

1                                    AMENDMENT TO HOUSE BILL 1805

2            AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1805 on page 1,  
3 line 9, after "persons", by inserting ", including any  
4 entity,"; and

5 on page 1, by replacing lines 22 and 23 with the following:

6            ""Home inspection" means the examination and evaluation  
7 of the exterior and interior components of residential real  
8 property, which includes the inspection of any 2 or more of  
9 the following components of residential real property in  
10 connection with or to facilitate the sale, lease, or other  
11 conveyance of, or the proposed sale, lease or other  
12 conveyance of, residential real property:"; and

13 on page 1, by replacing lines 24 and 25 with the following:

14            "(1) heating, ventilation, and air conditioning  
15 system;" and

16 on page 1, line 26, by replacing "(3)" with "(2)"; and

17 on page 1, line 27, by replacing "(4)" with "(3)"; and

18 on page 1, line 28, by replacing "(5)" with "(4)"; and

19 on page 1, line 29, by replacing "(6)" with "(5)"; and

20 on page 2, line 1, by replacing "(7)" with "(6)"; and

1 on page 2, line 2, by replacing "(8)" with "(7)"; and

2 on page 2, line 2, after the semicolon, by inserting "or";

3 and

4 on page 2, by deleting lines 3 and 4; and

5 on page 2, line 5, by replacing "(11)" with "(8)"; and

6 on page 2, by replacing lines 18 through 20 with the  
7 following:

8 "Person" means individuals, entities, corporations,  
9 limited liability companies, registered limited liability  
10 partnerships, and partnerships, foreign or domestic, except  
11 that when the context otherwise requires, the term may refer  
12 to a single individual or other described entity.

13 "Residential real property" means real property that is  
14 used or intended to be used as a residence by one or more  
15 individuals."; and

16 on page 2, line 27, after "for", by replacing "a" with "any";  
17 and

18 on page 2, line 28, after "person", by inserting ", including  
19 any entity,"; and

20 on page 2, line 31, by replacing "himself or herself" with  
21 "himself, herself, or itself"; and

22 on page 3, by replacing lines 16 through 33 with the  
23 following:

24 "(2) any person licensed by the State of Illinois  
25 while acting within the scope of his or her license; or";  
26 and

27 on page 3, by replacing line 34 with the following:

28 "(3) any person engaged by the owner or lessor of  
29 residential real property for the purpose of preparing a  
30 bid or estimate as to the work necessary or the costs

1 associated with performing home construction, home  
2 remodeling, or home repair work on the residential real  
3 property, provided such person does not hold himself or  
4 herself out, or advertise himself or herself, as being  
5 engaged in business as a home inspector."; and

6 on page 4, by deleting lines 1 and 2; and

7 on page 4, line 4, after "every", by inserting "natural"; and

8 on page 4, after line 18, by inserting the following:

9 "Section 5-12. Application for home inspector license;  
10 entity. Every entity that is not a natural person that  
11 desires to obtain a home inspector license shall apply to  
12 OBRE on forms provided by OBRE and accompanied by the  
13 required fee."; and

14 on page 4, by replacing line 22 with "may take the  
15 examination required by subsection (4) of Section 5-10  
16 without having successfully completed the classroom hours  
17 required under subsection (5) of Section 5-10,"; and

18 on page 4, line 23, after "provided", by inserting "that";  
19 and

20 on page 4, line 32, by replacing "25" with "200"; and

21 on page 4, line 32, after "inspections", by inserting "that  
22 meet the standards established by rule"; and

23 on page 6, after line 1, by inserting the following:

24 "Section 5-17. Renewal of home inspector license;  
25 entity.

26 (a) The expiration date and renewal period for a home  
27 inspector license for an entity that is not a natural person  
28 shall be set by rule. The holder of a license may renew the

1 license within 90 days preceding the expiration date by  
2 completing and submitting to OBRE a renewal application form  
3 as provided by OBRE and paying the required fees.

4 (b) An entity that is not a natural person whose license  
5 under this Act has expired may renew the license for a period  
6 of 2 years following the expiration date by complying with  
7 the requirements of subsection (a) of this Section and paying  
8 any late penalties established by rule."; and

9 on page 12, by replacing lines 18 through 29 with the  
10 following:

11 "(18) Advising a client as to whether the client  
12 should or should not engage in a transaction regarding  
13 the residential real property that is the subject of the  
14 home inspection.

15 (19) Performing a home inspection in a manner that  
16 damages or alters the residential real property that is  
17 the subject of the home inspection without the consent of  
18 the owner.

19 (20) Performing a home inspection when the home  
20 inspector is providing or may also provide other services  
21 in connection with the residential real property or  
22 transaction, or has an interest in the residential real  
23 property, without providing prior written notice of the  
24 potential or actual conflict and obtaining the prior  
25 consent of the client as provided by rule."; and

26 on page 23, by replacing line 2 with "the Real Estate"; and

27 on page 23, line 3, after "Fund", by inserting "from the Home  
28 Inspector Administration Fund".