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Your Home

## New Licensing Law for Home Inspectors

By [JAY ROMANO](#)

AS of Dec. 31, 2005, a new law is in effect requiring that anyone conducting a home inspection in New York must be licensed by the state. Unfortunately, while as many as 5,000 inspectors are believed to be operating in New York, only 331 are licensed.

"If this law remains in effect as it is right now, real estate as we know it in New York is going to grind to a halt," said Peter Bell, president of Balch Buyers Realty in Mamaroneck, N.Y. Mr. Bell said most buyers make their offers to purchase a home contingent on an inspection of the property.

Under the new law, however, home inspections can be conducted only by those licensed by the state or by engineers, architects or code enforcement officials operating within the scope of their government employment. With only 331 inspectors licensed statewide, Mr. Bell said, it will be difficult for clients to find an inspector quickly and reasonably.

And although there are more than 14,000 registered architects and nearly 25,000 professional engineers in the state, he said, "only a handful do home inspections." Moreover, Mr. Bell said, some architects and engineers who perform such inspections charge more than the \$600-to-\$700 fee typically charged by a home inspector.

The Home Inspection Professional Licensing Act was signed on Aug. 12, 2004, and took effect last weekend. It makes it a misdemeanor for a person to conduct a home inspection for compensation without the proper licensing. Violations carry a fine of up to \$1,000 for a first offense and up to \$5,000 for subsequent offenses.

Evan Grugett, principal of Evan Grugett Inspections in Eastchester, N.Y., said there are two basic paths to licensing: one for experienced inspectors who can be licensed under the "grandparenting" provisions of the law, and another for those new to the field or who do not have enough experience to meet the grandparenting requirements.

An inspector who can document 250 or more inspections over the last three years is automatically entitled to a license, Mr. Grugett said. Those who can document 100 or more inspections over the last two years and who pass either a state exam or one of four national home inspector exams are also entitled to a license.

Those who do not meet those requirements have two options. One is to complete a 100-hour state-approved course in home inspecting, perform 40 hours of field training under the supervision of a licensed inspector and pass one of the approved tests. The second option is to pass one of the tests and conduct 100 inspections - either paid or unpaid - under the supervision of a licensed inspector.

According to Kathy McCoy, assistant director of the Division of Licensing of Home Inspectors in the state's Division of Licensing Services, officials believe there are 3,000 to 5,000 inspectors doing business in New York. And though only 331 are licensed, officials intend to enforce the law. "As of Dec. 31, home inspectors in New York must have a license or they cannot work," said Larry Sombke, a spokesman for the department.

In a memo sent to realtors statewide, S. Anthony Gatto, director of legal services for the New York State

Association of Realtors, alerted brokers of their responsibility under the law. "Real estate licensees will be expected to know that home inspectors must be licensed," Mr. Gatto noted. Brokers also have an obligation to ensure that the names of inspectors they provide to clients must be licensed, he added. Failure to do so, he said, will be viewed as a demonstration of untrustworthiness or incompetence, and can result in disciplinary action.

Those who want to determine if an inspector is licensed can go online to [www.dos.state.ny.us](http://www.dos.state.ny.us), click on Search for Licensees and Registrants, and enter the inspector's name.