CHAPTER 43-54
HOME INSPECTORS

43-54-01. Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Client" means a person that engages or seeks to engage the services of a home inspector for a home inspection.
2. "Home inspection" means the process by which a home inspector provides a nonintrusive, visual examination and written evaluation of the heating system, cooling system, plumbing system, electrical system, structural components, foundation, roof, masonry structure, and exterior and interior components of a residential building. The term does not include an examination of items that are concealed or not readily accessible or identification of concealed conditions or defects.
3. "Home inspector" means an individual registered under this chapter to conduct home inspections.
4. "Registrar" means the secretary of state.
5. "Residential building" means a structure consisting of not more than four family dwelling units.

43-54-02. Home inspector registration required - Penalty.

The registrar shall issue and renew registrations to home inspectors pursuant to this chapter. An individual may not perform a home inspection for compensation unless registered under this chapter. An individual who violates this chapter is guilty of a class B misdemeanor.

43-54-03. Registering of home inspectors.

An applicant for a registration as a home inspector shall file a written application in the form prescribed by the registrar. An applicant:

1. Must be at least eighteen years of age;
2. Shall submit proof of satisfactory completion of an examination on home inspection offered by the American society of home inspectors, the international association of certified home inspectors, the examination board of professional home inspectors, or the international code council;
3. Shall submit proof of current errors and omissions insurance coverage in an amount of one hundred thousand dollars or more covering all home inspection activities; and
4. Shall pay a fee of two hundred dollars.

43-54-04. Exceptions to registration requirements.

The registration requirements of this chapter do not apply to:

1. An individual employed as a code enforcement official by the state or a political subdivision when acting within the scope of that employment.
2. An individual licensed, certified, or registered under this title when acting within the scope of practice of that individual's profession or occupation.
3. An individual engaged as an insurance adjuster when acting within the scope of that engagement.

43-54-05. Renewal of registration.

A registration issued under this chapter expires June thirtieth of each calendar year and may be renewed upon submission of a renewal fee of fifty dollars and provision of proof of continuous insurance coverage as required for registration. The application for renewal must be delivered to the secretary of state before July first of each year. The registrar shall cancel the registration of an individual who fails to file a timely application for the renewal of registration. The cancellation must be without notice or opportunity for hearing. An individual whose registration has been canceled and who desires to reregister must file an initial application, pay the initial application fee, and provide proof of current errors and omissions insurance. An

individual registered under this chapter may not engage in any activity under this chapter after June thirtieth of any year unless that individual has a valid registration.