

# A home buyers and seller guide to inspecting the home inspector

by **Dan Howard**  
for Trib Total Media

Buying a home is usually one of the largest and most important purchases you will make. Your financial future and even you and your family's physical health and safety may depend on the buying decisions you make. You want good, honest, professional advice.

The Realtor, mortgage professional, insurance agent and appraiser are all licensed by the state in Pennsylvania. You may expect that a Home Inspector would be licensed, but they aren't. PA Act 114 is the law governing home inspectors, but there is no license, review, registration or place to file an inquiry as to prior violations.

This law has been in effect since Dec 20, 2001 but no enforcement action has been taken by any State or Realtor authority to enforce its provisions. Imagine the Internal Revenue Service adopting a policy that they believe "anything that is reported". No audits, no W-2's, 1099's, nothing. In other words, if it is on the tax form, they believe you. Except for the honest people like you and me, the IRS would develop a compliance problem.

According to PHIC (Pennsylvania Home Inspectors Council) 40 percent to 60 percent of inspectors are not compliant or qualified under PA minimum requirements. This author has knowledge of several non-compliant, but practicing home inspectors within ten miles of his office.

The law includes a provision that if an inspector states that they are compliant with the law, the consumer, Realtors and others can rely on that information. That's like saying, "there's no need to check the fox in the henhouse because he isn't supposed to eat the chickens."

**There are thousands of reasons why home inspectors are not compliant with the law.** It costs between \$2,500 to \$6,000 for Errors and Omissions and General Liability Insurance each year for a single inspector firm. Multiple inspector firms pay even higher premiums. The required continuing education often costs over \$1,000 to \$3,000 per year per inspector. A compliant inspector must pay from \$300 to \$800 in Association Membership Fees.

The minimum of 100 supervised inspections that are required before an inspector can perform inspections on their own take time and usually require a training fee be paid to the supervising inspector.

**What can a consumer do if their inspector or a buyer's inspector is not compliant?** The PA Home Inspectors Law provides that a District Justice can conduct a summary proceeding and levy fines and penalties. Violations include not maintaining Errors and Omissions Insurance, performing inspections while not compliant with the law, not providing a written report or providing report copies to certain parties without client authorization. Other violations include failure to maintain the required association membership and continuing education. Consumers may need to provide copies of the law to their attorney or the magistrate as the Home Inspection Act is simply not commonly studied, enforced or included in continuing education.

**Both buyers and sellers can be hurt when an inspector is not compliant.** The real purpose of a home inspection is to keep residents safe and protect the major investment that a home represents. The sad news is that errors can occur by either overstating or missing problems. Without proper training an inspector may miss identifying a defect, or on the other side, identify something that is not a defect as a defect. If either party suspects a mistake, it is appropriate to "inspect the inspector."

**Some Realtor office Home Inspector lists include non-compliant inspectors.** It takes time, energy and knowledge to confirm an inspector's compliance. An "inspector" may come into a Realtor office and introduce themselves as qualified and compliant and never have the compliance checked. A buyer can pick up a home inspector's brochure or search the web and wrongly assume they have a qualified inspector. Often buyers and Realtors never know they had a non-compliant inspector. Prudential Preferred Realty provides a copy of verified complaint inspectors on the back of their sales agreement. Many other

Realtors provide copies of the ASHI Wheel brochure to all buyers as a verified source of compliant inspectors. These brochures are provided by PRO-ASHI at no cost to Western PA Realtors.

**On Line Listing of Confirmed Compliant Home Inspectors.** The Pittsburgh Regional Organization of the American Society of Home Inspectors (PRO-ASHI) provides the only website listing Western PA inspectors who provide independently verified documentation that they have met all of the requirements of Act 114, the Home Inspectors Act. That website is [www.pro-ashi.com](http://www.pro-ashi.com)

Other inspectors may be compliant, but not on that list as this is a member's submission process and inspectors are not required to participate.

Membership in associations can be confirmed by those associations. Association websites include [www.ASHI.org](http://www.ASHI.org), [www.NAHI.org](http://www.NAHI.org), [www.Nachi.org](http://www.Nachi.org) and [www.Inspection.org](http://www.Inspection.org). These sites do not validate PA compliance requirements. Licensing is also required for radon testing and pest inspections. Links to verify that compliance and more information on this topic will be at the website: [www.Enviroinspect.info/InspectTheInspector](http://www.Enviroinspect.info/InspectTheInspector).

