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## NEWS RELEASE

For Immediate Release  
2009PSSG0007-000117  
Jan. 30, 2009

Ministry of Public Safety and Solicitor General

### **LICENSING WILL STRENGTHEN QUALITY OF HOME INSPECTIONS**

VANCOUVER – B.C. will become the first province in Canada to license home inspectors to better protect buyers and ensure qualified inspections, Solicitor General and Minister responsible for consumers, John van Dongen announced today.

“A home is the single biggest investment most British Columbians make but financial risk can be the result of an incorrect or misleading report from an unqualified inspector,” said van Dongen. “Whether they’re buying their first condo or starter home, dream or retirement home, consumers need to have confidence that the person who is doing the inspection has the qualifications to make a professional assessment.”

To date, home inspector training has been voluntary. This leaves the home buyer in a situation where they do not know if their home inspector is qualified to do the job they were hired to do. Following consultations with consumers and the industry, the Province opted for licensing under the Business Practices and Consumer Protection Authority (BPCPA) and developed a model that will minimize paperwork and costs to help maximize compliance.

The regulations incorporate input from all three home inspector organizations in B.C. An estimated 300 to 400 home inspectors currently operate in the province, and most are members of at least one professional association. Effective March 31, the BPCPA will help protect the buyer’s interests, by:

- Assessing the qualifications of, and requiring mandatory licences for, home inspectors.
- Receiving and responding to complaints from consumers.
- Monitoring compliance through inspections and enforcement, with penalties that can range as high as \$5,000.

Licensing information and application forms will be posted on the BPCPA website on Feb. 27, after which the authority will begin accepting applications. The application forms will set out what is required for a license, such as insurance and affiliation with professional organizations.

To become licensed, home inspectors will need to meet the qualifications of either the Canadian Association of Home & Property Inspectors – BC branch; the Applied Science Technologists and Technicians of British Columbia; or the National Certification Program for Home and Property Inspectors. As well, like other groups regulated by the BPCPA who work with consumers, home inspectors will require a criminal record check.

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“While most inspectors are dedicated professionals, under the current system, they may have little or no qualification, which can create problems for legitimate real estate transactions,” said John Winter, president and CEO of the BC Chamber of Commerce. “Requiring inspectors to be licensed provides sellers and buyers with confidence that all inspections will be carried out by a qualified professional.”

1 backgrounder(s) attached.

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For more information on government services or to subscribe to the Province’s news feeds using RSS, visit the Province’s website at [www.gov.bc.ca](http://www.gov.bc.ca).

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## BACKGROUNDER

2009PSSG0007-000117  
Jan. 30, 2009

Ministry of Public Safety and Solicitor General

### HOME INSPECTION LICENSING AND COMPLAINT PROCESSES

#### How Home Inspectors Can Become Licensed

- As of March 31, 2009, a home inspector will need to be licensed to operate in B.C. To become licensed, home inspectors will need to meet the qualifications of either the Canadian Association of Home & Property Inspectors – BC branch; the Applied Science Technologists and Technicians of British Columbia; or the National Certification Program for Home and Property Inspectors.
- Licensing requirements will involve completing examinations and field experience required by these organizations.
- Licensing information and application forms will be released and posted on the Business Practices and Consumer Protection Authority (BPCPA) website on Feb. 27, 2009, after which the authority will begin accepting applications.
- The application forms will set out what is required for a license.
- Home inspectors will be required to undergo a criminal record check.
- The licence fee is \$100, which will be used to cover the BPCPA's administrative costs.
- Until March 31, 2009, home inspectors who are currently working, but have not met the requirements of a BPCPA-recognized professional association or authority, can apply to the BPCPA to have their experience, knowledge and ability assessed. After completing this assessment the BPCPA may issue a licence. At the end of two years, these "grandfathered" inspectors will be expected to meet the requirements of one of the three recognized groups noted above.
- General information about home inspector licensing is now available on the BPCPA website at [www.bpcpa.ca](http://www.bpcpa.ca) online.

#### How Consumers Can File a Complaint

- When hiring a home inspector after March 31, 2009, you should ask to see the wallet-sized licence that the BPCPA will have issued to regulated home inspectors.
- If you have a complaint regarding your home inspection, first, talk to your home inspector and see if he or she can address your concerns to your satisfaction.
- If you still have concerns, contact your home inspector's professional association or authority, which may be able to help you resolve the dispute.

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- Next, you can contact the provincial BPCPA for assistance, through its website at [www.bpcpa.ca](http://www.bpcpa.ca) or by calling toll-free 1 888 564-9963.

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**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

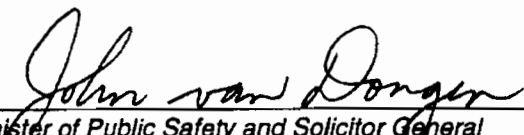
Order in Council No. **040**, Approved and Ordered **JAN 29 2009**

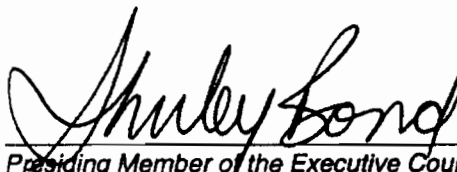
  
\_\_\_\_\_  
Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective March 31, 2009,

- (a) the Business Practices and Consumer Protection Regulation, B.C. Reg. 294/2004, is amended as set out in the attached Schedule 1, and
- (b) the Home Inspector Licensing Regulation is made as set out in the attached Schedule 2.

  
\_\_\_\_\_  
Minister of Public Safety and Solicitor General

  
\_\_\_\_\_  
Presiding Member of the Executive Council

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section:- Business Practices and Consumer Protection Act, S.B.C. 2004, c. 2, ss. 142.1, 164, 194, 199 and 200

Other (specify):- OIC 656/2004

November 19, 2008

R/738/2008/88

## SCHEDULE 1

- 1 *The Business Practices and Consumer Protection Regulation, B.C. Reg. 294/2004, is amended by adding the following section:*

### Prescribed provisions for the Home Inspector Licensing Regulation

- 7.2 For the purposes of section 164 (1) (a) and (5) (a) of the Act, the following provisions of the Home Inspector Licensing Regulation are prescribed:
- (a) section 6 [*display or production of licence*];
  - (b) section 7 [*reporting changes to director*];
  - (c) section 8 [*records*];
  - (d) section 9 [*prohibitions*].

## SCHEDULE 2

# HOME INSPECTOR LICENSING REGULATION

### Contents

- 1 Definitions
- 2 Designated activities
- 3 Qualifications for licence
- 4 Licence fees
- 5 Term of licence
- 6 Display or production of licence
- 7 Reporting changes to director
- 8 Records
- 9 Prohibitions
- 10 Transition
- 11 Repeal

### Definitions

- 1 In this regulation:
- “**Act**” means the *Business Practices and Consumer Protection Act*;
  - “**licence**” means a licence, as defined in section 1 of the Act, to engage in a designated activity referred to under section 2 of this regulation;
  - “**home inspection**” means an opinion as to the condition of a residential dwelling or property based on a visual examination of readily accessible features and components of the dwelling or property;
  - “**home inspector**” means a person who engages in the business or occupation of home inspection.

### Designated activities

- 2 The business and the occupation of home inspector are designated for the purposes of the definition of “designated activity” in section 142 of the Act.

**Qualifications for licence**

- 3 (1) An applicant for a licence as a home inspector must meet the qualifications set by an association or authority that, in the opinion of the director, is appropriate to assess the qualifications of home inspectors.
- (2) The director may require a home inspector to take additional training in a program related to home inspection.

**Licence fees**

- 4 (1) Subject to any applicable fees set by the administrative authority, a person must submit with the person's application for a licence
  - (a) a licence fee of \$100 for each year of the licence, and
  - (b) in the case of an applicant referred to in section 10 (2) (a), an additional application fee of \$250 for the assessment of the person's qualifications.
- (2) The fee established in subsection (1) (a) must be prorated for a portion of the year if the term of a licence is for less than a year or includes a portion of a year.

**Term of licence**

- 5 The director may issue a licence for a term not exceeding 3 years.

**Display or production of licence**

- 6 (1) In this section, "representation" means a representation as defined in section 4 (1) of the Act.
- (2) A licensee must
  - (a) display the licence in a conspicuous location in the place of business, or
  - (b) produce the licence on request.
- (3) A licensee must include the licence number on all representations and visual advertisements.

**Reporting changes to director**

- 7 A licensee must submit the following information to the director within 14 days of the occurrence of:
  - (a) a change in the name of the licensee;
  - (b) a change in the location from which the licensee conducts business.

**Records**

- 8 The licensee must have a business location where records are maintained.

**Prohibitions**

- 9 (1) A licensee must not carry on business in a name other than the name on the licence.
- (2) A licensee must not disclose contents of a home inspection report, except
  - (a) with the permission of the consumer,
  - (b) as required by law, or

- (c) if, in the opinion of the licensee, there is a serious health or safety risk.
- (3) A licensee must not have a conflict of interest in relation to a home inspection that results in a material gain to the licensee.

**Transition**

- 10** (1) In this section, “**effective date**” means March 31, 2009.
- (2) Despite section 3 (1), the director may issue a licence to a person doing business as a home inspector on or immediately before the effective date if,
- (a) in the opinion of the director, the applicant has experience, knowledge and ability that affords reasonable grounds to believe that the applicant will be able to operate as a home inspector, or
  - (b) the applicant has met the requirements of one of the following associations or authorities to operate as a home inspector:
    - (i) the Canadian Association of Home & Property Inspectors (BC);
    - (ii) the National Certification Program for Canadian Home and Property Inspectors;
    - (iii) the Applied Science Technologists and Technicians of British Columbia.

**Repeal**

- 11** Sections 4 (1) (b) and 10 are repealed on March 30, 2011.