PROPERTY INSPECTION CASE SUMMARIES 2019

CASE #17-15
STATEMENT OF COMPLAINT:
That the Respondent, a Certified House Inspector (CHI), threatened to display inappropriate signage in front of properties listed for sale by the Complainant, thus negatively impacting their real estate business.

INVESTIGATION:
A preliminary investigation was initiated as per ASTT Regulations 4.7 d) iv), and the results were submitted to the PRB. The PRB reviewed the complaint and preliminary investigation findings on April 19, 2018, and found sufficient concern to constitute a potential violation of Principles 7 & 9 of the ASTTBC Code of Ethics. Therefore, the PRB required that the Respondent undergo a Practice Assessment Review as part of the investigation to allow the PRB to better understand their practice. The Respondent accepted the requirement to undergo the PAR, which was subsequently conducted by an ASTTBC Quality Assurance Specialist (QAS).

Through the PAR results, the Respondent’s practice as a Certified House Inspector was determined to be substantially in compliance with the ASTTBC Code of Ethics and Practice Standards applicable to House Inspections, with some areas identified as needing improvement.

PRACTICE REVIEW BOARD RECOMMENDATIONS:
The PRB considered the results of the investigation, based on which, the PRB made a finding of fact, which is that the Respondent did send the afore-mentioned threat to the Complainant. This finding led to the Code of Ethics, and determined a breach of Principle 7 of the Code of Ethics. The facts did not support the finding of a breach of Principle 9 of the Code of Ethics.

Therefore, the PRB required that the Respondent submit a statement of assurance acceptable to the Registrar, that they had read, understood how the violation related to the ASTTBC Code of Ethics, and would abide by the ASTTBC Code of Ethics. The Respondent was also required to prepare and submit a Professional Development Plan (PDP), acceptable to the Registrar, which would be completed within 6 months from the date of submission to ASTTBC.

The Respondent prepared and submitted the PDP, outlining the activities they intended to undertake to address the gaps and improve their practice. The PDP was adequate and acceptable. The Respondent also submitted an acceptable statement of assurance, apologizing for their conduct with respect to the Complainant, and confirmed having re-read the ASTTBC Code of Ethics, paying particular attention to Principle 7, understanding where and how they were in contravention of the Code. They also advised that they had read and understood this Principle in its entirety, including the Amplifications and Commentary. The statement was written in a mindful manner, and concluded with an assurance of appropriate behaviour.

OUTCOME:
No further action was required and the file was closed. ASTTBC will monitor the file to ensure compliance with the PDP.

CASE #18-06
STATEMENT OF COMPLAINT:
That the Respondent, a Certified Technician (CTech) and Certified Property Inspector (CPI), completed a home inspection on the Complainant’s property soon after it had been purchased and submitted a report indicating the roof had no visible defects. However, it was discovered that the rear roof deck had severe surface sagging at the sheathing between the rafters, and
consultations with roofing contractors confirmed the roof was in need of immediate replacement. When notified about the condition of the roof, the Respondent returned to the residence to visually inspect it and agreed that it was in poor condition, requiring repair or replacement, but did not accept responsibility, nor did they offer any kind of refund or compensation for the roof replacement cost.

INVESTIGATION:
A preliminary investigation initiated as per ASTT Regulations 4.7 d) iv) found that the Respondent’s inspection report made no mention of the fact that they did not view the rear deck of the roof, nor did they provide any reasonable justification for not accessing the roof. Further, the inspection report in general provided scant explanation of the assessment of the conditions of the required systems of the home.

PRACTICE REVIEW BOARD RECOMMENDATIONS:
The PRB reviewed the complaint and found the Respondent’s actions to have been contrary to Principles 1 and 3 of the ASTTBC Code of Ethics as well as the ASTTBC-PI Standards of Inspection. Therefore, they were levied a fine of $250, as a deterrent to any future violations of the ASTTBC Code of Ethics and ASTTBC-PI Standards of Inspection.

OUTCOME:
The Respondent was informed regarding the fine which they subsequently paid. They also switched their membership for both designations to the ‘retired’ category.

No further action was required and the file was closed.