

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 36 COMMISSION OF REAL ESTATE APPRAISERS, APPRAISAL MANAGEMENT COMPANIES, AND HOME INSPECTORS — HOME INSPECTORS

Chapter 06 Code of Ethics

Authority: Business Occupations and Professions Article, §§16-208(a) and 16-216, Annotated Code of Maryland

.01 Responsibilities to the Public.

A home inspector shall:

- A. Act as an impartial third party;
- B. Discharge the home inspector's duties:
 - (1) With integrity and fidelity to the public;
 - (2) With fairness and objectivity to all parties; and
 - (3) Without bias to any party;
- C. Always act in good faith towards a client;
- D. Express an opinion only if it is based on practical experience and personal knowledge;
- E. Promptly inform a client of any business association, interest, or circumstance that may influence the home inspector's judgment or the quality of the home inspector's inspection service to the client; and
- F. Make every effort to uphold, maintain, and improve the professional practice, integrity, and reputation of the home inspection industry.

.02 Prohibitions.

A: A home inspector may not:

- (1) Except under circumstances in which the safety, health, property, or welfare of the public is endangered, disclose any information concerning the results of an inspection without the approval of the client for whom the inspection was performed;
- (2) Accept compensation, financial or otherwise, from more than one interested party for the same service on the same property unless the home inspector makes full disclosure to all interested parties and obtains the consent of all interested parties; or
- (3) Accept or offer a commission or allowance, directly or indirectly, to or from another party dealing

with the client in connection with home inspection services for which the home inspector is responsible.

B. A home inspector may not:

(1) Sell or offer to sell products for the repair of defects or the correction of deficiencies disclosed during an inspection to the client for a period of 1 year from the date of the inspection;

(2) Provide or offer to provide services to repair defects or correct deficiencies disclosed during an inspection for a period of 1 year from the date of the inspection; or

(3) Express an appraisal or opinion of the market value of the inspected property within the context of the inspection.

.03 Additional Services.

A home inspector may provide additional inspection services to the client if the home inspector discloses to the client that the additional inspection services are not part of the home inspection.

.04 Conflicts of Interest.

A. A home inspector shall avoid conflicts of interest with a client or an owner of property that is subject to an inspection by the home inspector.

B. If a conflict appears unavoidable, the home inspector shall disclose promptly and fully all circumstances of the conflict to the client.

Effective date: February 11, 2008 (35:3 Md. R. 289)