

266 CMR: BOARD OF REGISTRATION OF HOME INSPECTORS

266 CMR 3.00: PROCEDURE FOR REGISTRATION

Section

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3.01: Application and Licensing

(1) Application. No application shall be acted upon by the Board unless the application is made on forms which are furnished by the Board, and unless said application is completely and properly filled out, signed under the penalties of perjury, and accompanied by such information that the Board requires.

(2) Licensure.

(a) In order to be licensed as an Associate Home Inspector applicants must meet the requirements for licensure set by M.G.L. c. 112, § 223, namely the applicant:

1. Is of good moral character.
2. Has successfully completed high school or its equivalent.
3. Has filed an application for licensure on forms furnished by the Board.
4. Has an identified Supervisor(s) who is a licensed Home Inspector in good standing in the Commonwealth.
5. Has paid the appropriate fee set by the Secretary of Administration and Finance.
6. Has performed and documented the successful completion of not less than 25 fee- paid Home Inspections under the Direct Supervision of a licensed Home Inspector. A total of ten Mock Inspections of the 25 required will be allowed if conducted with and provided by an approved provider in accord with 266 CMR 5.05: *Approval of Providers' for Education Programs and Activities*.
7. Has documented passing the written or electronic examination approved by the Board.
8. Has documented the successful completion of the Associate Home Inspectors Training Program in 266 CMR 4.00: *Associate Home Inspector Training and Registration Requirements*.
9. Agrees to uphold the standards of ethics and professional conduct set forth in 266 CMR 8.00: *Professional Competence and Conduct*.

The Board shall promptly notify an applicant in writing, whether his/her application has been approved. If the Board approves the application, the Board shall issue to the applicant an Associate Home Inspector License. The computation of the one year period referred to in M.G.L. c. 112, § 222(13)(d)(iii) shall begin upon issuance of the Associate Home Inspector license.

(b) In order to be licensed as a Home Inspector applicants must meet the requirements for licensure set by M.G.L. c. 112, § 222, namely the applicant:

1. Is of good moral character.
2. Has successfully completed high school or its equivalent.
3. Has filed an application for licensure on forms furnished by the Board.
4. Has been engaged as a licensed Associate Home Inspector for not less than one year.
5. Has performed and documented the successful completion of not less than an additional 100 home inspections under the indirect or direct supervision of a licensed Home Inspector.
6. Has paid the appropriate fee set by the Secretary of Administration and Finance.
7. Agrees to uphold the standards of ethics and professional conduct set forth in 266 CMR 8.00: *Professional Competence and Conduct*.

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3.01: continued

8. Agrees to issue Reports in compliance with the Standards of Practice set forth in 266 CMR 6.00: *Standards of Practice*.
 9. Has filed satisfactory proof of the mandatory insurance coverage.
 10. Has submitted documentation that the applicant has met the Continuing Education requirements of 266 CMR 5.01: *Continuing Education Requirements*.
- (c) License by Reciprocity or Endorsement. The Board shall issue a Home Inspector license to a person who holds a valid Home Inspector license or registration issued by another jurisdiction, which has standards equivalent to or exceeding the standards of the Commonwealth as determined by the Board. A license by endorsement or reciprocity may be issued upon the Applicant submitting:
1. A written application on forms provided by the Board.
 2. Satisfactory proof of the mandatory insurance coverage.
 3. Payment to the Board of the appropriate fee set by the Secretary of Administration and Finance.

3.02: Procedures for Renewal of a License and Renewal of a Lapsed/Expired License

- (1) Requirements for Renewal of a License.
 - (a) A Registrant must renew his or her license every two years. Each license originally issued to an individual shall be valid until May 31st on the even year next occurring. Upon renewal, the license will be valid until May 31st on the even year next occurring.
 - (b) A Registrant must submit to the Board a completed renewal application and the required fees prior to the expiration date of the license; and
 - (c) A Registrant must fulfill and document the continuing education activities as required in 266 CMR 5.00: *Continuing Education*.
- (2) Procedures for Renewal of a Lapsed/Expired License.
 - (a) If a Registrant fails to meet the requirements for renewal of his or her license as set forth in 266 CMR 3.02(1), the license of such person is considered expired and not in good standing. A Registrant with an expired license is prohibited from conducting home inspections, or to use the title "Registered Professional Home Inspector" or "Home Inspector" during the period in which the license is expired.
 - (b) If a Registrant requests that his or her expired license be reinstated within one year of the date his or her license expires, the Registrant must pay the renewal fee for the current licensure period, pay a late fee (as determined by the Secretary of Administration and Finance), document completion of all continuing education contact hours required by the Board, and file satisfactory proof of the mandatory insurance coverage.
 - (c) If a Registrant fails to renew for more than one year, the Board may grant renewal upon its discretion based upon the circumstances surrounding the request. The Board may require the Registrant to appear before the Board, take an examination, complete additional continuing education, or practice under supervision prior to, or as a term or condition of, issuing said late renewal license.

3.03: Procedures for Reinstatement of a License Which Has Been Revoked, Suspended, Surrendered, or Placed on Probation

Procedures for the reinstatement of a license after discipline shall be determined by guidelines established by the Board or, in specific matters, by consent agreement or a decision and order of the Board issued consistent with M.G.L. c. 30A.

3.04: Mandatory Insurance Coverage

As a condition of licensure, all licensed Home Inspectors and Associate Home Inspectors engaged in the practice of Home Inspection shall secure, maintain, and file with the Board satisfactory proof of a certificate of errors and omissions insurance policy, which shall be in a minimum amount of \$250,000 in the aggregate. All errors and omissions policies shall remain in effect for ten days after the Board receives written notice via certified mail of the inspector's intention to cancel or not renew. Notification shall be certified mail return receipt requested; it shall be the inspector's responsibility to notify the Board.

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3.05: Board Notification of Change in Name or Address

(1) Official Mailing Address. The mailing address supplied to the Board by the Registrant will be considered as the address of record for receipt of correspondence from the Board. Failure to supply the Board with a correct mailing address may result in default judgment, or form a basis of independent disciplinary action.

(2) Change of Address. A Registrant shall notify the Board of any change in his or her name, or address. Such notification shall be in writing and shall be submitted within 30 days of the change in name or address.

3.06: License Fee

Biennial license fees are set by the Secretary of Administration and Finance of the Commonwealth of Massachusetts. Fees shall not be prorated for those applying between renewal dates.

3.07: Late Filing Fee

Renewal forms and fees postmarked after the due date will be subject to a late filing fee set by the Secretary of Administration and Finance.

3.08: Application Fee

A separate application fee will be charged for all new applications.

3.09: Reimbursement of Fees

Application and license fees are not refundable.

REGULATORY AUTHORITY

266 CMR 3.00: M.G.L. c. 13, § 96, 97, 97a; c. 112, §§ 221 through 226.