

HOUSE BILL NO. 3089

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WARWICK.

6255H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 436, RSMo, by adding thereto one new section relating to third-party home inspections.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 436, RSMo, is amended by adding thereto one new section, to be known as section 436.346, to read as follows:

436.346. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) "Conflict of interest":

(a) An employment or other affiliation with, or financial interest in, the individual, firm, or corporation engaged in the home or residential unit to be inspected or examined; or

(b) A relationship with a family member or other individual in the home or residential unit, or inspection that could create an appearance of impropriety;

(2) "Home inspection", an inspection of a residential unit and its attached carports and garages and the operation of the building's systems by using the controls normally operated by the owner;

(3) "Home inspection report", a written report prepared for a fee and issued by a home inspector to document the results of a home inspection;

(4) "Political subdivision", any county, city, town, or village in the state of Missouri;

(5) "Residential unit", any dwelling from one to four units in design intended principally for residential purposes by one or more persons;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 **(6) "Third-party home inspector", a person who engages in the business of**
19 **performing home inspections for compensation and who in the pursuit of that business**
20 **offers to inspect or inspects the condition of a residential unit.**

21 **2. A third-party home inspector shall not conduct a home inspection of a**
22 **residential unit if the third-party inspector has a conflict of interest, as such term is**
23 **defined in subsection 1 of this section.**

24 **3. A third-party home inspector shall disclose in his or her home inspection**
25 **report the specific building code standards that were used to conduct the home**
26 **inspection. The building code standards shall be in compliance with the building code**
27 **standards adopted by a political subdivision. A third-party home inspector shall include**
28 **a statement in the home inspection report stating either that no deficiencies of the**
29 **applicable building code or codes were identified or, if deficiencies were identified, the**
30 **report shall list all deficiencies of the applicable building code or codes.**

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