

Ohio House of Representatives Economic Development, Commerce and Labor Committee

Opponent Testimony House Bill 211

Douglas Curfman, Nationally Certified Home Inspector, on behalf of Self

September 19, 2017

Chairman Young, Ranking Member LePore-Hagan and members of the House Economic Development, Commerce and Labor Committee. My name is Douglas Curfman. I am an independent home inspector who has passed the national certification test. I am a member of the American Society of Home Inspectors also known as ASHI. One of the reasons our nation is great is that we are a nation of laws not men. I believe in laws that correct a specific situation and improve the life of the governed. House Bill 211, as written, does not offer any benefit to the party that has hired the home inspector and is very costly for the State of Ohio.

House Bill 211, through licensing and mandated baseline education, attempts to protect the consumer from what is called in our industry a “soft inspection”. The licensing and education will not change human behavior. Soft inspections will continue to happen because the inspector wishes to continue to get referrals from a real estate agent because they are not a supposed “deal killer”. Having a real estate agent refer an inspector is a conflict of interest primarily because the agent has a fiduciary responsibility to the seller, not the buyer. There needs to be a firewall on referrals between the buyer and real estate agent.

Wording in the bill dictating what should be included in a home inspection report turns the home inspector into a fortune teller. Page 42, lines 1214 and 1215 where “monitor deficiencies” of whatever nature assumes a standard of knowledge and skills by the home buyer that the home inspector has no control over. It also reduces the burden on the seller from writing a full and

complete disclosure statement because it places the full burden on the inspector for future events out of the inspector's control. A home inspection is a report on deficiencies for a small snapshot of a specific time, not the future.

Lastly, House Bill 211 does not conform to Lt. Governor Mary Taylor's Common Sense Initiative.

The licensing fees and fees on educators will not cover the start up and ongoing cost to the state.

The approximate \$412,000 for costs is far short for what the wording of the current bill will require due to added administrative positions and monitoring of bill programs. This does not include the extra cost that will be pushed out to the individual counties to help manage the bill requirements.