



1 system, interior components, exterior components, and site  
2 conditions that affect the structure, for the purposes of  
3 providing a written professional opinion of the condition of  
4 the home.

5 (2) REQUIREMENTS FOR PRACTICE.--

6 (a) A person shall not work as a home inspector unless  
7 he or she:

8 1. Has successfully completed a course of study in  
9 home inspections which requires a passing score on a valid  
10 examination and is provided through a nonprofit organization  
11 or a community college or university, which is not less than  
12 80 hours, and which includes, but is not limited to, each of  
13 the following components of a home: structure, electrical  
14 system, roof covering, plumbing system, interior components,  
15 exterior components, site conditions that affect the  
16 structure, and heating, ventilation, and cooling systems.

17 2. Annually completes 8 hours of continuing education,  
18 provided through a nonprofit organization or a community  
19 college or university, related to home inspections.

20 3. Discloses each of the following to the consumer in  
21 writing prior to contracting for or commencing a home  
22 inspection:

23 a. The home inspector meets the education and  
24 examination requirements of this subsection;

25 b. The home inspector maintains the commercial general  
26 liability insurance policy required by this section;

27 c. The scope and any exclusions of the home  
28 inspection; and

29 d. A statement of experience which shall include  
30 either the approximate number of home inspections the home  
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1 inspector has performed for a fee or the number of years of  
2 experience as a home inspector.

3 4. Home inspectors are not regulated by any state  
4 agency, but any violation of this section may be an unfair and  
5 deceptive trade practice under part II of chapter 501.

6 (b) A business entity may not provide or offer to  
7 provide home inspection services unless each of the home  
8 inspectors employed by the business entity satisfies all the  
9 requirements of this section.

10 (c) A business entity may not use, in connection with  
11 the name or signature of the business entity, the title "home  
12 inspectors" to describe the business entity's services unless  
13 each of the home inspectors employed by the business entity  
14 satisfies all the requirements of this section.

15 (3) EXEMPTIONS.--The following persons are not  
16 required to comply with this section when acting within the  
17 scope of practice authorized by such license, except when such  
18 persons are conducting, producing, disseminating, or charging  
19 a fee for a home inspection or otherwise operating within the  
20 scope of this section:

21 (a) A construction contractor licensed under chapter  
22 489.

23 (b) An architect licensed under chapter 481.

24 (c) An engineer licensed under chapter 471.

25 (d) A building code administrator, plans examiner, or  
26 building code inspector licensed under part XII of chapter  
27 468.

28 (e) A certified real estate appraiser, licensed real  
29 estate appraiser, or registered real estate appraiser licensed  
30 under part II of chapter 475.

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1       (f) An inspector whose report is being provided to,  
2 and is solely for the benefit of, the Federal Housing  
3 Administration or the Veterans Administration.

4       (g) An inspector conducting inspections for  
5 wood-destroying organisms on behalf of a licensee under  
6 chapter 482.

7       (h) A firesafety inspector certified under s. 633.081.

8       (i) An insurance adjuster licensed under part VI of  
9 chapter 626 or any person performing insurance underwriting  
10 duties.

11       (j) An officer appointed by the court.

12       (k) A master septic tank contractor licensed under  
13 part III of chapter 489.

14       (l) A certified energy auditor performing an energy  
15 audit of any home or building conducted under chapter 366 or  
16 rules adopted by the Public Service Commission.

17       (m) A mobile home manufacturer, dealer, or installer  
18 regulated or licensed pursuant to the requirements of chapter  
19 320 and any employees or agents of the manufacturer, dealer,  
20 or installer.

21       (4) PROHIBITED ACTS; PENALTIES.--

22       (a) A home inspector, a company that employs a home  
23 inspector, or a company that is controlled by a company that  
24 also has a financial interest in a company employing a home  
25 inspector may not:

26       1. Perform or offer to perform, prior to closing, for  
27 any additional fee, any repairs to a home on which the  
28 inspector or the inspector's company has prepared a home  
29 inspection report. This paragraph does not apply to a home  
30 warranty company that is affiliated with or retains a home  
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1 inspector to perform repairs pursuant to a claim made under a  
2 home warranty contract.

3 2. Inspect for a fee any property in which the  
4 inspector or the inspector's company has any financial or  
5 transfer interest.

6 3. Offer or deliver any compensation, inducement, or  
7 reward to the owner of the inspected property, or any broker  
8 or agent therefor, for the referral of any business to the  
9 inspector or the inspection company.

10 4. Accept an engagement to make an omission or prepare  
11 a report in which the inspection itself, or the fee payable  
12 for the inspection, is contingent upon either the conclusions  
13 in the report, preestablished findings, or the close of  
14 escrow.

15 (b) Any person who violates any provision of this  
16 subsection commits:

17 1. A misdemeanor of the second degree for a first  
18 violation, punishable as provided in s. 775.082 or s. 775.083.

19 2. A misdemeanor of the first degree for a second  
20 violation, punishable as provided in s. 775.082 or s. 775.083.

21 3. A felony of the third degree for a third or  
22 subsequent violation, punishable as provided in s. 775.082, s.  
23 775.083, or s. 775.084.

24 (5) INSURANCE.--A home inspector must maintain a  
25 commercial general liability insurance policy in an amount of  
26 not less than \$300,000.

27 (6) REPAIR COST ESTIMATES.--Home inspectors are not  
28 required to provide estimates related to the cost of repair of  
29 an inspected property.

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