

PROFESSIONAL PRACTICES COMMITTEE

OVERVIEW

The association or authority must have a mechanism by which it is able to review and take action related to actions by its members who violate either the association or authority's standards of practice, standards of conduct and ethics, or where they have violated a provision in the Act or the Regulation as determined by Consumer Protection. This mechanism must ensure procedural fairness and appropriate sanctions where warranted.

The ethics of the NHICC and its registrants and contracting agents are paramount and must be upheld to maintain a positive public image and good name. Those who contravene the Code of Ethics, and/or do not adhere to the Standards of Practice, and/or advertise illegally will be disciplined. Complaints from the public or other registrants will be reviewed by the Professional Practices Committee.

Discipline of Applicants or Certificants may include deciding that someone is not eligible for a credential, taking action if a person is caught falsifying or doesn't provide accurate information on the application form, or, while a person holds credential, has a complaint brought alleging violation of the professional rules of conduct or the law in some way. Disciplinary action may include suspending their credential, censuring them, or revoking their credential.

An in person hearing is not generally necessary and a program can instead conduct a paper hearing. It is also important to ensure that those participating in the prosecutorial/investigative aspects of the process are kept separate from the adjudicative determinations. No one participating in the process should have a conflict of interest or special relationship to the matter, since that can be challenged and potentially cause judicial scrutiny of the decision.

The appeal must be to a different body or group than that which made the decision. The grounds for appeal is more limited, such as only overturning a decision if there were significant substantive or procedural errors made in the initial process.

POSITION

This committee is a standalone committee whose function is to be independent of, and free from influence by the NHICC Board of Directors. Any decisions, procedures or protocols arrived at as a result of complaint investigations are binding at the sole discretion of this committee. The committee, through the Chair will report complaint statuses to the National Admissions Board at regular intervals. These reports to National Admissions Board are intended for information purposes only and not solicitations for opinions, decisions, approvals, considerations, or involvement in the duties and responsibilities of the Professional Practice Committee.

NOTE

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For the purposes of this document, any person launching a complaint is identified as Complainant, and any person being the subject of a complaint is identified as Respondent. Any National Home Inspector (NHI) in the NHICC is identified as Registrant or NHI, and any home inspector not in the NHICC is identified as non-Registrant.

For clarity, whether a satisfactory resolution related to a consumer complaint is achieved between a registrant/member and a consumer, the expectation would be that the NHICC PPC would investigate and if appropriate, make a formal decision of whether a breach of the Standards of Practice or Code of Ethics occurred in the situation presented in a complaint.

This document is to be considered a living document and will be subject to amendments from time to time as unforeseen situations present themselves.

MANDATE

The committee's mandate is focused on investigating complaints related to conduct and competence of Registrants, and other matters related to professional practices. This mandate does not include mediation of individual complaints, imposing settlements, or assisting in civil proceedings.

Except in limited circumstances, e.g. where the complaint does not relate to professional misconduct or incompetence or is frivolous or vexatious, the committee must consider any complaint received about the conduct of a registrant.

50.0: OBJECTIVES

50.0.1: Ensure that Registrants in the NHICC meet their professional responsibilities and expediently respond to complaints.

50.0.2: Investigate complaints regarding the conduct and competence of Registrants.

50.0.3: Investigate misrepresentations of the National Home Inspectors Certification Council credentials and designations by non-Registrants.

50.0.4: Provide interpretations and guidelines related to business and professional practices, based on research and National Home Inspector (NHI) input.

50.1: RESPONSIBILITIES AND TASKS

50.1.0: Responding to written complaints from the public concerning Registrants and Non-Registrants of the NHICC.

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50.1.1: Responding to written complaints from Registrants concerning other Registrants within the NHICC.

50.1.2: Developing interpretations and policy change recommendations based on research and Registrant input

50.1.3: Liaison with the NHICC Board of Directors and other committees.

50.1.4: Business, Professional Practices and Conduct.

50.1.5: Investigation of alternative dispute resolution options.

50.1.6: Recommending professional practice risk management procedures.

50.2: OPERATING PRINCIPLES / RULES for COMMITTEE MEMBERS

50.2.1: The Professional Practices Committee Chairperson and members shall be National Home Inspectors (NHI), approved/appointed by the NHICC Board of Directors and shall not be more than 10 in number from across Canada.

50.2.2: The Professional Practices Committee Chairperson shall have sole access to Registrant profiles and information for committee work only.

50.2.3: Every committee member must sign a confidentiality agreement. Refusal to sign will result in the removal of the member from the Committee.

50.2.4: All confidential information obtained by committee members shall forever be maintained as confidential, except where this information must be disclosed in a complaint resolution process and or subsequent appeal.

50.2.5: Committee members shall avoid communication outside of the Committee regarding individual complaints or Committee proceedings, except when sanctioned by the committee, or investigating a complaint.

50.2.6: All communication to parties to a complaint shall be in writing, signed by the Chairperson or a designate on behalf of the Committee. Verbal communications with any party shall be discouraged.

50.2.7: Committee members shall not participate in any aspect of a complaint process in which they are within arm's length of a Registrant who is the subject of, or have intimate knowledge of matters before the Professional Practices Committee. They may remain on the Committee.

50.2.8: Any Committee member who becomes a Respondent in a Hearing shall step down from the Committee until such time as resolution has been reached.

51.0: PROCEDURES FOR HANDLING COMPLAINTS

***NOTE:** Where any member of the NHICC board or any of its committees or any registrant holding a position of responsibility within the NHICC becomes the subject of a complaint, that person shall vacate his/her held position until such times as the complaint has been resolved. Where resolution finds in favour of subject member/registrant, he/she shall immediately be re-installed to their former position and duties. Where resolution finds for the complainant the subject member/registrant shall not be permitted to return to their former or any position and duties for a period not to exceed three (3) years.*

51.0.1: Where the NHICC Registrar, any member of the Board of Directors, the Committee Chairperson, or any other member of the Committee receives enquiries as to the complaint process, the enquirer shall be directed to obtain a NHICC Complaint Form by either downloading it from the NHICC website, electronically delivered, or have one sent by regular mail. The NHICC Complaint Form shall include an explanation of the complaint procedures. Complainants will be asked to complete this form to initiate the complaint resolution process.

(See PPC Attachment A)

51.0.2: Upon receipt of a written complaint concerning the conduct or professional practices of a Registrant, the Committee Chairperson or a designate on behalf of the Committee will:

a) send an acknowledgement letter to the Complainant by regular mail;

(See PPC Attachment B)

b) assign a case file number;

c) initiate a Complaint Tracking Form; **(See PPC Attachment C)**

d) audit the Respondent's file for CEU/CRC compliance and prior complaints;

e) initiate a Sequence of Events form; and **(See PPC Attachment D)**

f) immediately upon receipt of a complaint, by way of registered mail, mail a copy of the complaint to the Registrant/non-Registrant against whom the complaint has been made (hereinafter called the "Respondent"). The Respondent, at the discretion of the Committee Chairperson, will be given not less than ten (10) and not more than thirty (30) calendar days to deliver a reply thereto in writing addressed to the Committee Chairperson (hereinafter called the "Reply"). Where the Committee is proceeding upon its own motion, the Committee Chairperson may in like manner, direct a designate to mail to the Respondent a brief statement of the conduct or infringement being investigated by the Committee and the foregoing provisions where the Reply shall be applicable and the matter shall

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thereafter proceed in all respects as a complaint by any other person concerning the conduct of an NHI. **(See PPC Attachment E)**

51.0.3: Where a Respondent is prohibited from addressing a Notice of the Committee due to advice from legal counsel in the event of impending legal action of which the Respondent is the subject, this restriction must be forwarded to the Committee Chairperson or designate.

51.0.4: After the time limit for the Reply to a complaint, the Chairperson of the Committee shall appoint three Committee members to conduct a Preliminary Review (hereinafter called the "Review Subcommittee").

51.0.5: Where-ever possible the three Committee members selected to conduct a review will not know the Respondent nor will they live in the same market area as the Respondent.

51.0.6: Where a Committee member selected to participate in a review is acquainted with, resides in the same market area, or has knowledge of any aspects of the complaint he/she shall declare a conflict of interest and advise the Committee Chairperson accordingly and remove himself/herself from the complaint process.

51.0.7: Each Committee member selected to participate in a review shall receive by registered mail a copy of the Complaint, the Respondent's Reply and a Request for Complaint Review notice. **(See PPC Attachment F).**

51.0.8: The Committee members selected to review a Complaint will have a thirty (30) calendar day period to review a Complaint and return their recommendations to the Committee Chairperson. They shall determine if the complaint:

51.0.9: Has merit; In this case they will determine if there is enough evidence to complete their review and make recommendations.

51.0.10: Should be dismissed; In this case they will determine whether the complaint has no merit or cannot be substantiated after reviewing all submitted evidence. A copy of the decision including any recommendations shall be forwarded to all parties by the Committee Chairperson or designate and a copy of the decision shall be forwarded to the NHICC Registrar to be placed in the Registrant's file.

51.0.11: Requires more information from the Complainant or the Respondent to evaluate whether the complaint should go to a hearing or be dismissed. In this case, the request for clarification or more information shall be made in writing. Further a response will be required within a prescribed period of time. **(See PPC Attachment G).**

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51.0.12: Should go to a hearing. In this case both parties to the complaint shall be notified in writing by the Committee Chairperson or designate and delivered by Registered Mail of the committee's recommendation and the date of the hearing.

Note: *The Committee may at its sole discretion (such as if the Respondent has a number of complaints) appoint an expert to visit the property, document and photograph the conditions and answer specific questions posed by the committee for a case proceeding to a hearing or if more information is required.*

51.0.13: The following questions should be addressed when determining whether a complaint should proceed to a hearing or should be dismissed:

- a. Has the Complainant notified the Respondent in a timely manner, provided access and an opportunity for the Respondent to investigate and resolve the complaint (preferably before litigation, unless immediate mitigation is warranted)?
- b. Has the Complainant provided sufficient evidence to substantiate the written complaint? In the case of a complaint about a missed problem during an inspection, have photos or other evidence been provided to substantiate that the alleged condition both existed and should have been obvious at time of inspection. (The onus is on the complainant to substantiate the complaint).
- c. Has the Respondent responded to the Complainant in a timely and appropriate manner?
- d. Has the Respondent substantiated his/her version of events with an accounting of the events concerning the complaint and other documents such as the written report, photos, etc?
- e. Does the conduct of the Respondent appear to have been appropriate for the situation? In the case of a complaint arising from an inspection, was the inspection contract, methodology, reported observations and recommendations, warnings of adverse conditions, communications with various parties, etc. judged appropriate for the situation.
- f. Does there appear to be any significant gaps in the Respondent's technical competence, or problems with his/her conduct that resulted in this complaint, and would result in reoccurrence?

51.0.14: The Committee Chairperson shall advise the Complainant and Respondent of the above determination and provide reasons (based on any or all the above questions) since any decision of the Committee may become the subject of an appeal.

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51.0.15: The complaint progress will be tracked using PPC Attachment C. Response letters will follow format of PPC Attachment D.

51.0.16: Committee members appointed to participate in a Hearing may include members who participated in the Preliminary Review.

51.0.17: The Committee may at any time, after receiving a Complaint upon its own motion and its own discretion, determine that no further action be taken in respect of such complaint.

52.0: HEARING PROCEDURE

Note: *All hearings wherever possible will be conducted by means of conference call.*

52.0.1: Where the recommendations of the Review Subcommittee call for a Hearing, the Chairperson of the Committee shall determine the date for the hearing of the complaint. Both the Complainant and the Respondent shall be notified by Registered Mail from the Committee Chairperson or designate at least thirty (30) calendar days prior to the fixed date. This Notice of Complaint Hearing shall include date and time.

In this case both the Complainant and the Respondent are required to respond to the Committee Chairperson within fifteen (15) calendar days before the fixed date for the hearing of their intentions to participate and of those witnesses or representatives who have knowledge of the matter and who will be on hand. Witnesses can be family members, friends, legal counsel, or any other person(s) with knowledge of the matter. Principal parties to a complaint must participate in a hearing. Failure to advise the Committee Chairperson and participate may result in costs of the investigation and subsequent hearing being passed onto the parties for recovery as well as the possibilities of further disciplinary actions imposed against the Respondent.

52.0.2: At a time prior to the date and time fixed for the hearing but after the completion of the complaint review, the Committee Chairperson shall appoint two (2) Review Subcommittee members to, Chair and Co-chair the hearing.

52.0.3: On the date and time fixed for the Hearing, committee members who reviewed the complaint and recommended a hearing shall conduct the hearing. The Committee Chairperson or designate shall sit as witness to the proceedings.

52.0.4: On the date fixed for the Hearing and at the appointed time of commencement, the committee Hearing Subcommittee Chair shall:

- a) call the Hearing to order;
- b) introduce the Hearing Subcommittee.

52.0.5: The Hearing Subcommittee Co-Chair shall explain the Rules of Order for the hearing to the parties involved and read a summary of the complaint into the

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minutes.

52.0.6: The Hearing Subcommittee shall proceed with hearing the complaint in such manner as in its discretion deems advisable and shall have all the powers of an arbitrator or arbitrators under the Arbitration Act, 1991, S.O. 1991, Chap. 17. Without in any way limiting the generality of the power so conferred on the Committee, it shall have authority to summon before it for such hearing, any Registrant of the NHICC or any director of the Board of Directors and to require of any such person the production of any documents and records as the Committee may require. In the conduct of such hearing the Committee may:

- a. adjourn the Hearing from time to time
- b. proceed in such manner as it may deem proper without being bound by rules of evidence or other legal rules, provided that it shall consider the best evidence available
- c. receive evidence under oath.

52.0.7: The parties to the hearing shall be entitled to call as witnesses, any person or persons who have knowledge of the facts touching on the matters in question whether that person is a Registrant in the NHICC or not.

52.0.8: The parties to a complaint may be accompanied by a representative, legal or otherwise.

52.0.9: The Hearing Subcommittee shall proceed with hearing the complaint and the particulars concerning any infringements or other improper alleged conduct.

52.0.10: The Complainant will have the first opportunity to give testimony in support of their complaint without interruption.

52.0.11: The Respondent will follow with testimony in defense of the allegations made in the complaint without interruption.

52.0.12: The Hearing Subcommittee will then proceed with a question and answer period addressing both the Complainant and Respondent.

52.0.13: The Complainant will have an opportunity to submit any closing comments without interruption.

52.0.14: The Respondent will also have an opportunity to submit any closing comments without interruption.

52.0.15: The Hearing Subcommittee Chair will adjourn the Hearing.

52.0.16: The Hearing Subcommittee will recap and discuss the evidence and testimony amongst themselves after adjournment.

53.0: HEARING DECISION

53.0.1: The decision of the majority of the Hearing Subcommittee members at the hearing shall constitute a decision of the Committee and such decision shall:

- a) be in writing to the Committee Chairperson;
- b) be signed by the members of the Hearing Subcommittee conducting the hearing;
- c) determine whether the Respondent was accountable of the conduct referred in the complaint;
- d) recommend to the Committee Chairperson suitable disciplinary action to be imposed.

53.0.2: The decision may contain the reasons for the decision and may contain a dissenting opinion but such dissenting opinion shall not indicate what member or members of the Hearing Subcommittee dissent from the majority decision thereof.

53.0.3: The decision of each member of the Hearing Subcommittee and recommendations for disciplinary action shall be forwarded to the Committee Chairperson within seven (7) calendar days of the date of the hearing.

53.0.4: The Committee Chairperson shall advise the NHICC Board of Directors of these recommendations.

54.0: Disciplinary Action

54.0.1: The failure of the Respondent or his/her representative to reply to the Notice of Complaint, Notice of Complaint Hearing, any other notice or request, and or participate before the Hearing Subcommittee, may at the Hearing Subcommittee's discretion, have a recommendation of a further complaint filed against the Respondent, a recommendation of a fine equal to a calculated cost recovery of the complaint investigation process, or both and in addition to any findings that would warrant disciplinary action.

54.0.2: The failure of the Complainant to reply to a Notice of Complaint Hearing and or to attend may not prohibit the hearing taking place, but may influence the outcome of the hearing. Further, at the Hearing Subcommittee's discretion the Complainant may be requested to reimburse the NHICC for costs relating to the complaint investigation and hearing.

54.0.3: Where a decision of the Hearing Subcommittee has been reached, one or more of the following actions may be recommended:

- a) dismiss the complaint;
- b) imposing upon the Respondent any one of the following penalties:
- c) a reprimand;
- d) a fine, not to exceed \$2500.00 plus applicable taxes made payable to the

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NHICC;

- e) a suspension of the Respondent's designation for a specified period of time with retention of Registrant status.
- f) expulsion from the NHICC and permanent loss of designation.
- g) require the Respondent to complete remedial training relevant to the conduct complained of as a condition of continuance as an NHI within the NHICC, or in the event the Respondent has been suspended, as a condition of reinstatement in the NHICC.
- h) order that the name of the Respondent and the Hearing Subcommittee's decision be published if the Respondent does not comply with or appeal the recommendation(s) within the time prescribed for satisfying remedial recommendations or lodging a Notice of Appeal as hereinafter provided, or if appealed, provided that the decision is not reversed by the Appeals Committee.

54.0.4: Notices of the Hearing Subcommittee's decision(s) and recommended disciplinary actions shall be forwarded to the Committee Chairperson within seven (7) calendar days of the date of the hearing.

54.0.5: The Chairperson of the Professional Practices Committee, upon receiving the recommendation(s) of the Hearing Subcommittee shall within seven (7) days, forward these to the Board of Directors for record purposes.

54.0.6: The Chairperson of the Professional Practices Committee shall within seven (7) calendar days of notify the parties to the complaint by way of registered mail, of the Complaints Committee's decisions.

54.0.7: Any decision of the Hearing Subcommittee, which does not become subject to an appeal as herein provided, shall be deemed to take effect immediately and any NHI affected thereby shall comply forthwith.

54.0.8: The Board of Directors of the NHICC may expel, without the benefit of another hearing and at the recommendation of the Chair of the Professional Practices Committee, any NHI who fails to comply with any decision of the Hearing Subcommittee.

54.0.9: Notices of all decisions shall be forwarded to the Committee Chairperson and NHICC Registrar for placement in the NHI's files relating to disciplinary decisions.

55.0: APPEALS

55.0.1: An Appeals Committee shall be a subcommittee of the NHICC Professional Practices Committee or Board of Directors or a combination of the two.

55.0.2: Members of this Appeals Committee shall be NHIs and who are not involved

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in or with the normal functions of complaint reviews and hearings.

55.0.3: The Chairperson of the Appeals Committee shall be appointed by the NHICC.

55.0.4: The operation of the decision of the Hearing Subcommittee shall be stayed until after the time for lodging an appeal as hereinafter provided has lapsed, and if an appeal be filed, until such time as the same has been finally determined. At such time the Chairperson of the Appeals Committee shall notify the Chairperson of the Complaints Committee, the NHICC Registrar and all parties to the appeal of such decision.

55.0.5: An appeal arising from the decision of the Hearing Subcommittee may be lodged by the Respondent or by the Complainant with the Appeals Committee by notice in writing, delivered to the NHICC Registrar by registered mail within fifteen (15) calendar days after receiving the Complaint Committee's decision.

55.0.6: An appeal may be from any finding the Respondent was guilty or not guilty of, from any penalty imposed, or both.

55.0.7: If an appeal is lodged by either the Complainant or the Respondent, the Notice of Appeal must be accompanied by a non-refundable payment of Three Hundred (\$300.00) Dollars, made payable to the NHICC and received as in item 55.0.5.

55.0.8: The Notice of Appeal shall contain a statement of the grounds for the appeal.

55.0.9: Any decision of the Appeals Committee shall be deemed to take effect immediately and any NHI affected thereby shall comply forthwith.

55.0.10: Any NHI who fails to comply with any decision of the Appeals Committee may be subject to expulsion from the NHICC and loss of designation at the next subsequent meeting of the Board of Directors.

56.0: NOTICES & CORRESPONDENCE

56.0.1: Any notice or other material mailed to any NHI shall be conclusively deemed to have been received by seven (7) calendar days after the same is mailed to him/her by prepaid registered mail, addressed to him/her at the address as recorded by the NHICC.

56.0.2: The Professional Practices Committee Chairperson shall by his/her own motion trace any notice or other material forwarded to any NHI by prepaid registered mail by means of Canada Post tracking service to confirm the receiving of such notice.

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56.0.3: Any NHI who is the subject of a complaint and who fails to acknowledge and or respond to Notice of Complaint, Notice of Complaint Hearing, Notice to Cease and Desist or any other form of communication will forfeit any right to an appeal as a result of decisions rendered by any subsequent Hearing Subcommittee of the Complaints Committee.

56.0.4: Where an NHI who is subject to a complaint has been requested to be present before a Hearing Subcommittee, fails to participate either in person or by representative without cause on the date and time fixed for that hearing, that NHI shall forfeit their right to an appeal should he/she object to the decision of the Hearing Subcommittee.

57.0: QUORUM

57.0.1: A quorum of a Hearing Subcommittee for a Hearing shall be a minimum of three (3) to a maximum of five (5) members of the Professional Practices Committee and the Hearing Subcommittee and shall always consist of an odd number.

57.0.2: A quorum of an Appeals Committee for an Appeal Hearing shall be a minimum of three (3) to a maximum of five (5) members of either the Professional Practices Committee, NHICC Board of Directors or both who are not involved with the normal functions of complaint investigations and hearings.

58.0: INTELLECTUAL PROPERTY

58.0.1: Every member of the Professional Practices Committee shall be provided with access to a current copy of:

- a) the NHICC (ASHI) Standards of Practice
- b) the NHICC (ASHI) Code of Ethics
- c) the Policies and Procedures Manual
- d) the National Occupation Standards

58.0.2: All complaint documents in the possession of a Committee Member who ceases to be a Committee Member, are the intellectual property of the NHICC and the Professional Practices Committee, and are to be returned to the Committee Chairperson within seven (7) calendar days of termination.

58.0.3: Failure of a member to return intellectual property to the Professional Practices Committee Chairperson within the time specified may result in that member being subject to the disciplinary process.

59.0: TERMINATION of COMMITTEE MEMBER

59.0.1: Any member of the Professional Practices Committee may terminate his/her place within the Committee at any time.

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59.0.2: Where a Member of the Committee is found to be not participating in the operations of the complaint resolution process, he/she will be asked to step down by the Chairperson of the Committee.

69.0 ALLEGATIONS AGAINST NON- MEMBERS

69.0.1 The NHICC administration and where required, legal counsel shall process allegations against non-NHICC members for infringement or misuse of the name, acronym, logo or exploitation of other NHICC rights.

69.0.2 Complaints about Outside Contracted Party

Any person in membership who has a complaint about an outside contracted party should do the following:

- a. Notify the President in writing, with a copy to the Vice-President and Legal Counsel. However if the complaint is against Legal Counsel, then Legal Counsel will not receive a copy.
- b. If the President deems this a relatively serious matter, forward the complaint to the Vice-President and the appropriate committee chair for follow up.
- c. Complaints of a less serious nature should be forwarded by the President to the appropriate committee or the Executive Director if an administrative member is the subject of the complaint.
- d. Nothing in this policy precludes action by the President or the Board of Directors in response to such a complaint.

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B – STANDARDS OF PRACTICE & CODE OF ETHICS

1. INTRODUCTION

The American Society of Home Inspectors®, Inc. (ASHI®) is a not-for-profit professional society established in 1976. Membership in ASHI is voluntary and its members are private home *inspectors*. ASHI's objectives include promotion of excellence within the profession and continual improvement of its members' *inspection* services to the public.

2. PURPOSE AND SCOPE

2.1 The purpose of this document is to establish a minimum standard (Standard) for *home inspections* performed by home *inspectors* who subscribe to this Standard. *Home inspections* performed using this Standard are intended to provide the client with information about the condition of inspected *systems* and *components* at the time of the *home inspection*.

2.2 The *inspector* shall:

A. *inspect readily accessible*, visually observable, *installed systems* and *components* listed in this Standard.

B. provide the client with a written report, using a format and medium selected by the *inspector*, that states:

1. those *systems* and *components* inspected that, in the professional judgment of the inspector, are not functioning properly, significantly deficient, *unsafe*, or are near the end of their service lives,
2. recommendations to correct, or monitor for future correction, the deficiencies reported in 2.2.B.1, or items needing *further evaluation* (Per Exclusion 13.2.A.5 the *inspector* is NOT required to determine methods, materials, or costs of corrections.),
3. reasoning or explanation as to the nature of the deficiencies reported in 2.2.B.1, that are not self-evident,
4. those *systems* and *components* designated for inspection in this Standard that were present at the time of the *home inspection* but were not inspected and the reason(s) they were not inspected.

C. adhere to the ASHI® Code of Ethics for the Home Inspection Profession.

2.3 This Standard is not intended to limit the *inspector* from:

- A.** including other services or *systems* and *components* in addition to those required in Section 2.2.A.
- B.** designing or specifying repairs, provided the *inspector* is appropriately qualified and willing to do so.
- C.** excluding *systems* and *components* from the *inspection* if requested or agreed to by the client.

3. STRUCTURAL COMPONENTS

3.1 The *inspector* shall:

A. *inspect structural components* including the foundation and framing.

B. *describe*:

1. the methods used to *inspect under-floor crawlspaces* and attics.
2. the foundation.
3. the floor structure.
4. the wall structure.
5. the ceiling structure.
6. the roof structure.

3.2 The *inspector* is NOT required to:

- A.** provide engineering or architectural services or analysis.
- B.** offer an opinion about the adequacy of structural *systems* and *components*.
- C.** enter *under-floor crawlspace* areas that have less than 24 inches of vertical clearance between *components* and the ground or that have an access opening smaller than 16 inches by 24 inches.
- D.** traverse attic load-bearing *components* that are concealed by insulation or by other materials.

4. EXTERIOR

4.1 The *inspector* shall:

A. *inspect*:

1. *wall coverings*, flashing, and trim.

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2. exterior doors.
3. attached and adjacent decks, balconies, stoops, steps, porches, and their associated railings.
4. eaves, soffits, and fascias where accessible from the ground level.
5. vegetation, grading, surface drainage, and retaining walls that are likely to adversely affect the building.
6. adjacent and entryway walkways, patios, and driveways.

B. *describe wall coverings.*

4.2 The *inspector* is NOT required to *inspect*:

- A.** screening, shutters, awnings, and similar seasonal accessories.
- B.** fences, boundary walls, and similar structures.
- C.** geological and soil conditions.
- D.** *recreational facilities.*
- E.** outbuildings other than garages and carports.
- F.** seawalls, break-walls, and docks.
- G.** erosion control and earth stabilization measures.

5. ROOFING

5.1 The *inspector* shall:

A. *inspect:*

1. roofing materials.
2. *roof drainage systems.*
3. flashing.
4. skylights, chimneys, and roof penetrations.

B. *describe:*

1. roofing materials.
2. methods used to *inspect* the roofing.

5.2 The *inspector* is NOT required to *inspect*:

- A.** antennae.
- B.** interiors of vent *systems*, flues, and chimneys that are not *readily accessible*.
- C.** other *installed accessories*.

6. PLUMBING

6.1 The *inspector* shall:

A. *inspect:*

1. interior water supply and distribution *systems* including fixtures and faucets.
2. interior drain, waste, and vent *systems* including fixtures.
3. water heating equipment and hot water supply *systems*.
4. vent *systems*, flues, and chimneys.
5. fuel storage and fuel distribution *systems*.
6. sewage ejectors, sump pumps, and related piping.

B. *describe:*

1. interior water supply, drain, waste, and vent piping materials.
2. water heating equipment including energy source(s).
3. location of main water and fuel shut-off valves.

6.2 The *inspector* is NOT required to:

A. *inspect:*

1. clothes washing machine connections.
2. interiors of vent *systems*, flues, and chimneys that are not *readily accessible*.
3. wells, well pumps, and water storage related equipment.
4. water conditioning *systems*.
5. solar, geothermal, and other renewable energy water heating *systems*.
6. manual and automatic fire extinguishing and sprinkler *systems* and landscape irrigation *systems*.
7. septic and other sewage disposal *systems*.

B. determine:

1. whether water supply and sewage disposal are public or private.
2. water quality.

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3. the adequacy of combustion air *components*.
- C. measure water supply flow and pressure, and well water quantity.
- D. fill shower pans and fixtures to test for leaks.

7. ELECTRICAL

7.1 The *inspector* shall:

A. *inspect*:

1. service drop.
2. service entrance conductors, cables, and raceways.
3. service equipment and main disconnects.
4. service grounding.
5. interior *components* of service panels and subpanels.
6. conductors.
7. overcurrent protection devices.
8. a *representative number* of *installed* lighting fixtures, switches, and receptacles.
9. ground fault circuit interrupters and arc fault circuit interrupters.

B. *describe*:

1. amperage rating of the service.
2. location of main disconnect(s) and subpanels.
3. presence or absence of smoke alarms and carbon monoxide alarms.
4. the predominant branch circuit *wiring method*.

7.2 The *inspector* is NOT required to:

A. *inspect*:

1. remote control devices.
2. or test smoke and carbon monoxide alarms, security *systems*, and other signaling and warning devices.
3. low voltage wiring *systems* and *components*.
4. ancillary wiring *systems* and *components* not a part of the primary electrical power distribution *system*.
5. solar, geothermal, wind, and other renewable energy *systems*.

B. measure amperage, voltage, and impedance.

C. determine the age and type of smoke alarms and carbon monoxide alarms.

8. HEATING

8.1 The *inspector* shall:

A. open *readily openable access panels*.

B. *inspect*:

1. *installed* heating equipment.
2. vent *systems*, flues, and chimneys.
3. distribution *systems*.

C. *describe*:

1. energy source(s).
2. heating *systems*.

8.2 The *inspector* is NOT required to:

A. *inspect*:

1. interiors of vent *systems*, flues, and chimneys that are not *readily accessible*.
2. heat exchangers.
3. humidifiers and dehumidifiers.
4. electric air cleaning and sanitizing devices.
5. solar, geothermal, and other renewable energy heating *systems*.
6. heat-recovery and similar whole-house mechanical ventilation *systems*.

B. determine:

1. heat supply adequacy and distribution balance.
2. the adequacy of combustion air *components*.

9. AIR CONDITIONING

9.1 The *inspector* shall:

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- A. open *readily openable access panels*.
- B. *inspect*:
 - 1. central and permanently *installed* cooling equipment.
 - 2. *distribution systems*.
- C. *describe*:
 - 1. energy source(s).
 - 2. *cooling systems*.

9.2 The *inspector* is NOT required to:

- A. *inspect* electric air cleaning and sanitizing devices.
- B. determine cooling supply adequacy and distribution balance.
- C. *inspect* cooling units that are not permanently *installed* or that are *installed* in windows.

10. INTERIORS

10.1 The *inspector* shall *inspect*:

- A. walls, ceilings, and floors.
- B. steps, stairways, and railings.
- C. countertops and a *representative number of installed* cabinets.
- D. a *representative number of* doors and windows.
- E. garage vehicle doors and garage vehicle door operators.
- F. *installed* ovens, ranges, surface cooking appliances, microwave ovens, dishwashing machines, and food waste grinders by using *normal operating controls* to activate the primary function.

10.2 The *inspector* is NOT required to *inspect*:

- A. paint, wallpaper, and other finish treatments.
- B. floor coverings.
- C. window treatments.
- D. coatings on and the hermetic seals between panes of window glass.
- E. central vacuum *systems*.
- F. *recreational facilities*.
- G. *installed* and free-standing kitchen and laundry appliances not listed in Section 10.1.F.
- H. appliance thermostats including their calibration, adequacy of heating elements, self cleaning oven cycles, indicator lights, door seals, timers, clocks, timed features, and other specialized features of the appliance.
- I. operate, or confirm the operation of every control and feature of an inspected appliance.

11. INSULATION AND VENTILATION

11.1 The *inspector* shall:

- A. *inspect*:
 - 1. insulation and vapor retarders in unfinished spaces.
 - 2. ventilation of attics and foundation areas.
 - 3. kitchen, bathroom, laundry, and similar exhaust *systems*.
 - 4. clothes dryer exhaust *systems*.
- B. *describe*:
 - 1. insulation and vapor retarders in unfinished spaces.
 - 2. absence of insulation in unfinished spaces at conditioned surfaces.

11.2 The *inspector* is NOT required to disturb insulation.

12. FIREPLACES AND FUEL-BURNING APPLIANCES

12.1 The *inspector* shall:

- A. *inspect*:
 - 1. fuel-burning fireplaces, stoves, and fireplace inserts.
 - 2. fuel-burning accessories *installed* in fireplaces.
 - 3. chimneys and vent *systems*.
- B. *describe systems and components* listed in 12.1.A 1 and 2.

12.2 The *inspector* is NOT required to:

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A. *inspect*:

1. interiors of vent *systems*, flues, and chimneys that are not *readily accessible*.
2. fire screens and doors.
3. seals and gaskets.
4. automatic fuel feed devices.
5. mantles and fireplace surrounds.
6. combustion air *components* and to determine their adequacy.
7. heat distribution assists (gravity fed and fan assisted).
8. fuel-burning fireplaces and appliances located outside the *inspected* structures.

B. determine draft characteristics.

C. move fireplace inserts and stoves or firebox contents.

13. GENERAL LIMITATIONS AND EXCLUSIONS

13.1 General limitations

A. The *inspector* is NOT required to perform actions, or to make determinations, or to make recommendations not specifically stated in this Standard.

B. *Inspections* performed using this Standard:

1. are not *technically exhaustive*.
2. are not required to identify and to report:
 - a. concealed conditions, latent defects, consequential damages, and
 - b. cosmetic imperfections that do not significantly affect a component's performance of its intended function.

C. This Standard applies to buildings with four or fewer dwelling units and their attached and detached garages and carports.

D. This Standard shall not limit or prevent the inspector from meeting state statutes which license professional home inspection and home inspectors.

E. Redundancy in the description of the requirements, limitations, and exclusions regarding the scope of the *home inspection* is provided for emphasis only.

13.2 General exclusions

A. The *inspector* is NOT required to determine:

1. the condition of *systems* and *components* that are not *readily accessible*.
2. the remaining life expectancy of *systems* and *components*.
3. the strength, adequacy, effectiveness, and efficiency of *systems* and *components*.
4. the causes of conditions and deficiencies.
5. methods, materials, and costs of corrections.
6. future conditions including but not limited to failure of *systems* and *components*.
7. the suitability of the property for specialized uses.
8. compliance of *systems* and *components* with past and present requirements and guidelines (codes, regulations, laws, ordinances, specifications, installation and maintenance instructions, use and care guides, etc.).
9. the market value of the property and its marketability.
10. the advisability of purchasing the property.
11. the presence of plants, animals, and other life forms and substances that may be hazardous or harmful to humans including, but not limited to, wood destroying organisms, molds and mold-like substances.
12. the presence of environmental hazards including, but not limited to, allergens, toxins, carcinogens, electromagnetic radiation, noise, radioactive substances, and contaminants in building materials, soil, water, and air.
13. the effectiveness of *systems installed* and methods used to control or remove suspected hazardous plants, animals, and environmental hazards.
14. operating costs of *systems* and *components*.
15. acoustical properties of *systems* and *components*.
16. soil conditions relating to geotechnical or hydrologic specialties.
17. whether items, materials, conditions and *components* are subject to recall, controversy, litigation, product liability, and other adverse claims and conditions.

B. The *inspector* is NOT required to offer:

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1. or to perform acts or services contrary to law or to government regulations.
2. or to perform architectural, *engineering*, contracting, or surveying services or to confirm or to evaluate such services performed by others.
3. or to perform trades or professional services other than *home inspection*.
4. warranties or guarantees.

C. The *inspector* is NOT required to operate:

1. *systems* and *components* that are *shut down* or otherwise inoperable.
2. *systems* and *components* that do not respond to *normal operating controls*.
3. shut-off valves and manual stop valves.
4. *automatic safety controls*.

D. The *inspector* is NOT required to enter:

1. areas that will, in the professional judgment of the *inspector*, likely be dangerous to the *inspector* or to other persons, or to damage the property or its *systems* and *components*.
2. *under-floor crawlspaces* and attics that are not *readily accessible*.

E. The *inspector* is NOT required to inspect:

1. underground items including, but not limited to, underground storage tanks and other underground indications of their presence, whether abandoned or active.
2. items that are not *installed*.
3. *installed decorative* items.
4. items in areas that are not entered in accordance with 13.2.D.
5. detached structures other than garages and carports.
6. common elements and common areas in multi-unit housing, such as condominium properties and cooperative housing.
7. every occurrence of multiple similar *components*.
8. outdoor cooking appliances.

F. The *inspector* is NOT required to:

1. perform procedures or operations that will, in the professional judgment of the *inspector*, likely be dangerous to the *inspector* or to other persons, or to damage the property or its *systems* or *components*.
2. *describe* or *report* on *systems* and *components* that are not included in this Standard and that were not *inspected*.
3. move personal property, furniture, equipment, plants, soil, snow, ice, and debris.
4. *dismantle systems* and *components*, except as explicitly required by this Standard.
5. reset, reprogram, or otherwise adjust devices, *systems*, and *components* affected by *inspection* required by this Standard.
6. ignite or extinguish fires, pilot lights, burners, and other open flames that require manual ignition.
7. probe surfaces that would be damaged or where no deterioration is visible or presumed to exist.

14. GLOSSARY OF ITALICIZED TERMS

Automatic Safety Controls Devices designed and *installed* to protect *systems* and *components* from *unsafe* conditions

Component A part of a *system*

Decorative Ornamental; not required for the proper operation of the essential *systems* and *components* of a home

Describe To identify (in writing) a *system* and *component* by its type or other distinguishing characteristics

Dismantle To take apart or remove *components*, devices, or pieces of equipment that would not be taken apart or removed by a homeowner in the course of normal maintenance

Engineering The application of scientific knowledge for the design, control, or use of building structures, equipment, or apparatus

Further Evaluation Examination and analysis by a qualified professional, tradesman, or service technician beyond that provided by a *home inspection*

Home Inspection The process by which an *inspector* visually examines the *readily accessible systems* and *components* of a home and *describes* those *systems* and *components* using this Standard

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Inspect The process of examining *readily accessible systems and components* by (1) applying this Standard, and (2) operating *normal operating controls*, and (3) opening *readily openable access panels*

Inspector A person hired to examine *systems and components* of a building using this Standard

Installed Attached such that removal requires tools

Normal Operating Controls Devices such as thermostats, switches, and valves intended to be operated by the homeowner

Readily Accessible Available for visual inspection without requiring moving of personal property, dismantling, destructive measures, or actions that will likely involve risk to persons or property

Readily Openable Access Panel A panel provided for homeowner inspection and maintenance that is *readily accessible*, within normal reach, can be removed by one person, and is not sealed in place

Recreational Facilities Spas, saunas, steam baths, swimming pools, exercise, entertainment, athletic, playground and other similar equipment, and associated accessories

Representative Number One *component* per room for multiple similar interior *components* such as windows and electric receptacles; one *component* on each side of the building for multiple similar exterior *components*

Roof Drainage Systems *Components* used to carry water off a roof and away from a building

Shut Down A state in which a *system* or *component* cannot be operated by *normal operating controls*

Structural Component A *component* that supports non-variable forces or weights (dead loads) and variable forces or weights (live loads)

System A combination of interacting or interdependent *components*, assembled to carry out one or more functions

Technically Exhaustive An investigation that involves dismantling, the extensive use of advanced techniques, measurements, instruments, testing, calculations, or other means

Under-floor Crawlspace The area within the confines of the foundation and between the ground and the underside of the floor

Unsafe A condition in a *readily accessible, installed system* or *component* that is judged by the *inspector* to be a significant risk of serious bodily injury during normal, day-to-day use; the risk may be due to damage, deterioration, improper installation, or a change in accepted residential construction practices

Wall Covering A protective or insulating layer fixed to the outside of a building such as: aluminum, brick, EIFS, stone, stucco, vinyl, and wood

Wiring Method Identification of electrical conductors or wires by their general type, such as non-metallic sheathed cable, armored cable, and knob and tube, etc.

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CODE OF ETHICS

Integrity, honesty, and objectivity are fundamental principles embodied by this Code, which sets forth obligations of ethical conduct for the home inspection profession. The Membership of ASHI has adopted this Code to provide high ethical standards to safeguard the public and the profession.

Inspectors shall comply with this Code, shall avoid association with any enterprise whose practices violate this Code, and shall strive to uphold, maintain, and improve the integrity, reputation, and practice of the home inspection profession.

1. Inspectors shall avoid conflicts of interest or activities that compromise, or appear to compromise, professional independence, objectivity, or inspection integrity.
 - A. Inspectors shall not inspect properties for compensation in which they have, or expect to have, a financial interest.
 - B. Inspectors shall not inspect properties under contingent arrangements whereby any compensation or future referrals are dependent on reported findings or on the sale of a property.
 - C. Inspectors shall not directly or indirectly compensate realty agents, or other parties having a financial interest in closing or settlement of real estate transactions, for the referral of inspections or for inclusion on a list of recommended inspectors, preferred providers, or similar arrangements.
 - D. Inspectors shall not receive compensation for an inspection from more than one party unless agreed to by the client(s).
 - E. Inspectors shall not accept compensation, directly or indirectly, for recommending contractors, services, or products to inspection clients or other parties having an interest in inspected properties.
 - F. Inspectors shall not repair, replace, or upgrade, for compensation, systems or components covered by ASHI Standards of Practice, for one year after the inspection.
2. Inspectors shall act in good faith toward each client and other interested parties.
 - A. Inspectors shall perform services and express opinions based on genuine conviction and only within their areas of education, training, or experience.
 - B. Inspectors shall be objective in their reporting and not knowingly understate or overstate the significance of reported conditions.
 - C. Inspectors shall not disclose inspection results or client information without client approval. Inspectors, at their discretion, may disclose observed immediate safety hazards to occupants exposed to such hazards, when feasible.
3. Inspectors shall avoid activities that may harm the public, discredit themselves, or reduce public confidence in the profession.
 - A. Advertising, marketing, and promotion of inspectors' services or qualifications shall not be fraudulent, false, deceptive, or misleading.
 - B. Inspectors shall report substantive and willful violations of this Code to the Society.

J-PROFESSIONAL PRACTICES / FORMS

OVERVIEW

When a complaint is received at the NHICC, the complaint is forwarded to the appropriate Professional Practices Chair and/or President (in the case of absence); the Chair must do one of the following:

1. Verify that the complaint is against a member (registrant) of the NHICC;
2. Dismiss the complaint if it is not within the jurisdiction of the NHICC, cannot be substantiated, is frivolous or vexatious, constitutes an abuse of process, or does not contain allegations that if proven would amount to professional misconduct, incompetence, incapacity or conduct unbecoming, or would merit a counsel or a caution;
3. Informally resolve the complaint if it can be satisfactorily resolved consistent with the objects of Code of Ethics and/or Standards of Practice of the NHICC;
4. Authorize the resignation or appropriate action of the member at the request of the member;
5. Refer the matter to the Professional Practices Committee if the member meets the criteria for such referral; or
6. Send the complaint to an investigator or review committee for investigation.

JURISDICTION & ABUSE OF PROCESS

Note: If you have a complaint or concern about a specific Home Inspector you “must” initially discuss your concerns directly with the Home Inspector first, as this is usually the quickest way to resolve issues. In addition, please be aware the complaints process may take weeks or even several months depending on the complexity and severity of the complaint.

The NHICC does not have the authority to handle complaints against a Home Inspector where the issue is outside of its’ “direct” authority. A case in point: a Home Inspector that holds membership in other associations to which the Home Inspector belongs, or where the matter is before the courts is an issue that requires care, caution and fairness in permitting the process to be resolved.

As a general principle, it is considered to be an abuse of process in our judicial and administrative law systems for a party who has been unsuccessful in a proceeding in one forum, to attempt to re-litigate the same facts in order to seek the same relief in a different forum. The legal maxim “res judicata” (which, roughly translated, means “the matter has already been decided”) applies to this situation. Source: Section 45.1 of the Human Rights Code

AMMENDED – COMPLAINT HANDLING & DISPUTE RESOLUTION PROCESS

Complaints may be completed on the NHICC Standard Complaint Form or by detailed information as listed below in the key data elements.

Regardless of the nature of the complaint, all issues falling within an NHICC’s mandate is recorded in a complaint tracking system. The NHICC will include all written, verbal and electronic complaints in their system. The complaint tracking system will require the complainant to complete and provide the following key data elements for the file record:

1. Consumer Name
2. Consumer Home Phone
3. Consumer Email address
4. Consumer Street Address
5. Consumer City, Province Fax
6. Consumer Postal Code
7. Business Name
8. Home inspector Name
9. Home inspector licence #
10. Home inspector Phone

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11. Home inspector Email Address
12. Home inspector Street Address
13. Home inspector City, Province Fax
14. Home inspector Postal Code
15. Home inspector Website
16. Description of product or service purchased
17. Date of home inspection
18. Was a contract provided?
19. Was a report provided?
20. Copy of the report provided to the NHICC
21. Amount of contract / purchase
22. Brief description of the problem encountered
23. The outcome sought?
24. The nature of any alleged infraction including any potential parallel civil or criminal actions.

REVIEW OF THE COMPLAINT

The initial review of complaint will document answers to the following questions:

1. Is the nature of the complaint/allegation clear?
2. Is more information required from the complainant?
3. Is the nature of the complaint/allegation a violation of the NHICC's Standards of Practice?
4. Is the nature of the complaint/allegation a violation of the NHICC's Code of Ethics?
5. Is the allegation/complaint outside the jurisdiction of the NHICC? And if so, why?
6. Should the complaint/allegation be reported to a different association and/or authority?
7. Is the home inspector aware of the complaint/allegation?

ACCEPTANCE OR DISMISSAL

All complaints are assigned a unique file number and identifier. A decision to accept or dismiss the complaint will only be made when all relevant information is received by the NHICC.

The following specific criteria will also be considered to further assist in determining whether to accept or dismiss a consumer complaint.

1. The age of the complaint information
2. The reliability of the information
3. The practicality of the investigation
4. The gravity of the allegation

All decisions to dismiss consumer complaints will be in provided written electronic format and communicated to the complainant and home inspector. All decisions to dismiss consumer complaints will be independently reviewed by the NHICC Professional Practice Committee or designate for completeness and correctness.

INVESTIGATION

The NHICC Professional Practice Committee investigators have the authority to act independently of any other NHICC process. Investigators are trained in basic interview skills and investigative report writing.

1. All complaints accepted are assigned to investigator(s) in a timely manner;
2. All activity related to the investigation will be documented by the investigator(s) in the complaint tracking system;
3. All items and information gathered during the investigation will be copied into the complaint tracking system and archived for security;
4. All final investigative reports will be in writing and available to both the home inspector and to the complainant;

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5. Where an investigation is concluded with no further action, the reasons for this decision will be documented and communicated to both the home inspector and the complainant.

Hearings and Imposition of Administrative Sanctions including Discipline or Membership Suspension/Cancellation

The NHICC advocates principles of administrative fairness and natural justice require all decision making bodies to be free from bias and have the authority to act on the matter(s) before them. The NHICC adheres to a clearly defined governance authority matrix that details who is empowered to investigate consumer complaints and conduct hearings into breaches of the Standards of Practice or Code of Ethics for the NHICC.

Consumer Protection requires that designated associations and authorities do the following while conducting hearings that lead to some form of sanction:

1. All investigative reports will be forwarded to the appropriate decision maker when completed;
2. Prior to taking an action, a decision maker will release the investigative report to the home inspector so they may know the case against them and have an opportunity to respond to the information in the report;
3. Hearings may be conducted in person or through written and/or electronic submissions;
4. Following the hearing process, the decision maker will produce written reasons and conclusions including any sanctions which are then provided to the home inspector and to the complainant;
5. All decisions will include information related to the NHICC appeal process and its requirements;
6. All appeals will be heard by an independent decision maker committee and follow the same criteria for written reasons and documentation as required in the original investigative/decision making process;
7. Any sanction or other penalty imposed by the NHICC on a home inspector will be documented and reviewed prior to the hearing and complaint file completion.

MONTHLY REPORTING

At the end of each month, the NHICC will specifically provide Consumer Protection BC with a report detailing the current status of all complaints received either directly from consumers, or referred from Consumer Protection BC. This report will be in summary form, preferably in an MS Excel or related format, that details the information for each complaint received including:

1. The complaint number (and associated Consumer Protection BC file number if assigned from CPBC);
2. The consumer name;
3. The business and home inspector names;
4. The date the complaint was opened;
5. The date the complaint was last reviewed;
6. The date the complaint was closed (if applicable);
7. A summary of the complaint;
8. The outcome of the complaint including any disciplinary action, hearings etc.

This updated process will also be performed as part of internal review process to ensure that all possible violations of the legislation or breach of practice standards, contractual obligations or code of ethics, once detected, is managed in accordance with the association complaint handling system. This provides clarity on the nature, number, response and outcome of each incident that occurs.

Ultimately, the data gathered through this updated development of complaint handling work processes enables Consumer Protection BC and the NHICC to more clearly understand the issues affecting consumers in the marketplace, and how the NHICC is working to resolve these issues as fairly and effectively as possible.

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NHICC COMPLAINT FORM - A

To the Professional Practice Committee:

The complaint tracking system will require the complainant to complete and provide the following key data elements for the file record:

1. Consumer Name:
2. Consumer Home Phone:
3. Consumer Email address:
4. Consumer Street Address:
5. Consumer City, Province Fax:
6. Consumer Postal Code:
7. Business Name :
8. Home inspector Name:
9. Home inspector licence # (if applicable)
10. Home inspector Phone:
11. Home inspector Email Address:
12. Home inspector Street Address:
13. Home inspector City, Province Fax:
14. Home inspector Postal Code:
15. Home inspector Website:
16. Description of product or service purchased:
17. Date of home inspection:
18. Was a contract provided?
19. Was a report provided?
20. Copy of the report provided to the NHICC:
21. Amount of contract / purchase:
22. Brief description of the problem encountered:

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23. The outcome sought?

24. The nature of any alleged infraction including any potential parallel civil or criminal actions.

I/we declare that to the best of my/our knowledge and belief, my/our allegations in this complaint are true.

Are the circumstances giving rise to this ethics complaint involved in civil or criminal litigation or in any proceeding before any other governance body to which the named defendant is similarly charged?

Please respond with either Yes or No:

Have you filed, or do you intend to file, a similar or related complaint with another Association(s) of Home Inspectors?

Please respond with either Yes or No:

If so, name of other association(s): _____ Date(s) filed: _____

Note that it is up to the complainant to provide “documentation” and valid evidence to substantiate proof of the complaint. Complaints cannot be handled without documentation to review, validate or prove reasonable grounds for determining the merits of the complaint.

(Continued below)

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Further pages or additional documentation must be included with this complaint. Please list additional documents provided:

Furthermore, I understand that should the "Committee" dismiss this complaint in part or in total, that I have twenty (20) days from receipt of the dismissal notice to appeal the dismissal to an independent review by committee. Appeals must be accompanied by a fee of \$300 that may or may not be refundable, depending upon the outcomes and findings.

COMPLAINANT(S):

Type/Print Phone Signature

Type/Print Phone Signature

—

Type/Print Phone Signature

Address

Best means of contacting you:

Mail or email this complaint to NHICC:

NHICC Head Office/Siege Social
P.O. Box 22028
Windsor ON, N8N 5G6

Email: PPC@nationalhomeinspector.org

Further details' regarding professional practices is referenced in Policy # 50 through # 59 and in the reference documents below.

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Launching a Complaint

The criterion for filing a complaint with the NHICC is structured in such a manner that facilitates fairness, respect and expediency, throughout the resolution process. Following the prescribed steps to a successful submission, investigation and resolution of a matter is required. Complaints may be filed by either the general public or National Certificate Holder (NCH) registered with the NHICC practicing home inspectors from all regions of Canada.

Face to Face Resolution

- 1) Before a complaint is filed with the NHICC every attempt **MUST** be exercised by the Complainant to find resolution of the matter with the inspector involved.
- 2) Keep records of communications including dates and times of attempts to resolve issues.
- 3) The Inspector has an obligation to the client to assist in reaching a resolution and is expected to exercise that obligation in a timely manner.

When Face to Face Resolution Fails

When all attempts to resolve an issue have been unsuccessful, filing a complaint with the NHICC is likely the last resort. The NHICC's mandate focuses on investigating complaints related to conduct and competence of NCH inspectors, and other matters related to professional practices. This mandate does not include mediation of individual complaints, imposing settlements, or assisting in civil proceedings.

The following steps are to be adhered to in order to initiate an investigation into a matter:

- 1) Download the complaint form ([form link](#)).
- 2) Carefully read and understand the form before it is filled out.
- 3) Fill out the form as instructed providing all the necessary evidence to support your claim(s). Remember, it is your responsibility to provide all pertinent evidence to initiate the investigation and expedite a resolution.
- 4) Submit all documentation as instructed. Faxed evidence will be accepted under certain circumstances. Emailed evidence will also be accepted.

Periodic Notifications

The NHICC acknowledges complaints as they are received. Once received, periodic notices are sent to you as a courtesy throughout the resolution process in an effort to keep you up to date with the progress.