

ROSE VAUGHN WILLIAMS | Legislative Counsel

TO: Joint Legislative Committee on Governmental Operations

DATE: February 3, 2014

FROM: Rose Vaughn Williams, Legislative Counsel
NC Department of Insurance



RE: Review of Proposed Fee Increase by the NC Home Inspector Licensure Board
11 NCAC 08.1011

I am writing on behalf of the Board regarding the adoption of revisions to its fee rule. The Board is requesting approval to change a fee within the maximum allowed by statute, N.C.G.S. 143-151.57(a).

The **North Carolina Home Inspector Licensure Board ("the Board")** is charged by statute to safeguard the public health, safety, and welfare and to protect the public from being harmed by unqualified persons by regulating the use of the title "Licensed Home Inspector," and by providing for the licensure and regulation of those who perform home inspections for compensation. The Board's authority to charge fees is found in NCGS 143-151.57(a). Typically, the Board reviews and approves continuing education courses submitted by approved sponsors. However, if a licensee chooses to take an unapproved continuing education course, N.C.G.S. 143-151.64(c) allows the Board to charge a fee to the licensee for each unapproved course submitted to the Board for continuing education credit. The establishment of the unapproved continuing education course fee is necessary due to the increased time needed to evaluate an unapproved continuing education course. All course documentation of unapproved courses must be evaluated by the Education Coordinator on a case-by-case basis to determine whether credit for taking the course should be given to the licensee.

The Board is specifically authorized by N.C.G.S. 143-151.57(a) to charge \$50.00 per submission of each unapproved continuing education course. The Board is seeking to specify the fee charged for a course that has not been previously approved by the Board and that is not subject to the approved sponsor payment of the \$5.00 per hour student fee set out in Board rule 11 NCAC 08.1332 and authorized by N.C.G.S. 143-151.57(a). The \$50.00 fee for the unapproved course is in lieu of the \$150.00 fee paid by sponsors when applying for course approval pursuant to 11 NCAC 08.1319, and the \$75.00 fee paid by

sponsors when applying for renewal of course approval, pursuant to 11 NCAC 08.1336. These sponsor fees are set out in 11 NCAC 08.1011 and authorized by N.C.G.S. 143-151.57.

The proposed changes to 11 NCAC 08.1011 is as follows:

11 NCAC 08 .1011 FEE SCHEDULE

(a) The following fees apply to the licensure of home inspectors:

Application for Home Inspector License	\$ 35.00
Application for Associate Home Inspector License	\$ 20.00
Home Inspector Examination	\$ 80.00
Initial Issuance or Annual Renewal of Home Inspector License	\$160.00
Initial Issuance or Annual Renewal of Associate Home Inspector License	\$110.00
Late Renewal Penalty Fee - Home Inspector License	\$ 30.00
Late Renewal Penalty Fee - Associate Home Inspector License	\$ 20.00
Copies of Board Rules and License Standards	\$ 5.00 <u>Cost</u>
<u>of printing and mailing</u>	
<u>Unapproved Course Fee</u>	<u>\$ 50.00</u>

Attachments:

Proposed amended rule 11 NCAC 08.1011
NCGS 143-151.57

§ 143-151.57. Fees.

(a) Maximum Fees. – The Board may adopt fees that do not exceed the amounts set in the following table for administering this Article:

<u>Item</u>	<u>Maximum Fee</u>
Application for home inspector license	\$35.00
Home inspector examination	80.00
Issuance or renewal of home inspector license	160.00
Late renewal of home inspector license	30.00
Application for course approval	150.00
Renewal of course approval	75.00
Course fee, per credit hour per licensee	5.00
Credit for unapproved continuing education course	50.00
Copies of Board rules or licensure standards	Cost of printing and mailing.

(b) Subsequent Application. – An individual who applied for a license as a home inspector and who failed the home inspector examination is not required to pay an additional application fee if the individual submits another application for a license as a home inspector. The individual must pay the examination fee, however, to be eligible to take the examination again. An individual may take the examination only once every 180 days. (1993 (Reg. Sess., 1994), c. 724, s. 1; 1999-149, s. 2; 2000-140, s. 32; 2009-451, s. 21.8; 2009-509, ss. 3.6, 5.3.)

11 NCAC 08 .1011 IS PROPOSED FOR AMENDMENT AS FOLLOWS:

11 NCAC 08 .1011 FEE SCHEDULE

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of printing and mailing	
<u>Unapproved Course Fee</u>	<u>\$ 50.00</u>

(b) The home inspector ~~and the associate home inspector~~ initial issuance license fees are due after successful completion of the examination. The Board shall not issue a license until it receives the appropriate fee. The license is valid from the date of issuance ~~issue~~ until the following September 30.

History Note: Authority G.S. 143-151.49; 143-151.55; 143-151.57;