

Kansas State Legislature
Senator Julia Lynn,

I am writing this testimony to oppose the Bill SB 168, Licensing Home Inspectors.

There is no supporting data which indicates licensing home inspectors protects consumers and reduces legal complaints. In April of 2013, past Governor Sam Brownback stated, "I see little evidence of large numbers of Kansas citizens being economically harmed by home inspectors. In fact, even the proponents believe the vast majority of Kansans who provide this service are honest people. Therefore, it appears the legislation passed in 2008 may simply add unnecessary fees and regulations to law abiding citizens". The new Bill being introduced is basically the same bill that Mr. Brownback removed in 2013, and it will again, put unnecessary fees and regulations on law abiding citizens.

When licensing is implemented, new home inspectors, able to pass a biased test, written by ASHI, immediately becomes an expert in their field of study, according to a small group of realtors. Becoming an expert or a professional in any field of study takes years of hard work, training and continuing education. Just because an attorney is licensed, does that automatically make them a great attorney? Does a license make a Doctor able to diagnose and treat any better? Does a real estate license make someone an expert on real estate transactions? The answer is NO to all of the above.

Licensing a home inspector serves two purposes. It makes it easier for a Real Estate Agent to refer an inexperienced home inspector, charging minimum fees for a "soft" home inspection report, just because saying he or she is "licensed", provides their clients with a false sense of security. It also provides someone for the Realtor or an upset home buyer to blame if something fails because now, since we will be the only industry throughout the entire home purchase transaction, mandated to carry E&O (Errors and Omissions) Insurance, we will have deep pockets to cover costs and accept blame. The world we live in today dictates someone is always to blame and should be forced to pay. That should be left to the courts to decide rather than my Government or a so called "board" of my peers.

Licensing home inspectors is an over-regulation and misappropriation of Government. It's unjust to regulate home inspectors when Building Code Inspectors are not licensed. The builders of the homes we inspect and the contractors that repair them are not state licensed. Safety and Air Quality testing such as Chimney Sweeps, Asbestos Testers and Mold Samplers are not state licensed. Tradesmen that install and service electrical, plumbing, HVAC are NOT state licensed. These trades are why we have a career. If it wasn't for poor craftsmanship, faulty parts and materials, normal wear and tear and an occasional natural disaster, we wouldn't be standing here today. Home inspections aren't even mandatory for the purchase of a home. The only requirement for most lending institutions is the appraisal.

As a fairly new Inspector and business owner, (my 4th year in business) this bill could potentially put me out of business. According to the proposed Bill SB 168, I would not yet qualify to be "grandfathered". My business is still very young and vulnerable. I have shown steady growth over the past three years but I rely greatly on performing inspections in the state of Kansas. By having to cease my business operations in the State of Kansas, until I can wade through the bureaucratic licensing process, may be detrimental to me and my family, financially. Two to four months of not inspecting in the state of Kansas

could cost me my referral base, which has taken me over three years to build, and loss of wages, which will most likely be the difference between my business failing or continuing to grow.

I would like to add, that a group calling themselves KAREI (Kansas Association of Real Estate Inspectors), a small group of ASHI controlled members from Wichita, who have done nothing to educate or promote our profession outside of Wichita, and has authorized themselves to speak on my/our behalf, does NOT represent me. KAREI has done absolutely nothing to help me educationally nor have they ever offered to help promote or protect my business. They have never once, reached out to me to participate in anything, ever!

It is my opinion, the ASHI/KAREI based NHIE Test, that is now being pushed on to the State of Kansas to aid in regulating Home Inspectors, is no longer a relevant test of home inspection knowledge. ASHI does not offer any accredited courses of study in comparison to the other major association, InterNACHI, which offers the ONLY nationally accredited home inspector education course in the country. InterNACHI is the new standard of home inspection education. With new, state of the art training facilities in Colorado and Florida, that offer a curriculum based on making home inspectors the best they can be. The InterNACHI course study and exam is by far the most relevant to our industry and should not go without serious consideration. Several states have now adopted InterNACHI courses and their exam to be their states model for certified home inspectors. I challenge each of you to research the Boulder, Colorado based InterNACHI Accredited Home Inspector Training Course at www.nachi.org, as your model for Home Inspector Requirements to perform home inspections in the state of Kansas.

In Closing: Licensing should only be implemented if the practice has greatly harmed and endangered the general well-being of the public. A Free State should allow individuals to engage in the occupation of their choice, free from unreasonable government regulation.

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