

Title 17. Professions, Occupations, and Businesses

Chapter XXXVII. State Board of Appraisers, Abstracters, and Home Inspectors, Department of Labor and Licensing

Part 200. Rules Implementing the Arkansas Appraiser Licensing and Certification Act, the Appraiser Management Company Registration Act, the Abstracters' Licensing Law of 1969, and the Arkansas Home Inspectors Registration Act

Subpart 1. General Applicability

17 CAR § 200-101. General provisions.

(a) Purpose.

(1) This part of the State Board of Appraisers, Abstracters, and Home Inspectors is set forth for the purpose of interpreting and implementing the Arkansas Appraiser Licensing and Certification Act, Arkansas Code § 17-14-101 et seq., Arkansas Code § 17-14-201 et seq., and Arkansas Code § 17-14-301 et seq., Appraisal Management Company Registration Act, Arkansas Code § 17-14-401 et seq., Abstracters' Licensing Law of 1969, Arkansas Code § 17-11-101 et seq., and Arkansas Home Inspectors Registration Act, Arkansas Code § 17-52-301 et seq.

(2) These acts establish the board and grant it full responsibility for licensure of appraisers, abstracters, and home inspectors.

(3) It also provides for the regulation of the appraisal practice, the business of abstracting, and the practice of home inspection.

(b) **Citation.** This part shall be known and may be cited as the State Board of Appraisers, Abstracters, and Home Inspectors rules.

(c) Severability.

(1) If any provision of this part or the application thereof to any person or circumstance is invalid, such invalidity shall not affect other provisions or applications of this part; they can be given effect without the invalid provision or application.

(2) To this end, the provisions of this part are declared to be severable.

(d) Defined terms.

(1) The terms defined in the Arkansas Appraiser Licensing and Certification Act, Appraisal Management Company Registration Act, Abstracters' Licensing Law of 1969, and Arkansas Home Inspectors Registration Act shall have the same meanings when used in this part, unless the context or subject matter clearly requires a different interpretation.

(2) Further terms may be defined in subsequent subparts of this part.

(e) **Rulemaking.** All rules and any subsequent amendments will be promulgated according to the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

Authority. Arkansas Code §§ 17-11-403, 17-14-203, 17-52-306.

17 CAR § 200-102. Board meetings, operation, and compensation.

(a) Board meetings.

(1)(A) The State Board of Appraisers, Abstracters, and Home Inspectors meets at least twice each calendar year to examine applicants for licensure, hear complaints, and transact other business that comes before it.

(B) The dates for each meeting shall be determined by the board.

(2) Notice of any meeting shall be sent to each board member at least ten (10) days before the scheduled date of the meetings.

(3) An administrative assistant shall be present at all meetings of the board and shall record the minutes of all meetings.

(4) Board meetings shall be recorded in compliance with the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq.

(b) Board operations.

(1)(A) Board officers shall be chair, vice chair, and treasurer.

(B) Terms of office for officers shall last one (1) year.

(2) A quorum of the board shall be five (5) members.

(3) The day-to-day business of the board is conducted by the Executive Director of the State Board of Appraisers, Abstracters, and Home Inspectors and staff.

(4) Public information.

(A) Persons seeking information from or submitting information to the board may do so by written communication to the executive director.

(B) All relevant applications and forms may be obtained on the board's website or through the board's office.

(C) Individuals may inspect and copy public records pursuant to the procedures set forth in the Freedom of Information Act of 1967.

(D)(i) The board shall maintain a roster of duly registered abstracters and business entities showing each registered abstracter's or entity's business name, registration, certificate, or authorization number, and last known mailing address.

(ii) This roster shall be open to public inspection.

(E)(i) The board shall maintain a roster of the names, addresses, email addresses, and telephone numbers of all persons licensed and certified under the Arkansas Appraiser Licensing and Certification Act, Arkansas Code § 17-14-101 et seq., Arkansas Code § 17-14-201 et seq., and Arkansas Code § 17-14-301 et seq., and in accordance with Sections 1103(a)(3) and 1109(a)(1) of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, Pub. L. No. 101-73, and shall submit this roster at least monthly to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

(ii) This roster may be published and periodically updated and provided to all interested parties at cost.

(5) Board compensation and expense reimbursement.

(A) Each member of the board shall receive a per diem pursuant to Arkansas Code § 25-16-903(5) as compensation for each meeting of the board at which the member is present and for each day or substantial part thereof actually spent in the conduct of the business of the board, plus all appropriate expenses as approved by the board.

(B) Appropriate expenses are the reimbursable expenses a member of the board necessarily incurs in the discharge of the board member's official duties.

(C) Request for compensation and reimbursement of appropriate expenses shall not be processed for payment unless sufficient funds are available for that purpose within the appropriations of this board.

Authority. Arkansas Code §§ 17-11-403, 17-14-203.

17 CAR § 200-103. General licensure information.

(a)(1) All individuals licensed, registered, or certified by the State Board of Appraisers, Abstracters, and Home Inspectors are required to provide and maintain current mailing and email address and contact information on file with the board so that the board can remain in contact and provide any and all notices from the board.

(2) The licensed, registered, or certified individual is required to provide written notice to the board of any change in contact information within ten (10) working days of the change.

(3) All board notices sent by mail will be addressed to the latest address on file with the board.

(b) The board shall grant a credential to an applicant who fulfills the Arkansas requirements for licensure and is a person who holds a Federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a “work permit”.

(c) Workforce Expansion Act of 2021.

(1)(A) Pursuant to Arkansas Code § 17-5-101 et seq., an applicant may receive a waiver of his or her initial licensure fee, if eligible.

(B) Eligible applicants are applicants who:

(i) Are receiving assistance through the Arkansas Medicaid Program, the Supplemental Nutrition Assistance Program, the Special Supplemental Nutrition Program for Women, Infants and Children, the Temporary Assistance for Needy Families Program, or the Lifeline Assistance Program;

(ii) Were approved for unemployment within the last twelve (12) months; or

(iii) Have an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.

(2) Applicants shall provide documentation showing their receipt of benefits from the appropriate state agency as follows:

(A) For those applicants receiving assistance under subdivision (c)(1)(B)(i) of this section, documentation from the Department of Human Services;

(B) For unemployment benefits approval in the last twelve (12) months, the Division of Workforce Services; or

(C) For proof of income, copies of all Internal Revenue Service forms indicating applicant’s total personal income for the most recent tax year, e.g., W2, 1099, etc. (3)(A)

An applicant seeking a waiver will be required to provide a signed affidavit confirming that he or she qualifies for waiver based on the conditions listed in subdivision (c)(1) of this section and may be required by the board to submit documentation for verification purposes.

(B) Applicants shall also attest that any documentation provided under subdivision (c)(2) of this section is a true and correct copy and fraudulent or fraudulently obtained documentation shall be grounds for denial or revocation of his or her license.

(d) Criminal record.

(1) An individual is not eligible to receive or hold a license if that individual has pleaded guilty or nolo contendere to or been found guilty of any of the offenses listed in Arkansas Code § 17-3-102(a) or Arkansas Code § 17-3-102(e) by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court, unless the conviction was lawfully sealed under the Comprehensive Criminal Record Sealing Act of 2013, Arkansas Code § 16-90-1401 et seq., or otherwise previously sealed, pardoned, or expunged under prior law.

(2) If an individual has been convicted of an offense listed in Arkansas Code § 17-3-102(a) or Arkansas Code § 17-3-102(e), the board may waive disqualification of a potential applicant or revocation of a license based on the conviction if a request for a waiver is made by:

- (A) An affected applicant for a license; or
- (B) An individual holding a license subject to revocation.

(3) The board may grant a waiver upon consideration of the following, without limitation:

- (A) The age at which the offense was committed;
- (B) The circumstances surrounding the offense;
- (C) The length of time since the offense was committed;
- (D) Subsequent work history since the offense was committed;
- (E) Employment references since the offense was committed;
- (F) Character references since the offense was committed;
- (G) Relevance of the offense to the occupational license; and
- (H) Other evidence demonstrating that licensure of the applicant does

not pose a threat to the health or safety of the public.

(4) A request for a waiver, if made by an applicant, must be in writing and accompany the completed application and fees.

(5) The board will respond with a decision in writing and will state the reasons for the decision.

(6) An appeal of a determination under this section will be subject to the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

(e) Prelicensure criminal background check.

(1) Pursuant to Arkansas Code § 17-3-103, an individual may petition for a prelicensure determination of whether the individual's criminal record will disqualify the individual from licensure and whether a waiver may be obtained.

(2) The individual must obtain the prelicensure criminal background check petition form from the board.

(3) The board will respond with a decision in writing to a completed petition within a reasonable time.

(4) The board's response will state the reason or reasons for the decision.

(5) All decisions of the board in response to the petition will be determined by the information provided by the individual.

(6) Any decision made by the board in response to a prelicensure criminal background check petition is not subject to appeal.

(7) The board will retain a copy of the petition and response and it will be reviewed during the formal application process.

(f) Arkansas Occupational Licensing of Uniformed Service Members, Veterans, and Spouses Act of 2021, Arkansas Code 17-4-101 et seq.

(1) The board shall grant automatic licensure to an individual who is the holder in good standing of a license with a similar scope of practice issued by another state, territory, or district of the United States and is:

- (A) A uniformed service member stationed in the State of Arkansas;
- (B) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or

(C) The spouse of:

(i) A person under subdivision (f)(1)(A) or subdivision (f)(1)(B) of this section;

(ii) A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or

(iii) A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

(2) The board shall grant such automatic licensure upon receipt of all the below: (A)(i)

A completed written Uniformed Service Member Application form.

(ii) The form is available on the board's website or from the board office;

(B) Payment of the initial licensure fee;

(C) Evidence that the individual is a holder in good standing of a license with a similar scope of practice in another jurisdiction; and

(D) Evidence that the applicant is a qualified applicant under subdivision (f)(1) of this section.

(3) The expiration date of a license for a deployed uniform service member or spouse will be extended for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(4) A full exemption from continuing education requirements will be allowed for a deployed uniform service member or spouse until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(5) The board shall accept relevant and applicable uniformed service education, training, national certification, or service-issued credential toward licensure qualifications or requirements when considering an application for licensure of an individual under subdivision (f)(1) of this section.

(g) Application denial.

(1) If the board finds that there is substantial reason to deny the application for licensure, the board shall notify the applicant that the application has been denied.

(2)(A) The board shall afford the applicant an opportunity for a hearing before the board to show cause why the application should not be denied.

(B) Such requests must be sent to the board within thirty (30) calendar days from the date notification is received from the board to appeal the decision.

(3) All proceedings concerning the denial shall be governed by the Arkansas Administrative Procedure Act.

(4) The applicant has the burden of establishing entitlement to the license.

Authority. Arkansas Code § 17-14-203.

17 CAR § 200-104. Declaratory orders.

(a)(1) A declaratory order is a means of resolving a controversy or answering questions or doubts concerning the applicability of statutory provisions, rules, or orders over which the State Board of Appraisers, Abstracters, and Home Inspectors has authority.

(2) A petition for declaratory order may be used only to resolve questions or doubts as to how the statutes, rules, or orders may apply to the petitioner's particular circumstances.

(3) A declaratory order is not the appropriate means for determining the conduct of another person or for obtaining a policy statement of general applicability from the board.

(4) A petition or declaratory order must describe the potential impact of statutes, rules, or orders upon the petitioner's interests.

(b) The process to obtain a declaratory order is begun by filing with the board a petition that provides the following information:

(1) The caption shall read: Petition for Declaratory Order before the Arkansas State Board of Appraisers, Abstracters, and Home Inspectors;

(2) The name, address, telephone number, and facsimile number of the petitioner;

(3) The name, address, telephone number, and facsimile number of the attorney of the petitioner;

(4) The statutory provision or provisions, agency rule or rules, or agency order or orders on which the declaratory order is sought;

(5) A description of how the statutes, rules, or orders may substantially affect the petitioner and the petitioner's particular set of circumstances, and the question or issue on which petitioner seeks a declaratory order;

(6) The signature of the petitioner or petitioner's attorney;

(7) The date; and

(8) Request for a hearing, if desired.

(c)(1) The board may hold a hearing to consider a petition for declaratory order.

(2) If a hearing is held, it shall be conducted in accordance with Arkansas Code §§ 25-15-208 and 25-15-213, and the board's rules for adjudicatory hearings.

(d)(1) The board may rely on the statements of fact set out in the petition without taking any position with regard to validity of the facts.

(2) Within ninety (90) days of the filing of the petition, the board will render a final order denying the petition or issuing a declaratory order.

Authority. Arkansas Code § 17-14-203.

Subpart 5. Home Inspectors

17 CAR § 200-501. Registration.

(a) General requirements.

(1) All persons who advertise as a home inspector or perform or attempt to perform a home inspection for a fee in the State of Arkansas shall first register with the State Board of Appraisers, Abstracters, and Home Inspectors and comply with the Arkansas Home Inspectors Registration Act, Arkansas Code § 17-52-301 et seq., and this part.

(2) Every applicant for registration as a home inspector shall have the following qualifications:

(A) The applicant shall have a good reputation for honesty, truthfulness, and fair dealing, and be competent to transact the business of a registered home inspector in such a manner as to safeguard the interests of the public;

(B) The applicant shall meet the current educational and experience requirements for registration prior to the time he or she applies to sit for the registration exam;

(C) The applicant shall not have a criminal record as described in 17 CAR § 200-103(d); and

(D) The applicant shall be at least eighteen (18) years old and shall have received a high school diploma or its equivalent.

(3) In addition to those qualifications listed in subdivision (a)(2) of this section, a nonresident applicant shall be in good standing as a home inspector in every jurisdiction where registered.

(4)(A) All applications for registration, renewal, or reinstatement shall be made on forms provided by the board and completed and signed by the applicant.

(B) The application shall be made under oath.

(C) All applications shall include the appropriate fees.

(D) The board shall not consider an application which is incomplete or for which the correct fees have not been submitted.

(5) The board may require each applicant for registration to furnish, at his or her expense, a recent passport type photograph of himself or herself, as well as any other information or form of identification deemed necessary by the board to determine the applicant's qualifications for registration.

(6) The board reserves the right, at its discretion, to hold for a reasonable length of time for investigation, the application of any applicant before issuing a registration.

(b) Exemption from registration:

(1) A person who by virtue of his or her employment by a public entity does home inspection work for that agency shall not be required to be registered as a home inspector if the inspections are conducted:

(A) Solely for the benefit of that entity; and

(B) For no compensation other than the employee's salary;

(2) Any person holding a valid registration, certificate, or license issued by the state if the person's activity is limited to the activity authorized by his or her registration, certificate, or license;

(3) A person who inspects his or her home; or

(4) A public entity that inspects its residential units with its own personnel specifically trained for the home inspection.

(c) **Initial application requirements.** An applicant for an initial home inspector registration shall submit:

- (1) A completed application for registration;
- (2) A certificate of course completion from a qualifying education course provider approved by the board pursuant to 17 CAR § 200-502;
- (3) The applicant's passing examination score from a test provider approved by the board pursuant to 17 CAR § 200-502;
- (4) A certificate of liability insurance pursuant to 17 CAR § 200-503;
- (5) If applicable, other state or local:
 - (A) Licensure;
 - (B) Certification;
 - (C) Registration; or
 - (D) Permit; and
- (6) A nonrefundable fee pursuant to 17 CAR § 200-510.

(d) Certificates of registration.

- (1) The board shall issue to each registered holder a certificate in a form as shall be prescribed by the board.
- (2) The certificate shall show:
 - (A) The name of the registered holder;
 - (B) A certificate number assigned by the board; and
 - (C) Any other matters as shall be prescribed by the board.
- (3) Certificates of registration of a home inspector shall be issued for a period of at least one (1) year.
- (4) Certificates of registration shall be maintained in sound, fully legible condition and shall be replaced as necessary.
- (5) The registered holder shall have the certificate at the inspection site and shall present it to anyone who may request to see it.

(e) Effective date.

- (1) Initial certificates of registration are valid until December 31 of the calendar year following the issuance of the initial certificate of registration.
- (2)(A) Renewal certificates of registration are issued on a calendar year basis extending from January 1 through December 31.
 - (B) For example, an applicant who receives a certificate of registration on March 1, 2023, would hold a valid license until December 31, 2024, at which time the holder would submit a renewal application and receive a certificate of registration for the following calendar year extending from January 1, 2025, through December 31, 2025.

Authority. Arkansas Code §§ 17-14-203, 17-52-306.

17 CAR § 200-502. Qualifying education and examinations.

(a) Qualifying education.

- (1)(A) An applicant for initial home inspector registration not applying under 17 CAR § 200-103 or 17 CAR § 200-504 shall have successfully completed eighty (80) hours of qualifying education in a course of study pursuant to 17 CAR § 200-507.
 - (B) All qualifying education must be completed within the three-year period immediately preceding the date of application for initial home inspector registration.
 - (C) Qualifying education requirements shall only be accepted from education providers and courses approved by the State Board of Appraisers, Abstracters, and Home Inspectors.
- (2)(A) The following persons shall be exempt from the qualifying education

requirements for initial registration, but not from the requirements concerning the competency examination (individuals under this exemption may be required to provide proof of qualification for exemption):

- (A) City inspectors certified by the International Code Council; and
- (B) Contractors who hold a builder's license and have ten (10) years'

experience as a contractor.

(b) Competency examinations.

(1) An applicant for initial home inspector registration not applying under reciprocity shall successfully pass both:

(A) The current version of the National Home Inspector Examination as provided by the Examination Board of Professional Home Inspectors; and

(B) The current version of the Standards and Ethics Examination as provided by the American Society of Home Inspectors.

(2) A request to sit for the examination shall be made directly to the test provider.

(3) A passing score for the examination is set by the test provider and shall be valid for a period of five (5) years.

(4) The applicant shall follow all written and oral instructions, procedures, and appropriate standards of conduct established by the State Board of Appraisers, Abstracters, and Home Inspectors or testing service administering the examination.

(5) Failure to comply with all instructions, procedures, and appropriate standards of conduct established by the State Board of Appraisers, Abstracters, and Home Inspectors or the testing service shall be grounds for denial of the application or disciplinary action.

Authority. Arkansas Code §§ 17-14-203, 17-52-306.

17 CAR § 200-503. Liability insurance.

(a) **Coverage.** All registered home inspectors must maintain current general liability insurance in the amount of at least one hundred thousand dollars (\$100,000).

(b) Requirements.

(1) All policies and certificates shall provide that cancellation or renewal of the policy shall not be effective unless and until at least ten (10) days' notice of cancellation or nonrenewal has been received in writing by the State Board of Appraisers, Abstracters, and Home Inspectors.

(2) The registered home inspector may add the board as a certificate holder but not as an additional insured and with no additional cost to ensure board notification in the event such liability policy is cancelled for any reason or expires for nonpayment of premiums.

(3) The registered home inspector shall provide the certificate of insurance to the board at the time of initial registration, at the time of renewal of registration, and any other time necessary to ensure the board has the most current and effective certificate of insurance.

(4)(A) It is the responsibility of the registered home inspector to notify the board in writing of any lapses in coverage, including but not limited to the expiration of current coverage or cancellation of the current policy.

(B)(i) The board may mail or send electronically a renewal reminder if the certificate of insurance on file with the board reflects that the policy has expired.

(ii) However, neither failure of the board to send such a reminder nor the registered home inspector's failure to receive such a notice shall excuse the

requirement of the registered home inspector to maintain a current policy on file with the board.

(c) **Failure to maintain liability insurance.** Failure on the part of the registered home inspector to maintain liability insurance and provide proof of insurance to the board shall result in the registration of the affected home inspector being suspended until the insurance is reinstated or replaced.

Authority. Arkansas Code §§ 17-14-203, 17-52-306.

17 CAR § 200-504. Registration for out-of-state home inspectors.

(a) **Automatic Occupational Licensure for Out-of-State Licensure Act, Arkansas Code § 17-7-101 et seq.**

(1) The State Board of Appraisers, Abstracters, and Home Inspectors shall grant automatic registration to an applicant that:

(A) Is a resident of the State of Arkansas;

(B) Does not have a disqualifying criminal offense under Arkansas Code § 17-3-102 or any additional state law relating to home inspectors;

(C) Does not have a complaint, allegation, or violation pending for his or her home inspector activity; and

(D) Meets the following requirements:

(i) Applicant shall be the holder in good standing for one (1) year of a home inspector license, registration, or certificate with similar scope of practice issued by another state, territory, or district of the United States; or

(ii) Applicant shall be an individual who worked:

(a) In another state, territory, or district of the United States that does not use an occupational licensure to regulate home inspectors but is regulated by occupational licensure in this state; and

(b) At least three (3) years in the home inspector occupation.

(2)(A) An applicant shall meet all other home inspector registration requirements for a resident of this state and all renewal requirements of the home inspector registration, including without limitation a criminal background check and continuing education hours.

(B) All requirements must be completed prior to registration renewal.

(b) **Reciprocity.**

(1) **Required qualifications.** An applicant applying for reciprocal registration shall meet the following requirements:

(A) The applicant shall hold a substantially similar license, registration, or certification in another United States jurisdiction;

(B) The applicant shall hold his or her home inspector license, registration, or certification in good standing;

(C) The applicant shall not have had a license, registration, or certificate revoked for:

(i) An act of bad faith; or

(ii) A violation of law, rule, or ethics;

(D) The applicant shall not hold a suspended or probationary license, registration, or certification in a United States jurisdiction; and

(E) The applicant shall be sufficiently competent in the practice of home inspection.

(2) Required documentation. An applicant shall submit a fully executed application, the required fee, and the documentation described below:

(A)(i) Evidence of current and active license, registration, or certificate in another United States jurisdiction.

(ii) The board may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's regulatory board;

(B) To demonstrate that the applicant meets the requirements in subdivision (b)(1) of this section, the applicant shall provide the board with:

(i) The names of all states in which the applicant is currently licensed, registered, or certified or has been previously licensed, registered, or certified; and

(ii)(a) Letters of good standing or other information from each state in which the applicant is currently or has ever been licensed, registered, or certified showing that the applicant has not had his or her license, registration, or certificate revoked for the reasons listed in subdivision (b)(1)(C) of this section and does not hold a license, registration, or certification on suspended or probationary status as described in subdivision (b)(1)(D) of this section.

(b) The board may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board;

(C) As evidence that the applicant is sufficiently competent in the practice of home inspection, an applicant shall submit:

(i) Proof of successful passage of the National Home Inspector Examination;

(ii) Proof of successful passage of a Standards and Ethics Examination; and

(iii) Two (2) home inspection reports;

(D) Proof of general liability insurance as required under 17 CAR § 200-503; and

(E) Proof of Workers' Compensation insurance if applicable.

(3) Temporary and provisional registration.

(A) The board shall issue a temporary and provisional registration immediately upon receipt of the application, the required fee, and evidence of a current and active license, registration, or certificate.

(B) A temporary and provisional registration shall be effective for ninety (90) days during which time the applicant shall provide the remaining documentation required under subdivision (b)(2) of this section.

(C) Failure to submit all documentation required under subdivision (b)(2) of this section prior to the expiration of the ninety-day temporary and provisional registration will result in the applicant's inability to practice as a home inspector in Arkansas until such time

as all requirements have been fulfilled.

(4) Registration for an individual from a nonregulated state.

(A) Required qualifications. An applicant from a state that does not regulate home inspectors shall meet the following requirements:

(i) The applicant shall be sufficiently competent in the practice of home inspection; and

(ii) Has passed the National Home Inspector Examination and the current version of the Standards and Ethics Examination of the American Society of Home Inspectors.

(B) Required documentation. An applicant shall submit a fully executed application, the required fee, and the documentation described below to show the applicant is sufficiently competent in the practice of home inspection:

(i) Proof that the applicant has passed the National Home Inspector Examination and the current version of the Standards and Ethics Examination of the American Society of Home Inspectors; and

(ii) Four (4) home inspection reports.

Authority. Arkansas Code §§ 17-14-203, 17-52-306.

17 CAR § 200-505. Renewal.

(a)(1) Home inspector registration must be renewed each year with the exception of initial certificates of registration or they will be placed in an expired status.

(2) Each home inspector registration renewal is December 31 of each year.

(b)(1) An application to renew a registration shall be submitted on a form obtained from the State Board of Appraisers, Abstracters, and Home Inspectors office or on the board's website.

(2) Applicants may renew electronically through the board's electronic licensing portal.

(c) Renewal notification.

(1) The board shall mail a notice of upcoming registration expiration to each currently registered home inspector no more than sixty (60) days and no less than forty-five (45) days before the expiration of the certificate of registration.

(2) However, neither failure of the board to send such a reminder nor the registered home inspector's failure to receive such a notice shall excuse the requirement of the registered home inspector to renew a certificate of registration.

(d)(1) Registered home inspectors shall file a timely and sufficient renewal application with the board by the renewal date each year.

(2) An application shall be deemed filed on the date received by the board, the date of electronic submission or, if mailed, the date postmarked, but not the date metered.

(e) The board will issue a new certificate of registration indicating the new expiration date after receiving:

(1) Evidence of completion of the required continuing education;

(2) A current certificate of insurance;

(3) The appropriate renewal fee; and

(4) If requested by the board, copies of home inspection reports.

(f) **Late renewal.**

(1) The registration of a home inspector shall be placed in an expired status unless the home inspector submits a timely and sufficient renewal application by the expiration date.

(2)(A) During the first one hundred eighty-four (184) days of expired status, a registered home inspector may renew their registration by submitting the appropriate renewal form.

(B) This includes the payment of the renewal fees, a late fee of fifty dollars (\$50.00) per month or partial month elapsed since the renewal date, and submitting the required continuing education reporting form and completion certificates.

(3)(A) After one hundred eighty-five (185) days up to twelve (12) months of expired status, a registered home inspector may renew their registration by submitting the appropriate renewal form.

(B) This includes the payment of renewal fees and submitting the required continuing education reporting form and completion certificates.

(C) This includes evidence of completion of the ASHI Standards of Practice and Code of Ethics course.

(4)(A) A registered home inspector who fails to reinstate their registration within twelve (12) months of the expiration date of the registration may reinstate their registration by submitting the appropriate reinstatement form.

(B) This includes payment of the appropriate renewal fee and evidence of the completion of the required continuing education hours.

(C)(i) Registered home inspectors in an expired status must complete all required continuing education that would have been required if the certificate holder was in active status.

(ii) The required hours must also include evidence of completion of the ASHI Standards of Practice and Code of Ethics course.

(D)(i) Continuing education hours required are fourteen (14) hours per year for each year or partial year the registration was expired plus any continuing education hours required at the time the registration was placed in an expired status.

(ii) For example, number of years expired multiplied by fourteen (14) hours plus number of hours due when registration was placed on expired status equals the total number of continuing education hours that must be submitted.

(5)(A) Registered home inspectors are not authorized to practice or to hold themselves out to the public as home inspectors during the period of time that his or her registration is expired.

(B) Any violation of this shall be grounds for discipline.

(g) These renewal and reinstatement rules do not apply to a person who has had his or her registration revoked or suspended.

Authority. Arkansas Code §§ 17-14-203, 17-52-306.

Codification Notes. "ASHI" means American Society of Home Inspectors.

17 CAR § 200-506. Continuing education.

(a) A home inspector who makes application to renew his or her home inspector registration shall successfully complete the equivalent of fourteen (14) hours per year of approved continuing education preceding the renewal.

(b) A minimum of eight (8) hours of continuing education must be approved as mandatory courses, as defined by subdivision (k)(1) of this section.

(c) Credit towards the continuing education hour requirements for home inspector registration may be granted only where the length of the educational offering is at least two (2) hours.

(d)(1) A maximum of three (3) hours per renewal year may be granted for participation, other than as a student, in home inspector educational processes and programs.

(2) Examples of activities for which credit may be granted include, but are not limited to, teaching, program development, authorship of textbooks, or similar activities that are determined to be equivalent to obtaining continuing education.

(3) Credit for instructing any given course or seminar can only be awarded once during a continuing education cycle.

(e) In addition to the general requirements described in 17 CAR § 200-507, asynchronous distance education courses intended for use as continuing education must include at least one (1) of the following:

(1)(A) A written examination proctored by an official approved by the college, university, or by the sponsoring organization.

(B) Remote proctoring, including biometric procedures as noted in 17 CAR § 200-507, is acceptable.

(C) The term "written" as used in this subdivision (e)(1) means an exam that might be written on paper or administered electronically on a computer workstation or other device.

(D) Oral exams are not acceptable; or

(2) Successful completion of prescribed course mechanisms required to demonstrate knowledge of the subject matter.

(f) The State Board of Appraisers, Abstracters, and Home Inspectors may award continuing education credit to registered home inspectors who attend a board meeting, under the following conditions:

(1)(A) Credit may be awarded for a single board meeting per continuing education cycle.

(B) The meeting must be open to the public and must be a minimum of two (2) hours in length.

(C) The total credit cannot exceed four (4) hours; and

(2) The board must ensure that the registered home inspector attends the meeting for the required period of time.

(g) Failure to complete continuing education requirements shall result in suspension of the home inspector's registration.

(h)(1) The board may waive all or part of the continuing education requirements for any registered home inspector who submits satisfactory evidence of the registered home

inspector's inability to meet the continuing education requirements due to debilitating health, hardship, or extenuating circumstances beyond the registered home inspector's control.

(2) Loss of income resulting from cancellation of license is not a hardship.

(3) A waiver request shall be submitted in writing at least sixty (60) days prior to the date of registration renewal and shall include an explanation and any supporting documentation to verify hardship.

(4) Should a registered home inspector not submit the waiver request prior to renewal, the request may be submitted at the time of renewal and should further include an explanation as to why the request was not made in a timely manner.

(i)(1) Registered home inspectors shall maintain and submit with registration renewal a Continuing Education Credit Reporting form.

(2) The reporting form shall be completed in its entirety to list all completed courses being submitted for continuing education credit.

(3) Certificates of completion shall be submitted with the reporting form.

(j) Copies of the Continuing Education Credit Reporting form, certificates of completion, and any other supporting documentation submitted to the board shall be retained by the registered home inspector for at least two (2) years after submission.

(k) Continuing education courses for home inspectors shall include course work designed to increase the home inspector's skill, knowledge, and competency in home inspections and shall cover topics such as, but not limited to:

(1) Mandatory courses, including, but not limited to:

(A) Identifying and inspecting the following components and systems:

(i) Exteriors;

(ii) Interiors;

(iii) Roofing;

(iv) Plumbing;

(v) Electrical;

(vi) HVAC;

(vii) Structural;

(viii) Miscellaneous appliances; and

(ix) Solid fuel burning appliances; and

(B) Applicable laws and standards of practice; and

(2) Elective courses, including, but are not limited to:

(A) Business concepts and marketing techniques; and

(B) Report writing/customer relations overview.

Authority. Arkansas Code §§ 17-14-203, 17-52-306.

Codification Notes. "HVAC" means heating, ventilation, and air conditioning.

17 CAR § 200-507. General education approval, requirements, and provider information.

(a) General requirements for education offerings.

(1)(A) The State Board of Appraisers, Abstracters, and Home Inspectors may

approve or disapprove all course offerings for qualifying education and continuing education.

(B) The approval process shall apply to course content, facilities, text, course delivery mechanism, and other materials utilized in the offering and instructors.

(C) The board may, at its sole discretion, employ the services of an advisory education panel for the purpose of reviewing educational offerings for quality, content, and qualifications of instructors.

(2) Time requirements for the purpose of all educational offerings include:

(A) A class hour defined as sixty (60) minutes, of which at least fifty (50) minutes are instruction attended by the student; and

(B) The prescribed number of class hours includes time for examinations.

(3) Credit for class hour requirements may be obtained only from the following providers:

(A) Colleges or universities;

(B) Community or junior colleges;

(C) Home inspector or home inspector-related organizations;

(D) State or federal agencies or commissions;

(E) Proprietary schools;

(F) Providers approved by the board; or

(G) The American Society of Home Inspectors.

(4)(A) Distance education is defined as any education process based on the geographical separation of student and instructor.

(B) Components of distance education include synchronous, asynchronous, and hybrid.

(C)(i) In synchronous educational offerings, the instructor and students interact simultaneously online, video chat or live webinar, or web-based meeting.

(ii) Synchronous courses provide for instruction and interaction substantially the same as onsite classroom courses.

(iii) Synchronous courses meet class hour requirements if they comply with subdivisions (a)(2) and (3) of this section.

(D)(i) In asynchronous educational offerings, the instructor and student interaction are nonsimultaneous; the students progress at their own pace and follow a structured course content and quiz/exam schedule.

(ii) An asynchronous distance education course is acceptable to meet class hour requirements if:

(a)(1) The course provides interaction.

(2) Interaction is a reciprocal environment where the student has verbal or written communication with the instructor; and

(b)(1) Content approval is obtained from the board or an accredited college, community college, or university that offers distance education programs and is approved or accredited by the Higher Learning Commission, a regional or national accreditation association, or by an accrediting agency that is recognized by the United States Secretary of Education.

(2) Nonacademic credit college courses provided by a college shall be approved by the board; and

(c) Course delivery mechanism approval is obtained from one of the following sources:

(1) A college or university that qualifies for content approval in subdivision (a)(4)(D)(ii)(b) of this section that awards academic credit for the distance education course; or

(2) A qualifying college or university for content approval with a distance education delivery program that approves the course design and delivery that incorporates interactivity.

(iii) If the certification of the course delivery mechanism expires prior to the board's expiration date of the course, the course will not be accepted for credit until the provider can provide an updated certification.

(E)(i) Hybrid courses, also known as blended courses, are learning environments that allow both in-person and online (synchronous or asynchronous) interaction.

(ii) Hybrid courses meet class hour requirements if each of its sessions meet the requirement for the delivery method employed:

(a) In-person sessions meet subdivisions (a)(2) and (3) of this section;

(b) Synchronous course sessions meet subdivisions (a)(2) and (3) of this section; and

(c) Asynchronous course sessions must meet subdivisions (a)(2), (a)(3), and (a)(4)(D) of this section.

(5)(A) A list of approved education providers and courses is available on the board's website.

(B) If a course is taken that is not on that list, it may be submitted to the board for individual consideration by submitting the following:

(i) A course completion certificate;

(ii) A timed outline provided by the education provider; and

(iii) A course description from the education provider.

(6)(A) Education course approval by the board is initially granted for a period of two (2) years provided no substantive changes in course content is made.

(B) Approval may be extended by an additional two (2) years on the written request by the provider.

(C) Failure to timely request an extension will result in automatic termination of the education offerings approval status.

(7) A provider shall apply for course approval no later than forty-five (45) days prior to the date of expiration of the original course approval.

(8)(A) All persons or providers requesting approval from the board for an education course shall submit to the board office a completed Education Course Approval Application that is found on the board's website.

(B) The application must be accompanied by the following:

(i) A timed outline allocating each heading and subtopic;

(ii) A copy of the course materials;

(iii) Instructor resume or resumes;

(iv) All course delivery mechanism approval certificates, if

applicable; and

(v) Applicable fees.

(9)(A) Upon approval, the board may assign the course a number.

(B) The course provider may use the course number in the:

(i) Course syllabus;

(ii) All course materials; and

(iii) All written advertising materials for the course.

(10) The board may at its discretion adopt and implement various procedures for the auditing of any offerings that have been accepted for qualifying and continuing education approval by the board.

(11) Substantial changes, such as a change in the agenda, published course description, or instructor made in any course shall require new approval of that course.

(12) Examination proctor qualifications.

(A) The proctor shall not be related to the student by blood or marriage and may not be engaged in any association (personal or business) with the student.

(B) The proctor may be selected from the following professions:

(i) A university, college, or community college professor or instructor; or

(ii) A public or private school professional (superintendent, principal, guidance counselor, librarian, etc.).

(C) Proctors shall be approved in advance by the board.

(13) Examination proctor duties.

(A)(i) The proctor shall be satisfied that the person taking the examination is the person registered for the course.

(ii) This should be verified with a picture ID and another identification document (driver's license, student ID card, etc.).

(B)(i) The proctor shall be in the room while the student is taking the exam.

(ii) The proctor shall ensure that the student does all the work himself or herself without aids of any kind including books, notes, conversation with others, or any other external resource.

(iii) If the exam calls for mathematical calculations, a nonprogrammable handheld calculator may be used.

(C)(i) The proctor shall see that the student adheres to the time limit requirement specified for the examination.

(ii) The examination must be completed in one (1) sitting.

(iii) If the examination is interrupted for any reason, the examination can be restarted only by notifying the board that the examination was interrupted and the reason for the interruption, and the board or its designee must approve the request to resume.

(D) Upon completion of the examination, the proctor shall submit a certificate indicating the verification of the identity of the student, that the examination was completed on the date assigned during the time permitted, and that the student has done all the work himself or herself without aids of any kind including books, notes, conversation with

others, or any other external resource while taking the examination, including access to internet search engines or web pages other than that displaying the examination.

(b) Criteria specific to qualifying education.

(1) Qualifying education course requirements of education providers.

(A) For purposes of this section, "course" means a course of instruction that meets the curriculum requirements of below and shall be at least seven (7) hours in length.

(B) Each course shall conform with the appropriate course curriculum prescribed by subdivision (b)(2) of this section.

(C)(i) An exit examination of a minimum of one hundred twenty-five (125) questions covering all topics in subdivision (b)(2) of this section is required at the end of the qualifying education program.

(ii) The questions shall be either multiple choice or true-false or a combination of multiple choice and true-false.

(iii) Open book examinations shall not be accepted.

(iv) No student shall be deemed to have successfully completed the program unless he or she has scored a minimum of seventy percent (70%) on the exit examination.

(D)(i) The board shall only grant approval for courses that are part of an overall qualifying education program for a home inspector registration.

(ii) An education provider must have a complete eighty-hour qualifying education program approved by the board.

(E)(i) In addition to the generic requirements described in subsection (a) of this section, distance education courses intended for use as qualifying education must include a written, closed-book final examination.

(ii) The examination must be proctored in person or remotely by a board-approved proctor.

(iii)(a) Biometric proctoring is acceptable.

(a) The term "written" as used in this subdivision (b)(1)(E) means an exam that might be written on paper or administered electronically on a computer workstation or device.

(iv) Oral exams are not acceptable.

(v) The testing must comply with the examination requirements of this section.

(F)(i) No approved education provider shall advertise that it is endorsed, recommended, or accredited by the board.

(ii) The education provider may indicate that the course of study has been approved by the board.

(G) Each education provider shall provide a prospective student, prior to enrollment, with information that specifies the course of study to be offered, the tuition, the provider's policy regarding refunds, any additional fee for supplies, materials, or books, and other matters that are material to the relationship between the provider and the student.

(H) Each education provider shall provide certificates of completion to all students who successfully complete board-approved courses.

(2) Qualifying education course curriculum.

(A) Qualifying education course work to obtain a registration as a home inspector shall consist of a minimum of sixty-four (64) hours of instruction and a minimum of sixteen (16) hours of field training.

(B) The content for qualifying education instruction courses shall not be repetitive and shall represent a progression of instruction in that the student's knowledge is increased in topics that include, but are not limited to:

- (i) Exteriors: exterior study must contain the following, at a minimum:
 - (a) Identification and inspection of exposed foundations;
 - (b) Identification and inspection of siding and exterior wall covering material, flashing, and trim, including aluminum, brick, vinyl, steel, asphalt, hardboard, stucco, wood, and exterior insulation finish system;
 - (c) Identification and inspection of gutter and drainage control systems;
 - (d) Inspection of porches, steps, and railings, including the structural composition; and
 - (e) Identification and implications of vegetation, grading, and surface drainage, including retaining walls, walkways, and driveways leading to a dwelling entrance;
- (ii) Interiors: interior study must contain the following, at a minimum:
 - (a) Identification and inspection of wall, ceiling, and floor defects;
 - (b) Identification and inspection of step, stair, and railing defects;
 - (c) Identification and inspection of countertop, cabinet, and island defects as they pertain to a kitchen or other type room;
 - (d) Identification and inspection of interior and exterior door defects;
 - (e) Identification and inspection of window defects and operation; and
 - (f) Identification and inspection of garage door defects, garage door opener defects, and garage structure defects, including fire safety and habitability;
- (iii) Roofing: roofing study must contain the following, at a minimum:
 - (a) Identification of the types and styles of roofs;
 - (b) Identification and inspection of the roofing materials used, including asphalt, cedar shake, cedar shingle, tar, residential rolled roofing, clay or concrete tiles, slate, metal, and asbestos;
 - (c) Identification and inspection of skylights and flashing; and
 - (d) Identification of chimneys and other penetrations, including proper height and composition;
- (iv) Plumbing: plumbing study must contain the following, at a

minimum:

- (a) Identification and description of the main distribution system, including all fixtures, faucets, and materials;
- (b) Identification and description of all drain, waste, and vent systems, including all fixtures and materials;
- (c) Identification and description of water heating systems;
- (d) Identification and description of fuel distribution systems and materials;
- (e) Description and identification of all drainage control devices, including sump pumps, ejector pumps, or other related piping; and

(f) Identification of water source and sewer distribution;

(v) Electrical: electrical study must contain the following, at a

minimum:

- (a) Identification and inspection of the main service, including the size, location, overcurrent protection such as a breaker or a fuse, service, entrance conductors, cables, and raceways;
- (b) Identification and inspection of the branch distribution, including fuse boxes, breaker boxes, and subpanels;

(c) Identification and inspection of all overcurrent protection devices and wire type identification;

(d) Identification and inspection of installed lighting fixtures, switches, and receptacles; and

(e) Identification and inspection of safety devices, including ground fault circuit interrupters;

(vi) Heating, ventilation, and air conditioning (HVAC): HVAC study must include the following, at a minimum:

(a) Identification and inspection of the installed heating equipment, including gas forced air, fuel oil forced air, heat pumps, electric forced air, and hydronic heating equipment, as well as the distribution related to the various types;

(b) Identification and inspection of fuel sources and distribution;

(c) Identification and inspection of flue pipes and spent gas removal systems;

(d) Identification and inspection of all related safety devices; and

(e) Identification and inspection of installed cooling systems, including central and window mounted systems;

(vii) Structural: structural study must contain the following, at a minimum:

(a) Identification and inspection of all structural components, including floor and wall framing;

(b) Identification and inspection of all foundation support systems, including poured concrete, concrete block, brick, stone, and wood, and all related perimeter footing systems;

seepage-related sources;

systems related to composition;

floor ventilation; and

protection systems;

following, at a minimum:

appliances, chimneys, and vents; and

including but not limited to range, stove, oven, refrigerator, window air conditioner, washer, dryer, trash compactor and garbage disposal, and other appliances that may be part of a transaction; and

contain the following, at a minimum:

of practice.

- (c) Identification and inspection of water-related or
- (d) Identification and inspection of flood control devices;
- (e) Identification and inspection of roof structure and
- (f) Identification and inspection of under-roof and under-
- (g) Identification and inspection of insulation and vapor
- (viii) Miscellaneous appliances: appliance study must contain the
- (a) Identification of all fireplaces, solid fuel burning
- (b) Identification and inspection of all major appliances,
- (ix) Standards of practice: standards of practice study must
- (a) The full content of the current version of the American
- (b) The current version of the American Society of Home
- (c) Required disclosures to a client;
- (d) Required report content;
- (e) Competent report writing; and
- (f) Specific knowledge of business practices and standards

Authority. Arkansas Code §§ 17-14-203, 17-52-306.

17 CAR § 200-508. Standards of practice, code of ethics, and inspection reports.

(a) Except where in conflict with Arkansas law or the rules of the State Board of Appraisers, Abstracters, and Home Inspectors, the board adopts the most current American Home Inspectors Association Standards of Practice for all registered home inspectors.

(b) Except where in conflict with Arkansas law or the rules of the board, the board adopts the most current American Home Inspectors Association Code of Ethics for all registered home inspectors.

(c) A copy of the Standards of Practice and the Code of Ethics is available on the board's website.

(d) Home inspection reports.

(1) **Identification.** All written or electronic home inspection reports presented to clients shall prominently contain:

(A) The printed name, signature, registration number and expiration

date, mailing address, and phone number of any person or persons properly registered who participated significantly in the performance of the home inspection;

- (B) The date of the inspection;
- (C) The full physical address of the inspected property; and
- (D) The name of the client or intended user.

(2) Content.

(A) All written or electronic home inspection reports presented to clients shall, at a minimum, list each item required to be inspected by the Standards of Practice.

(B) Each item shall be displayed in the report in a manner which indicates that the item has or has not been inspected, along with any reason for not having been inspected.

(C) Any item listed in the report which is not required to be inspected by the Standards of Practice shall also be displayed in a manner which indicates that the item has or has not been inspected, or that the item is not present in the home.

(2) **Retention.** The home inspector shall retain an exact copy of all home inspection reports presented to clients for a period of at least five (5) years following the dates of the inspection.

(e) Violation of the Standards of Practice, Code of Ethics, or failure to include the required information in a home inspection report may result in disciplinary action by the board.

Authority. Arkansas Code §§ 17-14-203, 17-52-306.

17 CAR § 200-509. Discipline: grounds, complaints, and adjudications.

(a) **Grounds for disciplinary action.** The State Board of Appraisers, Abstracters, and Home Inspectors may take appropriate disciplinary action for, but not limited to, the following:

(1) Any violation of the provisions of the Arkansas Home Inspectors Registration Act, Arkansas Code § 17-52-301 et seq., or this part;

(2) Falsifying any application for registration or otherwise providing false information to the board;

(3) Conviction of any felony listed under Arkansas Code § 17-3-102;

(4)(A) Any actions demonstrating untrustworthiness, incompetence, dishonesty, gross negligence, material misrepresentation, fraud, or unethical conduct in any dealings subject to the Arkansas Home Inspectors Registration Act or this part.

(B) Dishonest, unethical, or unprofessional conduct may include, but is not limited to, the following:

(i) The home inspector expresses an opinion not based on practical experience or education and honest conviction;

(ii) The home inspector fails to act in good faith in dealing with a client;

(iii)(a) The home inspector discloses any information concerning the results of a home inspection without the approval of the client, unless conditions that threaten health, safety, or welfare exist that require emergency action.

(b) If any dangerous situations exist, the home inspector is required to report those findings to the homeowner;

(iv) The home inspector accepts compensation from more than one (1) interested party for the same service without the consent of all interested parties;

(v) The home inspector offers or accepts commissions or allowances, directly or indirectly, from other parties dealing with a client while providing a home inspection;

(vi) The home inspector fails to promptly disclose in writing to a client any interest in a business or the subject property that may affect or have the potential to affect the client;

(vii) The home inspector allows an interest in any business to affect the quality of the results of a home inspection;

(viii) The home inspector fails to disclose in writing to the client prior to the home inspection any limitations or exclusions of systems or components being inspected;

(ix) The home inspector aids or assists another in the violation of the Arkansas Home Inspectors Registration Act or this part;

(x) The home inspector fails to satisfy a material term of a consent to administrative supervision order or consent order;

(xi) The home inspector aids, assists, or facilitates another to use or appropriate credentials or a license for the purpose of preparing a home inspection report knowing that person to be unlicensed; and

(xii) The home inspector advises a client as to whether the client should or should not engage in a real estate transaction or provides an opinion of value regarding the residential real property that is the subject of the home inspection;

(5) Adjudication of insanity;

(6) Use of advertising or solicitation that is false, misleading, or is otherwise deemed unprofessional by the board; or

(7) Habitual or excessive use of intoxicants or illegal drugs.

(b) Complaints.

(1) Complaints shall be filed within three (3) years from the date of the actions complained of.

(2)(A) For a complaint to be considered, the complainant shall file the complaint in writing.

(B) The written complaint shall specifically state the issues of the complaint and the date or dates on which the events causing or leading to the complaint occurred.

(3) The board may initiate its own complaint when sufficient documents and information are available on which to conclude that the Standards of Practice, Code of Ethics, the state law, or the board rules may have been violated.

(4)(A) The registered home inspector will be notified in writing of the complaint.

(B) A copy of the complaint and a request for a written response within thirty (30) days shall be furnished to the home inspector.

(C) Failure to respond within thirty (30) days of receipt of the complaint will be deemed unresponsive and the complaint will be further considered without the benefit of the home inspector's input.

(5)(A) The board's staff, legal representative, and board investigator (appointed board member or contracted investigator) will review the complaint and all corresponding documents and make recommendations to the board.

(B) Recommendations may include:

(i) Dismissal of complaint;

(ii) Informal proceedings, including, but not limited to, caution letters, corrective action agreements, or consent agreements; or

(iii) Disciplinary hearing.

(6) All work papers submitted to the board for action on complaints and disciplinary procedures shall not be deemed public records under the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq.

(c) Hearings.

(1)(A) Hearings to revoke or suspend a registration or to impose other disciplinary sanctions are adjudicative hearings.

(B) The board acts in a quasi-judicial capacity when it conducts an adjudicative hearing.

(2) All adjudicative hearings before the board are held under the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

Authority. Arkansas Code §§ 17-14-203, 17-52-306.

17 CAR § 200-510. Fees.

(a)(1) **Types of fees.** The following fees shall be paid for preregistration applications and for the issuance of original and renewal registrations and for other purposes and activities of the State Board of Appraisers, Abstracters, and Home Inspectors:

(A) Initial registration fee, two hundred fifty dollars (\$250);

(B) Registration renewal fee, two hundred fifty dollars (\$250);

(C) Delinquent fee, fifty dollars (\$50.00) (monthly);

(D) Returned check fee, twenty-five dollars (\$25.00) (plus State Treasury fee);

(E) Change of address fee, ten dollars (\$10.00);

(F) Qualifying education course or seminar approval fee, two hundred dollars (\$200);

(G) Continuing education course or seminar approval fee, forty-five dollars (\$45.00);

(H) Renewal of qualifying education fee, one hundred dollars (\$100); and

(I) Renewal of continuing education fee, twenty-five dollars (\$25.00).

(2) Pursuant to Arkansas Code § 17-52-316, registration fees may be reviewed and adjusted annually by the board as deemed necessary for its effective operation but shall in no way exceed three hundred dollars (\$300) annually.

(b) Payment of fees.

(1) All fees shall be paid either by cashier's check, money order, or personal check made payable to the State Board of Appraisers, Abstracters, and Home Inspectors or electronic payment through the board's electronic licensing platform.

(2)(A) All fees are nonrefundable except in special circumstances when a refund petition has been submitted to the board and the board consents to the request.

(B) No registration fee or any portion of a fee will be refunded should any registration be surrendered, suspended, or revoked during the term for which the registration is issued.

(c) Delinquency provision (fees, continuing education, and certificate of insurance).

Registered home inspectors who fail to pay their annual renewal fees, meet the required continuing education on or before the renewal deadline, or fail to submit a current certificate of insurance shall be notified that their registration is expired.

Authority. Arkansas Code §§ 17-14-203, 17-52-306.