

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

1

HOUSE BILL 259

Short Title: Home Inspector Amendments/AB.

(Public)

Sponsors: Representative Jarrell.

Referred to: Finance.

March 4, 1999

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR THE LAPSE OF A HOME INSPECTOR'S LICENSE
2 AND AN ASSOCIATE HOME INSPECTOR'S LICENSE UNDER CERTAIN
3 CONDITIONS; TO ESTABLISH RECORD-KEEPING REQUIREMENTS FOR
4 HOME INSPECTORS; AND TO AUTHORIZE THE HOME INSPECTOR
5 LICENSURE BOARD TO ESTABLISH CONTINUING EDUCATION
6 PROGRAMS AND CHARGE FEES FOR THOSE PROGRAMS.
7

8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 143-151.51 reads as rewritten:

10 "**§ 143-151.51. Requirements to be licensed for licensure as a home inspector.**

11 (a) To be licensed as a home inspector, an ~~applicant must~~ individual shall do all of
12 the following:

13 (1) Submit a completed application to the Board upon a form provided by
14 the Board.

15 (2) Pass a licensing examination prescribed by the Board.

16 (3) Have and continuously maintain minimum net assets or a bond in an
17 amount determined by the Board. The amount may not be less than five
18 thousand dollars (\$5,000) nor more than ten thousand dollars (\$10,000).

19 (4) Pay the applicable fees.

20 (5) Meet one of the following three conditions:

- 1 a. Have a high school diploma or its equivalent, have been engaged
2 as a licensed associate home inspector for at least one year, and
3 have completed 100 home inspections for compensation.
4 b. Have education and experience the Board considers to be
5 equivalent to that required by subpart a. of this subdivision.
6 c. Be licensed as a general contractor under Article 1 of Chapter 87
7 of the General Statutes, as an architect under Chapter 83A of the
8 General Statutes, or as a professional engineer under Chapter
9 89C of the General Statutes.

10 (b) The license of any person who fails to pay the annual license renewal fee or to
11 comply with subdivision (a)(3) of this section shall lapse."

12 Section 2. G.S. 143-151.52 reads as rewritten:

13 "**§ 143-151.52. Requirements to be licensed for licensure as an associate home**
14 **inspector.**

15 (a) To be licensed as obtain and maintain an associate home inspector, a person must
16 inspector license, an individual shall do all of the following:

- 17 (1) Submit a completed application to the Board upon a form provided by
18 the Board.
19 (2) Pass a licensing examination prescribed by the Board.
20 (3) Pay the applicable fees.
21 (4) Have a high school diploma or its equivalent.
22 (5) Be employed by or affiliated with or intend to be employed by or
23 affiliated with a licensed home inspector and submit a sworn statement
24 by that licensed home inspector certifying that the licensed home
25 inspector will actively supervise and train the applicant.

26 (b) The license of any person who (i) fails to pay the annual license renewal fee or
27 (ii) is not continuously employed by or affiliated with a licensed home inspector shall
28 lapse."

29 Section 3. G.S. 143-151.54 reads as rewritten:

30 "**§ 143-151.54. Miscellaneous license provisions. ~~provisions.~~ provisions; record keeping;**
31 **continuing education.**

32 (a) A license issued by the Board is the property of the Board. If the Board
33 suspends or revokes a license issued by it, the individual to whom it is issued ~~must~~ shall
34 give it to the Board upon demand. An individual who is licensed by the Board ~~must~~ shall
35 display the license certificate in the manner prescribed by the Board. A license holder
36 whose address changes ~~must~~ shall report the change to the Board.

37 (b) All licensees under this Article shall make and keep full and accurate records
38 of business done under their licenses. Records shall include the written, signed contract
39 and the written report required by the standards of practice referred to in G.S. 143-
40 151.49(a)(2) and any other information the Board requires by rule. Records shall be
41 retained by licensees for not less than three years. Licensees shall furnish their records to
42 the Board on demand. The Board may adopt rules for record keeping by licensees.

1 (c) The Board may establish programs of continuing education for licensees under
2 this Article. A licensee subject to a program under this section shall present evidence to
3 the Board upon the license renewal following initial licensure, and every renewal
4 thereafter, that during the 12 months preceding the annual license expiration date the
5 person has completed the required number of classroom hours of instruction in courses
6 approved by the Board. Annual continuing education hour requirements shall be
7 determined by the Board, but shall not be more than 12 credit hours.

8 (d) The Board may establish a nonrefundable course application fee to be charged
9 to a course sponsor for the review and approval of a proposed continuing education
10 course. The fee shall not exceed one hundred fifty dollars (\$150.00) per course. The
11 Board may charge the sponsor of an approved course a nonrefundable fee not to exceed
12 seventy-five dollars (\$75.00) for the annual renewal of course approval.

13 The Board may also require a course sponsor to pay a fee for each licensee
14 completing an approved continuing education course conducted by the sponsor. The fee
15 shall not exceed five dollars (\$5.00) per credit hour per licensee.

16 The Board may award continuing education credit for an unapproved course or related
17 educational activity. The Board may prescribe procedures for a licensee to submit
18 information on an unapproved course or related educational activity for continuing
19 education credit. The Board may charge a fee to the licensee for each course or activity
20 submitted. The fee shall not exceed fifty dollars (\$50.00). To assure continued and
21 proper administration of the program, any unexpended revenue from the fees shall not
22 revert to the General Fund.

23 (e) The Board may adopt any reasonable rules not inconsistent with this Article to
24 give purpose and effect to the continuing education requirement, including rules that
25 govern:

- 26 (1) The content and subject matter of continuing education courses.
- 27 (2) The criteria, standards, and procedures for the approval of courses,
28 course sponsors, and course instructors.
- 29 (3) The methods of instruction.
- 30 (4) The computation of course credit.
- 31 (5) The ability to carry forward course credit from one year to another.
- 32 (6) The waiver of or variance from the continuing education requirement
33 for hardship or other reasons.
- 34 (7) The procedures for compliance and sanctions for noncompliance.

35 (f) The license of any person who fails to comply with the continuing education
36 requirements under this section shall lapse. The Board may, for good cause shown, grant
37 extensions of time to licensees to comply with these requirements.

38 (g) Any licensee who, after obtaining an extension under subsection (f) of this
39 section, offers evidence satisfactory to the Board that the licensee has satisfactorily
40 completed the required continuing education courses, is in compliance with this section."

41 Section 4. This act becomes effective October 1, 1999, and applies to licenses
42 applied for or renewed on or after that date.