



New York State
DEPARTMENT OF STATE
Division of Licensing Services
P.O. Box 22001
Albany, NY 12201-2001

Customer Service: (518) 474-4429
www.dos.state.ny.us

Home Inspector License Application

Read the instructions carefully before completing the application. Incomplete applications will be returned, delaying licensure. Any omission, inaccuracy or failure to make full disclosure in an application or supporting documentation may be deemed sufficient reason to deny a license, or, if a license is issued could result in the suspension or revocation of a license.

What is a Home Inspector?

New York State law Article 12-B §444-B(4) of the Real Property Law defines a Home Inspector as any person licensed to do home inspections.

What are Home Inspections?

New York State law Article 12-B §444-B(5) of the Real Property Law defines a home inspection as the process by which a home inspector observes and **provides a written report** of the systems and components of a residential building including but not limited to:

- A. Heating System
- B. Cooling System
- C. Plumbing System
- D. Electrical System
- E. Structural Components - foundation, roof masonry structure, exterior and interior components or any other related residential building component recommended by the Home Inspection Council and implemented by the Department through the regulatory process.

Who is excluded from this law?

Explicitly excluded are Architects, Professional Engineers, and Certified Code Enforcement Officers. Whether new to the field or existing, they can continue engaging in home inspections without need of this license provided they are working within the scope of their profession. However, if they open a home inspection business they will be required to obtain a license.

What qualifications does a Licensed Architect or a Professional Engineer opening his/her own home inspection business need to meet?

An individual who is a Licensed Architect or a Professional Engineer will need to provide proof of their professional license along with the completed application and fee. They will be exempt from the course work, examination requirements and the continuing education requirements as set forth in statute for a home inspector license.

Is there a liability insurance requirement?

Yes, §444-K(1) of The Home Inspection Professional Licensing Act requires that every licensed home inspector who is engaged in home

inspection shall secure, maintain, and file with the Secretary proof of a certificate of liability coverage. Applicants must submit proof of general liability insurance which shall be a minimum amount of \$150,000 per occurrence and \$500,000 aggregate.

Can one obtain a Home Inspector's License based on grandparenting?

No, as of December 31, 2006 applicants may no longer apply based on the grandparenting clause. Applicants must apply under the category of New Home Inspector (see application).

Can one obtain a Home Inspector's License based on licensure in another state?

Yes, if NYS has entered into a reciprocity agreement with another state. Upon submission of an application and fee, we will review application requests from individuals submitting proof of current licensure from another state where requirements are equivalent to NYS. Where found equivalent, education and exam requirements will be waived, and a license issued.

What are the fees, terms of licensure?

Examination Fee: \$50 (if applicable).

Application Fee: Each application must be accompanied by a nonrefundable application fee of \$250; the license will be effective for 2 years.

Renewal Fee: The renewal fee is \$100 for a two year term.

What qualifications and supporting documents do I need to apply for licensure?

You can apply based on the following:

New Home Inspectors

- a. Have successfully completed **high school** or its equivalent;
- b. **Education:** Taken and successfully completed a course of study of not less than 140 hours approved by the Department. Of those hours, 40 must be unpaid field based inspections in the presence of and under direct supervision of a Home Inspector licensed by NYS, or a professional engineer or architect, regulated by NYS.

OR

- Experience:** Have performed not less than 100 home inspections (paid or unpaid) in the presence of and under the direct supervision of a Home Inspector licensed by NYS, or a professional engineer or architect regulated by NYS;
- c. **Successful Completion of an Exam:** Have passed the NYS written examination, or have taken and passed an existing

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nationally recognized examination, deemed equivalent, prior to December 31, 2005.

d. **Freedom from Disqualifying Criminal Convictions**

e. **Application Fee:** Each application must be accompanied by a nonrefundable application fee of \$250; the license will be effective for 2 years.

- Applicants whose license expiration renewal dates fall on or before December 30, 2008 will need to complete six hours of Department of State approved continuing education prior to renewal.
- Those that fall on and after December 31, 2008 will need to complete 24 hours of approved continuing education prior to renewal.

Will nationally recognized exams, deemed equivalent by the Department of State, that are taken and passed after December 31, 2005 be acceptable?

No. Nationally recognized exams deemed equivalent by the Department of State will only be acceptable if they are taken and passed **prior to December 31, 2005.**

Can an applicant with a residence address outside of New York obtain a New York State License?

Yes, however, all nonresident applicants must include an "Irrevocable Consent" form with their application.

What forms of payment do you accept?

You may pay by check or money order made payable to the Department of State or charge any fee to MasterCard or Visa, using the enclosed credit card authorization form. Do not send cash.

Application fees are nonrefundable. A \$20 fee will be charged for any check returned by your bank. **(Applicants should understand that if the application filing fee is paid with a personal check, and the check is returned by the bank due to insufficient funds, the next step in the licensure process will be delayed until the fee [includes \$20 returned check charge] is paid.)**

What is the renewal fee and how does one renew their license?

The renewal application is mailed to the Home Inspector approximately 3 months prior to the expiration of his or her license. The application must be completed and submitted with a \$100 fee to the Department of State, Division of Licensing Services. Instructions for proper submission will be included with the renewal application. The term of licensure is 2 years.

Are there any continuing education requirements?

Yes. As required in statute, home inspectors will need to complete continuing education within their two-year license renewal period prior to the expiration date in order to renew their license. In order to fairly implement this requirement, the Home Inspector Advisory Board in conjunction with the Department of State has determined that the amount of hours of continuing education to be completed is dependent upon the renewal date of the license. The required continuing education hours are as follows:

Do I need to complete the Child Support Statement section of the application?

Yes, a Child Support Statement is mandatory in New York State (General Obligations Law). The law requires you to complete this section — regardless of whether or not you have children or any support obligation.

Any person who is four months or more in arrears in child support may be subject to having his or her business, professional and driver's licenses suspended. The intentional submission of a false written statement for the purpose of frustrating or defeating the lawful enforcement of support obligations is punishable under §175.35 of the Penal Law. It is a class E felony to offer a false instrument for filing with a state or local government with the intent to defraud.

PRIVACY NOTIFICATION

Do I need to provide my Social Security and Federal ID numbers on the application?

Yes. The Department of State is required to collect the federal Social Security and Employer Identification numbers of all licensees. The authority to request and maintain such personal information is found in §5 of the Tax Law and §3-503 of the General Obligations Law. Disclosure by you is mandatory. The information is collected to enable the Department of Taxation and Finance to identify individuals, businesses and others who have been delinquent in filing tax returns or may have underestimated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. It will be used for tax administration purposes and any other purpose authorized by the Tax Law and may also be used by child support enforcement agencies or their authorized representatives of this or other states established pursuant to Title IV-D of the Social Security Act, to establish, modify or enforce an order of support, but will not be available to the public. A written explanation is required where no number is provided. This information will be maintained in the Licensing Information System by the Director of Administration and Management, at One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001.

It is important that you notify this office of any changes to your mailing address so you can receive renewal notices and any other notifications pertinent to your license.

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	YES*	NO
6. Are there any criminal charges (misdemeanors or felonies) pending against you in any court in this state or elsewhere? IF "YES," you must provide a copy of the accusatory instrument (<i>e.g.</i> , indictment, criminal information or complaint).	_____	_____
7. Has any license or permit issued to you or a company in which you are or were a principal in New York State or elsewhere ever been revoked, suspended or denied? IF "YES," you must provide all relevant documents, including the agency determination, if any.	_____	_____
8. Have you ever applied for or been issued a Home Inspector's license of any type, and had any such license denied, revoked or suspended, or otherwise disciplined, in this state or elsewhere? IF "YES," you must provide a copy of the licensing agency's order.	_____	_____
9. I own this business and the Trade Name Certificate has been filed in the office of the county clerk where the business is located. (By signing this application, you are certifying compliance with this requirement.)	_____	_____
10. I am a member of this partnership and the Partnership Certificate has been filed in the office of the county clerk where our business is located. (By signing this application, you are certifying compliance with this requirement.)	_____	_____
11a. I am applying as the qualifying corporate officer of this corporation and the New York State Certificate of Incorporation providing the authority to engage in Home Inspections has been filed in the Division of Corporations. (By signing this application, you are certifying compliance with this requirement.)	_____	_____
b. I am an officer of this foreign (out of state) corporation and an Application for Authority to do business has been filed with the NYS Department of State, Division of Corporations. (By signing this application, you are certifying compliance with this requirement.)	_____	_____
12. I am a member of this Limited Liability Company and have filed articles of organization with the Division of Corporations. (By signing this application, you are certifying compliance with this requirement.)	_____	_____
13. Do you hold a valid home inspector's license in another state? IF "YES," which state? _____	_____	_____

**2. All applicants must have a high school diploma or equivalent.
All applicants must be free from disqualifying convictions.**

New Home Inspectors

Education

- Must submit original course completion certificates of 140 hours of approved schooling which includes 40 hours of unpaid field-based training.
- If 40 hours of unpaid field-based training was obtained from other than an approved school you must also submit **ATTACHMENT A.**

Or

Experience

- Must submit evidence of having performed not less than 100 home inspections (paid or unpaid) in the presence of and under the direct supervision of a Home Inspector licensed by NYS, or a professional engineer or architect regulated by NYS. You must submit **ATTACHMENT B.**

AND

- Must provide evidence of passing the required examination.

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3. PROOF OF INSURANCE - (A copy must be submitted with this application.)

§444-K(1) of The Home Inspection Professional Licensing Act requires that every licensed home inspector who is engaged in home inspection shall secure, maintain and file with the Secretary of State proof of general liability insurance which shall be in the minimum amount of \$150,000 per occurrence and \$500,000 aggregate.

The following items must be included on the proof of Liability Insurance:

Name of insured (the applicant's name **only** if applying as an individual; or the applicant's name **AND** the business name if applying as a business entity); name of insurance company, business address and telephone number (include area code) of insurance company, policy number; policy expiration date and the Secretary of State as certificate holder.

Every proof of liability coverage required to be filed with the Secretary shall provide that cancellation or nonrenewal of the policy shall not be effective unless and until at least ten days' notice of intention to cancel or nonrenew has been received in writing by the Secretary.

4. CHILD SUPPORT STATEMENT — *You must complete this section. If you do not complete it, your application will be returned.*

"X" A or B, below

I, the undersigned, do hereby certify that (You must "X" A or B, below):

A. **I am not under obligation to pay child support.** (SKIP "B" and go directly to **Applicant Affirmation**).

B. I am under obligation to pay child support (You must "X" any of the four statements below that are true and apply to you):

I do *not* owe four or more months of child support payments.

I am making child support payments by income execution or court approved payment plan or by a plan agreed to by the parties.

My child support obligation is the subject of a pending court proceeding.

I receive public assistance or supplemental social security income.

5. APPLICANT AFFIRMATION (All Applicants) — I affirm that I have read and understand the provisions of Article 12-B of the Real Property Law and the rules and regulations promulgated thereunder. I further affirm that Worker's Compensation Insurance/Disability Benefits, for all employees, if applicable, has been secured. I further certify, under the penalties of perjury, that the information given above is true to the best of my knowledge and belief. I understand that any material misstatement made may result in the revocation or suspension of the license if issued.

Applicant's Signature

X _____

Date _____

