WASHINGTON STATE DEPARTMENT OF LICENSING HOME INSPECTOR PROGRAM

FREQUENTLY ASKED QUESTIONS AND ANSWERS FOR HOME INSPECTORS AND CONSUMERS

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Developed by the Washington State Department of Licensing, Home Inspector Program.

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INTRODUCTION

During the 2008 legislative session, the Washington State Legislature passed <u>ESSB 6606</u>. The new law was codified as <u>Chapter 18.280 RCW</u>: Home Inspectors. The new law required individuals performing home inspections to register and receive a license through the Washington State Department of Licensing (DOL).

Established within the Business and Professions Division's Real Estate Section, the Home Inspector Program (Program) is charged by the Director of DOL (Director) with:

- Assisting the Home Inspector Advisory Licensing Board (Board) with developing and approving, amending, and rescinding rules to carry out the Home Inspector law, and forwarding these recommendations to the Director for adoption;
- Administering licensing examinations approved by the Board, and assisting the Board in approving in adopting or recognizing examinations prepared by other entities, and forwarding these recommendations to the Director for adoption;
- Assisting the Board with developing and approving standards of professional conduct, practice, and ethics and forwarding these recommendations to the Director for adoption; and
- Collecting fees as provided for in the Home Inspector law and adopted by the Director.

The Program also carries out many other administrative and outreach responsibilities, including stakeholder engagement, licensee and general public education, and licensee discipline and compliance.

For more information about home inspectors, the Home Inspector law, and the Home Inspector Program, please visit the Program website at <u>www.dol.wa.gov/business/homeinspectors</u>.

ABOUT THIS DOCUMENT

This Frequently Asked Questions and Answers (FAQ) for Home Inspectors and Consumers seeks to answer common inquiries received by the Board and the Program. The questions within this document have come from multiple sources including licensed home inspectors, industry stakeholders, and the general public. The responses within have been vetted by Board members and Program specialists, as well as Real Estate Section audit, investigation, and compliance specialists charged with following up on licensee and consumer complaints within the home inspection industry.

This document is organized into three sections:

- **Prelicensing Education & Field Training, Exams, and Continuing Education** Information about what education and training prospective home inspectors must receive before becoming licensed, and what education licensed home inspectors must receive to renew their license.
- Licensing

Information about what requirements prospective home inspectors must meet before becoming licensed, what reciprocity options exist for licensed home inspectors from jurisdictions outside of the State of Washington, and what requirements licensed home inspectors must meet to renew their license.

Business Practices

Information for licensed home inspectors about conducting business in the home inspection industry, and information for consumers about the home inspection industry.

As the home inspection industry is ever evolving, so is this document. As new inquiries are made, the Program will periodically update this document.

PRELICENSING EDUCATION & FIELD TRAINING, EXAMS, AND CONTINUING EDUCATION

PRELICENSING EDUCATION

What are the prelicensing education requirements for home inspectors?

You will need to complete the following education requirements before you can sit for the National and State exams and apply for your license:

- 1. An approved 120 hour-minimum "Fundamentals of Home Inspection" course in a classroom setting; and
- 2. 40 hours of field training on actual inspection sites supervised by a licensed home inspector, with a minimum of five actual complete home inspections.

You'll also be required to complete written reports for each inspection and the licensed home inspector supervising your field training will review your reports and certify that they are in full compliance with the standards of practice.

(See RCW 18.280.070(2) & (3); WAC 308-408-010(6) & 308-408A-020(1))

Are there reciprocity or prelicensing education substitution options?

Yes. If you've been licensed as a home inspector in another state for two (2) of the last four (4) years and your license is in good standing, you may be eligible to forego the National exam and sit only for the State exam.

(See RCW 18.280.180; WAC 308-408A-040)

Are there prerequisites for the prelicensing education?

No. The Home Inspector law does not mandate prerequisites for prelicensing education. However, you should contact your course provider to ensure that their course does not have any prerequisites.

Does the Program host prelicensing courses?

No. The Board and the Program only authorize prelicensing courses. The prelicensing courses are hosted by independent course providers.

(See RCW 18.280.070(2); WAC 308-408B-010)

Can the Program make a recommendation of a specific provider for the prelicensing education?

No. Because the Board and the Program authorize prelicensing courses, the Program is not in the position of recommending a specific course provider.

Where is the prelicensing education located?

There are multiple course providers that deliver the prelicensing education across the State of Washington. For more information on location, dates, and times, please contact course providers

directly. Their information can be found within the Home Inspector Education Course Catalog, available at: <u>http://www.dol.wa.gov/business/homeinspectors/docs/courseCatalog.pdf</u>

Is online prelicensing education allowed?

No. The "Fundamentals of Home Inspection" course must be completed in a classroom setting, and your field training must be completed on actual inspection sites.

(See RCW 18.280.070(2); WAC 308-408-010(1) & (6))

Is there student aid available for prelicensing education?

Some course providers may offer student aid. For more information on student aid, please contact course providers directly. Their information can be found within the Home Inspector Education Course Catalog, available at:

http://www.dol.wa.gov/business/homeinspectors/docs/courseCatalog.pdf

Can I use GI Bill funds to pay for prelicensing education?

Some course providers may be approved to access GI Bill funds. For more information on GI Bill funds, please contact course providers directly. Their information can be found within the Home Inspector Education Course Catalog, available at:

http://www.dol.wa.gov/business/homeinspectors/docs/courseCatalog.pdf

Is the time spent writing reports counted towards field training?

No. Your 40 hours of field training does not include travel time to and from inspections, meals, and report writing time.

(See WAC 308-408-010(6))

When does my prelicensing education expire?

Your prelicensing must be completed within two (2) years prior to applying to sit for the National and State exams.

(See WAC 308-408A-020(1))

EXAMS

What are the requirements to sit for the home inspector exam?

You will need to complete the following education requirements before you can sit for the National and State exams and apply for your license:

- 1. An approved 120 hour-minimum "Fundamentals of Home Inspection" course in a classroom setting; and
- 2. 40 hours of field training on actual inspection sites supervised by a licensed home inspector, with a minimum of five actual complete home inspections.

You'll also be required to complete written reports for each inspection and the licensed home inspector supervising your field training will review your reports and certify that they are in full compliance with the standards of practice.

(See RCW 18.280.070(2) & (3); WAC 308-408-010(6) & 308-408A-020(1))

I have a disability and need to request special accommodations to take the exam. How do I make this request?

If you have a disability covered by the Americans with Disabilities Act, you can complete the "Request for Special Accommodations" and "Documentation of Disability-Related Needs" available on p. 12-13 of the <u>Home Inspector Examination Handbook</u>.

Please note, you must submit these forms with your application at least 45 days prior to your requested examination date.

Do I need to pass both exams to apply for a license?

If you are applying for your license via education, yes, you will need to pass both the National and State exams.

If you are applying for your license via reciprocity, you may be eligible to forego the National exam, and you will only sit for the State exam.

(See RCW 18.280.080, 18.280.180; WAC 308-408A-040, 308-408A-060)

How do I obtain proof of passing the exam?

The exam provider will give you a pass report after you sit for the exam.

If you do not pass the exam, you will also be provided with a report regarding the topic areas you should focus on before sitting for the exam again.

When do my exam results expire? A passing score for either portion of an examination is valid for one year from the date of testing.

(See WAC 308-408A-030)

CONTINUING EDUCATION

What are the continuing education requirements for home inspectors?

You will need at least 24 hours of approved continuing education to renew your license every two (2) years.

Continuing education must be approved by the Program to be counted towards your renewal. For a list of approved courses, please visit the Home Inspector Education Course Catalog, available at: <u>http://www.dol.wa.gov/business/homeinspectors/docs/courseCatalog.pdf</u>.

(See RCW 18.280.110; WAC 308-408A-110, 308-408B-040)

Can I carry over unused continuing education from one licensing period to the next?

No. Unfortunately, neither law nor rule provide for carryover of continuing education from subsequent renewal periods.

Can I use continuing education from a profession other than home inspection?

No. Unfortunately, neither law nor rule provide for reciprocity of continuing education from a profession outside of home inspection.

Can I use continuing education from another state?

No. Unfortunately, neither law nor rule provide for reciprocity of continuing education from a state other than Washington, unless the course was approved by the Program. For a list of approved courses, please visit the Home Inspector Education Course Catalog, available at: <u>http://www.dol.wa.gov/business/homeinspectors/docs/courseCatalog.pdf</u>.

When does my continuing education expire?

Your continuing education commenced and/or completed within a licensing period expires at the start of your subsequent licensing period.

(See WAC 308-408A-110)

What happens if I don't complete my continuing education?

You should not renew your license before completing your required 24 hours of approved continuing education. Your renewal contains an attestation that you have completed your continuing education. If you answer that you have completed your continuing education and you are found to have not, you may face disciplinary action.

The Program recommends that you first complete your required 24 hours of approved continuing education, and pay the late renewal penalty once your education is complete.

(See WAC 308-408A-090, 308-408A-100)

LICENSING

GENERAL REQUIREMENTS

What are the age requirements for home inspector licensure?

There is no age requirement to become a licensed home inspector. However, you must be 18 years of age to enter into a legal contractual obligation.

(See RCW 26.28.015(4))

Do I have to be a U.S. citizen to obtain my home inspector license?

There is no requirement that you must be a U.S. citizen to obtain a home inspector license. However, all home inspector applicants must provide a Social Security Number as required by federal and state law. Failure to submit it will result in denial of your application.

Are there insurance/bonding requirements for home inspector licensure?

There is no requirement that you must obtain insurance, or be bonded, to be a home inspector.

RECIPROCITY

Are there reciprocity options for licensing?

Yes. Persons licensed as home inspectors in other states may become licensed as home inspectors in Washington as long as:

- 1. The other state has licensing requirements that meet or exceed those required under Washington's Home Inspector law and rules; and
- 2. The person seeking a license passes the Washington state portion of the exam.

(See RCW 18.280.180; WAC 308-408A-040)

RENEWAL

When may I renew my home inspector license?

We will mail you a renewal notice approximately 60 days before your license renewal date.

I didn't get a full two years after my home inspector license first issue date. Why is that?

Licenses expire on the applicant's second birthday following the issuance of the license. Depending on the first issue date and the licensee's birth date, this may result in a shortened licensing term. The licensee's second renewal period will equal the full two year term.

(See RCW 18.280.090)

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(See WAC 308-408A-090, 308-408A-100)

BUSINESS PRACTICES

FOR HOME INSPECTORS

Can I offer pre-listing home inspections?

Yes. The Home Inspector law and rules do not identify or prohibit when a home inspection is conducted.

Can I offer a preoffer consultation?

Yes. However, the home inspector is required to have a signed pre-inspection agreement, and must describe the limited scope of the consultation.

(See WAC 308-408-010(10))

Can a licensed home inspector who maintains an active real estate license and possesses a key for home access from a multiple listing service use the key for access to an inspection property?

The Home Inspector law and rules do not prohibit a licensed home inspector from obtaining access keys from trade associations. However, the home inspector should check with whoever issued them access codes/keys to determine restrictions or limitations. Additionally, the conduct of all licensed home inspectors is governed by the Uniform Regulation of Business and Professions Act, <u>RCW 18.235</u>.

Can I maintain an active contractor license while maintaining an active home inspector license?

Yes. The Home Inspector law and rules do not prohibit a licensed home inspector from having an active license in other professions or related fields.

Can I host realtor meetings?

Yes. The Home Inspector law and rules do not prohibit hosting "meet-and-greet" sessions with any organization or related field of professionals.

Can I offer home inspection warranties?

This question on its face tends to create more questions than a simple answer, such as:

- "What will the warranty cover?"
- "How will someone be required to obtain satisfaction from the warranty?"
- "Is there a monetary recovery with the warranty?"

A home inspector can offer a warranty as the Home Inspector law and rules do not specifically prohibit such conduct. However, advertising something the home inspector knows to be false or misleading or creates an unreasonable risk or harm to others would be a violation of the Uniform Regulation of Business and Professions Act, <u>RCW 18.235</u>.

Can I sell client information to third parties?

The Home Inspector law and rules do not prohibit this act. However, the Program strongly suggests you disclose to your clients that you may sell, for example, contact information.

Is the home inspector required to use a thermal imager (IR)?

The Home Inspector law and rules do not require the home inspector to use any sort of thermal imager (IR). However, if the home inspector advertises their expertise in using this equipment, the home inspector should be able to show proof of training, education, and knowledge when requested by either the consumer or the Program.

A competitor in my market is advertising he has been voted, "Best Home Inspector in the Market", and added, "Only my Mom was allowed to Vote!" Isn't this sort of advertising misleading?

When it comes to advertising of this nature, the standard used is whether or not the statement is false, deceptive, or misleading. Further, the advertisement should be clear to the average consumer and regulator of where the information was obtained, how it was obtained, and if it can be verified. In this particular situation the home inspector clearly states only their mom was allowed to vote.

The Program cautions licensees to ensure all advertising is clear, factual, and relevant to the practice. Whether or not a consumer has been misled or harmed is only part of the threshold. The home inspector may face disciplinary action if the conduct creates an unreasonable harm, damage, or risk to others.

(See RCW 18.235.130(3))

Can I advertise my home inspection and construction business within the same advertisement?

Yes. The Home Inspector law and rules do not prohibit you from advertising your experience or licensing status in a related field. However, home inspectors may not repair, replace, or upgrade any components or systems for compensation within one year of completing a home inspection of a specific property.

(See WAC 308-408C-020(8) & (11))

My client only wants me to complete a home inspection of the roof and exterior. Can I do this and depart from inspecting other components as defined in the Standards of Practice?

Yes. The home inspector can depart from any portion of the Standards of Practice (WAC 308-408C) as long as the pre-inspection agreement clearly and accurately describes what components the inspector will or will not inspect.

(See WAC 308-408C-050(3))

FOR CONSUMERS

What is a home inspection?

A home inspection is a professional examination of the current condition of the home as of the date of the inspection. A home inspection is non-invasive and does not guarantee against future problems.

(See RCW 18.280.010(5))

The home inspector did not check every window and electrical outlet. One of my windows doesn't work correctly and one of the outlets in my den doesn't work. Isn't the inspector required to check every outlet and window?

No. The Standards of Practice (WAC 308-408C) require the home inspector to check or verify the operation of a representative number of receptacles and windows.

(See WAC 308-408C-110(1)(e), 308-408C-140(1)(b))

The home inspector did not go on my roof. He stated in his report it was unsafe. Isn't it the inspector's job to inspect the roof?

The home inspector is not required to traverse a roof that he/she feels is unsafe or has the ability to damage roofing material. The home inspector is required to disclose how they inspected the roof. This could be from the ground, a ladder, or not at all depending on the specific home under inspection.

(See WAC 308-408C-090(2))

I hired a licensed home inspector to inspect my commercial business. He failed to identify numerous potential concerns and now I'm out thousands of dollars in costly repairs. What can I do?

The Home Inspector law defines a home inspector as a "person who carries out a noninvasive examination of the condition of a home, often in connection with the sale of that home, using special training and education to carry out the inspection."

The Home Inspector law only defines the inspection of a home, not a commercial building. Commercial inspections are guided by the American Society for Testing and Materials (ASTM) International, <u>Standard E2018-15</u>. Your best recourse is to discuss your concerns with the home inspector or your personal attorney.

(See RCW 18.280.010(6))

Are home inspectors allowed to use drones and robots to inspect portions of the home they are unable to access?

The Home Inspector law and rules do not prohibit the use of any tool or technology when completing a home inspection.

If the home inspector is using a drone to inspect the roof, they must clearly state in their inspection report that he/she was unable to physically traverse the roof, state the reasons why, and identify how they inspected the roof. The same conditions apply when using robots to inspect crawl space.

The Program recommends that home inspectors check with all city, county, state, or federal jurisdictions for guidelines regarding the use of drones or other technologies for commercial purposes.

I purchased my home a year ago and the home inspector did not find any problems with the roof. After the heaviest rainfall in 50 years, I noticed my roof leaks in multiple areas. Is the home inspector responsible for my repairs? The Program does not have the authority to recover funds, award damages, nor do our remarks constitute legal opinions. As for the scenario, we would suggest you review your pre-inspection agreement and the home inspection report. Your best recourse is to discuss your concerns with the home inspector or your personal attorney.