

Department of State
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Sequence Number: 03-14-23
 Notice ID(s): 3607
 File Date: 3/20/2023

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Home Inspector Licensing Program
Division:	Regulatory Boards
Contact Person:	Anna D. Matlock
Address:	500 James Robertson Parkway, Nashville, Tennessee
Phone:	(615) 253-0070
Email:	Anna.Matlock@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	500 James Robertson Parkway Davy Crockett Tower Nashville, TN 37243
Phone:	(615) 741-0481
Email:	Don.Coleman@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway		
Address 2:	Conference Room 1-B		
City:	Nashville		
Zip:	37243		
Hearing Date:	May 12, 2023		
Hearing Time:	9:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

If this in-person hearing is prohibited by reason of Executive Order, closure of the building, or a determination by the Assistant Commissioner, this hearing will be conducted via Microsoft Teams.

Please visit <https://www.tn.gov/commerce/regboards/homeinsp/meetings.html> to access the scheduled meeting. Here, in the meeting schedule table, on the "5/12/2023" row's "Location" column description, please click the "Connect" link. This link will take you to the Microsoft Teams meeting.

Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0780-05-12	Home Inspectors
Rule Number	Rule Title
0780-05-12-.10	Standards of Practice

Chapter 0780-05-12
Home Inspectors
Amendments

Rule 0780-05-12-.10(9)(a)(8) Standards of Practice is amended by deleting “detectors” and substituting “alarms” instead so that, as amended, the rule shall read:

(9) Electrical Systems.

(a) The home inspector shall inspect:

8. Smoke alarms.

Authority: T.C.A. §§ 62-6-303.

Rule 0780-05-12-.10(9)(d) Standards of Practice is amended by deleting the text of paragraph (9)(d) in its entirety and substituting instead language so that, as amended, the rule shall read:

(d) The home inspector shall report:

1. The presence or absence of smoke alarms. If the smoke alarm is an individual (standalone) unit, the home inspector shall operate its test function if the smoke alarm is incorporated into an alarm system, the entity that monitors the smoke alarm system should test the smoke alarm;
2. Any deficient or non-working smoke alarms;
3. Any smoke alarms that the home inspector otherwise believes may require replacement;
4. Any area where the home inspector believes smoke alarms may be insufficient;
5. The location of any smoke alarm, and any additional information reasonably necessary to sufficiently identify the smoke alarm, that is more than ten (10) years old from its date of manufacture and a recommendation that any such smoke alarm be replaced with a device of the same type; and
6. That the person receiving the report should contact the State Fire Marshal's Office to determine if a free smoke alarm may be available to them.

Authority: T.C.A. §§ 62-6-303.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: March 20, 2023

Signature: *Anna D. Matlock*

Name of Officer: Anna D. Matlock

Title of Officer: Associate General Counsel

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Filed with the Department of State on: 3/20/2023

Tre Hargett

Tre Hargett
Secretary of State

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Rule 0780-05-12-.10(9)(d) Standards of Practice is amended by deleting the text of paragraph (9)(d) in its entirety and substituting instead language so that, as amended, the rule shall read:

(d) The home inspector shall report: ~~on the presence or absence of smoke detectors. If the smoke alarm detector is an individual (stand alone) unit, the home inspector shall operate its test function. If the smoke detector is incorporated into an alarm system, the entity that monitors the alarm system should test the smoke detector.~~

1. The presence or absence of smoke alarms. If the smoke alarm is an individual (standalone) unit, the home inspector shall operate its test function if the smoke alarm is incorporated into an alarm system, the entity that monitors the smoke alarm system should test the smoke alarm;
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3. Any smoke alarms that the home inspector otherwise believes may require replacement;
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