

Adopt Home 100 to read as follows:

CHAPTER Home 100 DEFINITIONS, ORGANIZATION AND PUBLIC INFORMATION

PART Home 101 PURPOSE AND SCOPE

Home 101.01 Purpose and Scope.

(a) The rules of this title implement the statutory responsibilities of the New Hampshire board of home inspectors created by RSA 310-A: 182.

(b) These provisions regulate but are not limited to the licensing of home inspectors and the practice of home inspection in the state of New Hampshire.

PART Home 102 DEFINITIONS

Home 102.01 Terms Used. As used in these rules, the following terms shall have the meanings indicated:

(a) "Board" means the New Hampshire board of home inspectors created by RSA 310-A:183.

(b) "Executive director" means the board's staff director, a person with delegated authority to perform administrative and clerical functions for the board.

(c) "Home inspector" means, "home inspector" as defined in RSA 310-A:183, IV namely " a person who, by reason of professional education or practical experience, or both, is qualified to engage in the practice of home inspections as attested by licensing as a home inspector."

(d) "Home inspection" means "home inspection" as defined in RSA 310-A:183, V namely "the process by which a home inspector visually examines the readily accessible systems and components of a home and which describes those systems and components in accordance with the board-approved standards of practice and code of ethics."

PART Home 103 BOARD ORGANIZATION

Home 103.01 Duties and Responsibilities The board shall administer the provisions of RSA 310-A:182-201 which include but are not limited to safeguarding property, to promoting public welfare and maintaining a high standard of integrity, skills and practice in the profession of home inspectors in this state.

Home 103.02 Composition of the Board. Pursuant to RSA 310-A:186, I the board shall consist of 7 members who meet the eligibility requirements of RSA 310-A:186 I-, III.

Home 103.03 The Chairperson and Vice Chairperson. The chairperson shall preside at all meetings. In the absence of the chairperson, the vice-chairperson shall preside.

Home 103.04 Staff. The board shall designate an executive director and such other staff members as are necessary to perform the record-keeping and other statutory functions of the board and to oversee the board's day-to-day operations.

Home 103.05 Organization. Every two years, the board shall elect or appoint a chairperson, vice-chairperson, and secretary at the first meeting of the board in a calendar year.

Home 103.06 Seal. The seal of the board shall be an embossed circular seal consisting of 2 concentric circles, the outer circle having a diameter of 1 7/8 inches and an inner circle having a diameter of 1 3/8 inches. In the space between the 2 circles at the top of the seal there shall be the words "Board of Home Inspectors." At the bottom of the seal, in the space between the 2 circles, there shall be the words "State of New Hampshire." In the center space there shall be a representation of the Old Man in the Mountain with a blue background.

Home 103.07 Office Hours, Office Location, Mailing Address and Telephone.

(a) The board's office shall be located at the New Hampshire Joint Board, 57 Regional Drive, Concord, N.H. and shall be open to the public weekdays, excluding holidays, from 8:00 a.m. to 4:00 p.m.

(b) Correspondence shall be addressed to the board's executive director at:

New Hampshire Joint Board
57 Regional Drive
Concord, N.H. 03301

(c) The board's telephone number shall be (603)-271-2219.

PART Home 104 PUBLIC INFORMATION

Home 104.01 Record of Board Actions. Minutes shall be kept of board meetings and of official actions taken by the board. Minutes of board actions which are not confidential under RSA 91-A:3, II or RSA 91-A:5 shall be a governmental record and shall be available for inspection during the board's ordinary office hours within 5 days from the close of the meeting or vote in questions unless the 72 hours availability requirement of RSA 91-A:3, III is applicable.

Home 104.02 Custodian of Records. Persons desiring copies of board records shall submit a request which identifies as particularly as possible the information being sought and agrees to pay the actual costs incurred by the board for the documents provided. If records are requested which contain both public and confidential information, the board shall delete the confidential information and provide the remaining information.

Home 104.03 Roster Distribution Copies of a roster containing names, addresses, and assigned numbers of licensed home inspectors shall be furnished upon request. The fee shall be \$30.00.

PART Home 105 MEETINGS, DELIBERATIONS AND DECISIONS

Home 105.01 Meetings. Regular meetings shall be held at least 3 times each year. Special meetings shall be called by order of the chairperson or secretary. Each member of the board shall be notified in writing of each meeting and such notice shall contain the place, date, time, and subject of the meeting. Notice of meetings shall be posted at the board office and the state house.

Home 105.02 Quorum. A quorum of the board shall consist of not less than 4 members and a majority vote by the members present shall be necessary to pass a motion unless otherwise specified by law. In the absence of the chair, vice chair, or secretary, a quorum of the board shall designate a pro tempore officer for the officer or officers absent.

Home 105.03 Board Meeting Procedures. The board shall conduct its meetings in the following order:

- (a) Reading of the minutes;
- (b) Interviews/meetings;
- (c) Reading of communications;
- (d) Reading and consideration of applications;
- (e) Unfinished business;
- (f) New business; and
- (g) Adjournment.

Home 105.04 Procedures. Roberts Rules of Order, 10th edition dated 2000 shall govern the procedures of the board.

Home 105.05 Tentative Decisions

(a) When necessary to conduct the board's business in a timely and efficient manner, the board shall instruct its staff or a committee of the board to prepare a draft document, subject to subsequent review and approval by the board. Such instructions shall be known as tentative decisions.

(b) Tentative decisions shall not be final actions, and shall not be binding upon the board. Changes in the form or the substance of a tentative decision shall be made as often as

necessary to produce a final document, which satisfactorily sets forth the final result the board intends to reach. The board's final decision shall be issued only when the necessary majority has voted in favor of the final form of the proposed action, allowing time for printing or servicing the document in question.

PART Home 106 APPOINTMENT OF COMMITTEES

Home 106.01 Committees

(a) A committee shall consist of one or more of board members who have been directed by the board to investigate and make recommendations on matters which could be handled by the full board.

(b) When expressly authorized by the board, the authority of a committee shall include:

- (1) The retention of voluntary assistance from qualified non-board members; and
- (2) The retention of paid advisors or consultants pursuant to RSA 332-G:3.