

### **IC 25-20.2-3**

#### **Chapter 3. Home Inspectors Licensing Board**

### **IC 25-20.2-3-1**

#### **Establishment of board**

Sec. 1. The home inspectors licensing board is established.

*As added by P.L.145-2003, SEC.7.*

### **IC 25-20.2-3-2**

#### **Members**

Sec. 2. (a) The board is composed of seven (7) members appointed by the governor as follows:

(1) Four (4) members, each of whom:

(A) is licensed in Indiana as a home inspector; and

(B) has been actively engaged in performing home inspections in Indiana for at least five (5) years immediately before the member's appointment to the board.

(2) One (1) member who:

(A) is a home builder; and

(B) has been actively engaged in home building in Indiana for at least five (5) years immediately before the member's appointment to the board.

(3) One (1) member who:

(A) is a licensed real estate salesperson under IC 25-34.1-3-3.1 or a licensed real estate broker under IC 25-34.1-3-4.1; and

(B) has been actively engaged in selling, trading, exchanging, optioning, leasing, renting, managing, listing, or appraising residential real estate in Indiana for at least five (5) years immediately before the member's appointment to the board.

(4) One (1) member who represents the public at large and is not associated with the home inspection, home building, or real estate business other than as a consumer.

(b) The members of the board must be residents of Indiana.

*As added by P.L.145-2003, SEC.7.*

### **IC 25-20.2-3-3**

#### **Terms of members; removal of members; vacancies**

Sec. 3. (a) Each member of the board serves a term of three (3) years and until a successor is appointed and qualified.

(b) The governor may remove a board member at any time for incompetency, neglect of duty, or unprofessional conduct.

(c) If a vacancy occurs in the membership of the board, the governor shall appoint an individual to serve for the remainder of the unexpired term.

(d) A member may not serve on the board for more than six (6) consecutive years.

*As added by P.L.145-2003, SEC.7.*

#### **IC 25-20.2-3-4**

##### **Chairperson; vice chairperson; terms**

Sec. 4. (a) Each year the board shall elect a member as chairperson and a member as vice chairperson.

(b) The chairperson and the vice chairperson shall serve in their respective capacities for one (1) year and until a successor is elected.

(c) The chairperson and the vice chairperson may not serve in those capacities for more than two (2) consecutive years.

*As added by P.L.145-2003, SEC.7.*

#### **IC 25-20.2-3-5**

##### **Presiding at meetings; presiding officer**

Sec. 5. (a) The chairperson shall preside at all meetings at which the chairperson is present. The vice chairperson shall preside at meetings in the absence of the chairperson and shall perform other duties as the chairperson directs.

(b) If the chairperson and vice chairperson are absent from a meeting of the board when a quorum exists, the members who are present may elect a presiding officer who shall serve as acting chairperson until the conclusion of the meeting or until the arrival of the chairperson or vice chairperson.

*As added by P.L.145-2003, SEC.7.*

#### **IC 25-20.2-3-6**

##### **Board meetings; quorum; majority vote required**

Sec. 6. (a) The board shall meet at least two (2) times each calendar year upon the call of the chairperson or the written request of a majority of the members of the board.

(b) The chairperson shall establish the date, time, and place for each meeting.

(c) A majority of the current members of the board constitutes a quorum.

(d) The affirmative vote of a majority of the members appointed to the board is necessary for the board to take official action.

*As added by P.L.145-2003, SEC.7.*

#### **IC 25-20.2-3-7**

##### **Salary per diem; travel expenses**

Sec. 7. Each member of the board is entitled to the minimum salary per diem as provided by IC 4-10-11-2.1(b). Each member of the board is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

*As added by P.L.145-2003, SEC.7.*

#### **IC 25-20.2-3-8**

##### **Board duties and powers**

Sec. 8. The board shall:

- (1) administer and enforce this article;
- (2) adopt rules under IC 4-22-2 that are reasonably necessary or appropriate for the administration and enforcement of this article;
- (3) prescribe the requirements for and the form of licenses, applications, and other documents that are required by this article;
- (4) grant, deny, suspend, and revoke approval of examinations and courses of study;
- (5) issue, deny, suspend, and revoke licenses in accordance with this article;
- (6) in accordance with IC 25-1-7, investigate complaints concerning licensees or persons the board has reason to believe should be licensees, including complaints concerning failure to comply with this article or rules adopted under this article, and, when appropriate, take action under IC 25-20.2-8;
- (7) bring actions in the name of the state in an appropriate circuit court in order to enforce compliance with this article or rules adopted under this article;
- (8) establish fees in accordance with IC 25-1-8;
- (9) inspect the records of a licensee in accordance with rules adopted by the board;
- (10) conduct or designate a member or other representative to conduct public hearings on any matter for which a hearing is required under this article and exercise all powers granted under IC 4-21.5;
- (11) adopt a seal containing the words "Indiana Home Inspectors Licensing Board" and, through the board's secretary, certify copies and authenticate all acts of the board;
- (12) in accordance with IC 25-1-6:
  - (A) use counsel, consultants, and other persons;
  - (B) enter into contracts; and
  - (C) authorize expenditures;that are reasonably necessary or appropriate to administer and enforce this article and rules adopted under this article;
- (13) establish continuing education requirements for licensed home inspectors in accordance with IC 25-1-4;
- (14) maintain the board's office, files, records, and property in the city of Indianapolis; and
- (15) exercise all other powers specifically conferred on the board by this article.

*As added by P.L.145-2003, SEC.7.*

### **IC 25-20.2-3-9**

#### **Board's duty to adopt rules**

Sec. 9. The board shall adopt rules under IC 4-22-2 establishing:

- (1) standards for the competent performance of home inspections;
- (2) a code of ethics for licensed home inspectors; and
- (3) standards for home inspection reports prepared by licensed

home inspectors.  
*As added by P.L.145-2003, SEC.7.*