

M.G.L.A. 112 § 222

**Effective: November 09, 2000**Massachusetts General Laws Annotated [Currentness](#)

Part I. Administration of the Government (Ch. 1-182)

↗ [Title XVI](#). Public Health (Ch. 111-114)↗ [Chapter 112](#). Registration of Certain Professions and Occupations ([Refs & Annos](#))**→ § 222. Licensure as home inspector; qualifications; license period; renewal; exceptions for other professionals**

(a) No person shall present, call or represent himself as authorized to provide a home inspection for compensation unless licensed by the board in accordance with this section and [sections 223 to 226](#), inclusive. No person shall conduct a home inspection for compensation unless licensed by the board in accordance with this section and said [sections 223 to 226](#), inclusive, and unless he provides a written report of the home inspection. The requirements contained in this subsection shall not be construed to prevent any of the following persons from acting within the scope of their profession:

- (1) a person employed as a code enforcement official by the commonwealth or a political subdivision thereof when acting within the scope of his employment;
- (2) an architect licensed pursuant to [sections 60A to 60O](#), inclusive;
- (3) a professional engineer licensed pursuant to [sections 81D to 81T](#), inclusive;
- (4) an electrician licensed pursuant to chapter 141;
- (5) a plumber licensed pursuant to chapter 142;
- (6) a real estate broker or salesman licensed pursuant to [section 87XX](#);
- (7) a real estate appraiser or certified general or residential real estate appraiser licensed pursuant to [sections 173 to 195](#), inclusive, or an insurance adjuster;
- (8) a person certified or registered as a pesticide applicator;
- (9) a person employed as a **radon**, licensed lead paint, urea formaldehyde or termite inspector solely for the purpose of conducting such inspections;
- (10) an individual or business hired solely for the purpose of inspecting the energy-related components of a dwelling in order to assess a home's energy performance;
- (11) officers and employees of the United States or the commonwealth while engaged within the commonwealth in the practice of inspection on behalf of the United States or the commonwealth;

(12) a person making a home inspection in the presence of a licensed home inspector for the purpose of meeting the requirements of [section 223](#) to qualify for licensure as an associate home inspector; and

(13) a person conducting an inspection of septic systems as required by 310 CMR 15 solely for the purpose of checking or being in compliance with 310 CMR 15.

(b) Each applicant for a license as a home inspector shall furnish the board with proof of satisfactory completion of the educational, training and experience requirements for licensure, including completion of an approved program of work experience and proof of having passed a licensing examination approved by the board. Applications for licenses and renewals thereof shall be submitted in accordance with procedures established by the board. Pursuant to [section 3B of chapter 7](#), the secretary of administration and finance shall ensure that a licensing fee shall be charged to all applicants in an amount sufficient to defray all administrative costs to the commonwealth associated with the licensure of home inspectors, but in no event shall the fee be less than \$100.

The board shall license as a home inspector an applicant who meets the requirements set forth in this section. Said board shall issue to a home inspector and an associate home inspector a license. Each such licensed home inspector and associate home inspector shall carry the license with him at all times and make it available for presentation to a client or prospective client.

(c) A license shall be issued for a period of two years and shall be renewable on or before the last day of the month in an even-numbered year. Each licensee shall pay to the board a license fee or renewal fee, as appropriate, which shall be set by the secretary of administration and finance. The renewal month shall be determined by the division to facilitate efficient completion of all renewal requests and avoid backlog. The renewal of a home inspector license shall be contingent upon compliance with the continuing education requirements and standards of practice as determined by the board and defined by rules and regulations.

(d) To be eligible for licensure as a home inspector, an applicant shall:

(i) be of good moral character;

(ii) have successfully completed high school or its equivalent;

(iii) have been engaged as a licensed associate home inspector for not less than one year and have performed not less than 100 home inspections under the supervision of a licensed home inspector;

(iv) have passed a written or electronic competency examination offered or approved by the board; and

(v) pay the appropriate fee set by the secretary of administration and finance.

CREDIT(S)

Added by [St.2000, c. 313, § 34](#).

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

M.G.L.A. 112 § 222

**Prior Laws:**

St.1999, c. 146, § 3.

M.G.L.A. 112 § 222, MA ST 112 § 222

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M.G.L.A. 13 § 97

**C****Effective: February 22, 2000**Massachusetts General Laws Annotated [Currentness](#)

Part I. Administration of the Government (Ch. 1-182)

↗ [Title II](#). Executive and Administrative Officers of the Commonwealth (Ch. 6-28A)↗ [Chapter 13](#). Division and Boards of Registration ([Refs & Annos](#))**→ § 97. Duties of board; informational brochure on home inspections**

Said board shall (i) establish the requirements for licensure and for the standards of professional and ethical conduct; (ii) authorize and conduct appropriate examinations to determine the qualifications of applicants; (iii) grant licenses to qualified applicants; (iv) establish standards for continuing education; and (v) set and administer penalties as defined in [section 206 of chapter 112](#) for fraudulent, deceptive or professionally incompetent and unsafe practices and for violations of rules and regulations promulgated by said board.

Said board shall make available to the public a list of licensed home inspectors and associate home inspectors.

Said board shall publish a code of ethics.

The director of consumer affairs and business regulation, after consultation with the board of registration of home inspectors and the board of registration of real estate brokers and salespersons, shall publish an informational brochure on home inspections which shall be issued to home buyers at the signing of the first written contract to purchase. The brochure shall include a definition of a home inspection such that the nature and extent of a home inspection is made clear to a client or prospective client. The brochure shall also include information regarding inspections for lead paint, **radon**, and termites and other woodboring insects. The joint committee on government regulations and the house and senate committees on post audit and oversight shall receive a copy of the proposed brochure and shall be provided with an opportunity to comment on it 60 days before the brochure is submitted for publication.

Said board shall administer the provisions of sections 201 to 206, inclusive, of said chapter 112 and shall promulgate such rules and regulations as may be necessary to implement the same.

CREDIT(S)

Added by [St.1999, c. 146, § 1](#).

## HISTORICAL AND STATUTORY NOTES

2002 Main Volume

St.1999, c. 146, § 1, was approved Nov. 24, 1999.

M.G.L.A. 13 § 97, MA ST 13 § 97

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