hours that covers all of the following components of a residential building of four units or less: heating system, cooling system, plumbing system, electrical system, structural components, foundation, roof covering, exterior and interior components and site aspects as they affect the building.
4. Have acquired the required training and experience requirements as established by the Board.
5. Have passed a valid, reliable examination designed to test competence in home inspection practice, developed pursuant to accepted psychometric standards promulgated by the American Educational Research Association's "Standards for Educational and Psychological Testing;" the Equal Employment Opportunity Commission's "Uniform Guidelines for Employee Selection Procedures;" the Civil Rights Act of 1991; the Americans with Disabilities Act of 1990; and similar applicable standards. The examination may have been passed before the effective date of this Act.

Grandfather Clause

For the first year after enactment, to be eligible for a license as a home inspector, an applicant shall fulfill the following requirements:

1. Be of good moral character.
2. Have successfully completed high school or its equivalent.
3. Have been engaged in the practice of home inspection for compensation for not fewer than three years prior to the effective date of this Act.
4. Have performed not fewer than 250 home inspections for compensation.
5. Have passed a valid, reliable examination designed to test competence in home inspection practice, developed pursuant to accepted psychometric standards promulgated by the American Educational Research Association's "Standards for Educational and Psychological Testing;" the Equal Employment Opportunity Commission's "Uniform Guidelines for Employee Selection Procedures;" the Civil Rights Act of 1991; the Americans with Disabilities Act of 1990; and similar applicable standards. The examination may have been passed before the effective date of this Act.

Continuing Education Requirements

A licensed home inspector must complete at least 20 hours of board approved continuing education during each calendar year in order to maintain his or her license.

General Standards of Practice

Inspectors shall inspect readily accessible installed systems and components of residential buildings and provide a written report within a reasonable time period.

These Standards do not limit inspectors from:

1. Including other inspection services, systems or components in addition to those required.
2. Specifying repairs, provided the inspector is appropriately qualified and willing to do so.
3. Excluding systems and components from the inspection if requested by the client.

General Limitations

Inspections performed in accordance with these Standards of Practice:

1. Are not technically exhaustive.
2. Will not identify concealed conditions or latent defects.

General Exclusions

The inspector is not required to perform any action or make any determination unless specifically stated in the Standards of Practice, except as may be required by lawful authority.

Inspectors are NOT required to determine:

1. The condition of systems or components which are not readily accessible.
2. The remaining life of any system or component.
3. The strength, adequacy, effectiveness or efficiency of any system or component.
4. The causes of any condition or deficiency.
5. The methods, materials or costs of corrections.
6. Future conditions including, but not limited to, failure of systems and components.
7. The suitability of the property for any specialized use.
8. Compliance with regulatory requirements (codes, regulations, laws, ordinances, etc.).
9. The market value of the property or its marketability.
10. The advisability of the purchase of the property.
11. The presence of potentially hazardous plants or animals including, but not limited

to, wood destroying organisms or diseases harmful to humans.

12. The presence of any environmental hazards including, but not limited to, toxins, carcinogens, noise, and contaminants in soil, water and air.
13. The effectiveness of any system installed or methods utilized to control or remove suspected hazardous substances.
14. The operating costs of systems or components.
15. The acoustical properties of any system or component.

Inspectors are NOT required to offer:

1. Or perform any act or service contrary to law.
2. Or perform engineering or architectural services.
3. Or perform work in any trade or any professional service other than home inspection.
4. Warranties or guarantees of any kind.

Inspectors are NOT required to operate:

1. Any system or component that is shut down or otherwise inoperable.
2. Any system or component that does not respond to normal operating controls.
3. Shut-off valves.

Inspectors are NOT required to enter:

1. Any area that will, in the opinion of the inspector, likely be dangerous to the inspector or other persons or damage the property or its systems or components.
2. The under-floor crawl spaces or attics that are not readily accessible.

Inspectors are NOT required to inspect:

1. Underground items including, but not limited to, underground storage tanks or other underground indications of their presence, whether abandoned or active.
2. Systems or components that are not installed.
3. Decorative items.
4. Systems or components located in areas that are not entered in accordance with these Standards of Practice.
5. Detached structures other than garages and carports.
6. Common elements or common areas in multi-unit housing, such as condominium properties or cooperative housing.

Inspectors are NOT required to:

1. Perform any procedure or operation that will, in the opinion of the inspector, likely be dangerous to the inspector or other persons or damage the property or its systems or components.
2. Move suspended ceiling tiles, personal property, furniture, equipment, plants, soil, snow, ice or debris.
3. Dismantle any system or component, except as explicitly required by the Standards of Practice.

Reciprocity

Upon payment to the Board of a fee and the submission of a written application form provided by the Board, the Board shall issue a home inspector license to any person who holds a valid license, certificate, or registration issued by another state or possession of the United States or the District of Columbia that has standards substantially equivalent to, or exceeding, those of this State, as determined by the Board.

Fees

The Board shall by rule or regulation establish, prescribe, or change the fees for licenses, renewals of licenses, or other services provided by the Board pursuant to the provisions of this Act.

The licensing fee shall be charged to all applicants and renewals in an amount not to exceed that which is sufficient to defray administrative costs to the state. Any licensing fee shall be comparable to that charged to other professions.

Persons not required to be licensed

This law applies to anyone performing a home inspection as outlined or defined by this Act.

Nothing in this Act prevents:

1. A person who is employed by a governmental entity from inspecting residential buildings if the inspection is within official duties and responsibilities.
2. A person from performing a home inspection if the inspection will be used solely by a bank, savings and loan association or credit union to monitor progress on the construction of a residential structure.
3. A person who is employed as a property manager for a residential structure and whose official duties and responsibilities include inspecting the residential structure from performing an inspection on the structure if the person does not receive separate compensation for the inspection work.
4. A person who is regulated in another profession from acting within the scope of that person's license, registration or certification.

Prohibited Acts

The Board may make investigations or conduct hearings to determine whether a violation of this Act has occurred.

The Board may refuse to grant or may suspend or revoke a home inspector license upon proof to the satisfaction of the Board that the holder has participated in unfair business practice.

It is an unfair business practice for a home inspector, a company that employs the inspector, or a company that is controlled by a company that also has a financial interest in a company employing a home inspector, to do any of the following:

1. To perform or offer to perform, for an additional fee, any repairs to a structure on which the inspector, or the inspector's company, has prepared a home inspection report in the past 12 months. Exception: a home protection company that is affiliated with or that retains a home inspector does not violate this section if it performs repairs pursuant to a claim made under a home protection contract.
2. Inspect for a fee any property in which the inspector, or the inspector's company, has any financial interest or any interest in the transfer of the property.
3. To offer or deliver any compensation, inducement or reward to the owner of the inspected property, the broker or agent, for the referral of any business to the inspector or the inspection company.
4. Accept an engagement to make an inspection or to prepare a report in which the inspection itself, or the fee payable for the inspection, is contingent upon either the conclusions in the report, pre-established findings, or the close of escrow.

Registry of Complaints

In lieu of proceeding with an investigation, the Board may place, in a registry, a copy of a complaint received by the Board against a licensed home inspector, the inspector's response to the complaint, and a copy of any records of the Board concerning the complaint.

1. The Board shall provide the inspector with a copy of the complaint no later than 30 days after the date on which the Board receives a complaint alleging that a home inspector has engaged in conduct that is grounds for discipline.
2. After receiving a copy of the complaint, the home inspector may place in the registry a statement describing the inspector's view of the correctness or relevance of any of the information contained in the complaint.
3. The Board shall make the complaint and the home inspector's response to the complaint available to the public.
4. The Board shall remove all complaints against and other information concerning a home inspector from the registry if, for a period of (two) 2 years from the date of the most recent complaint filed in the registry, no further complaints have been filed against the inspector.
5. Unworthy or frivolous complaints shall be discarded and shall not be retained.

Liability of Home Inspectors

1. An action to recover damages for any act or omission of a home inspector relating to a home inspection that he or she conducts can only be commenced within one (1) year after the date that a home inspection is completed.
2. Only a client and no other party shall have an action to recover damages arising from a home inspection or a home inspection report.

Penalties

The Board may, as a condition of removing a limitation on a license or of reinstating a license that has been suspended or revoked, do any of the following:

1. Require the home inspector to obtain insurance against loss, expense and liability resulting from errors and omissions or neglect in the performance of services as a home inspector.
2. Require the home inspector to file with the Board a bond that is furnished by a company authorized to do business in this State and is in the amount approved by the Board.

Evaluation/Grading of Existing State Laws Regulating Home Inspectors

NOTE: In October of 2007, the ASHI Legislative Committee (LGC) evaluated the existing state laws regulating home inspectors or home inspections and used the following system for evaluating and ranking the laws. The LGC feels that this Position Statement, including the evaluation of laws, is a living document because statutes and rules are constantly changing and evolving and new bills are introduced every legislative session in the 50 states. Therefore, this Position Statement will be edited each year to reflect changes and it is possible that a state's grade and ranking could change.

In 2006 the LGC decided to include "none or unenforceable" to explain why a provision might be Bad. If a provision is unenforceable it may be worse than no provision, as it may give false comfort to the public. This may affect a state's grade. An unenforceable provision shall be identified as ** in the report cards.

System for Evaluating Laws Regulating Home Inspectors

Procedure:

1. Review a state's law, rule or any other regulation of Home Inspectors for each of the provisions listed on the following page.
2. Rate if the law is Good (3), Acceptable (2), Poor (1) or Bad (0) (none or unenforceable) for each provision.
3. Multiply rating by the weight for each component.
4. Add up the numbers resulting from the multiplication. This total score reflects the overall quality of the regulation/law. This number can be compared to the total score derived after reviews of other states' laws.
5. Rank each state's law based on the Total Score received by each State. The highest score indicates the best law regulating home inspectors (the highest possible Total Score is 123).

Rating Criteria/Provisions of a Law

EDUCATION

Does the regulation include education of no less than 80 hours?

Does the education include all of the components reflected in the developed body of knowledge?

5 points

EXPERIENCE

Does the regulation include a minimum of 25 to 100 training inspections?

Does any grandfathering provision include a minimum of 250 fee-paid inspections?

5 points

EXAMINATION

Is an examination required?

Is a psychometrically valid exam required?

Does the regulation require everyone to pass the exam?

5 points

STANDARDS OF PRACTICE

Are the Standards substantially consistent with ASHI's?

Does the regulation describe what must be inspected?

Does the regulation describe what does NOT need to be inspected?

5 points

PROHIBITED ACTS

Is the Code of Ethics substantially consistent with ASHI's?

5 points

DEFINITION OF HOME INSPECTOR AND DEFINITION OF HOME INSPECTION

Does the regulation reflect ASHI's definition of the profession and the professional?

3 points

GOVERNING BOARD

Who is on the Board? Home inspectors and consumers, or others?

What is the Board's relationship to other Board's regulating professions?

(Is the Home Inspector Board an offshoot of the Builders or Real Estate Board?)

3 points

CONTINUING EDUCATION REQUIREMENT

Is continuing education required?

Is the requirement no fewer than 20 hours annually?

3 points

LIABILITY

Does the regulation have reasonable protections for the consumer and the home inspector?

3 points

EXEMPTIONS

Do exemptions only apply to individuals practicing their profession?

1 point

REPORTING REQUIREMENTS

Is a written report required?

1 point

RECIPROCITY

Does the regulation allow those licensed in other states to practice?

1 point

PENALTIES

Are the penalties reasonable?

Do the penalties in this regulation match those for other related professions?

1 point

Note: According to the ranking criteria, the highest possible score is 123 points.

ASHI 2007 Grading of Existing State Laws Regulating Home Inspectors

	<i>Education</i>	<i>Experience</i>	<i>Examination</i>	<i>Standards of Practice</i>	<i>Prohibited Acts</i>	<i>Definitions</i>	<i>Governing Board</i>	<i>Continuing Education</i>	<i>Liability</i>	<i>Exemptions</i>	<i>Reporting Requirements</i>	<i>Reciprocity</i>	<i>Penalties</i>	<i>Total</i>
Louisiana	15	5	15	15	15	9	9	9	9	3	3	3	3	113
New Jersey	15	5	15	15	15	9	6	9	9	3	3	3	3	110
Arizona	15	15	15	15	15	9	6	0	6	3	3	2	3	107
Texas	15	15	15	15	15	9	0	3	6	3	3	2	3	104
Massachusetts	0	15	15	15	15	9	9	3	9	3	3	3	3	102
Connecticut	5	15	10	15	15	9	6	9	0	3	3	3	3	96
North Carolina	0	15	15	15	15	9	6	3	6	3	3	3	3	96
Arkansas	15	0	15	15	15	9	9	3	3	3	3	2	3	95
Indiana	5	5	15	15	15	9	9	3	6	3	3	3	3	94
Rhode Island	0	15	15	15	15	9	3	3	6	3	3	3	3	93
West Virginia	10	5	15	15	15	9	0	6	6	3	3	3	3	93
South Dakota	5	10	15	15	15	9	3	3	0	3	3	3	3	87
Tennessee	15	0	15	15	15	9	6	3	3	0	3	0	3	87
Mississippi	5	0	15	15	15	9	3	3	9	3	3	3	3	86
Virginia	5	15	15	5	15	9	3	0	3	3	3	3	3	82
Wisconsin	0	0	15	15	15	9	0	9	3	3	3	3	3	78
Oklahoma	5	0	15	15	15	9	6	3	0	3	3	0	3	77
Kentucky	5	5	10	15	0	9	6	3	9	3	3	3	3	74
Alaska	0	0	10	15	15	9	3	3	6	3	3	0	3	70
Illinois	5	5	15	5	10	9	6	3	0	3	3	3	3	70
Alabama	0	0	15	15	15	9	3	0	6	0	3	0	3	69
Oregon	5	5	5	15	15	9	3	3	0	3	3	0	3	69
New York	10	5	5	*	15	9	6	3	6	1	3	3	3	69
Maryland	5	0	0	15	15	9	3	0	9	3	3	3	3	68
Nevada	5	0	10	5	15	6	3	3	6	3	3	0	2	61
Florida	15	0	5	0	10	6	0	3	3	3	3	2	3	53
Pennsylvania	0	**	5	5	10	9	0	6	9	3	3	0	2	52
South Carolina	0	0	5	0	5	0	9	0	0	3	3	0	3	28
Montana	0	0	0		10	9	0	0	0	3	3	0	1	26
North Dakota	0	0	5	0	0	9	3	0	3	3	0	0	1	24
Georgia	0	0	0	0	0	9	0	0	0	0	3	0	0	12
California	0	0	0	0	**	**	0	0	3	3	3	0	0	9

* Used in lieu of a rating for legislation that refers to rules/regulations that are pending.

** Used to indicate a criterion/provision is unenforceable.

ASHI 2007 Grading of Existing State Laws Regulating Home Inspectors

Grading According to Five Most Heavily Weighted Criteria

Education		Experience		Examination		Standards of Practice		Prohibited Acts	
Arizona	15	Arizona	15	Alabama	15	Alabama	15	Alabama	15
Arkansas	15	Connecticut	15	Arizona	15	Alaska	15	Alaska	15
Florida	15	Massachusetts	15	Arkansas	15	Arizona	15	Arizona	15
Louisiana	15	North Carolina	15	Illinois	15	Arkansas	15	Arkansas	15
New Jersey	15	Rhode Island	15	Indiana	15	Connecticut	15	Connecticut	15
Tennessee	15	Texas	15	Louisiana	15	Indiana	15	Indiana	15
Texas	15	Virginia	15	Massachusetts	15	Kentucky	15	Louisiana	15
New York	10	South Dakota	10	Mississippi	15	Louisiana	15	Maryland	15
West Virginia	10	Illinois	5	New Jersey	15	Maryland	15	Massachusetts	15
Connecticut	5	Indiana	5	North Carolina	15	Massachusetts	15	Mississippi	15
Illinois	5	Kentucky	5	Oklahoma	15	Mississippi	15	New Jersey	15
Indiana	5	Louisiana	5	Rhode Island	15	New Jersey	15	North Carolina	15
Kentucky	5	New Jersey	5	South Dakota	15	North Carolina	15	Nevada	15
Maryland	5	New York	5	Tennessee	15	Oklahoma	15	New York	15
Mississippi	5	Oregon	5	Texas	15	Oregon	15	Oklahoma	15
Nevada	5	West Virginia	5	Virginia	15	Rhode Island	15	Oregon	15
Oklahoma	5	Alabama	0	West Virginia	15	South Dakota	15	Rhode Island	15
Oregon	5	Alaska	0	Wisconsin	15	Tennessee	15	South Dakota	15
South Dakota	5	Arkansas	0	Alaska	10	Texas	15	Tennessee	15
Virginia	5	California	0	Connecticut	10	West Virginia	15	Texas	15
Alabama	0	Florida	0	Kentucky	10	Wisconsin	15	Virginia	15
Alaska	0	Georgia	0	Nevada	10	Illinois	5	West Virginia	15
California	0	Maryland	0	Florida	5	Nevada	5	Wisconsin	15
Georgia	0	Mississippi	0	New York	5	Pennsylvania	5	Florida	10
Massachusetts	0	Montana	0	North Dakota	5	Virginia	5	Illinois	10
Montana	0	Nevada	0	Oregon	5	California	0	Montana	10
North Carolina	0	North Dakota	0	Pennsylvania	5	Florida	0	Pennsylvania	10
North Dakota	0	Oklahoma	0	California	0	Georgia	0	South Carolina	5
Pennsylvania	0	South Carolina	0	Georgia	0	Montana	0	Georgia	0
Rhode Island	0	Tennessee	0	Maryland	0	North Dakota	0	Kentucky	0
South Carolina	0	Wisconsin	0	Montana	0	South Carolina	0	North Dakota	0
Wisconsin	0	Pennsylvania	**	South Carolina	0	New York	*	California	**

* Used in lieu of a rating for legislation that refers to rules/regulations that are pending.

** Used to indicate a criterion/provision is unenforceable.

States Without Home Inspection Regulation				
Colorado	Iowa	Minnesota	New Mexico	Washington
Delaware	Kansas	Missouri	Ohio	Wyoming
Hawaii	Maine	Nebraska	Utah	
Idaho	Michigan	New Hampshire	Vermont	

Conclusion

ASHI is dedicated to the protection of the homebuying public, home inspectors and the home inspector profession. ASHI's position regarding the regulation of home inspectors is to support regulation when it includes the requirements outlined in this document. Inclusion of these provisions provides protection to the consumer and to the home inspector. ASHI will work to change or, if necessary, stop legislation that does not contain the minimum requirements.

ASHI will act to influence any legislation or regulation intended to affect the home inspection profession. ASHI has resources available to its membership; unaffiliated home inspectors; state and local governments; and consumers. In addition to this document, ASHI has a Legislative Committee and professional staff who will respond to requests for information and will review any proposed legislation that has been introduced in any state.

ASHI Members are located in all 50 states and have worked closely with state and local governments to enhance the integrity of the home buying process. Home inspectors are the only professionals who solely represent the homebuyer's interest in this very important transaction. The ASHI Model Legislation provides the best starting point for uniformity and consumer protection. The Model reflects standards that have worked well in the marketplace. ASHI encourages state legislators to adopt the ASHI framework as a template for drafting new laws regulating home inspectors and home inspection practices.

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The Standards of Practice and Code of Ethics of
THE AMERICAN SOCIETY OF HOME INSPECTORS®



www.ashi.org

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HOME INSPECTION

Home inspections were being performed in the mid 1950s, and by the early 1970s were considered by many consumers to be essential to the real estate transaction. The escalating demand was due to a growing desire by homebuyers to learn about the condition of a house prior to purchase. Meeting the expectations of consumers required a unique discipline, distinct from construction, engineering, architecture, or municipal building inspection. As such, home inspection requires its own set of professional guidelines and qualifications. The American Society of Home Inspectors (ASHI) formed in 1976 and established the ASHI Standards of Practice and Code of Ethics to help buyers and sellers make real estate transaction decisions based on accurate, objective information.

American Society of Home Inspectors

As the oldest, largest and highest profile organization of home inspectors in North America, ASHI takes pride in its position of leadership. Its Membership works to build public awareness of home inspection and to enhance the technical and ethical performance of home inspectors.

Standards of Practice

The ASHI Standards of Practice guide home inspectors in the performance of their inspections. Subject to regular review, the Standards of Practice reflect information gained through surveys of conditions in the field and of the consumers’ interests and concerns. Vigilance has elevated ASHI’s Standards of Practice so that today they are the most widely-accepted home inspection guidelines in use and are recognized by many government and professional groups as the definitive standard for professional performance.

Code of Ethics

ASHI’s Code of Ethics stresses the home inspector’s responsibility to report the results of the inspection in a strictly fair, impartial, and professional manner, avoiding conflicts of interest.

ASHI Membership

Selecting the right home inspector can be as important as finding the right home. ASHI Members have performed no fewer than 250 fee-paid inspections in accordance with the ASHI Standards of Practice. They have passed written examinations testing their knowledge of residential construction, defect recognition, inspection techniques, and report-writing, as well as ASHI’s Standards of Practice and Code of Ethics. Membership in the American Society of Home Inspectors is well-earned and maintained only through meeting requirements for continuing education.

Find local ASHI Members by calling 1-800-743-2744 or visiting the ASHI Web site at www.ashi.org.

ASHI STANDARDS OF PRACTICE

1. INTRODUCTION

The American Society of Home Inspectors®, Inc. (ASHI®) is a not-for-profit professional society established in 1976. Membership in ASHI is voluntary and its members are private home *inspectors*. ASHI's objectives include promotion of excellence within the profession and continual improvement of its members' inspection services to the public.

2. PURPOSE AND SCOPE

2.1 The purpose of the Standards of Practice is to establish a minimum and uniform standard for home *inspectors* who subscribe to these Standards of Practice. *Home inspections* performed to these Standards of Practice are intended to provide the client with objective information regarding the condition of the *systems* and *components* of the home as *inspected* at the time of the *home inspection*. Redundancy in the description of the requirements, limitations, and exclusions regarding the scope of the *home inspection* is provided for emphasis only.

2.2 **Inspectors shall:**

- A.** adhere to the Code of Ethics of the American Society of Home Inspectors.
- B.** *inspect readily accessible*, visually observable, *installed systems* and *components* listed in these Standards of Practice.
- C. report:**
 1. those *systems* and *components inspected* that, in the professional judgment of the *inspector*, are not functioning properly, significantly deficient, *unsafe*, or are near the end of their service lives.
 2. recommendations to correct, or monitor for future correction, the deficiencies *reported* in 2.2.C.1, or items needing *further evaluation*. (Per Exclusion 13.2.A.5 *inspectors* are NOT required to determine methods, materials, or costs of corrections.)
 3. reasoning or explanation as to the nature of the deficiencies *reported* in 2.2.C.1, that are not self-evident.
 4. *systems* and *components* designated for inspection in these Standards of Practice that were present at the time of the *home inspection* but were not *inspected* and the reason(s) they were not *inspected*.

2.3 **These Standards of Practice are not intended to limit inspectors from:**

- A.** including other inspection services or *systems* and *components* in addition to those required in Section 2.2.B.

- B.** designing or specifying repairs, provided the *inspector* is appropriately qualified and willing to do so.
- C.** excluding *systems* and *components* from the inspection if requested by the client.

3. STRUCTURAL COMPONENTS

3.1 **The inspector shall:**

- A. inspect:**
 1. *structural components* including the foundation and framing.
 2. by probing a *representative number of structural components* where deterioration is suspected or where clear indications of possible deterioration exist. Probing is NOT required when probing would damage any finished surface or where no deterioration is visible or presumed to exist.
- B. describe:**
 1. the methods used to *inspect under-floor crawl spaces* and attics.
 2. the foundation.
 3. the floor structure.
 4. the wall structure.
 5. the ceiling structure.
 6. the roof structure.

3.2 **The inspector is NOT required to:**

- A.** provide any *engineering* or architectural services or analysis.
- B.** offer an opinion as to the adequacy of any *structural system* or *component*.

4. EXTERIOR

4.1 **The inspector shall:**

- A. inspect:**
 1. *siding*, flashing and trim.
 2. all exterior doors.
 3. attached or adjacent decks, balconies, stoops, steps, porches, and their associated railings.
 4. eaves, soffits, and fascias where accessible from the ground level.
 5. vegetation, grading, surface drainage, and retaining walls that are likely to adversely affect the building.
 6. adjacent or entryway walkways, patios, and driveways.
- B. describe:**
 1. *siding*.

EXTERIOR 4.2, Continued

- 4.2 The inspector is NOT required to inspect:**
- A. screening, shutters, awnings, and similar seasonal accessories.
 - B. fences.
 - C. geological and/or soil conditions.
 - D. recreational facilities.
 - E. outbuildings other than garages and carports.
 - F. seawalls, break-walls, and docks.
 - G. erosion control and earth stabilization measures.

5. ROOFING

- 5.1 The inspector shall:**
- A. inspect:
 1. roofing materials.
 2. roof drainage systems.
 3. flashing.
 4. skylights, chimneys, and roof penetrations.
 - B. describe:
 1. roofing materials.
 2. methods used to inspect the roofing.

- 5.2 The inspector is NOT required to inspect:**
- A. antennae.
 - B. interiors of flues or chimneys that are not readily accessible.
 - C. other installed accessories.

6. PLUMBING

- 6.1 The inspector shall:**
- A. inspect:
 1. interior water supply and distribution systems including all fixtures and faucets.
 2. drain, waste, and vent systems including all fixtures.
 3. water heating equipment and hot water supply system.
 4. vent systems, flues, and chimneys.
 5. fuel storage and fuel distribution systems.
 6. drainage sumps, sump pumps, and related piping.
 - B. describe:
 1. water supply, drain, waste, and vent piping materials.
 2. water heating equipment including energy source(s).
 3. location of main water and fuel shut-off valves.

- 6.2 The inspector is NOT required to:**
- A. inspect:
 1. clothes washing machine connections.
 2. interiors of flues or chimneys that are not readily accessible.
 3. wells, well pumps, or water storage related equipment.
 4. water conditioning systems.
 5. solar water heating systems.
 6. fire and lawn sprinkler systems.
 7. private waste disposal systems.
 - B. determine:
 1. whether water supply and waste disposal systems are public or private.
 2. water supply quantity or quality.
 - C. operate automatic safety controls or manual stop valves.

7. ELECTRICAL

- 7.1 The inspector shall:**
- A. inspect:
 1. service drop.
 2. service entrance conductors, cables, and raceways.
 3. service equipment and main disconnects.
 4. service grounding.
 5. interior components of service panels and sub panels.
 6. conductors.
 7. overcurrent protection devices.
 8. a representative number of installed lighting fixtures, switches, and receptacles.
 9. ground fault circuit interrupters.
 - B. describe:
 1. amperage and voltage rating of the service.
 2. location of main disconnect(s) and sub panels.
 3. presence of solid conductor aluminum branch circuit wiring.
 4. presence or absence of smoke detectors.
 5. wiring methods.

- 7.2 The inspector is NOT required to:**
- A. inspect:
 1. remote control devices.
 2. alarm systems and components.
 3. low voltage wiring systems and components.
 4. ancillary wiring systems and components not a part of the primary electrical power distribution system.
 - B. measure amperage, voltage, or impedance.

Continued

8. HEATING

8.1 The inspector shall:

- A. open *readily openable access panels*.
- B. *inspect*:
 1. *installed* heating equipment.
 2. vent *systems*, flues, and chimneys.
- C. *describe*:
 1. energy source(s).
 2. heating *systems*.

8.2 The inspector is NOT required to:

- A. *inspect*:
 1. interiors of flues or chimneys that are not *readily accessible*.
 2. heat exchangers.
 3. humidifiers or dehumidifiers.
 4. electronic air filters.
 5. solar space heating *systems*.
- B. determine heat supply adequacy or distribution balance.

9. AIR CONDITIONING

9.1 The inspector shall:

- A. open *readily openable access panels*.
- B. *inspect*:
 1. central and through-wall equipment.
 2. distribution *systems*.
- C. *describe*:
 1. energy source(s).
 2. cooling *systems*.

9.2 The inspector is NOT required to:

- A. *inspect* electronic air filters.
- B. determine cooling supply adequacy or distribution balance.
- C. *inspect* window air conditioning units.

10. INTERIORS

10.1 The inspector shall inspect:

- A. walls, ceilings, and floors.
- B. steps, stairways, and railings.
- C. countertops and a *representative number* of *installed* cabinets.
- D. a *representative number* of doors and windows.
- E. garage doors and garage door operators.

10.2 The inspector is NOT required to inspect:

- A. paint, wallpaper, and other finish treatments.
- B. carpeting.
- C. window treatments.
- D. central vacuum *systems*.
- E. *household appliances*.
- F. *recreational facilities*.

11. INSULATION & VENTILATION

11.1 The inspector shall:

- A. *inspect*:
 1. insulation and vapor retarders in unfinished spaces.
 2. ventilation of attics and foundation areas.
 3. mechanical ventilation *systems*.
- B. *describe*:
 1. insulation and vapor retarders in unfinished spaces.
 2. absence of insulation in unfinished spaces at conditioned surfaces.

11.2 The inspector is NOT required to disturb insulation.

See 13.2.A.11 and 13.2.A.12.

12. FIREPLACES AND SOLID FUEL BURNING APPLIANCES

12.1 The inspector shall:

- A. *inspect*:
 1. *system components*.
 2. chimney and vents.
- B. *describe*:
 1. fireplaces and *solid fuel burning appliances*.
 2. chimneys.

12.2 The inspector is NOT required to:

- A. *inspect*:
 1. interiors of flues or chimneys.
 2. firescreens and doors.
 3. seals and gaskets.
 4. automatic fuel feed devices.
 5. mantles and fireplace surrounds.
 6. combustion make-up air devices.
 7. heat distribution assists (gravity fed and fan assisted).
- B. ignite or extinguish fires.
- C. determine draft characteristics.
- D. move fireplace inserts and stoves or firebox contents.

Continued

13. GENERAL LIMITATIONS AND EXCLUSIONS**13.1 General limitations:**

- A.** The *inspector* is NOT required to perform any action or make any determination not specifically stated in these Standards of Practice.
- B.** Inspections performed in accordance with these Standards of Practice:
1. are not *technically exhaustive*.
 2. are not required to identify concealed conditions, latent defects, or consequential damage(s).
- C.** These Standards of Practice are applicable to buildings with four or fewer dwelling units and their garages or carports.

13.2 General exclusions:**A. Inspectors are NOT required to determine:**

1. conditions of *systems* or *components* that are not *readily accessible*.
2. remaining life expectancy of any *system* or *component*.
3. strength, adequacy, effectiveness, or efficiency of any *system* or *component*.
4. the causes of any condition or deficiency.
5. methods, materials, or costs of corrections.
6. future conditions including but not limited to failure of *systems* and *components*.
7. the suitability of the property for any specialized use.
8. compliance with regulatory requirements (codes, regulations, laws, ordinances, etc.).
9. market value of the property or its marketability.
10. the advisability of purchase of the property.
11. the presence of potentially hazardous plants or animals including, but not limited to, wood destroying organisms or diseases harmful to humans including molds or mold-like substances.
12. the presence of any environmental hazards including, but not limited to, toxins, carcinogens, noise, and contaminants in soil, water, and air.
13. the effectiveness of any *system installed* or method utilized to control or remove suspected hazardous substances.
14. operating costs of *systems* or *components*.
15. acoustical properties of any *system* or *component*.
16. soil conditions relating to geotechnical or hydrologic specialties.

B. Inspectors are NOT required to offer:

1. or perform any act or service contrary to law.
2. or perform *engineering* services.
3. or perform any trade or any professional service other than *home inspection*.
4. warranties or guarantees of any kind.

C. Inspectors are NOT required to operate:

1. any *system* or *component* that is *shut down* or otherwise inoperable.
2. any *system* or *component* that does not respond to *normal operating controls*.
3. shut-off valves or manual stop valves.

D. Inspectors are NOT required to enter:

1. any area that will, in the opinion of the *inspector*, likely be dangerous to the *inspector* or other persons or damage the property or its *systems* or *components*.
2. *under-floor crawl spaces* or attics that are not *readily accessible*.

E. Inspectors are NOT required to inspect:

1. underground items including but not limited to underground storage tanks or other underground indications of their presence, whether abandoned or active.
2. items that are not *installed*.
3. *installed decorative* items.
4. items in areas that are not entered in accordance with 13.2.D.
5. detached structures other than garages and carports.
6. common elements or common areas in multi-unit housing, such as condominium properties or cooperative housing.

F. Inspectors are NOT required to:

1. perform any procedure or operation that will, in the opinion of the *inspector*, likely be dangerous to the *inspector* or other persons or damage the property or its *systems* or *components*.
2. describe or report on any *system* or *component* that is not included in these Standards and was not *inspected*.
3. move personal property, furniture, equipment, plants, soil, snow, ice, or debris.
4. *dismantle* any *system* or *component*, except as explicitly required by these Standards of Practice.

ASHI STANDARDS OF PRACTICE GLOSSARY OF ITALICIZED TERMS

Alarm Systems

Warning devices *installed* or free-standing including but not limited to smoke detectors, carbon monoxide detectors, flue gas, and other spillage detectors, and security equipment

Automatic Safety Controls

Devices designed and *installed* to protect *systems* and *components* from unsafe conditions

Component

A part of a *system*

Decorative

Ornamental; not required for the proper operation of the essential *systems* and *components* of a home

Describe

To identify (in writing) a *system* or *component* by its type or other distinguishing characteristics

Dismantle

To take apart or remove any *component*, device, or piece of equipment that would not be taken apart or removed by a homeowner in the course of normal maintenance

Engineering

The application of scientific knowledge for the design, control, or use of building structures, equipment, or apparatus

Further Evaluation

Examination and analysis by a qualified professional, tradesman, or service technician beyond that provided by the *home inspection*

Home Inspection

The process by which an *inspector* visually examines the *readily accessible systems* and *components* of a home and which *describes* those *systems* and *components* in accordance with these Standards of Practice

Household Appliances

Kitchen, laundry, and similar appliances, whether *installed* or free-standing

Inspect

To examine any *system* or *component* of a building in accordance with these Standards of Practice, using *normal operating controls* and opening *readily openable access panels*

Inspector

A person hired to examine any *system* or *component* of a building in accordance with these Standards of Practice

Installed

Attached such that removal requires tools

Normal Operating Controls

Devices such as thermostats, switches, or valves intended to be operated by the homeowner

Readily Accessible

Available for visual inspection without requiring moving of personal property, *dismantling*, destructive measures, or any action that will likely involve risk to persons or property

Readily Openable Access Panel

A panel provided for homeowner inspection and maintenance that is *readily accessible*, within normal reach, can be removed by one person, and is not sealed in place

Recreational Facilities

Spas, saunas, steam baths, swimming pools, exercise, entertainment, athletic, playground or other similar equipment, and associated accessories

Report

Communicate in writing

Representative Number

One *component* per room for multiple similar interior *components* such as windows, and electric receptacles; one *component* on each side of the building for multiple similar exterior *components*

Roof Drainage Systems

Components used to carry water off a roof and away from a building

Shut Down

A state in which a *system* or *component* cannot be operated by *normal operating controls*

Siding

Exterior wall covering and cladding; such as: aluminum, asphalt, brick, cement/asbestos, EIFS, stone, stucco, veneer, vinyl, wood, etc.

Solid Fuel Burning Appliances

A hearth and fire chamber or similar prepared place in which a fire may be built and that is built in conjunction with a chimney; or a listed assembly of a fire chamber, its chimney, and related factory-made parts designed for unit assembly without requiring field construction

Structural Component

A *component* that supports non-variable forces or weights (dead loads) and variable forces or weights (live loads)

System

A combination of interacting or interdependent *components*, assembled to carry out one or more functions.

Technically Exhaustive

An investigation that involves *dismantling*, the extensive use of advanced techniques, measurements, instruments, testing, calculations, or other means

Under-floor Crawl Space

The area within the confines of the foundation and between the ground and the underside of the floor

Unsafe

A condition in a *readily accessible, installed system* or *component* that is judged to be a significant risk of bodily injury during normal, day-to-day use; the risk may be due to damage, deterioration, improper installation, or a change in accepted residential construction standards

Wiring Methods

Identification of electrical conductors or wires by their general type, such as non-metallic sheathed cable, armored cable, or knob and tube, etc.



ASHI® CODE OF ETHICS

For the Home Inspection Profession

Integrity, honesty, and objectivity are fundamental principles embodied by this Code, which sets forth obligations of ethical conduct for the home inspection profession. The Membership of ASHI has adopted this Code to provide high ethical standards to safeguard the public and the profession.

Inspectors shall comply with this Code, shall avoid association with any enterprise whose practices violate this Code, and shall strive to uphold, maintain, and improve the integrity, reputation, and practice of the home inspection profession.

1. Inspectors shall avoid conflicts of interest or activities that compromise, or appear to compromise, professional independence, objectivity, or inspection integrity.

- A. Inspectors shall not inspect properties for compensation in which they have, or expect to have, a financial interest.
- B. Inspectors shall not inspect properties under contingent arrangements whereby any compensation or future referrals are dependent on reported findings or on the sale of a property.
- C. Inspectors shall not directly or indirectly compensate realty agents, or other parties having a financial interest in closing or settlement of real estate transactions, for the referral of inspections or for inclusion on a list of recommended inspectors, preferred providers, or similar arrangements.
- D. Inspectors shall not receive compensation for an inspection from more than one party unless agreed to by the client(s).
- E. Inspectors shall not accept compensation, directly or indirectly, for recommending contractors, services, or products to inspection clients or other parties having an interest in inspected properties.
- F. Inspectors shall not repair, replace, or upgrade, for compensation, systems or components covered by ASHI Standards of Practice, for one year after the inspection.

2. Inspectors shall act in good faith toward each client and other interested parties.

- A. Inspectors shall perform services and express opinions based on genuine conviction and only within their areas of education, training, or experience.
- B. Inspectors shall be objective in their reporting and not knowingly understate or overstate the significance of reported conditions.
- C. Inspectors shall not disclose inspection results or client information without client approval. Inspectors, at their discretion, may disclose observed immediate safety hazards to occupants exposed to such hazards, when feasible.

3. Inspectors shall avoid activities that may harm the public, discredit themselves, or reduce public confidence in the profession.

- A. Advertising, marketing, and promotion of inspectors' services or qualifications shall not be fraudulent, false, deceptive, or misleading.
- B. Inspectors shall report substantive and willful violations of this Code to the Society.



American Society of Home Inspectors

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This document shall be reviewed and revised in October 2008, at which time this edition may be inaccurate and should be discarded.

Rev. 10/07