

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

**DATE: May 7, 2024**

**TIME: 10:30 am**

**LOCATION: 6606 Tussing Road, Reynoldsburg, Ohio 43068**

A public hearing will be held by the Ohio Department of Commerce, Division of Real Estate & Professional Licensing on May 7, 2024 at 10:30 am at 6606 Tussing Road, Reynoldsburg, Ohio 43068. The purpose of this public hearing is to solicit comments on Administrative Rules 1301:17-1-07, 1301:17-1-11, 1301:17-1-15, 1301:17-1-16, & 1301:17-1-17 of the Ohio Administrative Code.

The rules are available by contacting the Ohio Department of Commerce, Division of Real Estate & Professional Licensing, 6606 Tussing Road, Reynoldsburg, Ohio 43068 by calling (614) 466-5042. The rules are also available at the following websites: [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us) & [REPL proposed rules](#).

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 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, 6606 Tussing Road, Reynoldsburg, Ohio 43068. All written comments must be received by the Department no later than 5:00 pm on May 7, 2024. 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.

**RULES**

**1301:17-1-07 – Home Inspector Qualifying Education**

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

The Ohio Home Inspector Board (Board) and Division staff recommends changes to the existing rule.

**Paragraphs (B)(1), (B)(2), (B)(3), (B)(4), (B)(5), (B)(6) & (B)(7)** – The proposed amendments eliminate regulatory restrictive language in the rule.

**Paragraph (B)(4)(h)** – The proposed amendment corrects a spelling mistake.

**Paragraph (B)(5)(c)** – The proposed amendment includes examples of the types of drains the Board believes should be included in the plumbing section of the pre-licensing course.

**Paragraph (B)(6)(h)** – The proposed amendment removes the instruction requirement on the topic of swimming pool inspections within the pre-licensing course. The proposed removal is consistent with the Standards of Practice rule which does not require a licensee to inspect a swimming pool.

**Paragraph (B)(8)(f)** - The proposed amendment includes instruction on the inspection of a refrigerator in the pre-licensing course. The inclusion of this requirement in the rule is consistent with the proposed amendment to the Standards of Practice rule which requires a licensee to inspect a refrigerator.

**Paragraph (D)(1)** – The proposed amendment to the rule regarding the definition of a classroom hour makes the requirement more consistent with other state’s requirements which will provide more convenience and uniformity for the education provider and the consumer.

**Paragraph (F)** – The proposed amendment regarding the percent of attendance during the class is necessary with the proposed amendment to paragraph (D)(1). In addition, the proposed change from offering time to instruction time fosters consistent terminology throughout Ohio Administrative Code 1301:17.

**Paragraph (H)(2)** - The Division’s proposed amendments to this paragraph clarifies the Superintendent’s standard of review for an instructor applicant.

### **1301:17-1-11 – 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.

The Board and Division staff recommends changes to the existing rule.

**Paragraph (E)(1)** – The proposed amendment to the rule regarding the definition of a classroom hour makes the requirement more consistent with other state’s requirements which will provide more convenience and uniformity for the education provider and the consumer.

**Paragraph (G)** – The proposed amendment regarding the percent of attendance during the class is necessary with the proposed amendment to paragraph (D)(1). In addition, the proposed change from offering time to instruction time fosters consistent terminology throughout Ohio Administrative Code 1301:17.

**Paragraph (I)(2)** - The Division's proposed amendments to this paragraph clarifies the Superintendent's standard of review for an instructor applicant.

### **1301:17-1-15 – 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 license applicants.

The Board and Division staff recommends changes to the existing rule.

**Paragraph (A)(4)** – A minor grammatical correction is proposed.

### **1301:17-1-16 – Canons of Ethics**

The intent of this regulation is to establish the canons of ethics to be followed by Ohio home inspector licensees as required by Ohio Revised Code Section 4764.05(A)(13).

The Board and Division staff recommends changes to the existing rule.

**Paragraphs (A)(5), (A)(6), (A)(7), (D)(3) & (E)(3)** – Minor grammatical corrections are proposed.

**Paragraph (B)(6)** – The Board proposes amendments to clarify this paragraph's requirement to better reflect current industry practice.

### **1301:17-1-17 – Standards of Practice**

The intent of this regulation is to establish the standards of practice to be followed by Ohio home inspector licensees as required by Ohio Revised Code Section 4764.05(A)(10).

The Board and Division staff recommends changes to the existing rule.

**Paragraphs (C), (D), (F), (G), (H)(2), (I)(1), (I)(2), (K)(6), (S), (T)(5), (T)(10), (U), (W)(5), (W)(6), (X), (Y), (Z), (AA), (D)(D), (E)(E) & (E)(E)(4)** – Minor grammatical corrections are proposed.

**Paragraphs (L), (N), (P), (R), (T), (V), (X), (B)(B)** – Proposed amendments were made to introductory phrases for each paragraph to ensure consistent language was used throughout the rule and to eliminate any possible ambiguity concerns.

**Paragraph (L)(1)** – The proposed amendment eliminates an unnecessary word as the degree of description in the home inspection report is contained in the introductory statement found in paragraph (L).

**Paragraph (O)(3)** – The proposed amendment is to eliminate redundancy and foster requirement clarity.

**Paragraphs (R)(3), (V)(4), (X)(3) & (B)(B)(1)** – The proposed amendments reflect current industry practice and consumer expectation.

**Paragraph (Z)(6)** – The proposed amendment was to clarify the requirement and reflect current industry practice and consumer expectation regarding household appliance inspection.

**Paragraph (A)(A)(7)** – The proposed amendment eliminates unnecessary wording with the proposed amendment to paragraph (Z)(6).