



Ohio Revised Code

Section 4764.17 Construction of chapter; actions for damages.

Effective: April 5, 2019

Legislation: Senate Bill 255 - 132nd General Assembly

(A) Except as provided in divisions (B) and (C) of this section, nothing in this chapter shall be construed to create or imply a private cause of action against a licensed home inspector for a violation of this chapter if that action is not otherwise maintainable under common law.

(B) An action for damages that is based on professional services that were rendered or that should have been rendered by a licensed home inspector shall not be brought, commenced, or maintained unless the action is filed within one year after the date that the home inspection is performed.

(C) Before bringing, commencing, or maintaining an action under division (B) of this section, a client shall notify the licensed home inspector of the alleged deficiencies and shall allow the licensed home inspector the opportunity to review and remedy the alleged deficiencies. The statute of limitations specified in division (B) of this section shall be tolled for the period that begins on the date the client notifies the licensed home inspector of the alleged deficiencies and that ends on the date that the licensed home inspector reviews, declines to review, remedies, or declines to remedy the alleged deficiencies, whichever comes later.

(D) The remedies provided under sections 4764.12 to 4764.15 of the Revised Code are the exclusive remedies for alleged violations of any conflict of interest prohibitions specified in the rules adopted by the Ohio home inspector board pursuant to division (A)(10) of section 4764.05 of the Revised Code.

(E) Nothing in this section shall be construed to prohibit the superintendent of real estate and professional licensing from investigating, or to prohibit the board from taking action against a licensed home inspector for violations of this chapter if the investigation commences more than one year after the date that the licensed home inspector conducts the home inspection that is the subject of the investigation and action.



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