

PART Home 501 ETHICAL STANDARDS/PROFESSIONAL CONDUCT

Home 501.01 Purpose and Scope

- (a) To establish and maintain a high standard of integrity, skills and practice in the practice of home inspection, the following rules of professional conduct are adopted in accordance with RSA 310-A.
- (b) The rules shall be binding upon every person holding a license issued by the board.

Home 501.02 Obligation To Obey

- (a) The professional standards set forth in this part shall bind all licensees, and violation of any such standard shall result in disciplinary sanctions. Conduct proscribed by these ethical standards, when performed by a candidate for licensure as a home inspector in this state, or during a prior period of licensure, shall result in denying a license application.
- (b) All persons licensed under RSA 310-A shall be considered to have knowledge of the existence of the code of ethics pursuant to RSA 310-A:185 and shall be deemed to be familiar with its provisions. Such knowledge shall encompass the understanding that the practice of home inspection is a privilege, as opposed to a right, and the licensee shall be forthright and candid in the licensee's statements or written response to the board or its representatives on matters pertaining to professional conduct.

Home 501.03 Code of Ethics. The ethical standards binding licensees shall be the code of ethics pursuant to RSA 310-A:185.

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PART Home 601 PURPOSE AND SCOPE

Home 601.01 Purpose and Scope.

- (a) The purpose of these standards of practice is to establish a minimum and uniform standard for home inspectors. These standards of practice are intended to provide the public with objective information regarding the condition of the systems and components of the home as inspected at the time of the home inspection.
- (b) The rules shall be binding upon every person holding a license issued by the board.
- (c) These standards of practice shall be applicable to buildings with 4 or fewer dwelling units, individual residential condominium units, and their attached garages or attached carports.

PART Home 602 DEFINITIONS

Home 602.01 Definitions: As used in these rules, the following terms shall have the meanings indicated:

- (a) “Alarm systems” means warning devices installed or free-standing including but not limited to smoke detectors, carbon monoxide detectors, flue gas, and other spillage detectors, and security equipment.
- (b) “Architectural services” means any practice involving the art and science of building design for construction of any structure or grouping of structures and the use of space within and surrounding the structures or the design for construction, including but not specifically limited to, schematic design, design development, preparation of construction contract documents, and administration of the construction contract.
- (c) “Automatic safety controls” means devices designed and installed to protect systems and components from unsafe conditions.
- (d) “Component” means a part of a system.
- (e) “Decorative” means ornamental; not required for the operation of the essential systems and components of a home.
- (f) “Describe” means to identify (in writing) a system or component by its type or other distinguishing characteristics.
- (g) “Dismantle” means to take apart or remove any component, device or piece of equipment that would not be taken apart or removed by a homeowner in the course of normal and routine home owner maintenance.
- (h) “Engineering” means the application of scientific knowledge for the design, control, or use of building structures, equipment, or apparatus building structures, equipment, or apparatus.
- (i) “Further evaluation” means examination and analysis by a qualified professional, tradesman, or service technician beyond that provided by the home inspection.
- (j) “Home inspection” means the process by which an inspector visually examines the readily accessible systems and components of a home and which describes those systems and components in accordance with these standards of practice.
- (k) “Household appliances” means kitchen, laundry, and similar appliances, whether installed or free-standing.
- (l) “Inspect” means to examine any system or component of a building in accordance with Home 600, using normal operating controls and opening readily accessible covers.
- (m) “Inspector” means a person hired to examine any system or component of a building in accordance with these standards of practice.
- (n) “Installed” means attached such that removal requires tools.

- (o) “Normal operating controls” means devices such as thermostats, switches or valves intended to be operated by the homeowner.
- (p) “Readily accessible” means available for visual inspection without requiring moving of personal property, dismantling, destructive measures, use of a ladder, or any action which will likely involve risk to persons or property.
- (q) “Readily accessible panel” means a panel provided for homeowner inspection and maintenance that is readily accessible, within normal reach, can be removed by one person, and is not sealed in place.
- (r) “Recreational facilities” means spas, saunas, steam baths, swimming pools, exercise, entertainment, athletic, playground or other similar equipment, and associated accessories.
- (s) “Report” means communicate in writing.
- (t) “Representative number” means one component per room for multiple similar interior components such as windows and electric receptacles; one component on each side of the building for multiple similar exterior components.
- (u) “Roof drainage systems” means components used to carry water off a roof and away from a building.
- (v) “Siding” means exterior wall covering and cladding; such as: aluminum, asphalt, brick, cement/asbestos, exterior insulation finishing system, stone, stucco, veneer, vinyl, or wood.
- (w) “Significantly deficient” means unsafe or not functioning.
- (x) “Shut down” means a state in which a system or component cannot be operated by normal operating controls.
- (y) “Solid fuel burning appliances” means a hearth and fire chamber or similar prepared place in which a fire may be built and that is built in conjunction with a chimney; or a listed assembly of a fire chamber, its chimney, and related factory-made parts designed for unit assembly without requiring field construction.
- (z) “Structural component” means a component that supports non-variable forces or weights, dead loads and variable forces or weights, live loads.
- (aa) “System” means a combination of interacting or interdependent components, assembled to carry out one or more functions.

- (bb) “Technically exhaustive” means an investigation that involves dismantling, the extensive use of advanced techniques, measurements, instruments, testing, calculations, or other means.
- (cc) “Under floor crawl space” means the area within the confines of the foundation and between the ground and the underside of the floor.
- (dd) “Unsafe” means a condition in a readily accessible, installed system or component that is judged to be a significant risk of bodily injury during normal, day-to-day use; the risk may be due to damage, deterioration, improper installation, or a change in accepted residential construction standards.
- (ee) “Wiring methods” means identification of electrical conductors or wires by their general type, such as non-metallic sheathed cable, armored cable, or knob and tube.

PART Home 603 REPORT REQUIREMENTS

Home 603.01 Report Requirements.

- (a) The home inspector shall inspect readily accessible, observable, installed systems and components.
- (b) The home inspector shall report those systems and components inspected that, in the professional opinion of the inspector, are not functioning properly, significantly deficient, unsafe, or near the end of their service lives.
- (c) The home inspector shall make recommendations to correct, or monitor for future correction, the deficiencies reported in Home 603.01 (b) or items needing further evaluation.
- (d) The home inspector shall report systems and components designated for inspection pursuant to the standards of practice that were present at the time of the home inspection but were not inspected and the reason or reasons they were not inspected.
- (e) These standards of practice shall not limit inspectors from including other inspection services or systems and components in addition to those required in Home 603.01 (a).
- (f) The home inspector shall exclude systems and components from the inspection if requested by the client.
- (g) Home inspectors shall not have to determine methods or materials necessary for corrections.
- (h) Home inspectors shall not project costs of repairs.

Home 603.02 Home Inspection Standards.

- (a) When inspecting structural systems the home inspector shall inspect:

- i. The structural components including the foundation, framing, floor structure, wall structure, ceiling structure and roof structure;
- ii. A representative number of structural components where deterioration is suspected or where clear indications of possible deterioration exist; and
- iii. Probing shall not be required when probing would damage any finished surface or where no deterioration is visible or presumed to exist; and
- iv. Report the methods used to inspect under-floor crawl spaces and attics.

(b) When inspecting the structural systems the home inspector shall describe:

- i. The foundation;
- ii. The floor structure;
- iii. The wall structure;
- iv. The ceiling structure; and
- v. The roof structure.

(c) The home inspector shall not provide any engineering or architectural service or analysis unless qualified pursuant to RSA 310-A:201, IV.

(d) When inspecting the exterior the home inspector shall inspect:

- i. Siding, flashing and trim;
- ii. All exterior doors;
- iii. Attached decks, balconies, stoops, steps, porches, and their associated railings;
- iv. Eaves, soffits, and fascias where accessible from the ground level; and
- v. Entryway walkways, patios, driveways, vegetation, grading, surface drainage, and retaining walls which are likely to adversely affect the building.

(e) When inspecting the exterior the home inspector shall describe the type of siding.

(f) The home inspector shall not have to inspect:

- i. Screening, shutters, awnings, and similar seasonal accessories;
- ii. Fences;
- iii. Geological and/or soil conditions;
- iv. Recreational facilities;
- v. Outbuildings or detached structures;
- vi. Seawalls, break-walls, and docks; and
- vii. Erosion control and earth stabilization measures.

(g) When inspecting roof systems the home inspector shall inspect:

- i. Roofing materials;
- ii. Roof drainage systems;
- iii. Flashing; and
- iv. Skylights, chimney exteriors, and roof penetrations.

(h) When inspecting the roof systems the home inspector shall describe:

- i. Roofing materials;
- ii. Roof drainage systems; and
- iii. Chimney exteriors.

1. When inspecting the roof system the home inspector shall report the methods used to inspect the roofing.

- (i) The home inspector shall not have to inspect:
 - i. Antennae;
 - ii. Interiors of flues or chimneys on or attached to the roof; and
 - iii. Other installed accessories.

- (j) When inspecting the plumbing system the home inspector shall inspect:
 - i. Interior water supply and distribution systems including all fixtures and faucets;
 - ii. Drain, waste and vent systems including all fixtures;
 - iii. Water heating equipment and hot water supply system;
 - iv. Vent systems;
 - v. Fuel storage and fuel distribution systems within the structure; and
 - vi. Drainage sumps, sump pumps, and related piping.

- (k) When inspecting the plumbing system the home inspector shall describe:
 - i. Interior water supply and distribution systems;
 - ii. Drain, waste and vent systems;
 - iii. Water heating equipment and hot water supply system; and
 - iv. Fuel storage and distribution systems.

- (l) When inspecting the plumbing system the home inspector shall report the location of main water and main fuel shut-off valves.

- (m) The home inspector shall not have to inspect:
 - i. Clothes washing machine connections;
 - ii. Interiors of plumbing appliance flues or chimneys;
 - iii. Wells, well pumps, or water storage related equipment;
 - iv. Water conditioning systems;
 - v. Solar water heating systems;
 - vi. Fire and lawn sprinkler systems;
 - vii. Private waste disposal and sewer ejector systems; and
 - viii. Automatic safety controls or manual stop valves.

- (n) The home inspector shall not have to determine:
 - i. Whether water supply and waste disposal systems are public or private; and
 - ii. Water supply quantity or quality.

- (o) When inspecting the electrical system the home inspector shall inspect:
 - i. Service drop;
 - ii. Service entrance conductors, cables, and raceways;
 - iii. Service equipment and main disconnects;
 - iv. Service grounding;
 - v. Interior components of service panels and sub panels;
 - vi. Conductors;
 - vii. Overcurrent protection devices; and

- viii. A representative number of installed lighting fixtures, switches, and receptacles.
- (p) When inspecting the electrical system the home inspector shall describe:
- i. The amperage and voltage rating of the service;
 - ii. The location of main disconnects and sub panels;
 - iii. Wiring methods;
 - iv. Service grounding; and
 - v. Over current protection devices.
- (q) When inspecting the electrical system the home inspector shall report:
- i. Presence of solid conductor aluminum branch circuit wiring; and
 - ii. Absence of smoke detectors and ground fault circuit interrupters.
- (r) The home inspector shall not have to inspect:
- i. Remote control devices;
 - ii. Alarm systems and components;
 - iii. Low voltage wiring systems and components;
 - iv. Ancillary wiring systems and components not a part of the primary electrical power distribution system within the house structure; and
 - v. Generators and their control and distribution systems.
- (s) The home inspector shall not measure amperage, voltage or impedance.
- (t) When inspecting the heating system the home inspector shall open readily accessible panels and inspect:
- i. Installed central heating system;
 - ii. Distribution system;
 - iii. Vent systems and chimney exteriors; and
 - iv. Fuel storage and distribution systems excluding propane tanks.
- (u) When inspecting the heating system the home inspector shall describe:
- i. Installed central heating system;
 - ii. Distribution system; and
 - iii. Vent systems.
- (v) When inspecting the heating system the home inspector shall report energy source or sources.
- (w) The home inspector shall not have to inspect:
- i. Interiors of heat source flues or chimneys;
 - ii. Heat exchangers;
 - iii. Humidifiers or dehumidifiers;
 - iv. Electronic air filters;
 - v. Solar space heating systems;
 - vi. Mechanical dampers; and
 - vii. Propane tanks.

- (x) The home inspector shall not have to determine heat supply adequacy or distribution balance.
- (y) When inspecting the air conditioning system the home inspector shall open readily accessible panels to inspect:
 - i. Permanently installed central systems; and
 - ii. Distribution systems.
- (z) When inspecting the air conditioning system the home inspector shall describe permanently installed central systems.

- (aa) The home inspector shall not have to:
 - i. Inspect electronic air filters;
 - ii. Determine cooling supply adequacy or distribution balance;
 - iii. Inspect window or wall mounted air conditioning units; and
 - iv. Operate air conditioning systems when the conditions adversely affect the operation of the equipment.
- (bb) When inspecting the interior the home inspector shall inspect:
 - i. Walls, ceilings, and floors;
 - ii. Steps, stairways, and railings;
 - iii. Countertops and a representative number of installed cabinets;
 - iv. Garage doors and garage door operators; and
 - v. A representative number of windows and doors.

- (cc) The home inspector shall not have to inspect:
 - i. Paint, wallpaper, and other finish treatments;
 - ii. Finished floor coverings;
 - iii. Window treatments;
 - iv. Central vacuum systems;
 - v. Household appliances; and
 - vi. Recreational facilities.

- (dd) When inspecting the insulation and ventilation the home inspector shall inspect:
 - i. Insulation in unfinished spaces;
 - ii. Ventilation of attics and foundation areas; and
 - iii. Mechanical ventilation systems.

- (ee) When inspecting insulation and ventilation the home inspector shall describe:
 - i. Insulation in unfinished spaces; and
 - ii. Ventilation of attics and foundation areas.

- (ff) When inspecting insulation and ventilation the home inspector shall report: the absence of insulation in unfinished spaces at conditioned surfaces.

- (gg) The home inspector shall not have to:
 - i. Disturb insulation;
 - ii. Identify types of insulation; and
 - iii. Inspect air-to-air exchangers or other similar systems.

(hh) When inspecting fireplaces the home inspector shall inspect:

- i. Built-in fireplaces; and
- ii. Chimney exterior and vents.

(ii) When inspecting fireplaces the home inspector shall describe built-in fireplaces

(jj) The home inspector shall not have to inspect:

- i. Interiors of fireplace flues or chimneys;
- ii. Fire screens and doors;
- iii. Seals and gaskets;
- iv. Automatic fuel feed devices;
- v. Mantles and fireplace surrounds;
- vi. Combustion make-up air devices;
- vii. Heat distribution assists, gravity fed and fan assisted;
- viii. Solid fuel burning appliances; and
- ix. Gas appliances.

(kk) The home inspector shall not have to:

- i. Determine draft characteristics; and
- ii. Move fireplace inserts and stoves or firebox contents.

(ll) The home inspector shall not have to determine:

- i. Conditions of systems or components which are not readily accessible;
- ii. Remaining life expectancy of any system or component;
- iii. Strength, adequacy, effectiveness, or efficiency of any system or component;
- iv. The causes of any condition or deficiency;
- v. Methods or materials necessary for corrections;
- vi. The suitability of the property for any specialized use;
- vii. Compliance with regulatory requirements including codes, regulations, laws, ordinances and manufacturers installation specifications;
- viii. The presence of potentially hazardous plants or animals including, but not limited to wood destroying organisms or diseases harmful to humans including molds or mold-like substances;
- ix. The presence of any environmental hazards including, but not limited to toxins, carcinogens, noise, and contaminants in soil, water, and air;
- x. The effectiveness of any system installed or method utilized to control or remove suspected hazardous substances; and
- xi. Soil conditions relating to geotechnical or hydrologic specialties.

(mm) Home inspectors shall not have to enter:

- i. Any area that will, in the opinion of the inspector, likely be dangerous to the inspector or other persons or damage the property or its systems or components; and
- ii. Attics and under-floor crawl spaces which are not readily accessible.

- (nn) Home inspectors shall not have to inspect:
 - i. Underground items including, but not limited to underground storage tanks or other underground indications of their presence, whether abandoned or active;
 - ii. Items that are not installed;
 - iii. Installed decorative items;
 - iv. Items in areas that are not entered in accordance with Home 603.02 (ao) (1);
 - v. Detached structures;
 - vi. Common elements or common areas in multi-unit housing, such as condominium properties or cooperative housing; and
 - vii. Interiors of multi-unit housing flues, vents, or chimneys.

- (oo) Home inspectors shall not be required to:
 - i. Perform any procedure or operation that will, in the opinion of the inspector, likely be dangerous to the inspector or other persons or damage the property or its systems or components;
 - ii. Use a ladder;
 - iii. Describe or report on any system or component that is not included in these Standards and was not inspected;
 - iv. Move personal property, furniture, equipment, plants, soil, snow, ice, or debris;
 - v. Dismantle any system or component, except as explicitly required by Home 600;
 - vi. Walk on roofs; and
 - vii. Operate sump pumps.

- (pp) Home inspectors shall not:
 - i. Report on market value of property or its marketability;
 - ii. Report on the advisability or inadvisability of the purchase of the property;
 - iii. Offer or perform additional inspectional services such as engineering, architectural, surveying, plumbing, electrical, pest control, or any other inspectional service requiring an occupational license and or registration in New Hampshire unless the inspector holds a valid registration and or occupational license, in which case he or she may inform the client that he or she is so registered/licensed, and is therefore qualified to go beyond this subdivision;
 - iv. Estimate or project the cost of repairs;
 - v. Determine or verify property lines;
 - vi. Operate any system or component that is shut down or otherwise inoperable;
 - vii. Operate any system or component, which does not respond to normal operating controls;
 - viii. Predict future conditions and failure of systems or components;
 - ix. Project operating costs of systems or components;
 - x. Evaluate acoustical characteristics of any system or component;
 - xi. Determine any basement or crawlspace water tightness; and
 - xii. Turn on or off any solid or liquid gas fuel burning device.

(qq) The home inspector shall not have to perform any action or make any determination not specifically stated in these standards of practice.

(rr) Inspections performed in accordance with these standards of practice shall not have to identify concealed conditions, latent defects, or consequential damage or damages.