

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 259
Committee Substitute Favorable 3/24/99

Short Title: Home Inspector Amendments/AB.

(Public)

Sponsors:

Referred to:

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. 143-151.55 reads as rewritten:

10 "**§ 143-151.55. Renewal of license; inactive ~~licenses~~-licenses; lapsed licenses.**

11 (a) Renewal. – A license expires on September 30 of each year. A license may be
12 renewed by filing an application for renewal with the Board and paying the required
13 renewal fee. The Board must notify license holders at least 30 days before their licenses
14 expire. The Board must renew the license of a person who files an application for
15 renewal, pays the required renewal fee, has fulfilled the continuing education
16 requirements set by the Board, and is not in violation of this Article when the application
17 is filed. If the Board imposes a continuing education requirement as a condition of
18 renewing a license, the Board must ensure that the courses needed to fulfill the
19 requirement are available in all geographic areas of the State.

1 (b) Late Renewal. – The Board may provide for the late renewal of a license upon
2 the payment of a late fee, but no late renewal of a license may be granted more than five
3 years after the license expires.

4 (c) Inactive License. – A license holder may apply to the Board to be placed on
5 inactive status. An applicant for inactive status must follow the procedure set by the
6 Board. A license holder who is granted inactive status is not subject to the license
7 renewal requirements during the period the license holder remains on inactive status.

8 A license holder whose application is granted and is placed on inactive status may
9 apply to the Board to be reinstated to active status at any time. The Board may set
10 conditions for reinstatement to active status. An individual who is on inactive status and
11 applies to be reinstated to active status must comply with the conditions set by the Board.

12 (d) Lapsed License. – The license of a licensed home inspector shall lapse if the
13 licensee fails to continuously maintain minimum net assets or a bond as required by G.S.
14 143-151.58. The license of a licensed associate home inspector shall lapse if the licensee
15 fails to continuously be employed by or affiliated with a licensed home inspector as
16 required by G.S. 143-151.58."

17 Section 2. G.S. 143-151.57(a) reads as rewritten:

18 "(a) Maximum Fees. – The Board may adopt fees that do not exceed the amounts
19 set in the following table for administering this Article:

20 <u>Item</u>	<u>Maximum Fee</u>
21 Application for home inspector license	\$25.00
22 Application for associate home inspector license	15.00
23 Home inspector examination	75.00
24 Issuance of home inspector license	150.00
25 Issuance of associate home inspector license	100.00
26 Late renewal of home inspector license	25.00
27 Late renewal of associate home inspector license	
28 inspector	15.00
29 <u>Application for course approval</u>	<u>150.00</u>
30 <u>Renewal of course approval</u>	<u>75.00</u>
31 <u>Course fee, per credit hour per licensee</u>	<u>5.00</u>
32 <u>Credit for unapproved continuing education course</u>	<u>50.00</u>
33 Copies of Board rules or licensure standards	Cost of printing and mailing."

34 Section 3. G.S. 143-151.58 reads as rewritten:

35 "§ **143-151.58. Duties of licensed home inspector or licensed associate home**
36 **inspector.**

37 (a) Home Inspection Report. – A licensed home inspector or licensed associate
38 home inspector must give to each person for whom the inspector performs a home
39 inspection for compensation a written report of the home inspection. The inspector must
40 give the person the report by the date set in a written agreement by the parties to the
41 home inspection. If the parties to the home inspection did not agree on a date in a written
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1 agreement, the inspector must give the person the report within three business days after
2 the inspection was performed.

3 (b) Bond Required. – A licensed home inspector must continuously maintain
4 minimum net assets or a bond as required in G.S. 143-151.51(3).

5 (c) Supervision. – A licensed associate home inspector must be continuously
6 employed by or affiliated with a licensed home inspector as required in G.S. 143-
7 151.52(5).

8 (d) Record Keeping. – All licensees under this Article shall make and keep full
9 and accurate records of business done under their licenses. Records shall include the
10 written, signed contract and the written report required by the standards of practice
11 referred to in G.S. 143-151.49(a)(2) and any other information the Board requires by rule.
12 Records shall be retained by licensees for not less than three years. Licensees shall
13 furnish their records to the Board on demand."

14 Section 4. Article 9F of Chapter 143 of the General Statutes is amended by
15 adding a new section to read:

16 "**§ 143-151.64. Continuing education requirements.**

17 (a) Requirements. – The Board may establish programs of continuing education
18 for licensees under this Article. A licensee subject to a program under this section shall
19 present evidence to the Board upon the license renewal following initial licensure, and
20 every renewal thereafter, that during the 12 months preceding the annual license
21 expiration date the person has completed the required number of classroom hours of
22 instruction in courses approved by the Board. Annual continuing education hour
23 requirements shall be determined by the Board, but shall not be more than 12 credit
24 hours.

25 (b) Fees. – The Board may establish a nonrefundable course application fee to be
26 charged to a course sponsor for the review and approval of a proposed continuing
27 education course. Approval of a continuing education course must be renewed annually.
28 The Board may also require a course sponsor to pay a fee for each licensee completing an
29 approved continuing education course conducted by the sponsor.

30 (c) Credit for Unapproved Course. – The Board may award continuing education
31 credit for an unapproved course or related educational activity. The Board may prescribe
32 procedures for a licensee to submit information on an unapproved course or related
33 educational activity for continuing education credit. The Board may charge a fee to the
34 licensee for each course or activity submitted.

35 (d) Extension of Time. – The Board may, for good cause shown, grant extensions
36 of time to licensees to comply with these requirements. Any licensee who, after
37 obtaining an extension under this subsection, offers evidence satisfactory to the Board
38 that the licensee has satisfactorily completed the required continuing education courses, is
39 in compliance with this section.

40 (e) Rules. – The Board may adopt rules governing continuing education
41 requirements, including rules that govern:

42 (1) The content and subject matter of continuing education courses.

- 1 (2) The criteria, standards, and procedures for the approval of courses,
2 course sponsors, and course instructors.
- 3 (3) The methods of instruction.
- 4 (4) The computation of course credit.
- 5 (5) The ability to carry forward course credit from one year to another.
- 6 (6) The waiver of or variance from the continuing education requirement
7 for hardship or other reasons.
- 8 (7) The procedures for compliance and sanctions for noncompliance."
- 9 Section 5. This act becomes effective October 1, 1999, and applies to licenses
10 applied for or renewed on or after that date.