



16632 S. Schweiger Dr.
Olathe, KS 66062
Phone: 913-735-7725
Email: neil@ppi-kc.com

To The Honorable Members of the Kansas House of Representatives:

It was recently brought to my attention that KAREI (Kansas Association of Real Estate Inspectors) has introduced a bill for licensure of home inspectors in the state of Kansas. I have been in this business for almost 13 years and not once has this organization reached out to me. Additionally, I have been a member of both NAHI (National Association of Home Inspectors – recently absorbed by ASHI) and ASHI (American Society of Home Inspectors) during my business ownership and never once has membership into KAREI or a local affiliate of ASHI been offered. I have continually inspected between 300-350 houses a year, kept up with my Kansas and Missouri continuing education requirements for both Radon and Wood Destroying Organism inspection with (0) complaints and paid my taxes on time.

While I don't disagree completely with the licensing, I do question the motives of an organization (KAREI), who boasts claims of membership numbers, leadership and speaking rights which they cannot support. This same organization is comprised mostly of people who are not actively inspecting houses, ie: retired, different profession, etc. and who primarily run training schools. I would think the state government and its representatives would expect an organization who claims to speak for all the inspectors in the state of Kansas to at least be able to provide support for their claims.

I will reiterate, I don't completely disagree with licensing, however, I do feel there are a lot of items within the bill which adversely affect the way any business should be run. If licensing is the end result, then no one should be exempt from taking the test to obtain certification. It doesn't matter how experienced an inspector is, they should feel confident enough in their skill set and training to pass any exam put before them. The idea that these "experienced inspectors get a hall pass or grandfathered, is ridiculous. These are the same people who are pushing this bill. Again, I ask why??? Also, there is no reason in the world why a business owner should be tagged with a Class A misdemeanor for a missed item. Realtors are not tagged with a Class A misdemeanor if they fail to negotiate the items we call out. Appraisers aren't tagged with a Class

A misdemeanor if they improperly appraise the property. In fact, short of a court proceeding, there is no pushback on these professions for mistakes.

I feel there is a lot of disconnect with respect to us inspectors who do the right thing, have a great following, pay our taxes and do not have complaints.

I have provided several talking points, which KAREI, should have to address in their effort to push this bill through.

1. **Why are we here?** There's been no large public outcry for licensing. It should be noted there are ONLY a few **special interest professional groups** pushing for this and for their own unique reasons. The resulting license law can only be designed to, **in light of such sources of the proposed law, make adjustments to a product/service that market forces should be allowed to influence in a vacuum of consumer demand for such.**

2. **The very fact that licensing was sunset** by Governor Brownback in 2013 is indication the necessity, complaints, money to support a Board, pay for staff, etc, **WAS NOT and IS NOT** there. Since the sunset, look at the complaints to government "catch all's" like the Attorney General's office, BBB, consumer groups, etc and you'll find only a handful of consumer complaints industry wide. **A licensing body would largely exist solely for the purpose of charging licensing fees with little to no consumer benefit.**

3. If a consumer was / is adversely effected by a negligent inspector, **both Kansas' previous and proposed license law harms and puts the end consumer at a severe disadvantage**, by putting arbitrary limitations of liability in place that are artificially low and stops their chance of their day in court.

4. **When we have a problem, we should implement a solution, but until then more government spending is not the answer.** There are hundreds of inspectors in Kansas. Almost all belong to a professional organization, most that market themselves have insurance policies, and those active in the business attend regular continuing education live and online. **The license laws being proposed and the standards being imposed are well below what most everyone in the market is already doing, which makes absolutely zero sense.**

5. **The consumer protection aspect of this law hasn't worked anywhere.** Whether you look at the Kansas license law history or go to other States where a licensing law is present, you won't find consumer complaints and enforcement on licensees anywhere in any meaningful volume. For example: Texas has the **most licensed home inspectors** of anywhere in the nation and continually have between 3,400 to 4,000 licensed inspectors on the state roles. **In 2018, records indicate approximately 348,000 or more homes were sold in Texas AND there were ONLY 97 complaints filed against home inspectors. That's about 1 COMPLAINT every 3,587 sales.**

Of those complaints, many are for issues as simple as not filing a change of name or address quick enough or getting your renewal in on time. **In short the vast majority of complaints**

against home inspectors are as follows: he stayed too long; he was too picky; it's been like that since I bought it and never caused me a problem; my electrician said that's how he's always wired things and it's never been a problem; he scared the buyer and the deal fell apart; the inspector said the roof is about worn out BUT my roofer said it's got a couple more years ... However the buyer or insurance company now wants me to put on a new roof; the inspector recommended grounded outlets at wet locations and smoke detectors at bedrooms, BUT the code guy said those weren't required by code in 1961, so we told the buyers we're not going to do it AND they walked, the home inspector killed our deal; 3 days after the inspector was here my dishwasher quit, he must have done something to break it AND he won't pay for repairs.

In KANSAS, we are told they are selling 40,000 to 45,000 homes a year. Multiply that by the 4 years inspectors were licensed and factor in the 8 complaints that were filed and you get a ridiculously LOW number.

I'm just asking that the powers that be really take a look into this and see how they can protect our small business environment from those that really do not have our best interests at heart.

Sincerely,



Owner/Professional Consultant

Phone: 913-735-7725

Email: neil@ppi-kc.com