

Burgos, Alexander N

Subject: FW: Home Inspector Licensure Board - Rules for RRC Review
Attachments: 11 NCAC 08 .1006.docx; 11 NCAC 08 .1101.docx; 11 NCAC 08 .1106.docx; 11 NCAC 08 .1117.docx; 11 NCAC 08 .1204.docx

From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Tuesday, May 19, 2026 11:29 AM
To: Heuser, Kyle <kyle.heuser@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>; Starling, Joseph <joseph.starling@ncdoi.gov>; CLEARLY, GINA M <gclearly@ncdoj.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Subject: RE: Home Inspector Licensure Board - Rules for RRC Review

Thank you, Kyle. These changes look good to me – no further comments. The attached final revised versions will be used for RRC review on the 28th.

Let me know if you have any questions before the meeting.

Best,
Chris

Chris Miller
Rules Review Commission Counsel
North Carolina Office of Administrative Hearings | Rules Division
1711 New Hope Church Road
Raleigh, NC 27609
(984) 236-1935

NOTICE: E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by authorized State officials.

Burgos, Alexander N

Subject: FW: Home Inspector Licensure Board - Rules for RRC Review
Attachments: Request for Changes - HILB - 05 2026.docx; 11 NCAC 08 .1006.docx; 11 NCAC 08 .1101.docx; 11 NCAC 08 .1106.docx; 11 NCAC 08 .1117.docx; 11 NCAC 08 .1204.docx

From: Heuser, Kyle <kyle.heuser@ncdoi.gov>
Sent: Friday, May 15, 2026 2:52 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>; Starling, Joseph <joseph.starling@ncdoi.gov>; CLEARY, GINA M <gcleary@ncdoj.gov>
Subject: RE: Home Inspector Licensure Board - Rules for RRC Review

Good afternoon, Chris,

Thanks so much for your review of these rules. Attached please find the Board's response to your requests for changes, together with revised copies of the rules reflecting implementation of the requested changes and related revisions discussed in the response. Please let me know if you have any follow up questions or requests.

Thanks, and have a great weekend,
Kyle

Kyle Heuser
Assistant General Counsel



North Carolina
Office of State Fire Marshal
1202 Mail Service Center
Raleigh, NC 27699-1202
919.647.0100

From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Thursday, May 7, 2026 3:28 PM
To: svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>; Starling, Joseph <joseph.starling@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: Home Inspector Licensure Board - Rules for RRC Review

Good afternoon,

I'm the staff attorney who reviewed the rules submitted by the Home Inspector Licensure Board for the May 2026 RRC meeting. The RRC will formally review these rules at its meeting on Thursday, May 28, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is my Request for Changes pursuant to G.S. 150B-21.10. Please submit the responses and revised rules to me via email, no later than **5 p.m. on May 20, 2026**.

Let me know if you have any questions.

Best,
Chris

Chris Miller

Rules Review Commission Counsel
North Carolina Office of Administrative Hearings | Rules Division
1711 New Hope Church Road
Raleigh, NC 27609
(984) 236-1935

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Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

1 11 NCAC 08 .1006 is amended with changes as published in 40:16 NCR 1318 as follows:

2

3 **11 NCAC 08 .1006 INSURANCE REQUIREMENTS**

4 (a) To be licensed as a home inspector, an applicant **must shall** meet the requirements set forth in G.S. 143-151.51(b)
5 including general liability insurance that meets the following requirements:

6 (1) The general liability insurance policy **must shall** cover the licensee's activities performed during the
7 course of a home inspection on the premises of the home inspection; and

8 (2) The general liability insurance policy **must shall** include coverage for both property damage and
9 bodily injury coverage.

10 (b) The amount of the surety bond required in G.S. 143-151.51(b) shall be at least five thousand dollars (\$5,000).
11 Any surety bond shall be written by a surety company that is authorized by the Commissioner of Insurance to do
12 business in this State.

13 (c) Each licensed home inspector shall annually submit, during the month of January, a certificate of insurance
14 evidencing the general liability insurance required by G.S. 143-151.58(b) and Paragraph (a) of this Rule. The Board
15 shall be listed as the certificate holder on the certificate of insurance. Failure to timely submit the required certificate
16 of insurance shall constitute grounds for disciplinary action.

17

18 *History Note: Authority G.S. 143-151.49(a)(13); 143-151.51; 143-151.56(a)(8); 143-151.58(b);*
19 *Codifier determined that agency findings did not meet criteria for temporary rule Eff. October 15,*
20 *1996;*
21 *Temporary Adoption Eff. October 24, 1996;*
22 *Eff. July 1, 1998;*
23 *Amended Eff. October 1, 2011;*
24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
25 *2018- 2018;*
26 *Amended Eff. June 1, 2026.*

1 11 NCAC 08 .1101 is amended with changes as published in 40:16 NCR 1318 as follows:

2
3 **SECTION .1100 - N.C. HOME INSPECTOR STANDARDS OF PRACTICE AND CODE OF ETHICS**

4
5 **11 NCAC 08 .1101 DEFINITIONS**

6 The following definitions apply to this Section:

- 7 (1) "Abnormal" means nontypical or unusual conditions that could cause damage to systems and
8 components of the home.
- 9 (2) "Arc-fault circuit interrupter" means a device intended to provide protection from the effects of arc
10 faults by recognizing characteristics unique to arcing and de-energizing the circuit when an arc fault
11 is detected.
- 12 (3) "Automatic safety controls" means devices designed and installed to protect systems and
13 components from excessively high or low pressures and temperatures, excessive electrical current,
14 loss of water, loss of ignition, fuel leaks, fire, freezing, or other unsafe conditions as stated in
15 manufacturer's instructions.
- 16 (4) "Central air conditioning" means a system that uses ducts to distribute cooled or dehumidified air to
17 more than one room or uses pipes to distribute chilled water to heat exchangers in more than one
18 room, and that is not plugged into an electrical convenience outlet.
- 19 (5) "Component" means a readily accessible and visible aspect of a system, such as a floor or wall, but
20 not individual pieces such as boards or nails where many similar pieces make up the component.
- 21 (6) "Cosmetic damage" means blemishes or defects that do not interfere with the functionality of the
22 component or system.
- 23 (7) "Cross connection" means any physical connection or contact between potable water and any source
24 of contamination.
- 25 (8) "Dangerous or adverse situations" means situations that pose a threat of injury to the inspector, or
26 those situations that require the use of special protective clothing or safety equipment.
- 27 (9) "Describe" means report in writing a system or component by its type, or other inspected
28 characteristics, to distinguish it from other systems or components used for the same purpose.
- 29 (10) "Dismantle" means to take apart or remove any component, device, or piece of equipment that is
30 bolted, screwed, or fastened by other means and that would not be disassembled by a homeowner
31 in the course of routine household maintenance.
- 32 (11) "Enter" means to go into an area to inspect all visible components.
- 33 (12) "Finishes" means ceilings and wall coverings such as drywall, paneling, or drop ceiling panels.
- 34 ~~(12)~~(13) "Functional drainage" means a drain that empties at a rate equal to or greater than the supply water
35 flow to the fixture.
- 36 ~~(13)~~(14) "Functional flow" means a usable flow at the highest fixture in a dwelling when another fixture is
37 operated simultaneously.

1 ~~(14)~~(15) "Gray water" means wastewater generated from household activities that do not involve human
2 waste, such as bathing, showering, handwashing, and laundry, which typically contains some
3 residues from soap, detergent, and dirt.

4 ~~(15)~~(16) "Gray water system" means a water reuse system contained within a single-family residence
5 or multiunit residential or commercial building that filters gray water or captured rainwater and
6 reuses it for nonpotable purposes such as toilet flushing and irrigation.

7 ~~(16)~~(17) "Ground-fault circuit interrupter" means devices intended for the protection of people that de-
8 energizes a circuit or portion thereof within an established period of time when currents are out of
9 balance.

10 ~~(17)~~(18) "Habitable space" means a space in a building for living, sleeping, eating, or cooking. "Habitable
11 space" does not mean a bathroom, toilet room, closet, or any space used or designed for storage.

12 ~~(18)~~(19) "Harmful" means conditions that cause damage to systems and components of the home.

13 ~~(19)~~(20) "Inspect" means to make a visual examination.

14 ~~(20)~~(21) "Installed" means attached or connected such that an item requires tools for removal.

15 ~~(21)~~(22) "Normal operating controls" means homeowner operated devices such as a thermostat, wall switch,
16 or safety switch.

17 ~~(22)~~(23) "On-site water supply quality" means water quality based on the bacterial, chemical, mineral, and
18 solids content of the on-site well water.

19 ~~(23)~~(24) "On-site water supply quantity" means the rate of flow of on-site well water.

20 ~~(24)~~(25) "Operate" means to cause systems or equipment to function as intended.

21 ~~(26)~~ "Pre-drywall inspection" means a limited home inspection primarily performed prior to
22 concealment of plumbing, electrical, mechanical, and structural items that will be covered by
23 insulation and finishes (open cavity) on homes under construction involving two or more [systems,
24 pursuant to G.S. 143-151.45,] systems.

25 ~~(25)~~(27) "Readily accessible" means within reach, without the use of a ladder, not blocked by appliances,
26 and approachable or enterable for visual inspection without the risk of damage to any property or
27 alteration of the accessible space, equipment, or opening.

28 ~~(26)~~(28) "Readily openable access panel" means a panel provided for homeowner inspection and
29 maintenance that has removable or operable fasteners or latch devices in order to be lifted off, swung
30 open, or otherwise removed by one person; and its edges and fasteners are not painted in place. This
31 definition is limited to those panels within reach standing on the floor or from a four-foot stepladder,
32 and that are not blocked by stored items, furniture, or building components.

33 ~~(27)~~(29) "Readily visible" means seen by using natural or artificial light without the use of equipment or tools
34 other than a flashlight.

35 ~~(28)~~(30) "Representative number" means, for multiple identical components such as windows and electrical
36 outlets, one such component per room; and, for multiple identical exterior components, one such
37 component on each side of the building.

1 ~~(29)~~(31) "Roof drainage systems" means gutters, downspouts, leaders, splash blocks, and similar components
2 used to carry water off a roof and away from a building.

3 ~~(30)~~(32) "Sewage pump" means a device used at elevations where mechanical assistance is needed to move
4 effluent to a sewage system.

5 ~~(31)~~(33) "Shut down" means a piece of equipment or a system that cannot be operated by the device or control
6 provided for homeowner operation. If its safety switch or circuit breaker is in the "off" position, or
7 its fuse is missing or blown, the inspector is not required to reestablish the circuit for the purpose of
8 operating the equipment or system.

9 ~~(32)~~(34) "Solid fuel heating device" means any wood, coal, fossil, or other similar organic fuel burning
10 device, including fireplaces whether masonry or factory built, fireplace inserts and stoves, wood
11 stoves (room heaters), central furnaces, and combinations of these devices.

12 ~~(33)~~(35) "Structural component" means a component that supports non-variable forces or weights (dead
13 loads) and variable forces or weights (live loads).

14 ~~(34)~~(36) "Sump pump" means a device used to remove non-effluent drainage.

15 ~~(35)~~(37) "System" means a combination of interacting or interdependent components, assembled to carry out
16 one or more functions.

17 ~~(36)~~(38) "Technically exhaustive" means an inspection involving the use of measurements, instruments,
18 testing, calculations, and other means to develop scientific or engineering findings, conclusions, and
19 recommendations.

20 ~~(37)~~(39) "Under floor crawl space" means the area within the confines of the foundation and between the
21 ground and the underside of the lowest floor structural component.

22
23 *History Note: Authority G.S. 143-151.49;*
24 *Codifier determined that agency findings did not meet criteria for temporary rule Eff. October 15,*
25 *1996;*
26 *Temporary Adoption Eff. October 24, 1996;*
27 *Eff. July 1, 1998;*
28 *Amended Eff. February 1, 2007; April 1, 2005; May 1, 2003;*
29 *Readopted Eff. October 1, 2018;*
30 *Amended Eff. June 1, 2026; October 1, 2024. [2024; June 1, 2026.]*

1 11 NCAC 08 .1106 is amended with changes as published in 40:16 NCR 1318 as follows:

2

3 **11 NCAC 08 .1106 STRUCTURAL COMPONENTS**

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

5 (1) Foundation;

6 (2) Floors;

7 (3) Walls;

8 (4) Columns or piers;

9 (5) Ceilings; and

10 (6) Roofs.

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

12 (1) Foundation;

13 (2) Floor structure;

14 (3) Wall structure;

15 (4) Columns or piers;

16 (5) Ceiling structure; and

17 (6) Roof structure.

18 (c) The home inspector shall:

19 (1) Probe structural components where deterioration is suspected;

20 (2) Enter ~~under floor~~ **underfloor** crawl spaces, basements, and attic spaces except when access is
21 obstructed, when entry could damage the property, or when dangerous or adverse situations are
22 suspected;

23 (3) Report access locations to underfloor crawl spaces and attics, whether underfloor crawl spaces and
24 attics are fully accessible or if specific areas are not accessible, and the methods used to inspect
25 underfloor crawl spaces and attics; and

26 (4) Report signs of abnormal or harmful water penetration into the building or signs of abnormal or
27 harmful condensation on building components.

28

29 *History Note: Authority G.S. 143-151.49;*

30 *Codifier determined that agency findings did not meet criteria for temporary rule Eff. October 15,*
31 *1996;*

32 *Temporary Adoption Eff. October 24, 1996;*

33 *Eff. July 1, 1998;*

34 *Amended Eff. April 1, 2005; July 1, 2000;*

35 *Readopted Eff. October 1, ~~2018~~ 2018;*

36 *Amended Eff. June 1, 2026.*

1 11 NCAC 08 .1117 is adopted with changes as published in 40:16 NCR 1318 as follows:

2
3 **11 NCAC 08 .1117 PRE-DRYWALL INSPECTION**

4 (a) Pre-drywall inspections shall be performed in accordance with this Rule and 11 NCAC 08 .1116. Pre-drywall
5 inspections shall provide the client with an understanding of the property conditions, as inspected at the time of the
6 pre-drywall inspection.

7 (b) Home inspectors shall:

8 (1) provide a written contract, signed by the client, before the pre-drywall inspection is performed that
9 shall:

10 (A) state that the pre-drywall inspection is performed in accordance with the Standards of
11 Practice of the North Carolina Home Inspector Licensure Board as set forth in this
12 Section;

13 (B) state what services shall be provided and the cost; and

14 (C) when a pre-drywall inspection is for only one or a limited number of systems or
15 components, state that the inspection is limited to only those systems or components;

16 (2) inspect readily visible and readily accessible installed systems and components described in this
17 Rule;

18 (3) submit a written report, pursuant to G.S. 143-151.58(a), to the client that shall:

19 (A) describe those systems and components required to be described ~~in~~ by this Rule;

20 (B) state which systems and components present at the home and designated for pre-drywall
21 inspection ~~in~~ by this Rule were not inspected, and the reason for not inspecting;

22 (C) state any systems or components inspected that do not function as intended, appear not to
23 be installed as intended, or need further evaluation, based upon documented tangible
24 evidence;

25 (D) describe each system or component, pursuant to Part (b)(3)(C) of this Rule; state how the
26 condition is defective; explain the implications of defective conditions reported; and
27 direct the client to a course of action for repair, monitoring, or further investigation by a
28 specialist or the contractor;

29 (E) state the name, license number, and signature of the person conducting the pre-drywall
30 inspection on the cover page or second page of the report; and

31 (F) state the address of the home inspected and the date of the inspection on the cover page
32 or second page of the report.

33 (c) Home inspectors may:

34 (1) report observations and conditions, including safety or habitability concerns, or render opinions of
35 items in addition to those required in Paragraph (b) of this Rule;

36 (2) exclude systems and components from the inspection if requested by the client, and so stated in
37 the written contract;

- 1 (3) cite defects as ~~violation~~ violations of the North Carolina State Residential Building Code provided
2 that the home inspector conforms to the requirements of G.S. 143-151.58(a2); and
3 (4) cite variations from or inconsistencies with ~~manufacturer's~~ manufacturers' installation
4 instructions. If citing ~~manufacturer's~~ manufacturers' instructions, home inspectors must provide
5 copies of the instructions or links to those instructions with the report and refer the system or
6 component for verification and repair by a specialist or the contractor.

7 (d) The home inspector shall inspect installed components and systems including:

- 8 (1) Structural foundation and framing:
9 (A) foundation;
10 (B) floors;
11 (C) walls;
12 (D) columns or posts;
13 (E) ceilings;
14 (F) roof; and
15 (G) presence or absence of fireblocking and draftstopping.
16 (2) Exterior:
17 (A) wall cladding and flashing;
18 (B) fenestrations including doors, windows, and skylights; and
19 (C) decks, balconies, stoops, steps, areaways, porches, and appurtenant railings.
20 (3) Roofing:
21 (A) roof coverings;
22 (B) flashing;
23 (C) skylights, chimneys, and roof penetrations; and
24 (D) signs of leaks or abnormal condensation on building components.
25 (4) Plumbing:
26 (A) interior water supply and distribution system, including: piping materials, supports, and
27 insulation;
28 (B) interior drain, waste, and vent system, including: traps; drain, waste, and vent piping;
29 piping ~~supports~~ supports; and pipe insulation;
30 (C) hot water systems including: water heating equipment, normal operating controls,
31 automatic safety controls, and chimneys, flues, and vents; and
32 (D) fuel gas piping including supports, bonding, and material.
33 (5) Electrical:
34 (A) electrical conductors, distribution boxes, and panel boxes; and
35 (B) compatibility of branch circuit conductors' ampacities for their apparent use.
36 (6) HVAC:
37 (A) heating, air conditioning, appliances, and ventilation equipment; and

- 1 (B) ductwork.
- 2 (e) The home inspector shall describe systems and components listed in Paragraph (d) at the time of the pre-drywall
3 inspection. The home inspector shall identify any system or component that is not completely installed at the time of
4 the pre-drywall inspection and describe the system or component in sufficient detail to explain the extent of
5 installation remaining to be completed.
- 6 (f) Pre-drywall exclusions.
- 7 (1) Home inspectors are not required to report on:
- 8 (A) the life expectancy of any component or system;
- 9 (B) the causes of the need for a repair;
- 10 (C) the methods, materials, and costs of corrections;
- 11 (D) the suitability of the property for any specialized use;
- 12 (E) compliance or non-compliance with codes, ordinances, statutes, regulatory requirements,
13 or restrictions, including fire and life safety requirements;
- 14 (F) the market value of the property or its marketability;
- 15 (G) the advisability or inadvisability of purchasing the property;
- 16 (H) any component that was not inspected;
- 17 (I) the presence or absence of pests such as wood damaging organisms, rodents, or insects;
- 18 (J) cosmetic damage, underground items, or items identified as not installed;
- 19 (K) the presence or absence of systems installed to control or remove suspected hazardous
20 substances, pests, or insects;
- 21 (L) compliance or non-compliance with contract specifications, construction plans, drawings,
22 and specifications; and
- 23 (M) preparation for future installations, such as electric vehicle charging stations or low
24 voltage wiring.
- 25 (2) Home inspectors are not required to:
- 26 (A) offer warranties or guarantees of any kind;
- 27 (B) calculate the strength, adequacy, or efficiency of any system or component;
- 28 (C) review plans for compliance with codes or determine the adequacy of the design,
29 strength, or efficiency of any system or component;
- 30 (D) determine the adequacy, proper installation, and hourly rating of any fire rated assembly
31 or ~~system~~ system;
- 32 (E) enter any area or perform any procedure that may damage the property or its components
33 or be dangerous to or adversely affect the health or safety of the home inspector or other
34 persons;
- 35 (F) operate any system or component that is shut down or otherwise inoperable;
- 36 (G) move personal items, tools, building materials, panels, equipment, plant life, soil, snow,
37 ice, or debris that obstructs access or visibility;

- 1 (H) determine the presence or absence of any suspected adverse environmental condition or
- 2 hazardous substance, including mold, toxins, carcinogens, noise, and contaminants in the
- 3 building or in soil, water, and air;
- 4 (I) determine the effectiveness of any system installed to control or remove suspected
- 5 hazardous substances;
- 6 (J) determine House Energy Ratings (HER), insulation R values, and system or component
- 7 efficiencies;
- 8 (K) inspect heat recovery and similar whole house ventilation systems;
- 9 (L) predict future condition, including failure of components;
- 10 (M) project operating costs of components;
- 11 (N) evaluate acoustical characteristics of any system or component;
- 12 (O) inspect equipment or accessories that are not listed as components to be inspected in this
- 13 Rule;
- 14 (P) disturb insulation, except where readily visible evidence indicates a problem;
- 15 (Q) inspect elevators or related equipment meant to transport occupants or materials between
- 16 elevations;
- 17 (R) inspect low voltage systems; and
- 18 (S) evaluate installation of components with respect to ~~manufacturer's~~ manufacturers'
- 19 instructions or specifications.

20 (3) Home inspectors shall not:

- 21 (A) offer or perform any act or service contrary to law; or
- 22 (B) offer or perform engineering, architectural, plumbing, electrical, or any other job function
- 23 requiring an occupational license in the jurisdiction where the inspection is taking place,
- 24 unless the home inspector holds a valid occupational license. In that case the home
- 25 inspector shall inform the client that the home inspector is so licensed, and therefore
- 26 qualified to go beyond this Rule and perform additional inspections beyond those within
- 27 the scope of the Standards of Practice.

28
29 *History Note: Authority G.S. 143-151.58; 143-151.49;*

30 *~~Adopted~~—Eff. June 1, ~~2025~~. 2026.*

31

1 11 NCAC 08 .1204 is amended with changes as published in 40:16 NCR 1318 as follows:

2
3 **11 NCAC 08 .1204 INVESTIGATION**

4 (a) On receipt of a complaint conforming to this Section, the Engineering and Codes Division shall conduct an
5 investigation.

6 (b) A copy of the complaint and supporting information as set forth in Rule .1202(d) and (f) of this Section shall be
7 ~~mailed~~ transmitted to the home inspector. The home inspector shall submit a written response to the Engineering and
8 Codes Division within two weeks after receipt of the copy of the complaint.

9 (c) Upon completion of the investigation, the Board's Investigation Review Committee ("Committee") shall make a
10 determination of whether there is sufficient evidence to support a finding of a violation of G.S. 143-151.56(a). Based
11 on its determination, the Committee may:

- 12 (1) recommend to the Board that the complaint be dismissed;
- 13 (2) recommend to the Board to dismiss the complaint and issue a letter of caution be issued to the home
14 inspector;
- 15 (3) recommend to the Board that the complaint be resolved by consent agreement if the home inspector
16 agrees to the terms of the consent agreement; or
- 17 (4) recommend to the Board to establish a time and place for a disciplinary hearing and give notice to
18 the home inspector and complainant. Prior to the matters being heard and determined by the Board,
19 it may be resolved by consent agreement with the approval of the Board.

20 (d) The Committee shall notify the complainant and the home inspector of its determination.

21
22 *History Note: Authority G.S. 143-151.49; 143-151.56; 150B-38(h);*
23 *Codifier determined that agency findings did not meet criteria for temporary rule Eff. October 15,*
24 *1996;*
25 *Temporary Adoption Eff. October 24, 1996;*
26 *Eff. July 1, 1998;*
27 *Amended Eff. February 1, 2014;*
28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
29 *~~2018~~ 2018;*
30 *Amended Eff. June 1, 2026.*

Request for Changes Pursuant to N.C. Gen. Stat. § 150B-21.10

Staff reviewed these Rules to ensure that each Rule is within the agency's statutory authority, reasonably necessary, clear, and unambiguous, and adopted in accordance with Part 2 of the North Carolina Administrative Procedure Act. Following review, staff has issued this document that may request changes pursuant to G.S. 150B-21.10 from your agency or ask clarifying questions.

Questions contained herein suggest that the rule as written is unclear or there is some ambiguity. If this document includes questions and you do not understand the question, please contact the reviewing attorney to discuss. Failure to respond may result in a staff opinion recommending objection.

Staff may suggest the agency "consider" an idea or language in this document. This is in no way a formal request that the agency adopt the idea or language but rather is offered merely for the agency's consideration which the agency may find preferable and clarifying.

To properly submit rewritten rules, please refer to the following Rules in the NC Administrative Code:

- Rule 26 NCAC 02C .0108 – The Rule addresses general formatting.
- Rule 26 NCAC 02C .0404 – The Rule addresses changing the introductory statement.
- Rule 26 NCAC 02C .0405 – The Rule addresses properly formatting changes made after publication in the NC Register.

Note the following general instructions:

1. You must submit the revised rule via email to oah.rules@oah.nc.gov and copy RRC Counsel. The electronic copy must be saved as the official rule name (XX NCAC XXXX).
2. For rules longer than one page, insert a page number.
3. Use line numbers; if the rule spans more than one page, have the line numbers reset at one for each page.
4. Do not use track changes. Make all changes using manual strikethroughs, underlines and highlighting.
5. You cannot change just one part of a word. For example:
 - Wrong: "~~a~~Association"
 - Right: "~~association~~ Association"
6. Treat punctuation as part of a word. For example:
 - Wrong: "day~~,~~ and"
 - Right: "~~day,~~ day, and"
7. Formatting instructions and examples may be found at:
www.ncoah.com/rules/examples.html

If you have any questions regarding proper formatting of edits after reviewing the rules and examples, please contact the reviewing attorney.

Christopher S. Miller
Commission Counsel

Date submitted to agency: May 7, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Home Inspector Licensure Board

RULE CITATION: 11 NCAC 08 .1006 (Amendment)

DEADLINE FOR RECEIPT: May 20, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*(a): Consider changing "must" to "shall" throughout this rule provision. **Done.***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel
Date submitted to agency: May 7, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Home Inspector Licensure Board

RULE CITATION: 11 NCAC 08 .1101 (Amendment)

DEADLINE FOR RECEIPT: May 20, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

(26), line 22: “[C]oncealment” of what? Concealment of systems and components that will be covered by insulation and finishes; namely, plumbing, electrical, mechanical, and structural items. For clarity, the language “of plumbing, electrical, mechanical, and structural items that will be covered” has been inserted after “concealment.”

(26), line 23: What does “pursuant to G.S. 143-151.45” mean? That is a Definitions statute. Are you saying that the term “Home Inspection” is being used as consistent with the meaning set forth in G.S. 143-151.45? Yes, that language was intended to indicate that pre-drywall inspections are included within the definition of home inspection set forth in G.S. 143-151.45. Upon review, the agency has decided that removing that language enhances clarity.

Page 2, line 24 through Page 3, line 21: The numbering for all of the terms after “pre-drywall inspection” needs to be updated accordingly. For example, “Readily accessible” should be (27). Done.

History Note, line 30: “June 1, 2026” should be inserted here in front of “October 1, 2024”. Done.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel
Date submitted to agency: May 7, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Home Inspector Licensure Board

RULE CITATION: 11 NCAC 08 .1106 (Amendment)

DEADLINE FOR RECEIPT: May 20, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

(c)(3): Should "underfloor" be two words, like how it was written in (c)(2)? Use one or the other throughout the rule. It should "underfloor" as one word. The "under floor" in (c)(2) has been revised to "underfloor."

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel
Date submitted to agency: May 7, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Home Inspector Licensure Board

RULE CITATION: 11 NCAC 08 .1117

DEADLINE FOR RECEIPT: May 20, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Introductory Statement, line 1: Change “amended” to “adopted”. **Done.***

*(b)(3)(A) and (B): For clarity, I would suggest changing “in this Rule” to “by this Rule”. **Done.***

(b)(3)(D): Is this required even if the inspector found “need [for] further inspection” rather than a defect?

*(c)(3), line 1: Change “violation” to “violations”. **Done.***

*(c)(4), lines 3 and 4: Change “manufacturer’s” to “manufacturers”. **Done.***

*(d)(2)(B): Insert “and” before “skylights”. **Done.***

*(d)(4)(B): Add a semi-colon after “piping supports”. **Done.***

(f)(1)(J): Here, you exclude “items not installed”. Doesn’t this conflict with (e), which requires inspectors to identify and describe “any system or component that is not completely installed”?

*(f)(2)(D): Replace the period at the end with a semi-colon. **Done.***

(f)(2)(S): Isn’t this already implied by (c)(4), which allows inspectors to do this voluntarily?

*History Note, Authority: Consider adding § 143-151.58. **Done.***

*History Note, line 30: Delete “Adopted” and change “2025” to “2026”. **Done.***

Christopher S. Miller
Commission Counsel
Date submitted to agency: May 7, 2026

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel
Date submitted to agency: May 7, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Home Inspector Licensure Board

RULE CITATION: 11 NCAC 08 .1204

DEADLINE FOR RECEIPT: May 20, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*(c), line 10: Consider stating, "... to support a finding of a violation ..." **Done.***

*(c)(2): Consider rephrasing to, "... to dismiss the complaint and issue a letter of caution ..." **Done.***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel
Date submitted to agency: May 7, 2026

Burgos, Alexander N

From: Heuser, Kyle
Sent: Friday, May 8, 2026 11:18 AM
To: Miller, Christopher S; svc_OSFM.Rulemaking; Starling, Joseph
Cc: Burgos, Alexander N
Subject: RE: Home Inspector Licensure Board - Rules for RRC Review

Thanks, Chris. We will reach back out with our response to your requests for changes as promptly as possible.

Thanks,
Kyle

Kyle Heuser
Assistant General Counsel



North Carolina
Office of State Fire Marshal
1202 Mail Service Center
Raleigh, NC 27699-1202
919.647.0100

From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Thursday, May 7, 2026 3:28 PM
To: svc_OSFM.Rulemaking <OSFM.Rulemaking@ncdoi.gov>; Starling, Joseph <joseph.starling@ncdoi.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: Home Inspector Licensure Board - Rules for RRC Review

Good afternoon,

I'm the staff attorney who reviewed the rules submitted by the Home Inspector Licensure Board for the May 2026 RRC meeting. The RRC will formally review these rules at its meeting on Thursday, May 28, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is my Request for Changes pursuant to G.S. 150B-21.10. Please submit the responses and revised rules to me via email, no later than **5 p.m. on May 20, 2026.**

Let me know if you have any questions.

Best,
Chris

Chris Miller

Rules Review Commission Counsel
North Carolina Office of Administrative Hearings | Rules Division
1711 New Hope Church Road
Raleigh, NC 27609
(984) 236-1935

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