

ASSEMBLY BILL

No. 293

Introduced by Assembly Member Maze

February 9, 2005

An act to amend Section 7195 of the Business and Professions Code, relating to home inspections.

LEGISLATIVE COUNSEL'S DIGEST

AB 293, as introduced, Maze. Home inspections.

Existing law regulates persons who perform home inspections for a fee in connection with a property transfer, as defined. Existing law defines the term "home inspection" to mean, among other things, an inspection of energy efficiency.

This bill would make nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7195 of the Business and Professions
2 Code is amended to read:
3 7195. For purposes of this chapter, the following definitions
4 apply:
5 (a) (1) "Home inspection" is a noninvasive, physical
6 examination, performed for a fee in connection with a transfer, as
7 defined in subdivision (e), of real property, of the mechanical,
8 electrical, or plumbing systems or the structural and essential
9 components of a residential dwelling of one to four units
10 designed to identify material defects in those systems, structures
11 and components. "Home inspection" includes any consultation

- 1 regarding the property that is represented to be a home inspection
 2 or any confusingly similar term.
- 3 (2) “Home inspection,” if requested by the client, may include
 4 an inspection of energy efficiency . Energy efficiency items to be
 5 inspected may include *any of* the following:
- 6 (A) A noninvasive inspection of insulation R-values in attics,
 7 roofs, walls, floors, and ducts.
 - 8 (B) The number of window glass panes and frame types.
 - 9 (C) The heating and cooling equipment and water heating
 10 systems.
 - 11 (D) The age and fuel type of major appliances.
 - 12 (E) The exhaust and cooling fans.
 - 13 (F) The type of thermostat and other systems.
 - 14 (G) The general integrity and potential leakage areas of walls,
 15 window areas, doors, and duct systems.
 - 16 (H) The solar control efficiency of existing windows.
- 17 (b) A “material defect” is a condition that significantly affects
 18 the value, desirability, habitability, or safety of the dwelling.
 19 Style or aesthetics shall not be considered in determining whether
 20 a system, structure, or component is defective.
- 21 (c) A “home inspection report” is a written report prepared for
 22 a fee and issued after a home inspection. The report clearly
 23 describes and identifies the inspected systems, structures, or
 24 components of the dwelling, any material defects identified, and
 25 any recommendations regarding the conditions observed or
 26 recommendations for evaluation by appropriate persons.
- 27 (d) A “home inspector” is any individual who performs a
 28 home inspection.
- 29 (e) “Transfer” is a transfer by sale, exchange, ~~installment land~~
 30 *real property* sales contract, as defined in Section 2985 of the
 31 Civil Code, lease with an option to purchase, any other option to
 32 purchase, or ground lease coupled with improvements, of real
 33 property or residential stock cooperative, improved with or
 34 consisting of not less than one nor more than four dwelling units.