

Regular Session, 2013

SENATE RESOLUTION NO. 128

BY SENATOR MILLS

SAFETY REGULATIONS. Requests the Louisiana State Board of Home Inspectors to study applicable Louisiana law and rules to determine whether amendments are necessary in order to expand the scope of practice of home inspectors.

A RESOLUTION

To urge and request the Louisiana State Board of Home Inspectors to study applicable Louisiana law and rules to determine whether amendments are necessary in order to expand the scope of practice of home inspectors to ensure that Louisiana home buyers are adequately protected and informed about the condition of residential resale buildings.

WHEREAS, it is in the best interests of the safety, health, and well-being of residents of Louisiana to require the licensure and regulation of home inspectors; and

WHEREAS, a home inspector is presently defined as any person who holds himself out as a home inspector to the general public, or engages in the business of performing home inspections on resale residential buildings for compensation, or who examines any component of a building, through visual means and through normal user controls, without the use of mathematical sciences; and

WHEREAS, the Louisiana State Board of Home Inspectors adopted standards of practice, pursuant to the Administrative Procedure Act, which are minimum standards for home inspectors and are set forth in Title 46, Part XL of the Administrative Code; and

WHEREAS, such standards established a minimum and uniform standard for Louisiana state licenced home inspectors and provided that home inspections performed

1 pursuant to such standards of practice are intended to provide buyers with information
2 regarding the condition of the systems and components of the home as observed at the time
3 of inspection; and

4 WHEREAS, the standards of practice presently provide that inspections of certain
5 defects are not required to be performed by a home inspector, including but not limited to
6 life expectancy of any component or system, the presence or absence of any suspected or
7 actual adverse environmental condition or hazardous substance, such as mold, and any
8 component or system that was inspected and so stated in the home inspection report or pre-
9 inspection agreement; and

10 WHEREAS, the standards of practice adopted by the board should be subject to
11 continuous review and updating, including comparisons to other states, to ensure that
12 licensed home inspectors in Louisiana are providing services adequate to protect persons
13 purchasing any residential resale building.

14 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
15 does hereby urge and request the Louisiana State Board of Home Inspectors to study
16 applicable Louisiana law and rules to determine whether amendments are necessary in order
17 to expand the scope of practice of home inspectors to ensure that Louisiana home buyers are
18 adequately protected and informed about the condition of residential resale buildings.

19 BE IT FURTHER RESOLVED that the Louisiana State Board of Home Inspectors
20 shall report the findings of such study, including any legislative proposals, to the Louisiana
21 Senate not later than February 1, 2014.

22 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
23 chairman of the Louisiana State Board of Home Inspectors.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Mills

SR No. 128

Requests the La. State Board of Home Inspectors to study applicable La. law and rules to determine whether amendments are necessary in order to expand the scope of practice of home inspectors to ensure that Louisiana home buyers are adequately protected and informed about the condition of residential resale buildings.