



NORTH CAROLINA HOME INSPECTOR LICENSURE BOARD

Bylaws

(Amended by the Board on November 19, 2010)

ARTICLE I. GENERAL RULES

The North Carolina Home Inspector Licensure Board (hereinafter referred to as "the Board") shall be governed by the terms of Article 9F of Chapter 143 of the General Statutes of North Carolina and by such other state laws as shall relate to its activities. In addition, the Board shall comply with these Bylaws for its internal management.

ARTICLE II. OFFICERS AND DUTIES

Section A; Officer Positions:

Officers of the Board shall consist of a Chairperson, Vice Chairperson, Secretary and Treasurer

Chairperson: The Chairperson shall preside over all Board meetings, shall appoint all members to committees of the Board, shall generally oversee the operations of the Board's staff and shall officially represent the Board. While presiding at meetings, the Chairperson shall decide all points of order and procedure, subject to these rules unless directed otherwise by a majority of the Board in session at the time.

Vice Chairperson: The Vice Chairperson shall serve as acting Chairperson in the absence or disability of the Chairperson, and at such times the Vice Chairperson shall have the same powers and duties as the Chairperson.

Secretary: The Secretary, subject to the direction of the Board, shall be responsible for keeping all records, and for generally supervising the clerical work of the Board. The Secretary shall be responsible for keeping the minutes of every meeting of the Board. The minutes shall be public record and available to the public for review. The minutes shall show the record of all important facts pertaining to each meeting and hearing, every resolution acted upon by the Board, and all votes of Board members upon any resolution or the final determination of any questions.

Treasurer: The Treasurer, subject to the direction of the Board, shall be responsible for record keeping of receipts and disbursements of monetary funds of the Board. At each regularly scheduled meeting of the Board, the Treasurer shall provide a written financial statement and a verbal summary of the financial condition of the Board's funds. The Treasurer shall serve as Chairperson of the Finance Committee.

Section B; Election of Officers:

A Nominating Committee will be created by the Chairperson of the Board with its function being to nominate all officer candidates. The Nominating Committee will present its recommendations to the Board at its first regular meeting after July 1 of the election year at which time elections will be held. Other nominations from the floor can be placed into nomination from any Board member. In the event that more than two candidates are nominated for any one office and a greater than fifty percent (50%) majority vote is not obtained for any one candidate, then a second vote shall be taken on the two leading candidates and the candidate receiving the greatest number of votes shall be deemed the winner. All Board members present will be eligible to vote. No absentee voting will be permitted.

The newly elected officer's term will begin at the end of the election meeting. The term of each officer shall be one year. Officers shall serve until a successor is elected and installed.

Officers of the Board shall be eligible for re-election once.

Section C; Vacancies:

If an office becomes vacant prior to the expiration of the elected term, then the Chairperson will create a Nominating Committee to recommend to the Board a replacement officer for that vacancy. The recommendation from the Nominating Committee will be presented to and voted upon by the Board at the next properly called or scheduled Board meeting. The voting procedure will follow the same guidelines as set out in the *Election of Officers* section of these bylaws. The replacement officer will fill only the unexpired term of the vacant position.

An interim officer may be appointed by the Chairperson until the replacement officer is elected.

Section D; Removal of Officers:

Any officer may be removed from office by a vote of 2/3 of the Board members present at any properly called or scheduled meeting of the Board.

ARTICLE III. COMMITTEES

Section A; Board Created Committees:

The Board may create and assign duties to whatever committees it deems necessary to carry out the Board's functions most expeditiously. These may be standing committees, special committees, subcommittees for special purposes or advisory committees.

The Chairperson of the Board shall appoint all members of all Board committees. From these appointees the Chairperson of the Board shall select a chairperson of such committees.

All committees created by the Board will report to the Board at each regularly scheduled Board meeting, unless otherwise directed by the Board.

Section B; Committees created by the Chairperson of the Board:

The Chairperson of the Board may create and assign duties to any special committee(s), subcommittee(s) for special purposes and/or advisory committee(s) as he or she deems necessary to carry out the Board's functions most expeditiously.

The Chairperson of the Board shall appoint members and select a chairperson from the members.

All committees created by the Chairperson of the Board will report to the Chairperson of the Board as directed.

Section C; Standing Committees:

Standing committees are more or less permanent committees, which continue in existence until formally abolished. Standing committees of the Board shall include an Application Evaluation Committee, Exam Committee, Finance Committee, Education Committee, Standards of Practice Committee, Legislative Committee, Investigation Review Committee, and Personnel Committee.

The Chairperson of any Standing committee that creates subcommittees or advisory committees shall appoint the members of those subcommittees or advisory committees and shall select their chairperson.

Application Evaluation Committee shall be responsible for the review and approval of Home Inspector and Associate Home Inspector applications. All appeals of the staff decisions concerning evaluation of applications will be heard by this committee. Appeals of this committee will be heard by the Board.

Exam Committee shall be responsible for developing, establishing and revising the examinations for Home Inspector and Associate Home Inspector. With the approval of the Board, the Exam Committee may hire consultants and private agencies to assist in the development and administration of exams.

Finance Committee shall be responsible for developing the Board's budget and reporting to the Board at each meeting the financial status of the Board. The Board Treasurer will serve as the Chairperson of the Finance Committee.

Standards of Practice Committee shall be responsible for reviewing on a regular basis and as needed revising the Standards of Practice and the Code of Ethics contained in the North Carolina Administrative Code, Title 11, Chapter 8.

Education Committee shall be responsible for administering the continuing education program, including determining the mandatory Update courses required each year and for administering the Pre-licensing education program, including determining the scope and extent of required courses.

Legislative Committee shall be responsible for recommending any legislation the Board desires to send to the Legislature, and to follow-up on legislation affecting the Home Inspector profession.

Investigation Review Committee shall review all reports that have basis in fact to a complaint and shall determine if a disciplinary hearing will be held. The Committee shall review all consent agreements and make recommendations to the Board.

Personnel Committee shall be responsible for interviewing candidates for certain staff positions with the Board and providing recommendations to the Board.

Section D; Special Committees:

Special Committees are created to exercise particular limited functions for a specified period of time. Unless otherwise provided by the Board, no special committee shall remain in existence for more than two years.

Section E; Advisory Committees:

Advisory Committees are committees whose membership consists partially or totally of persons who are not members of the Board. They shall give the Board or its committees such advice and assistance as may be requested by the Board or committee which creates them.

ARTICLE IV. STAFF

Section A; General:

The staff of the Board shall be provided by the Division of Engineering in the N.C. Department of Insurance as provided by GS143-151.63. The staff, subject to the direction of the Board, shall provide clerical and other services required by the Board and shall administer and enforce all provisions of Article 9F of Chapter 143 of the General Statutes and rules and regulations promulgated by the Board.

Section B; Executive Director:

The Executive Director will be chosen by the Board, will work under the direction of the Board and will manage the activities of all other Board staff members.

Section C; Other Staff Members:

Subsequent to the approval by the Board to either fill or create a specific staff position; candidates for subject position (other than the Executive Director) will be interviewed and recommended to the Board by the Executive Director. The Board will make the final hiring approval.

ARTICLE V. MEETINGS

Section A; Regular Meetings Regular, Special, Emergency and Committee Meetings:

The Board shall hold at least two regular meetings each year as provided by GS 143-151.48. The Board may hold additional regular meetings upon the call of the Chairperson or any two Board members. The Chairperson shall give written notice setting forth the time, date, and place of regular meetings no later than one week prior to the meeting. The Chairperson may reschedule a regular meeting by giving written notice to all Board members no later than one week prior to when the scheduled meeting would normally be held. If special meetings are necessary, the Chairperson shall provide notice of such meetings no later than 48 hours prior to each meeting. If emergency meetings are necessary, reasonable efforts will be made to provide notice to every member at least 48 hours prior to the emergency meeting or at the earliest practicable time if 48 hour notice cannot be provided. Chairpersons of each committee shall provide notice of committee meeting to the members of that committee no later than 48 hours prior to each meeting. Staff shall cause public notice of meetings, including regular meetings, special meetings, emergency meetings and committee meetings, to be posted as required by Article 33C of the North Carolina General Statutes.

Section B; Conduct of Regular Meetings:

All regular meetings of the Board shall be open to the public. The order of business at regular meetings shall be as follows: (1) roll call; (2) review and approve minutes of previous meeting; (3) committee reports; (4) Staff reports; (5) unfinished business; (6) new business.

Meeting procedures will follow *Robert's Rules of Order*.

Section C; Quorum:

A quorum shall consist of a majority of the members of the Board. A quorum of any committee shall consist of a majority of all the members of the committee.

Section D; Voting:

The vote of a majority of those Board members present shall be sufficient to decide matters before the Board provided a quorum is present. The Chairperson of the Board shall not be required to vote except when necessary to break a tie. However, the Chairperson may vote on any matter. The Chairperson may not vote twice, creating a tie and then breaking it.

No Board member shall participate in the decision of any matter in which they have a personal or financial interest sufficient to influence his or her vote.

Section E; Meetings by Telephone Conference or Other Electronic Means

All meetings, including regular meetings, may be held by telephone conference or other electronic means in accordance with Chapter 143, Article 33C of the North Carolina General Statutes. Meetings conducted by telephone conference shall be held in accordance with the procedures outlined in *Robert's Rules of Order* in the same manner as non-telephone meetings, except that each member shall identify him or herself when speaking, and during voting each member shall verbally indicate his or her vote.

ARTICLE VI. AMENDMENTS

These Bylaws may be amended at any time by an affirmative vote of the majority of the members of the Board. Such proposed amendment shall have first been presented to the Board in writing at a regular Board or special Board meeting preceding the Board meeting at which the vote is taken.

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