

PETITION FOR DECLARATORY STATEMENT FOR THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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As a licensed Home Inspector under Title XXXII Chapter 468 Part XV Florida Statutes, I am concerned about the licensing of contractors and code officials as home inspectors without appropriate training and testing. Therefore, I am requesting a declarative statement regarding the 120 hours of training and the exam requirement as set forth in subsection 468.8313 (2) as follows:

468.8313 Examinations.

(2) An applicant may practice in this state as a home inspector if he or she passes the required examination, is of good moral character, and completes a course of study of at least 120 hours that covers all of the following components of a home: structure, electrical system, HVAC system, roof covering, plumbing system, interior components, exterior components, and site conditions that affect the structure.

From its inception, Home Inspector training has focused on historical safety issues and building practices in order to provide the homebuyer with a wealth of safety information concerning the home regardless of the home's age. Home Inspectors must know safety issues and building practices that go back to the early 1900s as well as current issues.

Examples of this can be found in the training guide "*Electrical Inspection of Existing Dwellings 2001 Edition*" by Douglas Hansen, Redwood Kardon & Michael Casey. This guide covers decades of safety issues and practices that are not found in any of the contractor or code official training guides.

The contractor and code official training comes from FBC 2010, the current building code. Following is an example taken from the FBC 2010 Florida Building Code, Existing Building.

101.2 Scope. *The provisions of the **Florida Building Code, Existing Building**, shall apply to the repair, alteration, and change of occupancy, addition and relocation of existing buildings.*

Any current repairs, alterations, and changes must meet the current Florida building code. Therefore, contractor or code officials **do not** have 120 hours of training that is focused on historical safety issues and building practices.

Division I contractor's course and exam materials are void of information for identifying historical safety issues and building practices. The fact is they have no historical safety issues and building practices training and little current code training.

Just a few dangerous issues that are not found in any of the contractors' courses or exams but that are vital for the Home Inspector to know because they are still found in many homes today:

Asbestos	Moisture intrusion
Knob and tube (early 1900s)	Anti-tilt
WDO	TPR
Aluminum wiring (1970s)	Mold
Lead paint (up to 1978)	Chinese drywall (2001 -2008)
EIFS	Federal pacific (1950-1990)
PB piping (1970-1995)	Vermiculite (1919-1990)
Lead water pipes (up to 1978)	

Any one that has not been trained and taken the NHIE or the InterNACHI exam covering these issues is **not qualified** to inspect homes for a real estate transaction. **Contractors** have not met this requirement; therefore, **they are not qualified**.

The **HUD.GOV** website provides ten questions a homebuyer should ask a Home Inspector, including:

3. *Are you specifically experienced in residential inspection?*

Related experience in construction or engineering is helpful, but is **no substitute** for training and experience in the **unique discipline of home inspection**.

Does the department agree that the statute should be interpreted as follows?

1. That the course of study of at least 120 hours of Home Inspector training as required in 468.8313 (2) Examinations ***is in fact comprised*** of historical safety issues and building practices spanning decades which include the following components of a home: structure, electrical system, HVAC system, roof covering, plumbing system, interior components, exterior components.
2. That the statute correctly identifies the Home Inspector profession as a ***unique discipline*** from any other licensed profession and that uniqueness being the historical safety issues and building practices training that span decades.
3. That licensed professions regulated by the department must complete the same ***intended*** course of study of the referred statute and testing in order to be licensed as Home Inspectors.

For more information, please visit:

<http://www.chiefhomeinspections.com/homeinspectorvsothers.html>

It is my desire as a licensed Home Inspector to ensure that the public receives a home inspection that meets the intent of the statute Chapter 468, Part XV.

Thank you in advance for your time and favorable consideration.



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