



Hawaii Association of Home Inspectors

CODE OF ETHICS AND CONDUCT V1 December 2016

The Hawaii Association of Home Inspectors (HAHI) purpose is to continually set, and be the high standard for the professional home inspection industry in the State of Hawaii. The Standards of Practice, Code of Ethics, level of requirements, supervised inspection and testing standards for certification levels etc. are all designed to provide for the most vested professional home inspectors available in Hawaii.

Currently, there is no regulation for home inspectors in Hawaii. Most states have had the wisdom to adopt it. Until and when regulation is in place, consumers and officials can look to HAHI as the go-to for the most caring, qualified home inspector organization and inspectors available locally.

HAHI has an open-door policy for anyone in Hawaii who is, or aspires to be a professional home inspector in Hawaii- regardless of affiliation with another inspector organization. However, Members of HAHI are required to subscribe and adhere to the HAHI Standards of Practice, Code of Ethics and Bylaws and denote it as the higher standard. HAHI stands ready to work with the State of Hawaii when regulation is introduced, and shall offer to be a vehicle and licensing aide for inspectors through training and supervision.

While HAHI is a young organization, it provides what other well-known organizations have not, or are unable to:

- ✓ Superior Standards of Practice and Code of Ethics.
- ✓ Direct contact with applicants.
- ✓ Supervised inspection requirements for certification levels.
- ✓ Supervised more comprehensive examinations more suitable to the industry.
- ✓ Training. Local disciplinary provision for member and nonmember violations.
- ✓ Unprecedented level of care from a home inspector organization.
- ✓ More stringent continuing education requirements.

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A. Members / Inspectors may not engage in discrimination, verbally or otherwise.

In all 50 states, federal law makes it illegal to discriminate based on:

Race, color, national origin, religion, sex (including pregnancy childbirth and related medical conditions), disability, age 40 and older, citizenship status, or genetic information.

Hawaii state law also prohibits discrimination based on:

Race, color, national origin, religion, sex (including pregnancy, childbirth, breast feeding and related medical conditions) disability: physical or mental, age, genetic information, sexual orientation, gender identity and gender expression, marital status, HIV/AIDS, arrest and court record (unless there is a conviction directly related to a job), credit history or credit report (unless credit information directly relates to a bona fide occupational qualification), status as a victim of domestic or sexual violence if the victim notifies the employer, or the employer has actual knowledge of the victim's status.

B. Members / Inspectors must avoid conflicts of interest or activities that may compromise, or appear to compromise professional objectivity and integrity.

Inspectors may not provide fee paid home inspections in which they have, or expect to have a financial interest.

Inspectors may not inspect properties where any compensation or future referrals are dependent on report findings oral statements, or on the sale of the property.

Inspectors may not, directly or indirectly, compensate- monetarily or otherwise real estate agents or any other parties having a financial interest in the sale of real estate transactions for the referral of inspections, or for inclusion on a list of recommended inspectors preferred vendors or similar.

Inspectors may not receive compensation for an inspection from more than one party unless agreed to by the clients and/or compensation in excess of the agreed to contract inspection fee.

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Inspectors may not accept compensation, directly or indirectly, for the recommendation of contractor services or products to the inspection clients or other parties having an interest in inspected properties.

Inspectors may not offer to repair, replace or upgrade systems or components covered by the HAHI Standards of Practice for at least 2 years following the inspection.

Inspectors may not identify real estate agents or brokerages on any marketing material, including websites- unless it is unaltered, bona-fide feedback received from a real estate licensee, in its full context.

Inspectors may not offer to advertise, or offer advertising positions for real estate agents or brokerages on any marketing material including inspection websites.

Inspectors may hold an active real estate sales or brokerage license, however:

- ✓ The inspector must disclose licensee status in their Inspection Agreement, in advance of the completion of the inspection, and assure the client they are not acting or advising in the capacity of a real estate licensee during the inspection.
- ✓ The inspector may not benefit financially above the inspection fee charged for the purpose of the inspection.
- ✓ The inspector may not, in any way, give the impression they are advising an inspection client in any area reserved for real estate licensees- to the client or other interested party.
- ✓ The inspector may not provide fee paid home inspections for real estate Sellers or Buyers, however they may use their experience and expertise to generally advise the client of obvious defects in the course of listing or purchasing, further encouraging the Buyer clients to obtain an independent, fee-paid home inspection from a well-qualified professional home inspector.
- ✓ The inspector must disclose if they are inspecting a home for the Brokerage they are associated with, and assure the client, in writing, of complete objectivity and no other direct financial benefit.

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C. Members / Inspectors must always act in good faith toward each client and other interested parties.

Inspectors are to perform services and express opinions with integrity, and only within their areas of expertise education training or experience.

Inspectors are to be objective in the reporting and not knowingly understate or exaggerate the significance of reported conditions.

Inspectors may not disclose inspection results or client information without client approval. Inspectors, at their discretion may disclose safety hazards to occupants and other interested parties that may be exposed to such hazards.

Inspectors may not attempt to undermine or otherwise discredit any real estate professional involved in the inspection process. The inspector must however immediately and professionally correct any misstatement, or attempt to downplay an issue made by a real estate professional (innocent error or otherwise), in the interest of informing the inspection client accurately.

The inspector shall go above and beyond along the lines of safety, calling out any system or component that may present a current or anticipated safety risk to occupants or adjacent occupants, even where the unit or home is recently remodeled, new and claimed to satisfy minimal code standards.

The inspector must disclose if they have inspected the subject property previously (in any capacity), and when.

The inspector must make it clear, in writing, that the inspection provided is not a municipal code inspection, unless the inspector is authorized to act in the capacity of a Municipal Code Inspector by the City & County of Honolulu, or State of Hawaii.

D. Members / Inspectors must avoid activities that may harm the public, discredit themselves, or tarnish the home inspection industry.

The inspector must use a contract for each fee paid inspection, indicating the full fee and exclusions / inclusions of the service.

Inspector levels **Inspector 2 and Master** (being the certified levels) are required to carry and maintain errors and omission and liability insurance from a qualified carrier. Coverage amounts should be at least industry-standard, or better.

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The inspector may not engage in puffery, fraudulent, deceptive or otherwise misleading activities in advertising, marketing or promotion of the inspector services or qualifications.

Inspectors agree to immediately report substantive and willful violations of this code to the HAHI Board of Directors.

The inspector may not discredit, or attempt to discredit another home inspector of record. Rather, the inspector may share situations or stories without naming the other inspector for educational purposes- in good taste and only in the interest of bettering the industry locally.

The inspector may not display anywhere credentials that are false, including logos of organizations they are not entitled to use, and must swiftly collect or correct market materials that may contain inaccurate or outdated information wherever possible.

The inspector may not display offensive decals or markings on their vehicle or equipment.

Inspectors shall attempt to be a few minutes early for each inspection, and should not set a time limit (or be held to such) for any inspection.

The inspector may not attempt to discredit another professional home inspection organization, but may discuss the differences compared to HAHI, in the interest of education and bettering the industry image.

Inspectors may not engage in any unauthorized email or other communication with other HAHI Members, the General Membership or public that may be viewed as harmful or undermining to HAHI or the public perception of the industry. Unauthorized calls to action, calls for votes, attempts to discredit HAHI Members or its Board will be grounds for permanent dismissal. Grievances are to be sent to the Board of Directors in writing, for review and consideration.

Inspectors should attend HAHI meetings regularly, with a positive attitude and spirit of service- refraining from nonprofessional and discourteous conduct or activities such as having a negative, hostile or argumentative nature, texting or otherwise unnecessary use of cell phones or laptops, speaking out of order, or other disruptions.

Inspectors are highly discouraged from inspecting any unit, home or building, where all or some of the utilities have been turned off by the provider- unless the inspection client agrees to the limitations and accepts the associated risks of such an inspection, in writing.

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Inspectors are *encouraged* to be visible and professional, with professional uniform shirts, business cards, and professionally signed inspection vehicles. All such items should be kept current and in good condition.

Inspectors may not have any undisclosed home inspection websites, and should notify the Board of Directors of any website URL additions or changes. The spirit of the website should always be “above-fray”, and the inspector is required to make prompt changes where directed, within reason, by HAHI Officials.

The inspector must make right (or whole again) any situation, complaint or damage the inspector in fact caused- before, during or after the inspection, wherever humanly and financially possible- or make satisfactory arrangement to address the issue with the affected party. Under no circumstance is the inspector to deny responsibility for a problem they know is their responsibility.

The inspector / inspection company may not warrant home inspection services, but may offer reputable, third party home warranty services to the client as a separate, extra cost service. The inspector must disclose any financial benefit as a result of offering such service.

The inspector agrees to immediately separate themselves from affiliation or membership with any organization discovered to be highly controversial, unethical, not acting in the best interest of the public, or criminal.

Inspectors are encouraged to refer to another HAHI Member, when they cannot accommodate an inspection request, and the referred inspector should attempt to match quoted pricing- assuming it is not substandard.

Inspectors may not request or charge additional premiums for 1.) Non-holiday weekend inspections or 2.) Homes over a certain price range.

Inspectors shall avoid simply recommending secondary opinions or inspections, without elaborating on the nature of the problem or concern(s) in their report. *Example: “Knob and tube wiring- consult licensed electrician”*. The inspector is required to be more proactive- and elaborate on why it is a concern specifically and outline a solution assuming the background and expertise to do so. This pertains to all systems and components mandated in the Standards of Practice.

The inspector is encouraged to educate themselves on any covered system or component they do not have a good working knowledge of, in the interest of providing a better, more accurate inspection. In other words, inspectors should understand the systems and modern standards, and not rely solely on secondary opinions.