

MEMO



DEC 08 2010

Senate of Pennsylvania

December 6, 2010

TO: ALL SENATORS
FROM: Stewart J. Greenleaf *Stewart*
SUBJECT: Cosponsorship -- **Licensure of home inspectors**

I am reintroducing **Senate Bill 149**, amending Title 68 of the Pennsylvania Consolidated Statutes (Real and Personal Property), to establish a board and licensure requirements for home inspectors.

Under 2000 Act 114 (68 Pa.C.S. Ch. 75), home inspectors must belong to one of the national home inspector organizations. The law provides for consumer remedies, liability insurance standards, and other requirements dealing with the home inspector's role in a real estate transaction. However, the law does not provide for state licensure of home inspectors or provide for any direct oversight of home inspectors to ensure that they are in compliance with the law. As a result, many home inspectors are practicing in disregard for the law and to the detriment of consumers.

My legislation creates a state licensure requirement for home inspectors practicing in Pennsylvania. Also, to oversee the licensure process, the legislation establishes the Pennsylvania Board of Home Inspectors within the Department of State's Bureau of Professional and Occupational Affairs. The board will include the Commissioner of the Bureau of Professional and Occupational Affairs, five home inspectors, two public members, and the Attorney General or designee. The board will issue licenses to qualified home inspectors, and make sure that practicing home inspectors meet all of the requirements of the law including continuing education.

The purpose of this legislation is to ensure that the important role of home inspectors in a real estate transaction is competently and ethically performed. To most Pennsylvania residents, the purchase of a home is the largest financial transaction that they will engage in during their lifetime. Providing closer regulation of home inspectors not only helps to make certain consumers are purchasing a home in good condition but also is preemptive in preventing all of the parties in a real estate transaction from being forced into costly litigation due to the results of a botched home inspection.

The Senate Consumer Protection and Professional Licensure Committee has reported this legislation from committee in prior sessions.

If you would like to cosponsor this legislation, please contact Pat Snively of my office by e-mailing her at psnively@pasen.gov.