**Section 1410.300 Unprofessional Conduct**

Conduct that constitutes dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public includes, but is not limited to:

a) The licensee conducts services or provides a professional opinion not based on the licensee's own competency, experience, or requisite skill.

b) The licensee grossly misrepresents reported conditions or significance of reported conditions.

c) The licensee discloses any information concerning the results of a home inspection without the approval of the client, except when conditions that threaten health, safety or welfare exist that require emergency action. If any of these conditions exist, the home inspector is required to report those findings to the homeowner or a duly authorized agent of the owner.

d) The licensee accepts compensation from another party to the real estate transaction, other than the client, for the same service without the written consent of all parties to the transaction.

e) The licensee offers or accepts compensation, directly or indirectly, from other parties dealing with a client while providing a home inspection as consideration or inducement for the referral of business.

f) The licensee performs additional services but fails to provide written notice of the services and/or to secure written consent by the client of a potential or existing conflict that may exist with the home inspection.

g) The licensee fails to promptly disclose in writing to a client any direct or indirect interest in the subject property and fails to secure written consent of the client.

h) The licensee allows an interest in any business to affect the quality of the results of a home inspection.

i) The licensee fails to disclose in writing to the client prior to the home inspection any limitations or exclusions of systems or components being inspected.

j) The licensee aids or assists another in the violation of the Act or this Part.

k) The licensee violates the term of an order issued by the Department.

l) The licensee aids, assists, or facilitates another to use or appropriate credentials or a license for the purpose of preparing a home inspection report knowing that person to be unlicensed.

m) The licensee advises a client as to whether the client should or should not engage in a real estate transaction or provides an opinion of value regarding the residential real property that is the subject of the home inspection.

(Source: Amended at 48 Ill. Reg. 2424, effective February 2, 2024)