



Arkansas Department of Labor and Licensing
Arkansas Home Inspector Registration Board
900 West Capitol, Suite 400
Little Rock, Arkansas 72201
(501) 682-4500

Asa Hutchinson
Governor

Daryl Bassett
Secretary

Summary and Statement of Purpose
Proposed Rules of the Arkansas Home Inspector Registration Board
February 10, 2021

Purpose

The Arkansas Home Inspector Registration Board is seeking Governor Hutchinson's review and approval of proposed amendments to the board's rules. These amendments are primarily the result of legislative enactments in 2019 and 2021. There are a few amendments addressing stylistic and grammatical changes, as well as repealing obsolete language. There is one amendment requiring completion of three (3) home inspections as part of the pre-registration education process.

Background

The Home Inspector Registration Board has authority to establish administrative procedures pursuant to Arkansas Code §17-52-306.

The 2019 acts necessitating rulemaking are: Acts 426 and 1011; Act 820 and Act 990. The 2021 acts which require rulemaking by the board are: Act 135; Act 725; Act 746 and Act 748.

Key Points

The proposed amendments to the rules:

- Section 300-Registration and Renewal Requirements & Procedures
 - Delete reference to "good moral character;"
 - Amends rule to provide for pre-licensure criminal background determination of qualification per Act 990 of 2019 and Act 748 of 2021;
 - Changes "GED" requirement to "high school equivalency diploma;"
 - Explicitly provide for registration eligibility for individuals with a federal work permit per Act 746 of 2021;
 - Requires an applicant to complete three (3) on-site inspections under the supervision of a registered home inspector as part of the pre-registration education process;
 - Adds provision regarding reciprocity in conformity with Act 426 and 1011 of 2019;
 - Provides for automatic licensure for uniformed service members, veterans and spouses per Act 820 of 2019 and Act 135 of 2021.
 - Provides for an initial fee waiver for certain individuals pursuant to Act 725 of 2021;
- Sections 401, 610 and 710
 - Makes stylistic and grammatical changes; and
- Section 401

- Eliminates obsolete language.

Discussion

Most of the rule changes are mandated by legislative enactments in 2019 and 2021. In these instances, the board has utilized model language from the Office of the Attorney General.

Act 725 of 2021 and the proposed amended rule regarding the fee waiver for certain individuals will have a negative impact on revenues although it will operate as a cost-savings provision for applicants. The extent or amount is unknown. The board has no historical data concerning the economic status of its applicants.

The proposed rule requiring an applicant to conduct three (3) home inspections under the supervision of a registered home inspector as part of the pre-registration education process is not mandated by statute.