

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF COMMERCE  
DIVISION OF REAL ESTATE & PROFESSIONAL LICENSING**

**DATE: October 21, 2020**

**TIME: 9:00 a.m.**

**LOCATION: Microsoft Teams / Telephone conference**

A public hearing will be held by the Ohio Department of Commerce, Division of Real Estate & Professional Licensing on Wednesday, September 16, 2020 at 9:00AM via Microsoft Teams and telephone conference. The purpose of this public hearing is to solicit comment on proposed Administrative Rules 1301:17-1-01, 1301:17-1-02, 1301:17-1-03, 1301:17-1-04, 1301:17-1-05, 1301:17-1-06, 1301:17-1-07, 1301:17-1-10, 1301:17-1-11, 1301:17-1-13, 1301:17-1-14, 1301:17-1-15, 1301:17-1-16, 1301:17-1-17, 1301:17-1-18, 1301:17-1-19, 1301:17-1-20, 1301:17-1-21 & 1301:17-1-22 of the Ohio Administrative Code.

The proposed rules are available by contacting the Ohio Department of Commerce, Division of Real Estate & Professional Licensing, 77 S. High Street, 20<sup>th</sup> Floor, Columbus, OH 43215 by calling (614) 466-5042. The proposed rules are also available at the following website: [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us).

At the public hearing, any person affected by the proposed actions may appear and be heard in person, by the person's attorney, or both, may present the person's position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rule or amendments, if adopted or effectuated, will be unreasonable or unlawful.

To participate via Microsoft teams: [Join Microsoft Teams Meeting](#)

To participate via telephone: **Call +1 614-721-2972 and put in Meeting ID #: 272 218 534#**

To participate via written testimony in lieu of appearance: Any person who wishes to present his or her position, arguments or contentions in writing may do so by mailing his or her written comments to the Ohio Department of Commerce, Division of Real Estate & Professional Licensing, 77 S. High Street, 20<sup>th</sup> Floor, Columbus, OH 43215. Written comments may also be submitted to [COMRealEstateOHIB@com.state.oh.us](mailto:COMRealEstateOHIB@com.state.oh.us) or at the hearing. All written comments must be received by the Department no later than 5:00 pm. on October 27, 2020. Written comments submitted after this date may be considered as time and circumstances permit.

The Ohio Department of Commerce is an equal opportunity service provider.

**PROPOSED RULES**

**1301:17-1-01** – Division staff recommends this rule be adopted.

**Public notice**

The intent of this regulation is to provide the procedure in giving public notice, as required by law, of the intention to consider adopting, amending or rescinding a rule.

**1301:17-1-02** – Division staff recommends this rule be adopted.

### **Open public meeting**

The intent of this regulation is to set forth the procedure for providing public notice to a Board meeting.

**1301:17-1-03** – Division staff recommends this rule be adopted.

### **Fees**

The purpose of this regulation is to comply with the rule-making requirements found in Ohio Revised Code Section 4764.05(A)(2). The rule establishes the fees associated with an Ohio home inspector license.

**1301:17-1-04** – Division staff recommends this rule be adopted.

### **Out of State Applicants**

The intent of this regulation is to establish the form and manner by which out of state applicants may apply for an Ohio home inspector license.

**1301:17-1-05** – Division staff recommends this rule be adopted.

### **Applications**

The intent of this regulation is to establish the form and manner by which applicants may apply for an Ohio home inspector license.

**1301:17-1-06** – Division staff recommends this rule be adopted.

### **Criminal records check**

The intent of this regulation is to establish the process of completing a criminal background check by an applicant for an Ohio home inspector license as required by Ohio Revised Code Section 4764.07(B).

**1301:17-1-07** – Division staff recommends this rule be adopted.

### **Home Inspector Qualifying Education**

The intent of this regulation is to ensure home inspector applicants are sufficiently educated and competent to complete home inspections.

**1301:17-1-10** – Division staff recommends this rule be adopted.

### **Continuing Education for Licensees**

The intent of this regulation is to ensure home inspector licensees are regularly completing education offerings that maintain or increase a licensee's skill, knowledge and competency in home inspection.

**1301:17-1-11** – Division staff recommends this rule be adopted.

### **Continuing Education Approvals for Education Providers**

The intent of this regulation is to ensure education providers, who are offering home inspector continuing education, provide effective offerings that increase a licensee's skill, knowledge and competency.

**1301:17-1-13** – Division staff recommends this rule be adopted.

### **Curriculum of experience**

The purpose of this regulation is to comply with the rule-making requirements found in Ohio Revised Code Section 4764.07(D)(6)(a) and establish the requirements for an acceptable curriculum of experience which is designed to ensure applicants are adequately trained and competent to complete home inspections.

**1301:17-1-14** – Division staff recommends this rule be adopted.

### **Parallel inspection**

The purpose of this regulation is to comply with the rule-making requirements found in Ohio Revised Code Section 4764.07(D)(6)(b) and establish the requirements for acceptable parallel inspection sessions for applicants which are designed to ensure applicants are adequately trained and competent to complete home inspections.

**1301:17-1-15** – Division staff recommends this rule be adopted.

### **Peer review**

The purpose of this regulation is to comply with the rule-making requirements found in Ohio Revised Code Section 4764.05(A)(15) and establish the requirements for acceptable peer review sessions for home inspector applicants.

**1301:17-1-16** – Division staff recommends this rule be adopted.

### **Canons of ethics**

The intent of this regulation is to establish the canons of ethics to be followed by Ohio home inspector licensees.

**1301:17-1-17** – Division staff recommends this rule be adopted.

### **Standards of practice**

The intent of this regulation is to establish the standards of practice to be complied with by Ohio home inspector licensees.

**1301:17-1-18** – Division staff recommends this rule be adopted.

**Lending license**

The purpose of this regulation is to comply with the rule-making requirements found in Ohio Revised Code Section 4764.05(A)(1) and prevent the mis-use of an Ohio home inspector license.

**1301:17-1-19** – Division staff recommends this rule be adopted.

**Stenographic record**

The intent of this regulation is to establish the Division shall provide a record of the hearings conducted within the Division’s regulating authority, and the procedure in which the record is produced and made available to interested parties.

**1301:17-1-20** – Division staff recommends this rule be adopted.

**Informal mediation**

The intent of this regulation is to establish the procedure associated with an informal mediation affecting Ohio home inspector licensees.

**1301:17-1-21** – Division staff recommends this rule be adopted.

**Disciplinary sanctions**

The purpose of this regulation is to comply with the rule-making requirements found in Ohio Revised Code Section 4764.05(A)(1) and to establish the standards governing sanctions that may be issued by the Ohio Home Inspector Board upon an Ohio home inspector licensee.

**1301:17-1-22** – Division staff recommends this rule be adopted.

**Settlement agreement**

The intent of this regulation is to establish the requirements for settlement agreements entered into by the Superintendent and an Ohio home inspector licensee that has been charged with violating license law.