

FOR OFFICE
USE ONLY

UNIQUE ID

CLASS

CASH NUMBER

QUAL
CODE

FEE

\$250



Division of Licensing Services

New York State
Department of State
Division of Licensing Services
P.O. Box 22001
Albany, NY 12201-2001
Customer Service: (518) 474-4429
www.dos.ny.gov

Home Inspector Application

PLEASE PRINT OR TYPE ALL RESPONSES IN INK. Illegible applications will be returned for clarification, causing delays in licensure.

I am applying: *(check one)*

*As the principal/owner/partner,
I affirm the below business is filed with the
Office of the County Clerk*

Trade Name *(complete Sections A and B)*
(conducts business as a sole proprietorship, doing business
as a name other than his or her own name)

Partnership *(complete Sections A and B)*
(conducts business under the partnership name only)

*As the principal/member/officer,
I affirm the below business is filed with the
Division of Corporations*

**Limited Liability Company or Limited Partnership
*(complete Sections A and B)***
(conducts business under a limited liability company,
limited partnership or assumed name)

Corporation *(complete Sections A and B)*
(conducts business under the corporate name or assumed name)

OR

**I am applying as an:
Individual *(complete Section A)***
(Conducts business using his or her personal name only)

Section A Applicant's Name:

APPLICANT INFORMATION

Last First M.I. Suff.

Residence Street Address *(Required)* P.O. Box *(mailing purposes only)* Apt. Number

City State Zip+4 County

Date of Birth Social Security Number *(See Privacy Notification)* Federal Taxpayer ID *(See Privacy Notification)*

E-mail Address *(If any)* Daytime Telephone Number *(If problem with application)*

BUSINESS INFORMATION

Section B Home Inspector Business Name *(If applying other than individual):*

Mailing Address - Please complete this section if you want your information to be mailed to an address other than your residence address.

Business Name

Street Address

City State Zip+4 County

Home Inspector Application

1. BACKGROUND DATA

YES or NO

(Answer the following questions by checking either "YES" or "NO")

All applicants must complete this section. If you do not complete it, your application will be returned.

1. Do you have a high school diploma or its equivalent?
 2. Have you ever held a home inspector license issued by the State of New York?
→ IF "YES," what year? _____ Unique ID No. _____
 3. Do you hold a valid home inspector's license in another state?
→ IF "YES," which state? _____
 4. Have you ever been convicted of a crime that is a misdemeanor or a felony?
→ IF "YES," you must submit a written explanation and provide a copy of the court records detailing the allegations of the offense and how the case was resolved. If you have received a Certificate of Relief from Disabilities, Certificate of Good Conduct or Executive Pardon, you must submit a copy with this application.
 5. Are there any criminal charges (misdemeanors or felonies) pending against you in any court?
→ IF "YES," you must submit a written explanation and provide a copy of the court records detailing the allegations of the offense.
 6. Has any license or permit issued to you or a company in which you are or were a principal ever been revoked, suspended or denied?
→ IF "YES," you must provide all relevant documents, including the agency determination, if any.
-

2. QUALIFICATION METHOD: (check one)

Education

- Must submit original course completion certificates of 140 hours of approved schooling which includes 40 hours of unpaid field-based training.
 - If 40 hours of unpaid field-based training was obtained from other than an approved school you must also submit **ATTACHMENT A.**
- AND**
- Must provide evidence of passing the New York State written examination.

OR

Experience

- Must submit evidence of having performed not less than 100 home inspections (paid or unpaid) in the presence of and under the direct supervision of a Home Inspector licensed by NYS, or a professional engineer or architect regulated by NYS. You must submit **ATTACHMENT B.**

AND

- Must provide evidence of passing the New York State written examination.

OR

Licensed Architect or Professional Engineer

- Must submit copy of license.
-

3. LIABILITY COVERAGE AFFIRMATION

I hereby affirm, the General Liability insurance coverage in the minimum amount of \$150,000 per occurrence and \$500,000 aggregate, as prescribed in §444-K(1) of the Home Inspection Professional Licensing Act, has been secured and will be maintained.

4. CHILD SUPPORT STATEMENT

By signing this application, I certify that as of the date of this application, I am not under an obligation to pay child support **OR** if I am under an obligation to pay child support, I am not four or more months in arrears in the payment of child support, or I am making payments by income execution or by court agreed payment or repayment plan or by plan agreed to by the parties or my child support obligation is the subject of a pending court proceeding, or I am receiving public assistance or supplemental security income.

5. APPLICANT AFFIRMATION - I affirm that I have read and understand the provisions of Article 12-B of the Real Property Law and the rules and regulations promulgated thereunder. I further affirm that Worker's Compensation Insurance/Disability Benefits, for all employees, if applicable, has been secured. I further certify, under the penalties of perjury, that the information given above is true to the best of my knowledge and belief. I understand that any material misstatement made may result in the revocation or suspension of the license if issued.

X _____

Applicant's Signature

_____ Date

A COMPLETED APPLICATION MUST INCLUDE:

(Use this checklist to ensure you have included/completed all requirements)
If you do not complete all required responses, your application will be returned.

Page 1

You must check one box in the section for "I am applying as"

Applicant Information:

- Complete "Applicant Information".

Business Information (if applicable):

- Business Name:** Clearly print or type the business name under which you will conduct business (as it appears on the filing receipt or business certificate).
- Mailing Address:** Only complete this section if you would like your information mailed to an address other than your residence.

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Background Data: If you answered YES to questions 4, 5 or 6:

- Question #4 - court documentation which **MUST** be submitted: A copy of the certificate of disposition from the court **AND** a copy of the accusatory instrument * from the court.
- Question #5 - court documentation which **MUST** be submitted: A copy of the accusatory instrument * from the court **AND** adjournment notice(s) indicating future court date(s) from the court.
- Question #6 - you must provide all relevant documents, including the agency determination, (if any).
* An accusatory instrument is a document that is used by prosecutors and the criminal courts to charge and prosecute someone accused of a crime(s) and details the facts and circumstances surrounding the crime(s). This could be an Indictment, Superior Court Information, Criminal Complaint, etc.

Qualification Method:

- Check the box that reflects how you are qualifying for the license.

Liability Coverage Affirmation: You must secure and maintain general liability coverage in a minimum amount of \$150,000 per occurrence and \$500,000 aggregate. (You are not required to submit proof of coverage with your application but must be available for review upon request.)

Child Support Statement: (read)

Applicant Affirmation:

- Sign your name and date the application.

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Unpaid Field Based Training Log – 40 Hour Requirement

- Complete all portions of the log **only** if your training was not completed at a NYS approved school.

Page 4

Experience Log – 100 Home Inspections Required – Unpaid or Paid

- Complete all portions of the log **only** if you are applying based on **Experience**.

Additional Items to be submitted with your application

Examination Slip:

- Attach the passed exam notification (cannot be more than 2 years old).

Application fee:

- \$250.00 payable to the NYS Department of State. (see instructions for acceptable payment methods).



Home Inspector License Application

Read the instructions carefully before completing the application. Incomplete applications will be returned, delaying licensure. Any omission, inaccuracy or failure to make full disclosure in an application or supporting documentation may be deemed sufficient reason to deny a license, or, if a license is issued could result in the suspension or revocation of a license.

What is a Home Inspector?

New York State law Article 12-B §444-B(4) of the Real Property Law defines a Home Inspector as any person licensed to do home inspections.

What are Home Inspections?

New York State law Article 12-B §444-B(5) of the Real Property Law defines a home inspection as the process by which a home inspector observes and provides a written report of the systems and components of a residential building including but not limited to:

- A. Heating System
- B. Cooling System
- C. Plumbing System
- D. Electrical System
- E. Structural Components - foundation, roof masonry structure, exterior and interior components or any other related residential building component recommended by the Home Inspection Council and implemented by the Department through the regulatory process.

Who is excluded from this law?

Explicitly excluded are Architects, Professional Engineers, and Certified Code Enforcement Officers. Whether new to the field or existing, they can continue engaging in home inspections without need of this license provided they are working within the scope of their profession. However, if they open a home inspection business they will be required to obtain a license.

What qualifications does a Licensed Architect or a Professional Engineer opening his/her own home inspection business need to meet?

An individual who is a Licensed Architect or a Professional Engineer will need to provide proof of their professional license along with the completed application and fee. They will be exempt from the course work, examination requirements and the continuing education requirements as set forth in statute for a home inspector license.

Is there a liability insurance requirement?

Yes, §444-K(1) of The Home Inspection Professional Licensing Act requires that every licensed home inspector who is engaged in home inspection shall secure and maintain general liability coverage which

shall be a minimum amount of \$150,000 per occurrence and \$500,000 aggregate.

Pursuant to §197-1.1 proof of liability coverage shall include the following information: Name of insured (the applicant's name only if applying as an individual or the applicant's and AND the business name if applying as a business entity); Name of insurance company, Business address and telephone number of insurance company; Policy number; Policy expiration date and the Secretary of State as certificate holder.

Proof of liability coverage must be available for review upon request.

Can one obtain a Home Inspector's License based on licensure in another state?

Yes, if NYS has entered into a reciprocity agreement with another state. Upon submission of an application and fee, we will review application requests from individuals submitting proof of current licensure from another state where requirements are equivalent to NYS. Where found equivalent, education and exam requirements will be waived, and a license issued.

What are the fees, terms of licensure?

Examination Fee: \$50 (if applicable).

Application Fee: Each application must be accompanied by a nonrefundable application fee of \$250; the license will be effective for 2 years.

Renewal Fee: The renewal fee is \$100 for a two year term.

What qualifications and supporting documents do I need to apply for licensure?

You can apply based on the following:

- a. Have successfully completed **high school** or its equivalent;
- b. **Education:** Taken and successfully completed a course of study of not less than 140 hours approved by the Department. Of those hours, 40 must be unpaid field based inspections in the presence of and under direct supervision of a Home Inspector licensed by NYS, or a professional engineer or architect, regulated by NYS.

OR

- Experience:** Have performed not less than 100 home inspections (paid or unpaid) in the presence of and under the direct supervision of a Home Inspector licensed by NYS, or a professional engineer or architect regulated by NYS;
- c. **Successful Completion of an Exam:** Have passed the NYS written examination;
- d. **Freedom from Disqualifying Criminal Convictions;**
- e. **Application Fee:** Each application must be accompanied by a nonrefundable application fee of \$250; the license will be effective for 2 years.

Home Inspector License Application

What forms of payment do you accept?

You may pay by check or money order made payable to the Department of State or charge any fee to MasterCard or Visa, using a credit card authorization form. Do not send cash. **Application fees are nonrefundable.** A \$20 fee will be charged for any check returned by your bank. **(Applicants should understand that if the application filing fee is paid with a personal check, and the check is returned by the bank due to insufficient funds, the next step in the licensure process will be delayed until the fee [includes \$20 returned check charge] is paid.)**

What is the renewal fee and how does one renew their license?

The renewal application is mailed to the Home Inspector approximately 3 months prior to the expiration of his or her license. The application must be completed and submitted with a \$100 fee to the Department of State, Division of Licensing Services. Instructions for proper submission will be included with the renewal application. The term of licensure is 2 years.

Are there any continuing education requirements?

Yes. Home inspectors are required to complete 24 hours of approved continuing education within their two-year license renewal period prior to the expiration date in order to renew their license.

Child Support Statement

A Child Support Statement is mandatory in New York State (General Obligations Law) regardless of whether or not you have children or any support obligation. **Any person who is four months or more in arrears in child support may be subject to having his or her business, professional and driver's licenses suspended.** The intentional submission of a false written statement for the purpose of frustrating or defeating the lawful enforcement of support obligation is punishable under §175.35 of the Penal Law. It is a class E felony to offer a false instrument for filing with state or local government with the intent to defraud.

PRIVACY NOTIFICATION

Do I need to provide my Social Security and Federal ID numbers on the application?

Yes, if you have a social security number or Federal ID number, you are required to provide this number. If you do not have a social security number or Federal ID number, please provide a written explanation.

The Department of State is required to collect the federal Social Security and Employer Identification numbers of all licensees. The authority to request and maintain such personal information is found in §5 of the Tax Law and §3-503 of the General Obligations Law. Disclosure by you is mandatory. The information is collected to enable the Department of Taxation and Finance to identify individuals, businesses and others who have been delinquent in filing tax returns or may have underestimated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. It will be used for tax administration purposes and any other purpose authorized by the Tax Law and may also be used by child support enforcement agencies or their authorized representatives of this or other states established pursuant to Title IV-D of the Social Security Act, to establish, modify or enforce an order of support, but will not be available to the public. A written explanation is required where no number is provided. This information will be maintained in the Licensing Information System by the Director of Administration and Management at One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001.

It is important that you notify this office of any changes to your mailing address so you can receive renewal notices and any other notifications pertinent to your license.