Article - Business Occupations and Professions

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§16–4A–01.

(a) A licensed home inspector shall give to each person for whom the licensee performs a home inspection for compensation or to the person's representative, a written report that states:

(1) the scope and the exclusions of the inspection;

(2) the conditions observed during the home inspection that are subject to the adopted standards of practice and code of ethics approved by the Commission;

(3) the license number of the licensee; and

(4) a disclosure in 14–point bold type that includes the following statements:

(i) "An inspection is intended to assist in the evaluation of the overall condition of a building. The inspection is based on observation of the visible and apparent condition of the building and its components on the date of the inspection";

(ii) "The results of this home inspection are not intended to make any representation regarding latent or concealed defects that may exist, and no warranty or guaranty is expressed or implied";

(iii) "If your home inspector is not a licensed structural engineer or other professional whose license authorizes the rendering of an opinion as to structural integrity of a building or the condition of its components or systems, you may wish to seek the professional opinion of a licensed structural engineer or other professional regarding any possible defects or other observations set forth in this report"; and

(iv) "Only home inspections performed by Maryland licensed home inspectors will be recognized as a valid home inspection under a real estate contract".

(b) The licensee shall give the person or the person's representative the report:

(1) by the date set in a written agreement by the parties to the home inspection; or

(2) within 7 business days after the home inspection was performed, if no date was set in a written agreement by the parties to the home inspection.

(c) Any limitation of the liability of the licensee for any damages resulting from the report on the home inspection shall be agreed to in writing by the parties to the home inspection prior to the performance of the home inspection.

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