

Real Estate Update

Home Inspectors Must Now Be Licensed

Until now, literally anyone could claim to be a home inspector and sell inspection services to consumers. There were no qualification or inspection standards. All that will change next year.

Beginning September 1, 2009, it will be illegal for a person to engage in, conduct, advertise, or hold themselves out as a home inspector unless he or she obtains a license from the Department of Licensing.

Current home inspectors who have at least two years of experience and have inspected at least one hundred homes can obtain a license prior to that date; otherwise they have until July 1, 2010, to obtain a license under the new requirements.

The newly-created Home Inspector Advisory Licensing Board will develop minimum standards that must be met for inspections and the specific requirements for obtaining a license. However, at a minimum a license applicant must:

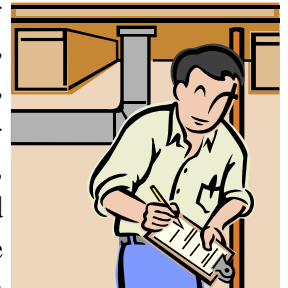
- ♦ have 120 hours of approved classroom instruction

- ♦ have 40 hours of field training supervised by a licensed home inspector
- ♦ pass a written exam.

License holders must also complete at least 24 hours of continuing education every two years.

The new law also attempts to prevent conflicts of interest – such as recommending repairs to generate repair work – by prohibiting a home inspector from performing any other type of work on the house for a year after the inspection.

Professionals who are otherwise licensed by the State, such as architects, engineers, certified real estate appraisers, electricians, plumbers, pesticide operators and structural pest inspectors are exempt and need not obtain a second license.



One Step Closer to Electronic Recording

Washington has now joined eighteen other states and the District of Columbia by adopting the Uni-

form Real Property Electronic Recording Act, moving the state one step closer to implementing

electronic signatures, notary acknowledgements and recording of deeds and other real estate documents.

The Act provides the authority needed by county auditors to implement a system for the recording, storage, and transmission of documents existing in electronic form. It authorizes the official recording of an electronic document and the acceptance of a legally required signature, notarization, verification, or acknowledgment when received electronically in accordance with specified requirements.

However, don't rush to your computer just yet! Electronic recording will not start until electronic recording standards are developed and implemented, and likely will be on a county-by-county basis.

The law also establishes an E-Recording Standards Commission to be appointed by the Secretary of State to review and make recommendations on those standards. To date, the Commission has not been appointed.



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