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## Home Inspectors Must Now Be Licensed

Nearly every real estate transaction involves a home inspection. Done primarily for the protection of the buyer it is something you should always suggest to your clients, but you need to be mindful of a new law regulating inspectors.

### Real Estate Agents:

Effective July 1, 2017, all home inspectors in Virginia must be licensed through the Virginia Department of Professional and Occupational Regulation (DPOR). To find a complete list of licensed inspectors visit [www.dpor.virginia.gov/License-Lookup/](http://www.dpor.virginia.gov/License-Lookup/) for an online guide. Once you get on the site you should select "Advanced License Search," then check the box for "Board for Asbestos, Lead, and Home Inspectors," and then select "Certified Home Inspector."

**"EFFECTIVE JULY 1, 2017, ALL HOME INSPECTORS IN VIRGINIA MUST BE LICENSED THROUGH THE VIRGINIA DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION (DPOR)."**

A real estate agent faces the same liability for suggesting an unlicensed home inspector as they do for suggesting an unlicensed contractor. To help agents remember the new requirement, the VA real estate standard forms have been updated to reference "licensed inspectors."

Liability accusations can be brought if an inspection mistake is made or if there is a home inspection contingency in a contract and an unlicensed inspector is utilized. The seller has grounds to argue the contingency is unmet, and therefore, null and void. If proven, the seller does not have to make repairs and the buyer cannot terminate the contract. *This liability is not covered under most Errors and Omissions Coverage insurance plans.*

### Why Should a Buyer Have a Home Inspection?

A home inspection is a very thorough examination of the condition of the home. From wiring to roofs, it takes a look at the things the buyer cannot see when touring the house. The intent is to make the buyer aware of the exact condition of the property being considered for purchase.

According to the American Home Inspectors Training Institute (AHIT) a general home inspection will look at: structure, roof, plumbing, interior, ventilation, exterior, electrical, HVAC, and insulation. Additional inspections can look for signs of termites, the presence of radon, the condition of water wells, oil tanks, and septic tanks. You should expect a general inspection to take two to five hours and cost under \$1,000. Both time and fees are dependent upon the size of the property.

Since an inspection will identify safety concerns like radon, carbon monoxide, or mold, and make the potential buyer aware of illegal additions which could cause insurance issues or increase taxes, if it was not properly permitted, the money spent on the inspection should be seen as an insurance measure. It gives the buyer an "out," if the report discloses

problems larger than what the buyer is willing to take on.

*A home inspection is not a pass/fail process. It is a fact finding opportunity.* The inspector's report is very useful as a negotiating tool for the buyer and his agent. The results can be used to demand repairs, to lower the selling price, or to simply support the decision to walk away from the transaction completely.

### Home Inspectors:

Virginia joins about one-half of the states in the United States in requiring licensure of home inspectors. As of July 1, 2017, it is unlawful to conduct an examination on a residential building

without a license. It should be noted that an inspector must have a new residential endorsement on their license in order to inspect new construction.

Receiving a license is a two part process for inspectors that must be done through DPOR:

1. Paperwork – the application, an \$80 fee, meeting the minimum age requirement of 18 years old, and disclosure of all felony and select misdemeanor convictions.
2. Training – documentation must be provided to support one of a variety of training requirement combinations (pre-licensed education, actual inspections, and an exam) were met.

In order to receive the New Residential Structure (NSR) endorsement necessary for inspecting new construction, an inspector must hold a valid Virginia license and have successfully completed NSR training within the past two years.

A home inspector with an active license in another state may have some of the training requirements waived. He should contact DPOR for the specifics in that situation.

While it is now a requirement to be a licensed home inspector in the Commonwealth, DPOR does not have the manpower to enforce the law with site visits and unexpected drop-ins. They are monitoring the program by asking the public to file a complaint against those who are unlicensed but still conducting inspections and collecting fees for doing so.

As a real estate professional your clients are looking to you to guide them through the home buying or home selling process. Educating them on the value of a home inspection done by a licensed inspector will pay dividends for everyone involved. When making the huge monetary and emotional investment of purchasing a home, the security of knowing exactly what is being bought is invaluable.

See you at the settlement table!