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## CHAPTER 55 HOME INSPECTORS

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### Part 1 General

**37-55-101. (Effective January 1, 2026) Definitions.** As used in this part, the following definitions apply:

(1) "Department" means the department of labor and industry.

(2) (a) "Home inspection" means a physical examination of a residential dwelling to identify major defects in various attributes of or attachments to the dwelling, including mechanical, electrical, and plumbing systems in addition to structural and other essential components. Home inspections are performed for compensation and employ visual observation and the testing of user controls but not mathematical or specialized engineering sciences.

(b) The term does not mean a physical examination of a residential dwelling when the owner or a representative of the owner requests the examination by an individual who is licensed in this state and acting within the scope of practice of the individual's profession or occupation.

(3) "Home inspection report" means a written document prepared by a home inspector for a client and issued to the client in exchange for compensation after a home inspection has been completed. The report must clearly identify and describe:

(a) the inspected systems, structures, and other relevant components of the dwelling;

(b) any major visible defects in the inspected systems, structures, and other relevant components of the dwelling; and

(c) any recommendations for further evaluation of the property by other appropriate persons.

(4) "Home inspector" means an individual who performs a home inspection for compensation.

(5) "Practice" means to engage in the services of home inspection as the term is defined in this section.

**37-55-102. (Effective January 1, 2026) Department rulemaking — fees.** (1) The department may adopt rules necessary to implement this part.

(2) The fees collected under this part in accordance with 37-1-134 must be deposited in a special revenue account for administration and enforcement of this part.

**37-55-103. (Effective January 1, 2026) License to practice home inspections required — qualifications.** (1) An individual may not practice home inspection without a home inspector license issued under Title 37, chapter 1, and this part.

(2) An applicant for a home inspection license must have:

(a) successfully completed a minimum of 40 hours of comprehensive home inspection instruction approved by the department;

(b) membership in a national home inspection association; and

(c) a minimum of \$125,000 liability insurance coverage in errors and omissions insurance.

(3) The requirements in subsections (2)(b) and (2)(c) of this section must be maintained for continued licensure.

**37-55-104. (Effective January 1, 2026) Standards of home inspection practice.** (1) A home inspector shall issue a written home inspection report to a client after completing a home inspection unless the client agrees in writing to release the home inspector from this obligation.

(2) The home inspection report must clearly identify and describe:

- (a) the inspected systems, structures, and other relevant components of the dwelling;
  - (b) any major visible defects in the inspected systems, structures, and other relevant components of the dwelling; and
  - (c) any recommendations for further evaluation of the property by other appropriate persons.
- (3) A home inspector may not:
- (a) accept compensation from more than one party with a financial interest in the residential dwelling without written approval from all parties with a financial interest in the residential dwelling;
  - (b) accept a commission or allowance, directly or indirectly, from another individual or business entity associated with the client in connection with work for which the home inspector is responsible to the client; or
  - (c) refuse or otherwise fail to disclose promptly to a client information about any business interest or relationship of the home inspector that may affect the client in connection with a home inspection.