



## Ohio Revised Code Section 4764.06 Duties of superintendent.

Effective: October 9, 2021

Legislation: House Bill 263

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(A) The superintendent of real estate and professional licensing shall do all of the following:

- (1) Administer this chapter;
- (2) Provide the Ohio home inspector board with meeting space, staff services, and other technical assistance required by the board to carry out the duties of the board under this chapter;
- (3) Provide each applicant for a home inspector license with a copy of the requirements for home inspections specified in rules adopted by the board pursuant to division (A)(10) of section 4764.05 of the Revised Code, and make those requirements available to the public by posting them on the web site maintained by the department of commerce;
- (4) In accordance with division (B) of this section, issue a home inspector license to, or renew a home inspector license for, any person who satisfies the requirements specified in this chapter for such licensure or renewal, and make a list of those licensed home inspectors available to the public by posting the list on the web site maintained by the department of commerce;
- (5) Administer the home inspector recovery fund created under section 4764.21 of the Revised Code;
- (6) Establish procedures, in accordance with division (K) of section 121.08 of the Revised Code, to have fingerprint-based criminal records checks conducted by the bureau of criminal identification and investigation for all applicants for licensure;
- (7) In accordance with the procedures specified in rules adopted by the board in accordance with division (A)(7) of section 4764.05 of the Revised Code, approve an institution or organization wishing to provide continuing education courses or programs if that institution or organization satisfies the requirements specified in rules adopted by the board in accordance with that division and pays the fee established in rules adopted by the board pursuant to division (A)(2)(c) of that



section;

(8) In accordance with the procedures specified in rules adopted by the board in accordance with division (A)(8) of section 4764.05 of the Revised Code, approve a course or program that a licensed home inspector may complete to satisfy the continuing education requirements specified in section 4764.08 of the Revised Code if all of the following are satisfied:

(a) The course or program is offered by an institution or organization approved by the superintendent pursuant to division (A)(7) of this section.

(b) The course or program satisfies the standards established in rules adopted by the board pursuant to division (A)(8) of section 4764.05 of the Revised Code.

(c) The institution or organization pays the fee established in rules adopted by the board pursuant to division (A)(2)(d) of section 4764.05 of the Revised Code.

(9) Issue all orders necessary to implement this chapter;

(10) In accordance with section 4764.12 of the Revised Code, investigate complaints concerning an alleged violation of this chapter or the conduct of any licensee and subpoena witnesses in connection with those investigations, as provided in that section. The subpoena may contain a direction that the witness produce and bring any documents, work files, inspection reports, records, or papers mentioned in the subpoena.

(11) Establish and maintain an investigation and audit section to investigate complaints and conduct inspections, audits, and other inquiries as in the judgment of the superintendent are appropriate to enforce this chapter. The superintendent shall utilize the investigators and auditors employed pursuant to division (B)(4) of section 4735.05 of the Revised Code to assist in performing the duties specified in division (A)(10) of this section.

(12) Specify the information that must be provided on an application for licensure under this chapter;

(13) Establish procedures for processing, approving, and denying applications for licensure under



this chapter;

(14) Specify the format and content of all affidavits and other documents required for the administration of this chapter;

(15) Appoint a hearing officer for any proceeding involving a determination under section 3123.47 of the Revised Code, disciplinary action arising under section 4764.02 or division (A)(6) of section 4764.14 of the Revised Code, or a proceeding under section 4764.16 of the Revised Code.

(B) The superintendent shall not issue a license to a corporation, limited liability company, partnership, or association, although a licensed home inspector may sign a home inspection report in a representative capacity on behalf of any of those types of entities.