

## Legislation Text

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**File #:** 020809, **Version:** 1

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Amending Title 9 of The Philadelphia Code, relating to "Regulation of Businesses, Trades, and Professions," by amending Chapter 9-1300 entitled "Home Inspection Business," by making certain changes to the license requirements, the license fee, the required conduct, and other provisions, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

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CHAPTER 9-1300. HOME INSPECTION BUSINESS.

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§9-1301. Definitions.

(1) Home or residential inspection business. Any individual, partnership or corporation engaged in the business of [inspecting] *providing non-invasive inspections of* residential or mixed use residential properties for *material* defects [or to certify said properties as sound].

[(2) Public Agency. Any governmental or quasi-governmental agency whose employees perform housing/residential inspections in the regular course of business.]

§9-1302. License.

(1) No person shall engage in the business of home or residential inspections unless that person has first secured a license from the Department of Licenses and Inspections.

(2) In order to secure a license, an applicant must:

(a) be at least eighteen (18) years of age,

(b) be certified by a nationally recognized [or statewide] professional organization which qualifies or certifies inspectors and is recognized by the Department of Licenses and Inspections.

[(.1) These professional organizations must be approved by the Department.]

(c) [possess professional] *maintain commercial general liability insurance* which [co-insures] *names the City of Philadelphia as a certificate holder*, in an amount [determined by the City Solicitor] *in accordance with the Home Inspection Law, 68 Pa. C.S.A. §7509, as it may be amended from time to time*, and [Workmen's] *Workers' Compensation* insurance in the statutory amount.

(d) pays [an annual] *a tri-annual* license fee of [one hundred fifty (150)] *three hundred (300)* dollars.

(3) Professional Architect or Engineers, validly licensed to practice under the laws of the Commonwealth and inspectors of governmental agencies who perform inspections on behalf of their agencies are exempt from the provisions of this chapter.

#### §9-1303. Required Conduct.

(1) Inspections shall be made according to [regulations established by the Department in conjunction with appropriate National and Statewide Realty Trade Associations and National and Statewide Home Inspection Associations'] *the standards of practice of the National Home Inspection Association by which the home inspector is certified*.

[(2) An inspector shall either complete the entire inspection and provide a written report of the results personally observed to the client who engages the inspector or provide to the client reports, if any, of specialty inspections subcontracted with specialty inspectors who have personally observed the house systems they have inspected.]

[(3) An inspector shall notify the Department of Licenses and Inspections in writing of specific structural defects that pose a threat to personal health and safety observed during a home inspection. Those conditions shall initially, and in the case of any modifications, be defined by the Department of Licenses and Inspections in collaboration with local members of a state and national association representing duly licensed real estate brokers, members of state and national home inspection associations recognized by the Department of Licenses and Inspections.]

#### §9-1304. Restrictions.

(1) No person shall be licensed if that person has been convicted before a court of law of a crime of fraud, dishonesty, breach of trust or deceit.

#### §9-1305. Penalties.

(1) In addition to the penalties established in Section 9-105, a license may be revoked for failure to comply with the provisions of the Section.

#### Explanation:

[Brackets] indicate matter deleted.  
Italics indicate new matter added.