

### **198B.706 Duties and powers of board.**

The board shall:

- (1) Through the promulgation of administrative regulations:
  - (a) Determine the requirements for and prescribe the form of licenses, applications, and other documents that are required by KRS 198B.700 to 198B.738; and
  - (b) Require that a home inspection report include a statement that the home inspection report does not address environmental hazards and list all other exclusions with specificity;
- (2) Grant, deny, suspend, and revoke approval of examinations and courses of study regarding home inspections;
- (3) Issue or deny applications for licensure and renewals;
- (4) Investigate complaints concerning licensees, or persons the board has reason to believe should be licensees, including complaints concerning failure to comply with KRS 198B.700 to 198B.738 or administrative regulations promulgated under KRS 198B.700 to 198B.738, and, when appropriate, take action in accordance with KRS 198B.728 and 198B.730;
- (5) Bring actions in the name of the state in an appropriate court in order to enforce compliance with KRS 198B.700 to 198B.738 or the administrative regulations promulgated under KRS 198B.700 to 198B.738;
- (6) Establish license fees in an amount not to exceed two hundred fifty dollars (\$250) annually;
- (7) Inspect the records of a licensee in accordance with administrative regulations promulgated by the board;
- (8) Conduct or designate a member or other representative to conduct public hearings on any matter for which a hearing is required under KRS 198B.728 and 198B.730;
- (9) Adopt a seal containing the words "Kentucky Board of Home Inspectors" and, through the board's secretary, certify copies and authenticate all acts of the board;
- (10) Use counsel, consultants, and other persons, enter into contracts, and authorize expenditures that are reasonably necessary or appropriate to administer and enforce KRS 198B.700 to 198B.738 and administrative regulations promulgated thereunder;
- (11) Establish continuing education requirements for licensed home inspectors in accordance with KRS 198B.722 and 198B.724;
- (12) Conduct disciplinary actions against licensees to include:
  - (a) Suspension, probation, or permanent revocation of a license;
  - (b) Requiring a licensee to obtain additional continuing education; and
  - (c) Issuance of a written reprimand;
- (13) Require all fee-paid home inspections to be conducted in accordance with the standards of practice of:
  - (a) The American Society of Home Inspectors;
  - (b) The National Association of Home Inspectors; or

- (c) Any other approved standards of practice that are equal to the standards of practice of the organizations in paragraphs (a) and (b) of this subsection as determined by the board.

The board may establish standards of practice for home inspectors licensed in Kentucky at a later date, which will supersede any other standards of practice previously adopted by the board and, if adopted by regulation, the standards in paragraphs (a) and (b) of this subsection;

- (14) Exercise all other powers specifically conferred on the board under KRS 198B.700 to 198B.738; and
- (15) Promulgate administrative regulations to carry out the effective administration and the requirements of KRS 198B.700 to 198B.738.

**Effective:** June 8, 2011

**History:** Amended 2011 Ky. Acts ch. 100, sec. 6, effective June 8, 2011. -- Amended 2008 Ky. Acts ch. 100, sec. 3, effective July 15, 2008. -- Created 2004 Ky. Acts ch. 109, sec. 4, effective July 13, 2004.