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**TITLE 878 HOME INSPECTORS LICENSING  
BOARD**

LSA Document #04-191

**To:** The Honorable R. Michael Young, Chairperson  
Administrative Rules Oversight Committee

**From:** Wade A. Lowhorn, Director  
Home Inspectors Licensing Board

**Date:** January 10, 2005

**Re:** Rules for the Home Inspectors Licensing Board

**Cc:** Sarah Burkman, Staff Attorney  
Legislative Services Agency  
Gerald H. Quigley, Executive Director  
Indiana Professional Licensing Agency

On behalf of the Indiana Professional Licensing Agency and the Home Inspectors Licensing Board ("Board"), I am submitting this memorandum to the Administrative Rules Oversight Committee ("AROC") pursuant to Indiana Code § 4-22-2-19(c)(2) because the Board did not institute the rulemaking process within sixty (60) days after the effective date of the statute that authorizes the rule.

Pursuant to Indiana Code § 25-20.2-3-8 and Indiana Code § 25-20.2-3-9, effective July 1, 2003, the Board may adopt rules under Indiana Code § 4-22-2 for the administration and enforcement of Indiana Code § 25-20.2 and establishing the continuing education required for renewal. The Board could not begin the rulemaking process within the sixty (60) day period because the Board appointments were not completed until late-June 2004 and therefore, the Board could not hold its first meeting until August 2004. However, after becoming familiar with the rulemaking process and reviewing other states' requirements governing home inspectors, the Board is now prepared to proceed with the adoption of administrative rules to establish the requirements for licensure, competent practice, renewal, continuing education, and fees. The Board filed its Notice of Intent to Adopt Rules in the August 1, 2004 edition of the *Indiana Register*. Further, a Notice of Public Hearing was published in the December 1, 2004 edition of the *Indiana Register*, a Notice of Change in Public Hearing was published in the January 1, 2005 edition of the *Indiana Register*, and a public hearing on adoption of rules will be held on February 1, 2005 at 9:05 a.m.

With adoption of the proposed rules at the February 1, 2005 meeting of the Board, and subsequent approval by the Office of the Attorney General and the Governor's Office, the Board will have rules in place and will be on schedule to license individuals as home inspectors by the deadline imposed under P.L.145-2003.

Your understanding of these circumstances is greatly appreciated. If you have any further concerns or require additional information, please do not hesitate to contact me at 317-234-3046 or email me at [wlowhorn@pla.in.gov](mailto:wlowhorn@pla.in.gov).

Respectfully submitted,

Wade A. Lowhorn, Director  
Home Inspectors Licensing Board