

1301:17-1-16**Canons of ethics.****(A) Article 1 - General standards.**

- (1) Licensees shall perform duties as a home inspector without bias to any of the parties to a real estate transaction, and shall perform their duties as a home inspector with integrity to the public and to their clients.
- (2) Licensee opinions about a property shall be based only on their education, experience, and honest convictions.
- (3) Licensees shall not communicate inspection results in a home inspection report with intent to defraud or in a careless, misleading or negligent manner.
- (4) Licensees shall disclose all known material facts to the licensee concerning a property.
- (5) Licensees must not accept or perform home inspections that includes the reporting of predetermined opinions or conclusions.
- (6) For the protection of all parties, licensees shall enter into a written contract with clients prior to the rendering of any home inspection services expressing the agreement of the parties. Copies of all written agreements shall be provided by the licensee to client within three business days from the date of the execution of the agreement by the client.
- (7) Licensees must provide assistance wherever possible to the members of the Ohio home inspectors board or to staff with the division of real estate and professional licensing regarding the enforcement of Chapter 4764. of the Revised Code and its corresponding rules.
- (8) Licensees shall not represent a determination of compliance with Ohio Residential, Mechanical, Plumbing, or Electrical Codes, specifically the existence of serious hazards as defined in OAC 4101:8-2-01. Licensees may recommend a client seek further evaluation and repair or remediation of suspected safety hazards by a certified or licensed professional. Such recommendations shall be in the home inspection report.

**(B) Article 2 - Compensation.**

- (1) Licensees shall not inspect for compensation any property in which the licensee has any current or prospective interest in the property.

- (2) Licenses shall not inspect for compensation any property in which the licensee has any current or prospective interest with any of the parties to the real estate transaction.
- (3) Licenses shall not inspect any property under contingent arrangements whereby any compensation or future referrals are dependent on reported findings or on the sale of a property.
- (4) Licenses shall not directly or indirectly compensate real estate licensees or other parties having a financial interest in closing or settlement of real estate transactions, for the referral of inspections or for inclusion on a list of recommended inspectors, preferred providers, or similar arrangements.
- (5) Licenses shall not receive compensation for an inspection from more than one party unless prior written consent is provided by the client(s).
- (6) Licenses shall not accept compensation, directly or indirectly, for recommending contractors, services, or products to inspection clients or other parties having an interest in inspected properties.
- (7) Licenses shall comply with paragraph (D) of section 4764.14 of the Revised Code regarding the repair, replacement, or upgrade, for compensation, a property's systems or components covered by the standards of practice.

(C) Article 3 - Confidentiality.

- (1) Licenses shall not disclose inspection findings or client information without prior written client approval.
- (2) Licenses may disclose inspection results or findings to the property's occupants or others present at the property only if the licensee's results or findings indicate imminent bodily harm or a significant danger to the property is present. Licenses may disclose inspection results or findings if compelled by a court order.
- (3) Licenses must take reasonable steps to safeguard or protect confidential information from unauthorized individuals.

(D) Article 4 - Reports and contractual agreements.

- (1) Every home inspection report prepared by a licensee shall include all information contained in division (D) of section 4764.01 of the Revised Code and all of the following:

- (a) Ohio home inspector license number;
- (b) The expiration date of the license;
- (c) The date the home inspection occurred;
- (d) Address of the property.

(2) Every written home inspection contract shall include:

- (a) The inspection fee;
- (b) The address of the property;
- (c) Client's name;
- (d) Authorized recipient(s) of the report;
- (e) Date of the inspection;
- (f) Statement that the work to be performed is a home inspection as defined in division (C) of section 4764.01 of the Revised Code;
- (g) Signatures of the licensee and client and date signed; and
- (h) Statement that the report is prepared in accordance with Chapter 4764. of the Revised Code and rules adopted thereunder.

(3) A licensee must exercise due care to prevent the unauthorized use of the licensee's signature to a home inspection report.

(4) Licensees must not misrepresent or inaccurately report to the client or include in their corresponding reports the status of the licensee's Ohio home inspector license.

(5) A home inspection report by a licensee shall include a statement that addresses the scope of work performed by the licensee, such as any services or hazards excluded from the licensee's inspection.

(E) Article 5 - Advertising.

(1) Licensees must advertise or solicit home inspection assignments only in a manner that is true and accurate.

- (2) Licensees shall only include a property in an advertisement for the licensee's home inspection services with the express, written consent of the property's current owner of record as recorded in the county recorder's records.
- (3) Licensees shall not knowingly solicit a party or a party's agent that is contractually engaged in writing by another Ohio home inspector licensee for home inspection services.
- (4) A licensee's failure to comply with any of the provisions for this rule shall constitute prima facie evidence of a violation of division (I) of section 4764.14 of the Revised Code.

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

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