

Suggested Updates and Changes to the NCHILB Standards of Practice (SOP)

**by Wilson Fausel, New Licensee Report Reviews
(with edits by Mike Hejduk)**

The purpose of the following is to protect the public, not to protect the SOP or home inspector (the contract protects the inspector). After reviewing several hundred reports for the licensure board and for a home inspector association, I have found some areas of confusion on what is required by the SOP and some potential additions to the SOP. The SOP used for the list is dated 10/01/2018

Discussion point: it is generally accepted, although not written, that the SOP is non-confirming rather than confirming. Non-confirming is when the SOP instructs the inspector to "inspect" a component, he does the inspection and if there is nothing wrong with it then it does not have to write anything in the report. A confirming statement would be one with a verb like, operate, describe, report, open, state, etc. A confirming verb would make an SOP item be required to be in the report.

There are 2 sections to this document:

Section 1 - Consumer Safety Issues

- **Smoke Detectors and Carbon Monoxide alarms**
- **Garage Door Operators**
- **Kitchen Stove Anti-Tip Device**
- **Fireplaces**
- **GFCI**

Section 2 - Report Procedural and SOP Clarification Items

- **Structural Components**
- **Generic Header Statements**
- **Summary Limitations?**
- **Water Heater Anode Rod**
- **Permanently installed kitchen appliances?**

Consumer Safety Issues

Smoke Alarms

Current SOP statement:

11 NCAC 08 .1110 ELECTRICAL

(d) The home inspector shall report in writing on the presence or absence of smoke detectors, and installed carbon monoxide alarms in any homes with fireplaces, fuel fired appliances, or attached garages, and operate their test function, if readily accessible, except when detectors are part of a central system.

Discussion:

Smoke detectors are a key safety feature in every home whether there is a fireplace, garage or fuel fired appliance or not.

The way the current SOP statement is written, the inspector only has to make a statement about smoke detectors or carbon monoxide detectors if there is a fireplace, fuel fired appliance or attached garage. If none of these are in the home some inspectors are leaving smoke detectors out of the report.

*There is also some confusion on whether they have to operate and report the test function on smoke or carbon monoxide detectors. The reports state they are there but do not state they were operated only that they were inspected. If this is a non-confirming SOP statement, then they would only have to state that they did not work and only have to state their presence if there is a fireplace, fuel fired appliance or attached garage. **From a public safety standpoint, I think their presence and operation should be specifically stated for every home.***

If we make it mandatory that smoke and carbon monoxide detectors be inspected and tested should we also include requiring a location statement?

Potential edit:

(d) The home inspector shall report in writing the presence or absence and location of smoke detectors, and ~~installed~~ carbon monoxide alarms in all homes ~~any homes with fireplaces, fuel fired appliances, or attached garages, and~~ ~~operate~~ and report operating their test function if readily accessible, except when detectors are part of a central system. If the smoke detectors are thought to be part of a central alarm system, they do not have to be tested but must still be reported as being installed.

*If the above changes are made, then 1110(a)(8) could be deleted
~~1110(a)The home inspector shall inspect~~
~~(8) Smoke detectors and installed carbon monoxide alarms~~*

.1110 ELECTRICAL

- (a) The home inspector shall inspect:
- (1) Electrical service entrance conductors;
 - (2) Electrical service equipment, grounding equipment, main overcurrent device, and interiors of panelboard enclosures unless unsafe conditions are reported;
 - (3) Amperage and voltage ratings of the electrical service;
 - (4) Branch circuit conductors, their overcurrent devices, and the compatibility of their ampacities at the interiors of panelboard enclosures unless unsafe conditions are reported;
 - (5) The operation of a representative number of installed ceiling fans, lighting fixtures, switches, and receptacles located inside the house, garage, and on the dwelling's exterior walls;
 - (6) The polarity and grounding of all receptacles within six feet of interior plumbing fixtures, and all receptacles in the garage or carport, and on the exterior of inspected structures;
 - (7) The operation of ground fault circuit interrupters; and
 - (8) Smoke detectors and installed carbon monoxide alarms.
- (b) The home inspector shall describe:
- (1) Electrical service amperage and voltage;
 - (2) Electrical service entry conductor materials;
 - (3) The electrical service type as being overhead or underground; and
 - (4) The location of main and distribution panels.
- (c) The home inspector shall operate except when part of a central system:
- (1) smoke detectors.
 - (2) installed carbon monoxide alarms in any homes with fireplaces, fuel fired appliances, or attached garages.
- (d) The home inspector shall report in writing:
- (1) any readily accessible single strand aluminum branch circuit wiring.
 - (2) the presence or absence of smoke detectors
 - (3) the presence or absence of installed carbon monoxide alarms in any homes with fireplaces, fuel fired appliances, or attached garages.
- (e) The home inspector is not required to:
- (1) Insert any tool, probe, or testing device inside the panels;
 - (2) Test or operate any overcurrent device except ground fault circuit interrupters;
 - (3) Dismantle any electrical device or control other than to remove the covers of panelboard enclosures; or
 - (4) Inspect:
 - (A) Low voltage systems;
 - (B) Security systems and heat detectors;
 - (C) Telephone, security, cable TV, intercoms, or other ancillary wiring that is not a part of the primary electrical distribution system;
 - (D) Built-in vacuum equipment;
 - (E) Back up electrical generating equipment;
 - (F) Other alternative electrical generating or renewable energy systems such as solar, wind, or hydro power;
 - (G) Battery or electrical automotive charging systems; or
 - (H) Electrical systems to swimming pools or spas, including bonding and grounding.

Garage Doors

Current SOP statement:

11 NCAC 08 .1107 EXTERIOR

(b) The home inspector shall:

(4) Report whether or not any garage door operator will automatically reverse or stop when meeting reasonable resistance during closing;

The above is a statement of reversing on reasonable resistance only and 99% of the inspectors are reporting resistance reversing only. During 2 different presentations by garage door manufacturers, they stated the inspector should also be checking 2 additional safety reversing features; when the photocells are broken and when the door meets a 1-1/2" obstruction?

Potential edit:

1107 Exterior

(b) The home inspector shall:

(4) Report whether or not any electronic garage door operator will automatically reverse or stop during closing when meeting reasonable resistance, ~~during closing~~ when photocell beams are interrupted and when meeting a 1 1/2" obstruction.

.1107 EXTERIOR

(a) The home inspector shall inspect:

- (1) Wall cladding, flashings, and trim;
- (2) Entryway doors and a representative number of windows;
- (3) Garage door operators;
- (4) Decks, balconies, stoops, steps, areaways, porches, and appurtenant railings;
- (5) Eaves, soffits, and fascias;
- (6) Driveways, patios, walkways, and retaining walls; and
- (7) Vegetation, grading, and drainage with respect only to their effect on the condition of the building.

(b) The home inspector shall:

- (1) Describe wall cladding materials;
- (2) Operate all entryway doors;
- (3) Operate garage doors manually or by using installed controls for any garage door operator;
- (4) Report whether or not any garage door operator will automatically reverse or stop when meeting reasonable resistance ~~during closing~~, when photocell beams are interrupted, and when meeting a 1-1/2" obstruction.; and
- (5) Probe exterior wood components where deterioration is suspected.

(c) The home inspector is not required to inspect:

- (1) Storm windows, storm doors, screening, shutters, and awnings;
- (2) Fences;
- (3) For the presence of safety glazing in doors and windows;
- (4) Garage door operator remote control transmitters;
- (5) Geological conditions;
- (6) Soil conditions;

-
- (7) Recreational facilities (including spas, saunas, steam baths, swimming pools, tennis courts, playground equipment, and other exercise, entertainment, or athletic facilities), except as otherwise required in 11 NCAC 8.1109(d)(5)(F);
 - (8) Detached buildings or structures; or
 - (9) For the presence or condition of buried fuel storage tanks.
-

Kitchen Stove Anti-Tip-Over Device

Current SOP statement: No statement to check for anti-tip-over device on a stove

Should we require the inspector to inspect or test for an anti-tip-over device being installed on the rear leg of a kitchen stove?

Potential addition to the SOP:

1115 Built-in kitchen appliances

(a) The home inspector shall inspect and operate the basic functions of the following kitchen appliances:

(7) State the presence or absence of the anti-tip-over device on the range, stove or cooktop

11 NCAC 08 .1115 BUILT-IN KITCHEN APPLIANCES

.1115 BUILT-IN KITCHEN APPLIANCES

(a) The home inspector shall inspect and operate the basic functions of the following kitchen appliances:

- (1) Installed dishwasher(s), through a complete cycle;
- (2) Range(s), cook top(s), and permanently installed oven(s);
- (3) Trash compactor(s);
- (4) Garbage disposal(s);
- (5) Ventilation equipment or range hood(s); and
- (6) Installed microwave oven(s).

(b) The home inspector shall report the presence or absence of the anti-tip device on the range, stove or cooktop.

(c) The home inspector is not required to inspect:

- (1) Clocks, timers, self-cleaning oven functions, or thermostats for calibration or automatic operation;
- (2) Non built-in appliances; or
- (3) Refrigeration units.

(c) The home inspector is not required to operate:

- (1) Appliances in use; or
- (2) Any appliance that is shut down or otherwise inoperable.

Fireplaces

The SOP only states to inspect solid fuel heating devices and says nothing about gas log fireplaces, vented or unvented.

Current SOP statement:

11 NCAC 08 .1111 HEATING

- (a) The home inspector shall inspect permanently installed heating systems including:
- (5) Solid fuel heating devices;

Potential Edit:

.1111 HEATING

- (a) The home inspector shall inspect permanently installed heating systems including:
- (5) Solid fuel fuel, gas fueled or electric heating devices

Additional edit if the above is changed:

.1111 HEATING

- (b) The home inspector shall describe the:
- (1) Energy source for each heating device; and

.1111 HEATING

- (a) The home inspector shall inspect permanently installed heating systems including:
- (1) Heating equipment;
 - (2) Normal operating controls;
 - (3) Automatic safety controls;
 - (4) Chimneys, flues, and vents, where readily visible;
 - (5) Solid fuel, gas fuel or electric heating devices;
 - (6) Heat distribution systems including fans, pumps, ducts and piping, with supports, insulation, air filters, registers, radiators, fan coil units, convectors; and
 - (7) The presence or absence of an installed heat source for each habitable space.
- (b) The home inspector shall describe the:
- (1) Energy source; and
 - (2) Heating equipment and distribution type.
- (c) The home inspector shall operate the systems using normal operating controls appropriate to weather conditions at the time of the inspection.
- (d) The home inspector shall open readily openable access panels provided by the manufacturer or installer for routine homeowner maintenance. The home inspector shall report the method of inspection used to inspect the heating system and whether or not access panels were removed.
- (e) The home inspector is not required to:
- (1) Operate heating systems when weather conditions or other circumstances may cause equipment damage or when inappropriate to weather conditions at the time of inspection;
 - (2) Operate automatic safety controls;
 - (3) Ignite or extinguish solid fuel fires; or

-
- (4) Ignite a pilot light; or
 - (5) Inspect:
 - (A) The interior of flues;
 - (B) Fireplace insert flue connections;
 - (C) Heat exchanges;
 - (D) Humidifiers;
 - (E) Electronic air filters;
 - (F) The uniformity or adequacy of heat supply to the various rooms; or
 - (G) Solar space heating equipment.

GFCI

Current SOP statement:

11 NCAC 08 .1110 ELECTRICAL

- (a) The home inspector shall inspect
- (7) The operation of ground fault circuit interrupters

Discussion

When read together, the way 1110(a) and (7) are written, the word inspect (non-confirming) states it should be looked at but the word "operation" would make this a confirming statement, meaning that it should be tested and it's outcome stated in the report. So, which is it? Confirming or a non-confirming statement? The inspectors see it both ways in their reports.

Potential edit:

1110 Electrical

- (a) The home inspector shall inspect
- (7) And report in writing the operation and location of ground fault circuit interrupters except where electrical appliances are plugged into that circuit

This statement leaves it open for the inspector to determine the best way for them to inspect the GFCIs but helps protect the public by requiring the inspector to give their location

.....
If changes are made for Smoke Detectors and CO alarms then edit for GFCIs may be different.

.1110 ELECTRICAL

- (a) The home inspector shall inspect:
 - (1) Electrical service entrance conductors;
 - (2) Electrical service equipment, grounding equipment, main overcurrent device, and interiors of panelboard enclosures unless unsafe conditions are reported;
 - (3) Amperage and voltage ratings of the electrical service;
 - (4) Branch circuit conductors, their overcurrent devices, and the compatibility of their ampacities at the interiors of panelboard enclosures unless unsafe conditions are reported;
 - ~~(5) The operation of a representative number of installed ceiling fans, lighting fixtures, switches, and receptacles located inside the house, garage, and on the dwelling's exterior walls;~~
 - (6) The polarity and grounding of all receptacles within six feet of interior plumbing fixtures, and all receptacles in the garage or carport, and on the exterior of inspected structures;
 - ~~(7) The operation of ground fault circuit interrupters; and~~
 - (8) Smoke detectors and installed carbon monoxide alarms.
- (b) The home inspector shall describe:
 - (1) Electrical service amperage and voltage;
 - (2) Electrical service entry conductor materials;
 - (3) The electrical service type as being overhead or underground; and
 - (4) The location of main and distribution panels.
- (c) The home inspector shall operate except when part of a central system:

-
- (1) smoke detectors.
 - (2) installed carbon monoxide alarms in any homes with fireplaces, fuel fired appliances, or attached garages.
 - (3) ground fault circuit interrupters
 - (4) a representative number of installed ceiling fans, lighting fixtures, switches, and receptacles located inside the house, garage, and on the dwelling's exterior walls
- (d) The home inspector shall report in writing:
- (1) any readily accessible single strand aluminum branch circuit wiring.
 - (2) the presence or absence of smoke detectors
 - (3) the presence or absence of installed carbon monoxide alarms in any homes with fireplaces, fuel fired appliances, or attached garages.
 - (4) The location or absence of ground fault circuit interrupters
- (e) The home inspector is not required to:
- (1) Insert any tool, probe, or testing device inside the panels;
 - (2) Test or operate any overcurrent device except ground fault circuit interrupters;
 - (3) Dismantle any electrical device or control other than to remove the covers of panelboard enclosures; or
 - (4) Inspect:
 - (A) Low voltage systems;
 - (B) Security systems and heat detectors;
 - (C) Telephone, security, cable TV, intercoms, or other ancillary wiring that is not a part of the primary electrical distribution system;
 - (D) Built-in vacuum equipment;
 - (E) Back up electrical generating equipment;
 - (F) Other alternative electrical generating or renewable energy systems such as solar, wind, or hydro power;
 - (G) Battery or electrical automotive charging systems; or
 - (H) Electrical systems to swimming pools or spas, including bonding and grounding.

Currently AFCI are not addressed in the SOP.

Potential addition:

1110 Electrical

- (a) The home inspector shall inspect
(9) Arc fault circuit interrupters and state their number and location

This statement leaves it open for the inspector to determine the best way for him to inspect the AFCIs.

Bonding of CSST (Corrugated Stainless Steel Tubing)

Currently the SOP does not address CSST and bonding.

Potential addition (minimum statement - should be reviewed by electrical code officials):

1110 Electrical

- (b) The home inspector shall describe:
(5) the presence of bonding of CSST

Section 2 - Report Procedural and SOP Clarification Items

11 NCAC 08 .1106 STRUCTURAL COMPONENTS

(b) The home inspector shall describe the type of:

(1) Foundation

Several of the reports just state "Crawlspace"

Several of the reports just state "Slab"

For clarity, should 1106(b) be reworded to

1106(b) The home inspector shall describe the type of:

(1) Foundation structure

The addition of the word structure make this SOP statement like the others in 1106(b).

1106(b) The home inspector shall describe the type of:

(4) Columns or piers

In many instances the inspector did not describe the front porch columns, rear porch columns, deck support columns, etc. It was obvious that they were there because there were pictures of the columns.

Possible edit:

1106(b) The home inspector shall describe the type of:

(4) Columns or piers in crawlspaces, on or under porches and on or under decks

If no SOP changes are made, this could be addressed via further training or newsletters.

.1106 STRUCTURAL COMPONENTS

(a) The home inspector shall inspect and describe structural components including:

- (1) Foundation;
- (2) Floors;
- (3) Walls;
- (4) Columns or piers;
- (5) Ceilings; and
- (6) Roofs.

(b) ~~The home inspector shall describe the type of:~~

~~(1) Foundation;~~

-
- ~~(2) Floor structure;~~
 - ~~(3) Wall structure;~~
 - ~~(4) Columns or piers;~~
 - ~~(5) Ceiling structure; and~~
 - ~~(6) Roof structure.~~

(c) The home inspector shall:

- (1) Probe structural components where deterioration is suspected;
- (2) Enter under floor crawl spaces, basements, and attic spaces except when access is obstructed, when entry could damage the property, or when dangerous or adverse situations are suspected;
- (3) Report the methods used to inspect under floor crawl spaces and attics; and
- (4) Report signs of abnormal or harmful water penetration into the building or signs of abnormal or harmful condensation on building components.

HEADER STATEMENTS

In many reports, blanket header statement are being used to paint, with a broad stroke, how things are done. This circumvents DDID.

1106(c)(3) Report the methods used to inspect under floor crawl spaces and attics;

In many reports, there are header statement that list every possible way to inspect crawlspaces or attics but nothing stating which specific one was used. I found this problematic when the header stated the crawlspace was entered and inspected with a flashlight but the report stated the home was built on a concrete slab. The same would hold true for inspecting an attic; the access was not stated, the structure or insulation was not stated, yet there was a header statement listing every possible way to inspect the attic (entered with flashlight, from attic access, etc).

Possible edit:

1106(c)(3) Report the ~~methods~~ specific method used to inspect under floor crawl spaces and attics;

HEADER STATEMENTS

1108(b)(2) Report the methods used to inspect the roofing.

In many instances, there are header statement that list every possible way to inspect the roof but nothing stating which specific one was used (binoculars, windows, ladder, walk, drone, etc).

Possible edit:

1108(b)(2) Report the ~~methods~~ specific method used to inspect the roofing.

1109(b) The home inspector shall describe:

- (1) Water supply and distribution piping materials;
- (2) Drain, waste, and vent piping materials;

I am seeing reports that state the supply and waste are plastic. (I believe this statement was first introduced in the SOP so the presence of Polybutylene plastic pipe would be described). Is this a sufficient description or do we need to make the SOP statement more specific. Previous SOP committee chairman stated that the word "plastic" is not sufficient. I don't have a good rewrite for this item.

.1115 BUILT-IN KITCHEN APPLIANCES

(a) The home inspector shall inspect and operate the basic functions of the following kitchen appliances:

During my reviews, if I see a verb like report, describe, operate or state, I expect something to be written about that item, if it is in the home, whether there is anything wrong with it or not. 1115 has the word "inspect" (non-confirming) and "operate" which would make it a confirming statement. Should "operate" be removed from the statement?

Potential Edit 1 (non-confirming statement):

1115 BUILT-IN KITCHEN APPLIANCES

(a) The home inspector shall ~~inspect and operate the basic functions of the~~ following installed kitchen appliances:

Potential Edit 2 (confirming statement):

1115 BUILT-IN KITCHEN APPLIANCES

(a) The home inspector shall ~~inspect and~~ operate the basic functions of the following installed kitchen appliances:

Summary Limitation?

I am seeing many reports that list upgrades and general information in the summary which makes the summary longer and less understandable to the client. It is not a "Check Box" item in my review so I have not been calling this out or recording the number of report occurrences. This could be addressed with more training or in a newsletter.

The General Statute below states that upgrades and general information should not be in the Summary

NC Gen Stat 143-151.58. Duties of licensed home inspector(a1)(a).All other subject matters pertaining to the home inspection must appear in the body of the report.

§ 143-151.58. Duties of licensed home inspector.

(a) Home Inspection Report. – A licensed home inspector must give to each person for whom the inspector performs a home inspection for compensation a written report of the home inspection. The inspector must give the person the report by the date set in a written agreement by the parties to the home inspection. If the parties to the home inspection did not agree on a date in a written agreement, the inspector must give the person the report within three business days after the inspection was performed.

(a1) Summary Page. – A written report provided under subsection (a) of this section for a prepurchase home inspection of three or more systems must include a summary page that contains the information required by this subsection. **All other subject matters pertaining to the home inspection must appear in the body of the report.** The summary page must contain the following statement: "This summary page is not the entire report. The complete report may include additional information of interest or concern to you. It is strongly recommended that you promptly read the complete report. For information regarding the negotiability of any item in this report under the real estate purchase contract, contact your North Carolina real estate agent or an attorney."

The summary page must describe any system or component of the home that does not function as intended, allowing for normal wear and tear that does not prevent the system or component from functioning as intended. The summary page must also describe any system or component that appears not to function as intended, based upon documented tangible evidence, and that requires either subsequent examination or further investigation by a specialist. The summary page may describe any system or component that poses a safety concern.

(a2) State Building Code. – If a licensee includes a deficiency in the written report of a home inspection that is stated as a violation of the North Carolina State Residential Building Code, the licensee must do all of the following:

- (1) Determine the date of construction, renovation, and any subsequent installation or replacement of any system or component of the home.
- (2) Determine the State Building Code in effect at the time of construction, renovation, and any subsequent installation or replacement of any system or component of the home.
- (3) Conduct the home inspection using the building codes in effect at the time of the construction, renovation, and any subsequent installation or replacement of any system or component of the home.

In order to fully inform the client, if the licensee describes a deficiency as a violation of the State Building Code in the written report, then the report shall include the information described in subdivision (1) of this subsection and photocopies of the relevant provisions of the State Building Code used pursuant to subdivision (2) of this subsection to determine any violation stated in the report. The Board may adopt rules that are more restrictive on the use of the State Building Code by home inspectors.

(b) Insurance, Net Assets, and Bond Requirements. – A licensed home inspector must continuously maintain general liability insurance and minimum net assets, a bond, or errors and omissions insurance as required in G.S. 143-151.51(b).

(c) Repealed by Session Law 2009-509, s. 3.3, effective October 1, 2013.

(d) Record Keeping. – All licensees under this Article shall make and keep full and accurate records of business done under their licenses. Records shall include the written, signed contract and the written report required by subsection (a) of this section and the standards of practice referred to in G.S. 143-151.49(a)(2) and any other information the Board requires by rule. Records shall be retained by licensees for not less than three years. Licensees shall furnish their records to the Board on demand.

Should we add to exclusions, water heater anode rod?

Potential edit:

1109 Plumbing

(d) The home inspector is not required to:

(9) Report on the condition or function of the water heater anode rod

A home inspector does not generally inspect removable kitchen appliances, such as, refrigerators, non built in microwave, portable dishwashers, etc. should 1115(a)(2) Ranges be included as non built in or should it be reworded to permanently installed ranges and cook tops?