

Kansas State Legislature  
Senate Commerce Committee Members,

Distinguished Senators,

I am writing this testimony to oppose the Bill SB 176, Licensing of Home Inspectors.

There is no supporting data which indicates licensing home inspectors protects consumers and reduces legal complaints. In April of 2013, past Governor Sam Brownback stated, "I see little evidence of large numbers of Kansas citizens being economically harmed by home inspectors. In fact, even the proponents believe most Kansans who provide this service are honest people. Therefore, it appears the legislation passed in 2008 may simply add unnecessary fees and regulations to law abiding citizens". The new Bill being introduced is basically the same bill that Mr. Brownback removed in 2013, and it will again, put unnecessary fees and regulations on law abiding citizens.

Licensing a home inspector serves two purposes. It makes it easier for a Real Estate Agent to refer an inexperienced home inspector, charging minimum fees for a "soft" home inspection report, just because saying he or she is "licensed", provides their clients with a false sense of security. It also provides someone for the Realtor or an upset home buyer to blame if something fails because now, since we will be the only industry throughout the entire home purchase transaction, mandated to carry E&O (Errors and Omissions) Insurance, we will have deep pockets to cover costs and accept blame. The world we live in today dictates someone is always to blame and should be forced to pay. That should be left to the courts to decide rather than my Government or a so called "board" of my peers.

Licensing home inspectors is an overstep of government regulation. It is unjust to regulate home inspectors when building code inspectors are not licensed. The builders of the homes we inspect and the contractors that repair them are not state licensed. Safety and Air Quality testing such as Chimney Sweeps, Asbestos Testers and Mold Samplers are not state licensed. Tradesmen that install and service electrical, plumbing, HVAC are NOT state licensed. These trades are why we have a career. If it were not for poor craftsmanship, faulty parts and materials, normal wear and tear and an occasional natural disaster, we would not be standing here today. Home inspections are not even mandatory for the purchase of a home. The only requirement for most lending institutions is the appraisal.

Licensing should only be implemented if the practice has greatly harmed and endangered the general well-being of the public. A Free State should allow individuals to engage in the occupation of their choice, free from unreasonable government regulation.

In closing I would like to add this. If you cannot see that having the Kansas and National Real Estate Association and a very small group of irrelevant KAREI members whom have done nothing to continue education or promote Kansas Home inspections along with a handful of local ASHI Chapter members/officers who will most likely benefit financially from licensing, overseeing and controlling the Kansas home inspection industry, IS, undoubtedly, a conflict of interest, then you all should excuse yourselves from the Senate and give someone with a bit more common sense a shot at it.

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