

# SENATE BILL 143

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11r0084

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By: **Chair, Finance Committee (By Request – Departmental – Labor,  
Licensing and Regulation)**

Introduced and read first time: January 24, 2011

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Home Inspectors – Records – Retention Requirements**

3 FOR the purpose of requiring licensed home inspectors to retain certain records for a  
4 certain period of time under certain circumstances; requiring licensed home  
5 inspectors to make certain records available to the State Commission of Real  
6 Estate Appraisers and Home Inspectors on the request of the Commission; and  
7 generally relating to record retention by home inspectors.

8 BY adding to

9 Article – Business Occupations and Professions  
10 Section 16–4A–05  
11 Annotated Code of Maryland  
12 (2010 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Business Occupations and Professions**

16 **16–4A–05.**

17 **(A) SUBJECT TO THE PROVISIONS OF SUBSECTION (B) OF THIS**  
18 **SECTION, A LICENSED HOME INSPECTOR SHALL KEEP, FOR 5 YEARS FROM THE**  
19 **DATE OF DELIVERY TO THE CLIENT, THE ORIGINAL OR A COPY OF:**

20 **(1) EACH CONTRACT THE LICENSEE ENTERS INTO FOR THE**  
21 **PROVISION OF HOME INSPECTION SERVICES;**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(2) EACH HOME INSPECTION REPORT THE LICENSEE PREPARES**  
2 **OR SIGNS; AND**

3                   **(3) ALL SUPPORTING DATA THAT THE LICENSEE ASSEMBLES OR**  
4 **FORMULATES TO PREPARE A HOME INSPECTION REPORT.**

5           **(B) IF, WITHIN THE 5-YEAR PERIOD FOR THE RETENTION OF RECORDS,**  
6 **A LICENSED HOME INSPECTOR IS GIVEN NOTICE THAT A HOME INSPECTION IS**  
7 **INVOLVED IN LITIGATION, A NEW 5-YEAR PERIOD SHALL START ON THE DATE**  
8 **OF THE FINAL DISPOSITION OF THE LITIGATION.**

9           **(C) A LICENSED HOME INSPECTOR SHALL MAKE ANY RECORD**  
10 **REQUIRED TO BE KEPT UNDER THIS SECTION AVAILABLE TO THE COMMISSION**  
11 **TO INSPECT OR COPY.**

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2011.