

Ohio House of Representatives Economic Development, Commerce and Labor Committee

Opponent Testimony House Bill 211

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Chairman Young, Vice Chair Riedel, Ranking Member LePore-Hagan and members of the House Economic Development, Commerce and Labor Committee. My name is James L. Nemastil. I am president of Nemastil Home Inspections and have been a full-time home inspector in Ohio since 1982. I am a member of the American Society of Home Inspectors both the National and Ohio chapters. I was a charter member of the Great Lakes chapter. I have personally performed over 12,00 home inspections in the state of Ohio.

I am here to express my **opposition** to the current HB 211 being considered.

In this era of deregulation, the promulgation of regulations upon a thriving home inspection industry within the state of Ohio is both unnecessary and harmful. Why regulate a profession in which there has been only four complaints to the Ohio Attorney General over the last 3 years? The proposed legislation would not provide any substantial new protection for consumers. Having a new bureaucratic board set up to determine if a consumer has been wronged, which the legislation purposes, is certainly not as efficient as having a dispute settled by our current legal system.

In my numerous discussions with home inspectors whose states have passed home inspector licensing laws, the story is the same. After licensing, the number of home inspectors increased substantially and the quality of Inspectors diminished. Simply taking a two week course, passing a test and going on two inspections with an experienced inspector does not make for a qualified inspector. Current requirements to become a cosmetologist in the state of Ohio even requires 40 weeks of training. The current proposed legislation greatly diminishes the need for extensive training and mentoring presently required to become a qualified home inspector.

Who wants or thinks home inspection licensing is needed in the state of Ohio? Certainly not the rank and file of the home inspection industry.

A strong proponent for licensing in the state is the real estate industry. Their biggest argument is: "We are regulated, so why not the home inspectors?" Their industry wants a low standard for home inspectors. Less experience and less education mean deals are more easily consummated.

Home inspectors who support licensing have, in my opinion, capitulated to the real estate industry. Their attitude is, "If we don't work with the real estate industry which wields considerable power and influence due to its size and resources, the real estate industry will go ahead and encourage legislation which is detrimental to the Ohio home inspection profession." Basically, it's an attitude of "if you can't beat them, join them!"

Another strong proponent promoting the passage of home inspection regulations is for-profit educational institutions. Having all would-be home inspectors take a two-week course puts money in the bank for these businesses.

In summary the passage of a home inspection licensing bill in Ohio would not be in the best interest of the citizens of Ohio and the home inspection industry itself. As it currently exists this bill would establish very low standards and requirements to become a home inspector in the state. It would not require home inspectors to carry E&O insurance. It would establish an unnecessary bureaucracy in the state and would establish unneeded regulations which would hamper a flourishing and strong industry.

I thank you for your time.

