

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on December 5, 2006 by the
(Date prior to or same as filing date.)

<u>Construction Contractors Board</u> (Agency and Division)	<u>700 Summer Street NE Suite 300, Salem OR 97310</u> (Address)	<u>OAR 812</u> (Administrative Rules Chapter Number)
<u>Catherine Dixon</u> (Rules Coordinator)		<u>378-4621 ext. 4077</u> (Telephone)

to become effective January 1, 2007 Rulemaking Notice was published in the November 2006 Oregon Bulletin.**
(Date upon filing or later) (Month and Year)

RULE CAPTION

The home Inspector rule amendments are regarding education provider requirements and approval
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

ADOPT: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND:
812-008-0040 812-008-0072 812-008-0074

REPEAL:

Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

Amend & Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 670.310, 701.235, 701.350 & 701.355
Stat. Auth.

Other Authority

ORS 701.350 & 701.355
Stats. Implemented

RULE SUMMARY

812-008-0040 is amended--revises the eligibility requirements regarding credit hours, points awarded, allows teaching for monetary compensation as an acceptable experience requirement, and rearranges the numbered order of listed items. HIAC members have recommended the changes. 812-008-0072 and 812-008-0074 are amended to clarify that CCB should only approve education providers for home inspector continuing education units; eliminates the course approval requirements; and strengthens the criteria used for education provider approval. The amendments also require education providers to provide completion certificates to course attendees within 30 days from date of course completion.

Authorized Signer	Catherine Dixon Printed Name	December 12, 2006 Date
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*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.
**The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday. ARC 930-2005

NOTE: In order to save postage and printing costs in these difficult times, CCB is only providing a copy of the notice. To view the language of each individual rule change, please go to our web site at http://www.oregon.gov/CCB/Laws_Rules.shtml#Administrative_Rule_Notices. If you don't have web access, contact Cathy Dixon at (503) 378-4621 ext. 4077 for assistance in receiving a copy.

812-008-0040

Application Requirements and Eligibility Requirements

(1) An individual must submit the following to qualify for certification:

- (a) An application on a form provided by the agency;
- (b) The fee established in OAR 812-008-0110;
- (c) If applicable, CCB number and name of employing licensee;
- (d) Proof of minimum of 20 education points as set forth in sections (3) and (4) of this rule;

and

(e) Evidence of successful passage of agency's test.

(2) A business must do the following to qualify for a license:

(a) Become licensed with the agency as a General Contractor, Specialty Contractor, or

Inspector;

(b) Have as an owner or employee one or more individuals who have obtained a certificate from the agency to undertake certified home inspections;

(c) Submit an application on a form prescribed by the agency; and

(d) Submit the fee as prescribed in OAR chapter 812.

(3) In order to qualify to take the test, an applicant must provide the agency with acceptable documentation that the applicant has accumulated a minimum of 20 education points from the following choices:

~~[(a) Each completed, with a passing grade, 3-hour minimum credit class in construction, remodeling, engineering, architecture, building design, building technology, or real estate at an accredited college or university (1 point for each class, 10 points maximum).~~

~~(b) Each completed, with a passing grade, minimum 3-hour class certified by the agency (1 point for each class, 10 points maximum).~~

~~(c) Each completed "ride-along" inspection performed under the direct supervision of an Oregon certified home inspector (1 point each ride-along, 10 points maximum).~~

~~(d) Each completed, with a passing grade, 3-hour minimum class in approved subject areas (812-008-0074(1)) by approved continuing education providers (812-008-0074(3)) that are not community colleges or state universities (1 point for each class, 10 points maximum).~~

~~(e) Each completed, with a passing grade, 3-credit hour minimum class in home inspection at an accredited college or university (10 points for each class, 10 points maximum).]~~

(a) Ten points for a completed, 3-credit hour minimum class with a passing grade in home inspection at an accredited college or university, (10 points maximum).

(b) One point for each completed 3-hour minimum class with a passing grade in construction, remodeling, engineering, architecture, building design, building technology, or real estate at an accredited college or university, (10 points maximum).

(c) One point for each completed "ride-along" inspection performed under the direct supervision of an Oregon certified home inspector, (10 points maximum).

(d) One point for each completed 3-hour minimum class with a passing grade in approved subject areas in OAR 812-008-0074(1) by approved education providers under 812-008-0074(2) that are not colleges or universities, (10 points maximum).

(4) ~~[Upon providing acceptable documentation, t]~~ **The applicant may substitute the following experiences for all or part of the education requirements in OAR 812-008-0040(3):**

~~[(a) Each completed 12 months working for monetary compensation in construction, remodeling, engineering, architecture, building design, building technology, real estate, or building inspections (2 points each completed 12 months, 16 points maximum).~~

~~(b) Each completed 12 months legally working as a home inspector in Oregon or another state or country (4 points each completed 12 months, 16 points maximum).~~

~~(c) Certified member of a professional home inspector association whose membership criteria have been certified by the agency in the last 12 months (4 points each certification, 8 points maximum).~~

~~(d) Each letter of recommendation from an Oregon-certified home inspector (1/2 point each recommendation, 4 points maximum).~~

~~(e) Each building codes certification issued by a government agency (1 point each, 5 points maximum).~~

(a) Four points for each completed 12 months legally working as a home inspector in Oregon or another state or country (16 points maximum).

(b) Two points for each completed 12 months working or teaching at an accredited college or university, trade school or private business for monetary compensation in construction, remodeling, engineering, architecture, building design, building technology, real estate, or building inspections (16 points maximum).

(c) Four points for each certification as a member of a professional home inspector association whose membership criteria have been certified by the agency in the last 12 months (8 points maximum).

(d) One-half point for each letter of recommendation from an Oregon-certified home inspector (4 points maximum).

(e) One point for each building codes certification issued by a government agency (5 points maximum).

Stat. Auth.: ORS 670.310, 701.235, 701.350 & 701.355

Stats. Implemented: ORS 701.350 & 701.355

(2/98, 5/99, temp. 6/99, 2/00, 6/00, 8/00, temp. 10/00, 12/00, 4/01, 9/01, temp. 10/01, 5/02, 12/06)

812-008-0072

Approved Continuing Education Units

~~[(4)]~~ The following continuing education units (CEUs) are approved[-]:

~~[(a)]~~ **(1)** One CEU for each completed clock hour of instruction of approved [courses. All required CEU's per renewal may be from this category.] **subject matter in OAR 812-008-0074(1) given by the following:**

(a) Education providers approved under OAR 812-008-0074(2).

(b) Accredited colleges or universities).

(c) Federal, state or local government agencies.

~~[(b)]~~ Courses in approved subject areas in OAR 812-008-0074(1) that provide for college credit given by institutions of higher learning (community colleges or state universities) are approved for hours in home inspector continuing education.

~~[(c)]~~ Courses in approved subject areas in OAR 812-008-0074(1) given by federal, state or local government agencies.]

~~[(d)]~~ **(2)** One CEU for accompanying a plumbing, electrical, or heating and air conditioning contractor who is licensed with the Building Codes Division, on a repair or maintenance job that lasts a minimum of four hours. No more than one CEU shall be granted in each of the three areas per two-year renewal period for a total of three CEUs.

~~[(e)]~~ **(3)** One CEU for each year completed for serving as an officer of an Oregon or national home inspector professional trade association.

~~[(2)]~~ Members of the Construction Contractors Board and Home Inspector Advisory Committee may earn]

~~(4) One [continuing education credit] CEU for each Home Inspector Advisory Committee meeting attended [after February 1, 2006] as a Construction Contractors Board Home Inspector Advisory Committee member.~~

Stat. Auth.: ORS 670.310, 701.235 & 701.350

Stats. Implemented: ORS 701.350 & 701.355

(6/99, 9/99, 2/00, 8/00, 11/02, 6/03, 1/06, 12/06)

812-008-0074

Approved Course Subjects and Education Providers

(1) The following subject areas are approved for continuing education **units**: Report writing, communication skills, business practices, legal issues, ethics, home inspector study guide items, building codes, and home inspector standards of practice.

~~[(2) Education provider applicants shall submit application form, instructor qualifications, course content outlines, course materials and other materials as required by the agency.]~~

~~[(3) The agency shall approve education providers' courses based on written evaluation criteria approved by the agency and made available to providers. Criteria include:~~

- ~~(a) Instructor has experience in subject matter.~~
- ~~(b) Instructor has licenses, certificates, and/or degrees in subject matter.~~
- ~~(c) Instructor has background in training or adult education.~~
- ~~(d) Instructor has knowledge of home inspection industry.~~
- ~~(e) Criteria used to approve and evaluate instructors are stringent and ongoing.~~
- ~~(f) Goals and objectives are clear and are appropriate for Oregon home inspectors.~~
- ~~(g) Course is in approved subject area stated in OAR 812-008-0074(1).~~
- ~~(h) Course content is relevant and appropriate for Oregon home inspectors.~~
- ~~(i) Course content is thorough.~~
- ~~(j) Course can be evaluated against CCB standards of practice and study guide.~~
- ~~(k) Course materials are accurate and current.~~
- ~~(l) Input is received from home inspection industry.~~

~~(4) The agency shall approve education providers' programs based on written evaluation criteria approved by the agency and made available to providers. Criteria include:~~

- ~~(a) Instructors are qualified.~~
- ~~(b) Criteria used to approve and evaluate instructors are stringent and ongoing.~~
- ~~(c) Goals and objectives are clear and appropriate for Oregon home inspectors.~~
- ~~(d) Course is in approved subject area stated in OAR 812-008-0074(1).~~
- ~~(e) Course content is relevant and appropriate for Oregon home inspectors.~~
- ~~(f) Course can be evaluated against CCB standards of practice and study guide.~~

~~(4) The agency shall approve education providers' programs based on written evaluation criteria approved by the agency and made available to providers. Criteria include:~~

- ~~(a) Instructors are qualified.~~
- ~~(b) Criteria used to approve and evaluate instructors are stringent and ongoing.~~
- ~~(c) Goals and objectives are clear and appropriate for Oregon home inspectors.~~
- ~~(d) Course is in approved subject area stated in OAR 812-008-0074(1).~~
- ~~(e) Course content is relevant and appropriate for Oregon home inspectors.~~
- ~~(f) Course can be evaluated against CCB standards of practice and study guide.~~
- ~~(g) Course materials are accurate and current.~~
- ~~(h) Input is received from home inspection industry.]~~

(2) Education provider applicants shall complete an application form prescribed by the agency that shall include but is not limited to the following information:

(a) An outline that demonstrates the goals and objectives of the education program are appropriate for Oregon Home Inspectors;

(b) Certification that the courses intended for Oregon Home Inspectors are in the approved subject matter stated in OAR 812-008-0074(1).

(c) Certification that the instructors are qualified and have:

(A) Experience in subject matter.

(B) Licenses, certificates, and/or degrees in subject matter.

(C) Background in training or adult education; and

(D) Knowledge of home inspection industry.

(d) Certification that the criteria used by the education provider to approve and evaluate instructors and courses are stringent and ongoing.

(3) Education providers offering continuing education units as defined in 812-008-0072(1) shall provide completion certificates to course attendees within 30 days from the date of course completion. Course completion certificates shall include but are not limited to the following:

(a) Education provider's name;

(b) Attendee's name;

(c) Date of course;

(d) Subject areas covered in course;

(e) Number of clock hours or continuing education units; and

(f) Signature of education program designee.

~~[(5)]~~ **(4)** Education providers' ~~[courses and]~~ programs approved by the agency shall be granted retroactive credit for certified home inspectors for two years.

~~[(6)]~~ **(5)** The agency may terminate a provider's ~~[right to offer a course or their]~~ program if ~~[the course(s)]~~ **they** do not meet the agency's approved criteria.

Stat. Auth.: ORS 670.310, 701.235 & 701.350

Stats. Implemented: ORS 701.350 & 701.355

(9/99, 6/03, 5/06, 12/06)