



Ohio Revised Code Section 4764.05 Duties of board.

Effective: April 5, 2019

Legislation: Senate Bill 255

(A) The Ohio home inspector board shall adopt rules in accordance with Chapter 119. of the Revised Code to do all of the following:

(1) Establish standards to govern the issuance, renewal, suspension, and revocation of licenses, other sanctions that may be imposed for violations of this chapter, the conduct of hearings related to these actions, and the process of reactivating a license;

(2) Establish the amount of the following fees:

(a) Establish the following fees in an amount that is sufficient to defray necessary expenses incurred in the administration of this chapter:

(i) The fee for applying for and receiving a license issued under section 4764.07 of the Revised Code and the special assessment for the home inspection recovery fund created in section 4764.21 of the Revised Code, which together shall not exceed two hundred fifty dollars;

(ii) The fee for renewal of a license under section 4764.09 of the Revised Code and the special assessment for the home inspection recovery fund created in section 4764.21 of the Revised Code, which together shall not exceed two hundred fifty dollars.

(b) The renewal late fee described in division (B)(2) of section 4764.09 of the Revised Code;

(c) The fee an institution or organization described in division (A)(7) of this section shall pay to receive approval to offer continuing education courses and programs;

(d) The fee an institution or organization that is approved to offer continuing education courses and programs shall pay for each course or program that the institution or organization wishes to have the superintendent approve pursuant to the rules adopted by the board under division (A)(8) of this



section;

(e) Any other fees as required by this chapter.

(3) In accordance with division (C) of this section, specify methods and procedures the board shall use to approve a curriculum of education a person must successfully complete to obtain a license under this chapter;

(4) In accordance with division (D) of this section, specify methods and procedures the board shall use to approve a curriculum of experience that a person may elect to complete the proof of experience requirement specified in division (D)(6) of section 4764.07 of the Revised Code;

(5) Establish the administrative reporting and review requirements for parallel inspections or equivalency for field experience to assure that an applicant for a license satisfies the requirements of division (D)(6) of section 4764.07 of the Revised Code, as applicable;

(6) Establish a curriculum for continuing education that a licensed home inspector shall complete to satisfy the requirements for continuing education specified in section 4764.08 of the Revised Code and procedures to assure continuing education requirements are updated periodically to make those requirements consistent with home inspection industry practices;

(7) Establish requirements an institution or organization shall satisfy to obtain approval to provide courses or programs that enable a licensed home inspector to satisfy the requirements for continuing education specified in section 4764.08 of the Revised Code and establish procedures that the superintendent of real estate and professional licensing shall use to approve an institution or organization that satisfies the requirements the board establishes;

(8) Establish procedures and standards that the superintendent shall use to approve courses and programs, including online courses and programs, offered by an institution or organization that is approved by the superintendent to offer continuing education courses or programs pursuant to the rules adopted by the board under division (A)(7) of this section;

(9) Establish reporting requirements for a licensed home inspector to follow to demonstrate that the



licensed home inspector successfully completed the continuing education requirements specified in section 4764.08 of the Revised Code;

(10) Establish requirements for conducting home inspections, standards of practice for home inspectors, and conflict of interest prohibitions to the extent that those provisions do not conflict with divisions (B) to (E) of section 4764.14 of the Revised Code;

(11) Specify requirements for settlement agreements entered into between the superintendent and a licensed home inspector under division (C) of section 4764.13 of the Revised Code;

(12) Establish procedures for providing licensees with notice and applications for renewal under section 4764.09 of the Revised Code;

(13) Establish a set of standards of practice and canons of ethics for the home inspection industry;

(14) Establish directions for the superintendent of real estate and professional licensing to follow regarding the scheduling, instruction, and offerings of home inspection courses a person must successfully complete to obtain a license issued under this chapter;

(15) Establish requirements a licensed home inspector shall satisfy to obtain approval to prepare and conduct peer review sessions.

(B) The board shall do all of the following:

(1) On appeal by any party affected, or on its own motion, review any order of or application determination made by the superintendent, and as the board determines necessary, reverse, vacate, modify, or sustain such an order or determination;

(2) Hear appeals from orders of the superintendent regarding claims against the home inspection recovery fund created under section 4764.21 of this section;

(3) Disseminate to licensees and the public information relative to board activities and decisions;



(4) Notify licensees of changes in state and federal laws pertaining to home inspections and relevant case law and inform licensees that they are subject to disciplinary action if they do not comply with the changes.

(C) The board shall approve a curriculum of education a person must successfully complete to obtain a license issued under this chapter. The board shall approve a curriculum of education that satisfies all of the following requirements:

(1) The curriculum is offered by an accredited public or private institution of higher education or a professional organization that has been approved by the board to offer a curriculum.

(2) The curriculum includes a requirement that a person, to successfully complete the curriculum, complete at least eighty hours of classroom or online prelicensing instruction, including instruction about compliance with the requirements specified in this chapter, inspection safety, report writing, and any other administrative matters required by the board.

(3) The curriculum satisfies any other requirements the board established in rules it adopts.

(D) The board shall determine the equivalency of field experience that a person may elect to complete to satisfy the proof of experience requirement specified in division (D)(6) of section 4764.07 of the Revised Code. The board shall approve only a curriculum of experience that includes a requirement that a person, to successfully complete the curriculum, must perform at least forty hours of work in the home inspection field that allows the person to obtain practical experience or training regarding home inspections. The board shall approve only a curriculum of experience that includes a requirement that a person, to successfully complete the curriculum, must complete a peer review session with a licensed home inspector approved by the board before applying for a license. The peer review session may be used as part of the required eighty hours of prelicensing education.