



North Carolina  
Home Inspector Licensure Board  
NCHILB

**Board Training 93B-5**  
**October 11, 2012**

# Board Training 93B-5

## **93B-5. Compensation, employment, and training of board members.**

(g) Within six months of a board member's initial appointment to the board, and at least once within every two calendar years thereafter, a board member shall receive training, either from the board's staff, including its legal advisor, or from an outside educational institution such as the School of Government of the University of North Carolina, on the statutes governing the board and rules adopted by the board, as well as the following State laws, in order to better understand the obligations and limitations of a State agency:

- 1) Chapter 150B, The Administrative Procedure Act.**
- 2) Chapter 132, The Public Records Law.**
- 3) Article 33C of Chapter 143, The Open Meetings Act.**
- 4) Articles 31 and 31A of Chapter 143, The State Tort Claims Act and The Defense of State Employees Law.**
- 5) Chapter 138A, The State Government Ethics Act.**
- 6) Chapter 120C, Lobbying.**

*Completion of the training requirements contained in Chapter 138A and Chapter 120C of the General Statutes satisfies the requirements of subdivisions (5) and (6) of this subsection.*

# Home Inspector Licensure Act

N.C. General Statutes Chapter 143, Article 9F

## MISSION STATEMENT:

The mission of the NC Home Inspector Licensure Board is to safeguard the public health, safety, and welfare and protect the public from being harmed by unqualified persons by regulating the use of the title "Licensed Home Inspector" and by providing for the licensure and regulation of those who perform home inspections for compensation.



# Functions of the Board

## *“Statutes & Rules”*

- Licensing
  - eligibility, examination, issuance, renewal
  - \*surrender, suspension, probation, revocation
- Education
  - Pre-licensing (classroom & field)
  - Continuing Education (update & elective)
- Investigations
- Discipline\*

# Discipline

## **143-151.56 Suspension, revocation, and refusal to renew license.**

- (a) The Board may deny or refuse to issue or renew a license, may suspend or revoke a license, or may impose probationary conditions on a license if the license holder or applicant for licensure has engaged in any of the following conduct:
- (1) Employed fraud, deceit, or misrepresentation in obtaining or attempting to obtain or renew a license.
  - (2) Committed an act of malpractice, gross negligence, or incompetence in the practice of home inspections.
  - (3) Without having a current license, either performed home inspections for compensation or claimed to be licensed.
  - (4) Engaged in conduct that could result in harm or injury to the public.
  - (5) Been convicted of or pled guilty or nolo contendere to any misdemeanor involving moral turpitude or to any felony.
  - (6) Been adjudicated incompetent.
  - (7) Engaged in any act or practice that violates any of the provisions of this Article or any rule issued by the Board, or aided, abetted, or assisted any person in a violation of any of the provisions of this Article.
  - (8) Failed to maintain the requirements provided in G.S. 143-151.58(b)

# Your Chances of getting a complaint & being disciplined?

- Total # Complaints received by Board since 1996 – 16 years.....about 480
- Total # Complaints resulting in disciplinary action.....about 120 (25%)
- Total # Home Inspector licenses issued to date:.....3,200
- Total # of ACTIVE Home Inspector licenses as of 7/20/2012.....1,052
- Average # Complaints per year..... $480/16 = 30$
- Complaints / Licensees Ratio    30 complaints per 1,000 licensees = 3%

The Good News: Your overall chance of having a Complaint submitted to the Board resulting in Disciplinary Action is pretty small.

Question: Are “complaints” being settled informally?

# Chapter 93B

## Occupational Licensing Boards



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### **93B-2. Annual reports required; contents; open to inspection; sanction for failure to report.**

- (a) No later than October 31 of each year, each occupational licensing board shall file with the Secretary of State, the Attorney General, and the Joint Regulatory Reform Committee an annual report containing all of the following information:
- (b) No later than October 31 of each year, each occupational licensing board shall file with [the above] and the Office of State Budget and Management a financial report that includes the source and amount of all funds credited to the occupational licensing board and the purpose and amount of all funds disbursed by the board during the previous fiscal year.

# Chapter 93B

## Occupational Licensing Boards

### 93B-2. Annual reports required; contents; open to inspection; **sanction for failure to report.**

- (d) Failure of a board to comply with the reporting req'ts of this section by October 31 of each year shall result in a suspension of the board's authority to expend any funds until such time as the board files the required reports. Suspension of the board's authority to expend funds under this subsection shall not affect the board's duty to issue and renew licenses or the validity of any application or license for which fees have been tendered in accordance with law. **Each board shall adopt rules establishing a procedure for implementing this subsection and shall maintain an escrow account into which any fees tendered during a board's period of suspension under this subsection shall be deposited.**



# Chapter 93B

## Occupational Licensing Boards

### **93B-6. Use of funds for lobbying prohibited.**

Occupational licensing boards shall not use any funds to promote or oppose in any manner the passage by the General Assembly of any legislation.

NCHILB By-Laws

Article III. COMMITTEES, Section C; Standing Committees

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.

*The substance of any anticipated request by the occupational licensing board to the General Assembly to amend statutes related to the occupational licensing Board.*

*The substance of any anticipated change in rules adopted by the occupational licensing board or the substance of any anticipated adoption of new rules by the occupational licensing board*

# Chapter 93B

## Occupational Licensing Boards

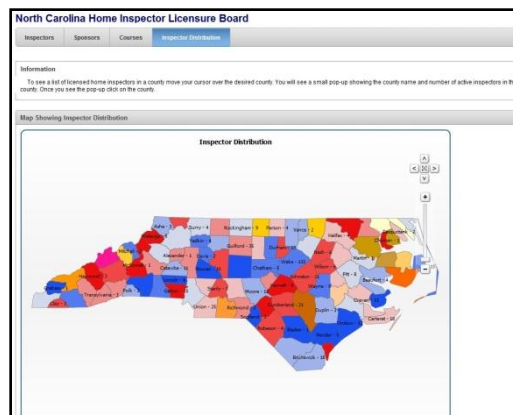
### 93B-3. Register of persons licensed; information as to licensed status of individuals.

Each occupational licensing board shall prepare a register of all persons currently licensed by the board and shall supplement said register annually by listing the changes made in it by reason of new licenses issued, licenses revoked or suspended, death or any other cause. The board shall, upon request of any citizen of the State, inform the requesting person as to the licensed status of any individual.



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DIRECTORY



North Carolina Home Inspector Licensure Board

Instructions

This list can be emailed, exported to Excel or exported to HTML.

- 1) Click on the down arrow next to Actions below
- 2) Select Download from the Actions pulldown
- 3) Choose the format you would like to use by clicking on the image

Selection Criteria

License:  Name:  County:  Second Language:  Any Secondary Language:  Out of State:  Address available only:  Search:

Actions:

License	Name	Address	City	State	Zip Code	County	Language	Primary Phone	Email	Disc Link
390	Beaman, James L.	6450 Knights Mill Road	Spanglersburg	NC	27883	Wilson	-	(252) 238-2728	beamanj10@nhos.com	Disc Link
3101	Brown, George Anthony	112 N. Clyde Avenue	Wilson	NC	27893	Wilson	-	(252) 291-6077	abrown@nc.nh.com	Disc Link
2776	Burns, Michael Scott	6486 Sid Road	Lucama	NC	27851	Wilson	-	(919) 868-7509	msburns@nc.nh.com	Disc Link
1058	Edge, Jerry L.	1524 Anderson Street, N.W.	Wilson	NC	27893	Wilson	-	(252) 230-1094	lodge22@nhos.com	Disc Link
3111	Howell, Barry G.	P.O. Box 3214	Wilson	NC	27896	Wilson	-	(252) 243-8807	bhowell7@nhos.com	Disc Link
1598	Powell, Darrell D.Jr.	4602 Freshwick Lane	Wilson	NC	27896	Wilson	-	(252) 398-1566	powellmasc@nhos.com	Disc Link

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For assistance contact the North Carolina Home Inspector Licensure Board at (919) 662-4480

# Chapter 93B

## Occupational Licensing Boards

### 93B-8. Examination procedures.

- a) Each applicant for an examination given by any occupational licensing board shall be informed in writing or print of the required grade for passing the examination prior to the taking of such examination. [11 NCAC 08.1007 \(70%\)](#)
- b) Each applicant for an examination given by any occupational licensing board shall be identified, for purposes of the examination, only by number rather than by name. [Sign-in sheet, name & seat number? No photo ID?](#)
- c) Each applicant who takes an examination given by any occupational licensing board, and does not pass such examination, shall have the privilege to review his examination in the presence of the board or a representative of the board. Except as provided in this subsection, an occupational licensing board shall not be required to disclose the contents of any examination or of any questions which have appeared thereon, or which may appear thereon in the future. [Examinees given an “Individual Feedback Report” that consists of the list of questions they answered incorrectly.](#)
- d) Notwithstanding the provisions of this section, under no circumstances shall an occupational licensing board be required to disclose to an applicant questions or answers to tests provided by recognized testing organizations pursuant to contracts which prohibit such disclosures.



# Chapter 93B

## Occupational Licensing Boards

### 93B-4. Audit of Occupational Licensing Boards; payment of costs.

- a) The State Auditor shall audit occupational licensing boards from time to time to ensure their proper operation.....
- b) Each occupational licensing board with a budget of at least \$50,000 shall conduct an annual financial audit of its operations and provide a copy to the State Auditor.

### 143D-7. Office of State Controller, Risk Mitigation Services

Self-Assessment of Internal Controls Questionnaire and *Letter of Certification*,

by Principal Executive Officer and Principal Fiscal Officer.



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Issues: *E-commerce initiative (PayPoint®)*

*Financial results, performance measures, trends, expenditures/revenues*

*No investments / debt*

# Licensing

- Eligibility
  - Session Law 2012-196; NCGS § 93B-15.1
    - Licensure for individuals with military training and experience; licensure by endorsement for military spouses; temporary license
- Examination
- Issuance
- Renewal

# Education

- Pre-licensing
  - Sponsor application, evaluation & approval
  - Certificates (Classroom & Field)
- Continuing Education
  - Board-developed annual Update Course
  - Mandatory course
  - Sponsor developed Elective Courses
  - Staff Monitoring
  - Student Evaluations (Instructor & Course)



# Investigations

- Complaints
  - Licensed & Unlicensed
- Site Visit
- Investigation Report
  - Sufficient Evidence
  - Insufficient Evidence

[Investigation Review Committee](#)