

OFFICE OF CONSUMER PROTECTION

Choosing a Home Inspector...

February 11, 2019

...or How to Inspect the Inspector

WHY YOU SHOULD HIRE AN INSPECTOR

Your home is your biggest investment. The Maryland Office of the Attorney General has a guide titled [Buying a New Home: Consumer Rights and Remedies Under Maryland Law](#) that you should read.

Home buyers entrust home inspectors to look for flaws to help them avoid buying a future money pit. A home inspection gives you information which may be useful in negotiating repairs into the purchase contract, obtaining a



credit for repairs, or providing an escape out of that contract. A good inspector can give you valuable information. A bad one, can [leave you in the dark](#) about potential defects.

All re-sale homes in Maryland are sold in “as is” condition. You may include a home inspection in your purchase contract to allow the negotiation options mentioned above. Newly constructed homes in the County have mandatory warranties of up to five years. See [COMCOR31C.00.01.04.4](#). Montgomery County law specifically permits a pre-sale



*Ensuring Integrity in
our Marketplace*



If you have any questions or concerns about any consumer transaction, or would like to mediate a dispute for free, please contact the Office of Consumer Protection.

100 Maryland Avenue
Suite 330
Rockville, MD 20850
Main: 240.777.3636
Tip Line: 240.777.3681
Fax: 240.777.3768
MC311

You can also file a complaint online by clicking [HERE](#)



inspection for newly constructed homes. See [County Code §40-16\(c\)](#).



If you don't want to ask for an inspection contingency because you are in competition with other buyers, ask if you can do an inspection before you make the offer on the property or an informational inspection after the contract is ratified but before closing. The former allows you to avoid an *offer* while the latter might not allow you to avoid the *purchase*. Your realtor can provide you with the proper negotiation posture.

In either case, you will be paying for the inspection even if you don't buy the property. Moreover, in either scenario, the seller may agree to the inspection but ask that if you do not move forward with an offer, that you not provide them with a copy of the inspection. That is because what a seller doesn't know, a seller doesn't have to disclose.

HOW TO PICK YOUR HOME INSPECTOR



[Checkbook Magazine](#) and [Consumer Reports](#) have a lot of useful information on how to pick your home inspector. The tips include:

1. **Read the contract** in advance to determine what they do, and won't do, in an inspection. Will they climb to the roof, check *every* outlet, lift *every* window, turn on *each* light, test *each* appliance? Finally, find out *who* will do it, as some companies are large enough where the person you meet may not be the person doing the inspection.
 - a. **Specialists may be needed** to check chimneys, foundation, [radon](#), alarms, and other spaces and systems.
 - b. Most inspectors *should* check the HVAC system but double check that your inspector does so before assuming it.
2. **Length of the inspection** determines the thoroughness of the project. But keep in mind a condo will take less time than a single-family home. The same goes for the report. Find out when you can expect it, and what kind of detail and photographs it will contain.
3. **Ask about equipment** to be used. If you are concerned about hidden moisture or leaks, an inspector can't check without a moisture meter. If you feel a draft, the inspector will need an infrared camera to check for air leaks. Be sure to let the inspector know of any concerns you have about the home. Inspectors have a lot of tools at their disposal; make sure they bring all that is needed.
4. **Check ratings and reviews** by former clients. In addition to the [complaint history](#) at the OCP, you can read reviews at [Checkbook Magazine](#), [Better Business Bureau](#), or at the myriad of other consumer review websites. Ask for prior customers as references too.
5. **Experience matters.** Ask about the inspector's background, training and

experience. Some may be former construction foremen, home builders, or architects. Avoid those who offer their own services in connection with problems they find. Inspectors may do hundreds of inspections a year, or only a handful. While volume doesn't matter, experience does. See if they'll provide you with a sample inspection report. If you get one, see how detailed and thorough they are.

6. **Do they guarantee** their work? What limitations on liability exist in the contract if they miss something important? Please know that Errors & Omissions coverage may not necessarily cover negligent work—only legal bills for the inspector. Many contracts seek to cap liability to the cost of the inspection.
7. **Fees** are usually based on square footage; but ask how the inspector will be paid. Ask about any fees for follow-up questions or inspections.
8. **License is required in Maryland** to be a "Home Inspector." Some inspectors are also licensed engineers and will have a "P.E." credential after their names.
9. **Certifications** are not required. Yet, you may want to see if the inspector is certified by the [American Society of Home Inspectors](#) (ASHI) or by the [International Association of Certified Home Inspectors](#) (InterNACHI). Both organizations require study and testing before awarding their Certificates. For ASHI, you want a Certified Inspector or an Inspector. Both organizations have continuing education requirements.
10. **Referrals are great** so long as you trust the source. Realtors are not allowed to get kickbacks, so they may be a great source of referrals. You may also want to pick your own inspector to ensure they are beholden to you and not to the transaction.



Please know that inspectors can analyze only what's accessible. Latent defects, like bad wiring or mold behind drywall, can't be discovered without destructive holes. Because most inspectors also won't move furnishings, ask the owners to clear paths to doors and panels prior to the inspection.

