



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sean McCullough, Director

MEMORANDUM

TO: Edward Woodruff, Ohio Department of Commerce, Division of Real Estate & Professional Licensing

FROM: Jacob Ritzenthaler, Business Advocate

DATE: September 13, 2022

RE: **CSI Review – Home Inspector Education (OAC 1301:17-1-07, 1301:17-1-10, 1301:17-1-11, 1301:17-1-16 & 1301:17-1-17)**

On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Division as provided for in ORC 107.54.

Analysis

This rule package consists of five amended rules proposed by the Ohio Department of Commerce Division of Real Estate & Professional Licensing (Division). This rule package was submitted to the CSI Office on August 1, 2022, and the public comment period was held open through August 15, 2022. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on August 1, 2022.

Ohio Administrative Code (OAC) Chapter 1301:17-1 establishes procedures and practices for the Division's Home Inspector Program. OAC 1301:17-1-07 sets forth the education qualifications for entering the home inspector program and is amended to reflect changes to OAC 1301:17-1-11 that concern online education courses. OAC 1301:17-1-10 lists standards for home inspector continuing education and is amended to update references to other rules within the chapter. OAC 1301:17-1-11 concerns continuing education approvals for education providers and is amended to introduce additional requirements for online education, including requirements for synchronous, asynchronous, and hybrid courses which are conducted both online and in-person. OAC 1301:17-1-

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16 establishes the canon of ethics for home inspectors and are amended to require that licensees shall not provide oral home inspection reports in lieu of written reports and provide the scope of limited inspections. OAC 1301:17-1-17 lists the standards of practice for home inspectors, including

During early stakeholder outreach, the Division reviewed the rules during meetings of the Ohio Home Inspector Board. The Division states that stakeholder comments received during that time were incorporated into the rules where appropriate. No comments were received during the CSI public comment period.

The business community impacted by the rules includes home inspector licensees and education providers. The adverse impacts created by the rules include the cost of application fees for education providers and licensees, completing and application, and complying with the standards set forth in the rules. Fees cost \$235 for initial and renewal licensure as a home inspector, \$600 for home inspector course approval, and \$150 for an online education course. The Division states that the adverse impacts created by the rules are necessary to ensure that home inspectors are trained and educated properly to conduct inspections.

Recommendations

Based on the information above, the CSI Office has no recommendations on this rule package.

Conclusion

The CSI Office concludes that the Division should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review