

HOUSE BILL REPORT

SSB 6433

As Reported by House Committee On:
Commerce & Labor

Title: An act relating to home inspector licensing requirements.

Brief Description: Modifying home inspector licensing requirements.

Sponsors: Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Honeyford, Parlette, Holmquist and Stevens).

Brief History:

Committee Activity:

Commerce & Labor: 2/19/10, 2/23/10 [DPA].

**Brief Summary of Substitute Bill
(As Amended by House)**

- Extends the time in which certain experienced home inspectors can apply for licensure without meeting instruction and training requirements to July 1, 2010, from September 1, 2009.
- Requires the Home Inspector Advisory Licensing Board to consult with community and technical colleges in eastern Washington to develop qualified instruction programs.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Crouse, Green, Moeller and Williams.

Staff: Alison Hellberg (786-7152).

Background:

Legislation passed in 2008 requires that, starting on September 1, 2009, a person working as a home inspector must be licensed by the Department of Licensing. In order to become licensed as a home inspector, an applicant must complete certain requirements, including:

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- at least 120 hours of classroom instruction approved by the Home Inspector Advisory Licensing Board (Board);
- up to 40 hours of field training supervised by a licensed home inspector; and
- successful passage of a written examination.

Before September 1, 2009, a home inspector could apply for licensure without meeting the instruction and training requirements. This applies to home inspectors who were practicing on June 12, 2008, and could demonstrate two years of experience and had performed at least 100 home inspections.

Summary of Amended Bill:

A home inspector who was practicing on June 12, 2008, and can demonstrate two years of experience and the performance of at least 100 home inspections, has until July 1, 2010, to apply for licensure without meeting the instruction and training requirements.

The Board is required to consult with community and technical colleges in eastern Washington to develop qualified instruction programs in that area. If classes are not approved in eastern Washington by December 1, 2010, the Board must report to the Legislature why classes have not been approved and identify barriers to providing instruction in eastern Washington.

Amended Bill Compared to Substitute Bill:

The provision that exempts experienced home inspectors from the first four years of continuing education requirements if they enrolled in classes after September 1, 2009, and before the effective date of the bill is removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony:

(In support) This bill was developed in response to individuals who could have been grandfathered into the licensing requirement but were not because they did not apply in time. Not every home inspector was a structural pest inspector before the new licensing requirement, and so they were not notified. The Legislature has done this before. It is common to extend grandfathering clauses.

The amendment related to continuing education was added to be more equitable to those who missed the grandfathering date, but have already enrolled in and paid for the classes. It allows them to use these classes towards their continuing education requirement. The prime sponsor is comfortable with removing this provision.

This bill will help make more classes available in eastern Washington. It is a substantial investment to take these classes, even more so if you have to travel to western Washington to take them.

(Opposed) Continuing the grandfathering period would do a disservice to consumers and is unfair to those who followed the rules. Making this change would ruin the intent of the original bill. Even with the removal of the continuing education provision, this bill is still bad for consumers. This licensing requirement was heavily advertised and notice was provided in many different venues. It would be impossible for a home inspector not to have known about the new requirement.

Those with a structural pest inspector license were notified of the new home inspection licensing requirement. It is impossible to do a home inspection without coming across pest issues. Prior to the home inspector licensing requirement, those doing home inspections should have had structural pest inspector licenses. A person's professional qualifications should be questioned if he or she would conduct a home inspection without one.

Even with the bill, it might still be difficult to get more classes in eastern Washington. If classes do not have at least 15 students, they cannot go forward.

Persons Testifying: (In support) Senator Honeyford, prime sponsor; and Senator Kohl-Welles.

(Opposed) Hugh Kelso and Howard Maxfield, American Society of Home Inspectors; Reid Guthrie, The Home Detective; Greg McCarrel, First Alert Inspection Services; Michael O'Hanallam, Washington Home Inspectors Advisory Licensing Board; and Michael Wicklund, Washington Association of Property Inspectors.

Persons Signed In To Testify But Not Testifying: (Opposed) Darrell Marsolais, PSI Home Inspector Services; Joanne MacKintosh, Centennial Home Inspection; and Charles Buell, Bellingham Technical College.