

Chapter 30

(Senate Bill 143)

AN ACT concerning

Home Inspectors – Records – Retention Requirements

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

BY adding to

Article – Business Occupations and Professions

Section 16–4A–05

Annotated Code of Maryland

(2010 Replacement Volume)

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

Article – Business Occupations and Professions

16–4A–05.

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

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

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

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

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

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

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

Approved by the Governor, April 12, 2011.