

We are always grateful for your trust in recommending us to others. A referral from you and your continued business are the highest compliments we could ever receive.

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# Client Bulletin



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## HOME INSPECTOR LICENSURE DELAYED UNTIL SOMETIME IN 2020

In the second Client Bulletin of 2019, we wrote about the new statute - Ohio Revised Code Chapter 4764, which became effective on March 4, 2019 - for the licensure of home inspectors. After a lengthy recitation of *part* of the new law, we closed by stating that in a future Client Bulletin we would provide more information regarding the new Ohio Home Inspector Board, other, additional statutory provisions regarding Ohio licensed home inspectors and additions made to the statutes regarding licensed real estate agents giving names of licensed home inspectors. However, to date, we have not provided any such new information and the reason is, SURPRISE, SURPRISE, there has been a delay due to the delay in the appointment of members to the Ohio Home Inspector Board, which delayed the promulgation of the required rules that were to be effective on or before November 1, 2019.

The necessary rules to implement licensure of home inspectors and other acts required by the statute have been drafted by the Ohio Home Inspector Board but are only now, after November 1, 2019, being reviewed by the Common Sense Initiative Agency. After that agency's review is completed, the proposed rules are filed with the General Assembly's Joint Committee on Agency Rule Review and two public hearings held by that Committee. Assuming the Committee does not disapprove the proposed rules and the proposed new rules become effective, it will take time for the Department of Commerce's Division of Real Estate and Professional Licensing to, among other things, establish the education requirements and educational program requirements for new (non-grandfathered) license applicants. Until those requirements are established, the Division has indicated that it will not require that inspectors be licensed, pursue investigations or take disciplinary action for non-compliance with the (new) inspector licensing provisions. The Division estimates that the date of the requirements being effective will occur sometime in April 2020.

In a publication, the Division has stated that many home inspectors have already been issued a license under the "grandfathering" provisions in the statute. However, one can only wonder if those licenses will withstand judicial scrutiny if challenged since the rules of the Ohio Home Inspector Board were not effective at the time the Board granted those persons "grandfather" inspector licenses.

## HOLIDAY OFFICE HOURS

The firm's offices will be closed December 24 and December 25 and December 31 and January 1 so that we may all have extra time to enjoy the Christmas and New Year holidays with our families. Happy Holidays to you and yours.

This bulletin provides general information and is not legal advice. Please contact us if you need legal advice.

If you have friends or associates who you think would enjoy receiving a copy of this Client Bulletin, please feel free to forward it on. Thank you.