Texas Real Estate Commission

§535.227. Standards of Practice:

General Provisions.

(a) Definition of terms. The following words have the following meanings, unless the context clearly indicates otherwise.

(1) Act - The Real Estate License Act, Article 6573a, Texas Civil Statutes.

(2) Functioning - Performing in an expected or required manner; carrying out the design purpose or intended operation of a part, system, component, member.

(3) Inaccessible - Not having access without the use of special tools, equipment, or instruments, or removing doors, walls, stored items or similar obstructions, or by causing damage to a structure, finish or component, equipment or system, or by virtue of inadequate clearance, walkways, passageways, or hazardous condition.

(4) In Need of Repair - Does not adequately function or perform.

(5) Inspect - To look at and examine accessible items, parts, systems or components without, except as required by the rules of the Texas Real Estate Commission, laboratory, scientific or engineering evaluation or testing, destructive tests or the dismantling or removal of parts, members or components.

(6) Inspector - A person licensed as a professional inspector, a person licensed as an apprentice inspector or a person licensed as a real estate inspector.

(7) Performance - The act of carrying out, completing, executing or achievement of an operation, design or function in a manner consistent with the intent of the manufacturer, designer or accepted industry practice.

(8) Report - A written or oral communication of the inspector's opinions, observations, determinations, and findings in an inspection.

(9) Standards of Practice - §535.227 of this title (relating to Standards of Practice: General Provisions), §535.228 of this title (relating to Standards of Practice: Inspection Guidelines for Structural Systems, §535.229 of this title (relating to Standards of Practice: Inspection Guidelines for Mechanical Systems: Appliances, Cooling Systems, Heating Systems, Ducts, Vents and Flues, and Plumbing Systems), §535.230 of this title (relating to Standards of Practice: Inspection Guidelines for Electrical Systems) and §535.231 of this title (relating to Standards of Practice: Optional Systems).

(b) Scope.

(1) The standards of practice are the minimum levels of inspection practice required of inspectors for the accessible parts, components, and systems typically found in improvements to real property, excluding detached structures, decks, docks and fences. The inspector may provide a higher level of inspection performance than required by the standards of practice and may inspect parts, components, and systems in addition to those described by the standards of practice.

(2) The inspector shall:

(A) inspect items, parts, systems, components and conditions which are present and visible at the time of the inspection**,** but the inspector is not required to determine or estimate the remaining life expectancy or future performance of any inspected item, part, system or component;

(B) operate mechanical and electrical equipment, systems, and appliances during an inspection in normal modes and operating range at the time of the inspection;

(C) report which of the parts, components, and systems present in the property have or have not been inspected;

(D) report as in need of repair inspected parts, components or systems that are not functioning or that the standards of practice require the inspector to report as in need of repair;

(E) address all of the parts, components, and systems contained in the standards of practice in the property being inspected.

(F) complete the standard inspection report form under §535.223 of this title (relating to Standard Inspection Reports)if that section applies;

(G) identify in any written report the inspector who performed the inspection by name and license number;

(H) comply with any other law or license requirement necessary to perform inspections or services other than what is required by the standards of practice, such as an air-conditioning and refrigeration contractor license which may be required for the inspector to make a direct in-line connection to a refrigerant system, or a structural pest control license which may be required to perform a wood-destroying-insect inspection;

(3) In the event of a conflict between a specific provision and a general provision in the standards of practice, the specific provision controls. The standards of practice do not apply to the following:

(A) parts, components or systems other than those specifically described;

(B) conditions other than those specifically described, such as environmental conditions, presence of toxic or hazardous wastes or substances, presence of termites or other wood-destroying insects or organisms, compliance with codes, ordinances, statutes or restrictions or the efficiency, quality, durability of any item inspected;

(C) any part, component or system the inspector excludes under the departure provision in this section; and

(D) any determination of insurability or warrantability of any part, component or system.

(c) Departure Provision.

(1) An inspector shall exclude from the inspection any part, component or system which the inspector is not competent or qualified to inspect.

(2) An inspector may exclude any part, component or system required for inspection by the standards of practice which is inaccessible, cannot be inspected due to circumstances beyond the control of the inspector, or the inspector's client has agreed is not to be inspected.

(3) This departure provision does not prohibit an inspector from specializing nor require the inspector to specifically exclude other parts, components or systems not ordinarily considered a part of the inspector's specialty. However, the inspector shall comply with the standards of practice for the items being inspected.

(4) If an inspector excludes any part, component or system listed in the standards of practice, other than one which the client has agreed is not to be inspected, the inspector shall:

(A) advise the client at the earliest practicable time that the specific part, component or system will not be included in the inspection; and

(B) state in any written inspection report that the excluded part, component or system was not inspected.

(d) Enforcement. Failure to comply with §535.227 of this title (relating to Standards of Practice: General Provisions), §535.228 of this title (relating to Standards of Practice: Inspection Guidelines for Structural Systems, §535.229 of this title (relating to Standards of Practice: Inspection Guidelines for Mechanical Systems: Appliances, Cooling Systems, Heating Systems, Ducts, Vents and Flues, and Plumbing Systems), §535.230 of this title (relating to Standards of Practice: Inspection Guidelines for Electrical Systems) and §535.231 of this title (relating to Standards of Practice: Optional Systems) is a ground for disciplinary action as prescribed by the Act, §23 (1)(7) and §535.224 of this title (relating to Proceedings before the Committee).

§535.228. Standards of Practice: Inspection Guidelines for Structural Systems.

(a) Foundations. The inspector shall:

(1) report the type of foundation (for example, slab-on-grade or pier and beam);

(2) inspect the foundation, related structural components and/or slab surfaces;

(3) inspect the crawl space area to determine the general condition of foundation components and report the method used to observe the crawl space if the inspector did not enter the crawl space because the space was inaccessible, hazardous conditions were present, or access or visibility was limited;

(4) render a written opinion as to the performance of the foundation;

(5) report general indications of foundation movement that are present and visible, such as sheetrock cracks, brick cracks, out-of-square door frames or floor slopes;

(6) report as in need of repair any post tensioned cable ends that are not protected;

(7) report as in need of repair a crawl space that does not appear to be adequately ventilated;

(8) report as in need of repair conditions or symptoms that may indicate the possibility of water penetration that are present and visible, such as improper grading around foundation walls or plumbing leaks; and

(9) report as in need of repair conditions that are present and visible and may be adversely affecting foundation performance, such as erosion or water ponding.

(b) Specific limitations for foundations. The inspector is not required to enter a crawl space or any areas where headroom is less than 18 inches and the width of the access opening is less than two feet, or where the inspector reasonably determines conditions or materials are hazardous to health or safety of the inspector.

(c) Interior walls, doors, ceilings and floors. The inspector shall:

(1) report as in need of repair deficiencies of the surfaces of walls, ceilings and floors as related to structural performance or water penetration that are present and visible;

(2) report as in need of repair accessible doors that do not operate properly, excluding locks and latches;

(3) report as in need of repair deficiencies in steps, stairways, balconies and railings,

(4) report as in need of repair spacings between intermediate balusters, spindles, or rails for steps, stairways, balconies, and railings that permit passage of an object greater than four inches in diameter; and

(5) report as in need of repair the absence of safety glass in hazardous locations.

(d) Specific limitations for Interior walls, doors, ceilings and floors. The inspector is not required to do the following:

(1) determine the condition of floor, wall or ceiling coverings unless such conditions affect structural performance or indicate water penetration;

(2) report obvious damage to floor, wall or ceiling coverings;

(3) determine the condition of paints, stains and other surface coatings; or

(4) determine condition of cabinets.

(e) Exterior walls and doors, windows and door glazing. The inspector shall:

(1) report as in need of repair present and visible deficiencies of exterior walls that are related to structural performance and water penetration;

(2) report as in need of repair deficiencies in the condition and operation of exterior doors and garage doors, including door locks and latches when present.

(3) report as in need of repair damaged glazing in windows and exterior doors;

(4) report as in need of repair any insulated windows that are obviously fogged or display other evidence of broken seals;

(5) report as in need of repair the absence of safety glass in hazardous locations;

(6) report as in need of repair missing or damaged window and door screens;

(7) report as in need of repair in homes having burglar bars the absence of functional keyless burglar bars in appropriate locations;

(8) report as in need of repair inoperable windows at burglar bar locations of sleeping rooms or egress areas and any inoperable windows at other randomly sampled accessible burglar bar locations; and

(9) report as in need of repair spacings between intermediate balusters, spindles and rails that permit passage of an object greater than four inches in diameter.

(f) Specific limitations for exterior walls and doors, windows and door glazing. The inspector is not required to do the following:

(1) report the condition or presence of storm windows or doors, awnings, shuttersor security devices or systems;

(2) determine the condition of paints stains or other surface coatings; or

(3) determine the presence of, or extent or type of, insulation or vapor barriers in exterior walls.

(g) Fireplace and chimney. The inspector shall:

(1) report as in need of repair deficiencies in the visible components and structure of the chimney and fireplace;

(2) inspect the interior of the firebox and the visible flue area, and report as in need of repair built up creosote in visible areas of the firebox and flue (the inspector is not required to determine the adequacy of the draft or perform a chimney smoke test);

(3) report as in need of repair a damper that does not operate;

(4) report as in need of repair the presence of non-combustible hearth extension;

(5) report as in need of repair deficiencies in the lintel, hearth and material surrounding the fireplace, including clearances from combustible materials;

(6) report as in need of repair the absence of firestopping at the attic penetration of the chimney flue, where accessible;

(7) report as in need of repair any gas log lighter valves that do not function or leak gas;

(8) report as in need of repair any circulating fan that does not operate, if present;

(9) report as in need of repair deficiencies in combustion air vent, if present; and

(10) report as in need of repair deficiencies in chimney coping or crown, caps or spark arrestor (inspected from ground level at a minimum).

(h) Roof, roof structure and attic. The inspector shall:

(1) report the type of roof covering and report as in need of repair:

(A) a roof covering that is not appropriate for the slope of the roof;

(B) fasteners that are not present or that are not appropriate, (where it can be reasonably determined); and

(C) roof jacks, flashing and counter flashing that are not present or not properly installed.

(2) inspect the general condition of, and report evidence of previous repairs to, flashing, skylights and other roof penetrations;

(3) report as in need of repair inadequate attic space ventilation;

(4) report as in need of repair deficiencies in the roof covering, structure and sheathing;

(5) report any visible evidence of moisture penetration;

(6) report as in need of repair the lack of or inappropriate installation of components such as purlins, struts, collar ties or rafter ties, where necessary;

(7) report as in need of repair excessive deflections or depressions in the roof surface relating to the performance of the framing and the roof deck;

(8) enter and inspect attic space(s) except when inadequate access or hazardous conditions exist as reasonably determined by the inspector and report the method used to inspect the attic if the inspector did not enter the attic;

(9) report the method used to inspect the roof if the inspection is performed from other than roof level;

(10) inspect for the presence, and report the approximate depth of, insulation where visible; and

(11) report as in need of repair deficiencies in visible installed gutter and downspout systems.

(i) Specific limitations for roof, roof structure and attic. The inspector is not required to do the following:

(1) determine the remaining life expectancy of the roof covering; or

(2) inspect the roof from the roof level if the inspector reasonably determines that the inspector cannot safely reach or stay on the roof, or that damage to the roof or roof covering may result from walking on the roof.

(j) Porches and decks. The inspector shall:

(1) report as in need of repair structural deficiencies in porches, decks, steps, balconies and carports as to visible footings, joists, deckings, railings and attachment points, where applicable; and

(2) report as in need of repair (except for decks which are not higher than 30 inches as measured from the adjacent grade) spacings between intermediate balusters, spindles or rails that permit passage of an object greater than four inches in diameter.

(k) Specific limitations for porches and decks. The inspector is not required to inspect detached structures or waterfront structures and equipment, such as docks or piers.

§535.229. Standards of Practice: Inspection Guidelines for Mechanical Systems: Appliances, Cooling Systems, Heating Systems, Ducts, Vents and Flues, and Plumbing Systems.

(a) Dishwasher. The inspector shall:

(1) report as in need of repair any deficiencies in the door gasket, control knobs and interior parts, including the dish tray, rollers, spray arms and the soap dispenser;

(2) report as in need of repair any interior signs of rust;

(3) report as in need of repair a door spring that does not operate properly;

(4) report as in need of repair deficiencies in the discharge hose or piping or the lack of back flow prevention;

(5) report as in need of repair units that are not securely mounted;

(6) report as in need of repair any water leaks;

(7) inspect the unit's operation in normal mode with the soap dispenser closed; and

(8) report as in need of repair spray arms that do not turn, soap dispensers that do not open or drying elements that do not operate.

(b) Food waste disposer. The inspector shall:

(1) report as in need of repair any deficiencies in the splash guard, grinding components, wiring and exterior;

(2) report as in need of repair a unit that is not securely mounted; and

(3) inspect the operation of the unit and report as in need of repair any unusual noise or vibration level and any signs of water leaks.

(c) Range exhaust vent. The inspector shall:

(1) report as in need of repair any deficiencies in the filter, vent pipe, light and switches;

(2) inspect the operation of the blower and report as in need of repair any unusual sounds or vibration levels, or if the blower does not operate at all speeds;

(3) report as in need of repair a vent pipe that does not terminate outside the structure when the unit is not of recirculating type or configuration.

(4) report as in need of repair a vent pipe that is of inadequate material; and

(5) report as in need of repair the absence of a range exhaust vent.

(d) Electric or gas ranges. The inspector shall:

(1) report as in need of repair broken or missing knobs, elements, drip pans or other parts, inadequate clearance from combustible material, or the absence of an anti-tip device;

(2) report as in need of repair signal lights and elements or burners that do not operate at low and high settings;

(3) report as in need of repair improper materials that are used for the gas branch line and the connection to the appliance; and

(4) report as in need of repair the absence of a gas shut-off valve, or valve that is not properly located, is inaccessible, or leaks.

(e) Electric or gas ovens. The inspector shall:

(1) report as in need of repair any broken or missing knobs, handles, glass panels, door hinges, or light covers or other parts, or inadequate clearance from combustible material;

(2) report as in need of repair deficiencies in the door gasket, tightness of closure and operation of the latch;

(3) report as in need of repair an oven that is not securely mounted;

(4) report as in need of repair heating elements and thermostat sensing elements that are not properly supported;

(5) report as in need of repair deficiencies in the operation of the heating elements or the lighting, operation and condition of the flame;

(6) report as in need of repair deficiencies in the operation of the clock and timer, thermostat and door springs; and

(7) report as in need of repair any inaccuracy of the thermostat more than a 25 degree range plus or minus of a 350 degree setting, as measured by a thermometer.

(f) Microwave oven. The inspector shall:

(1) report as in need of repair any broken or missing knobs, handles, glass panels, or other parts, or a unit that is not securely mounted;

(2) report as in need of repair any deficiencies in the door and seal (the inspector is not required to test for radiation);

(3) report as in need of repair an oven that does not operate by heating a container of water or with other test equipment, as reasonably determined by the inspector; and

(4) report as in need of repair a light that does not operate.

(g) Trash compactor. The inspector shall:

(1) inspect the overall condition of the unit;

(2) report as in need of repair a unit that does not operate or operates with unusual noise or vibration levels; and

(3) report as in need of repair a unit that is not securely mounted in place.

(h) Other built-in appliances.

The inspector shall report as in need of repair any deficiencies in condition or operation of other built-in appliances not listed in this section.

(i) Bathroom exhaust vents and electric heaters.

The inspector shall operate the unit, and report as in need of repair unusual sounds, speed and vibration levels or, when possible, vent pipes that do not terminate outside the structure.

(j) Whole house vacuum system. The inspector shall:

(1) inspect the condition of the main unit;

(2) report as in need of repair a unit that does not operate; and

(3) inspect the system from all accessible outlets throughout the house.

(k) Water heaters. The inspector shall:

(1) report the energy source;

(2) inspect the unit and report as in need of repair fittings that leak or are corroded;

(3) report as in need of repair temperature and pressure relief valve piping that lacks gravity drainage, is improperly sized (no smaller than the outlet fittings), has deficiencies in material, or lacks a correct termination;

(4) report as in need of repair a temperature and pressure relief valve that does not operate when the valve is of an operable type and operation will not cause damage to persons or property as reasonably determined by the inspector (for example, it would be reasonable not to operate the valve if there is improper or undetermined termination of the drain pipe, a corroded or damaged valve, improper installation of valve or drain pipe, the drain pipe is of inappropriate material or there is no water supply cut-off valve at the unit);

(5) report as in need of repair any broken or missing parts, covers or controls;

(6) report as in need of repair deficiencies in the burner, flame and burner compartment, the operation of heating elements and the condition of wiring;

(7) report as in need of repair deficiencies in materials used for the gas branch line and the connection to the appliance, the absence of a gas shut-off valve, or a valve that is not properly located, is inaccessible, or leaks;

(8) if applicable, report as in need of repair deficiencies in the vent pipe, draft diverter, draft hood and their condition, draft, proximity to combustibles and vent termination point, observing for adequate combustion and draft air;

(9) report as in need of repair the lack of a safety pan and drain (including the termination of the drain line) when applicable;

(10) report as in need of repair an unsafe location or installation; and

(11) inspect garage units or units which are located in rooms or enclosures opening into a garage and report as in need of repair the following:

(A) a lack of protection for physical damage to the unit; and

(B) burners, burner ignition devices or heating elements, switches or thermostats that are not a minimum of 18 inches above the lowest garage floor elevation.

(l) Doorbell and chimes. The inspector shall:

(1) inspect the condition of the unit and report as in need of repair a unit that does not operate; and

(2) report as in need of repair any deficiencies in visible and accessible parts.

(m) Attic power vents. The inspector shall:

(1) report as in need of repair deficiencies in the operation and installation of the unit, including the wiring and mounting of the thermostat control, if so equipped and accessible; and

(2) report as in need of repair unusual sounds or speed and vibration levels.

(n) Garage door operator. The inspector shall:

(1) report as in need of repair deficiencies in the installation, condition and operation of the garage door operator;

(2) operate the door both manually and by an installed automatic door control;

(3) report as in need of repair a door that does not automatically reverse during closing cycle, any installed electronic sensors that are not operable or not installed at the proper heights above the garage floor ; and

(4) report as in need of repair door locks or side ropes that have not been removed or disabled.

(o) Hydrotherapy or whirlpool equipment. The inspector shall:

(1) report as in need of repair a unit that does not operate, leaks, or is inaccessible;

(2) report as in need of repair a unit that lacks a ground fault circuit interrupter or has an interrupter that does not operate;

(3) report as in need of repair switches that are not in a safe location or do not operate;

(4) report evidence of leaks under the tub if the access cover is available and accessible, reporting when the cover is absent or inaccessible (the inspector is not required to determine the adequacy of self-draining features of the circulation system); and

(5) report as in need of repair deficiencies in the ports, valves, grates and covers.

(p) Specific limitations for appliances. The inspector is not required to do the following:

(1) operate or determine the condition of other auxiliary components of inspected items; or

(2) inspect self-cleaning functions.

(q) Cooling systems other than evaporative coolers. The inspector shall:

(1) report the type of system and energy sources;

(2) operate the system using normal control devices except when the outdoor temperature is less than 60 degrees Fahrenheit;

(3) inspect for proper performance; such as by observing the temperature difference between the supply air and the return air or noticeable vibration of the blower fan and report as in need of repair any deficiencies;

(4) report as in need of repair the lack of, or deficiencies in drainage of, condensate drain line and secondary drain line when applicable, including pipes made of inadequate material;

(5) report as in need of repair a primary drain pipe that terminates in a sewer vent, if the termination is visible;

(6) report as in need of repair a safety pan that is not appropriately sized for the evaporator coil or free of water or debris;

(7) report as in need of repair a return chase and plenum that are not free of improper and hazardous conditions, such as gas pipes, sewer vents, refrigerant piping or electrical wiring.

(8) report as in need of repair the lack of insulation on refrigerant pipes and the primary condensate drain pipe;

(9) report as in need of repair a condensing unit that does not have adequate clearances, or air circulation, or that has deficiencies in the condition of fins, location, levelness and elevation above ground surfaces; and

(10) report as in need of repair conductor sizing and over-current protective devices that are not appropriately sized for the unit.

(r) Evaporative coolers. The inspector shall:

(1) operate the motor and report as one or two speed;

(2) observe the electrical pigtail connection at the motor

(3) inspect the power source in the unit;

(4) report as in need of repair a pump that does not function or deficiencies in the spider tubes, tube clips and bleeder system;

(5) report as in need of repair deficiencies in the water supply line and float bracket;

(6) report as in need of repair the absence of a minimum one-inch air gap between water discharge at float and water level;

(7) report as in need of repair deficiencies in the fan (blower) and squirrel cage or rust build-up, deterioration or corrosion;

(8) report as in need of repair deficiencies in the fan belt and pulleys;

(9) report as in need of repair deficiencies in the housing side panels, the water trays, the exterior housing and the roof frame;

(10) report as in need of repair deficiencies in the roof jack or other mounting point and the location of the seasonal damper at the unit; and

(11) report as in need of repair deficiencies in the interior registers and the supply duct.

(s) Specific limitations for cooling systems. The inspector is not required to do the following:

(1) inspect for the pressure of the system coolant or determine the presence of leaks;

(2) program digital-type thermostats or controls; or

(3) operate setback features on thermostats or controls.

(t) Heating systems. The inspector shall:

(1) report the type of heating system and its energy sources;

(2) report as in need of repair a system that does not operate properly using normal control devices;

(3) report as in need of repair deficiencies in the controls and accessible operating components of the system;

(4) in gas units, inspect the burner, and report as in need of repair deficiencies in the burner compartment, type, condition, draft and termination of the vent pipe, or proximity to combustibles; the lack of combustion and draft air or inappropriate location, or the lack of forced air in the burner compartment (full evaluation of the integrity of a heat exchanger requires dismantling of the furnace and is beyond the scope of a visual inspection)**;**

(5) report as in need of repair gas units that display flame impingement, uplifting flame, improper flame color or excessive scale buildup;

(6) report as in need of repair gas units that use improper materials for the gas branch line and the connection to the appliance;

(7) report as in need of repair in gas units deficiencies in materials used for the gas branch line and the connection to the appliance, the absence of a gas shut-off valve, or a valve that is not properly located, is inaccessible, or leaks; and

(8) report as in need of repair elements in electric furnaces that do not operate;

(9) report as in need of repair a return chase or plenum that are not free of improper and hazardous conditions, such as gas pipes, sewer vents, refrigerant piping or electrical wiring; and

(10) report if the inspector deemed the furnace to be inaccessible.

(u) Specific limitations for heating systems. The inspector is not required to do the following:

(1) inspect accessories such as humidifiers, air purifiers, motorized dampers, heat reclaimers, electronic air filters or wood-burning stoves;

(2) determine the efficiency or adequacy of a system;

(3) program digital-type thermostats or controls; or

(4) operate radiant heaters, steam heat systems or unvented gas-fired heating appliances.

(v) Ducts, vents (including dryer vents) and flues. The inspector shall:

(1) report as in need of repair deficiencies such as damaged ducting or insulation, improper material or improper routing of ducts where visible and accessible;

(2) report as in need of repair the absence of air flow at all accessible supply registers in the habitable areas of the structure;

(3) report as in need of repair deficiencies in accessible duct fans and filters;

(4) report as in need of repair deficiencies in installation, such as gas piping, sewer vents, electrical wiring or junction boxes in the plenum, returns or chases or improper sealing, where visible;

(5) report as in need of repair deficiencies in the flue system components;

(6) report as in need of repair a flue or vent pipe that does not properly terminate; and

(7) report as in need of repair deficiencies in materials used for the venting systems.

(w) Specific limitations for ducts and vents. The inspector is not required to do the following:

(1) determine the efficiency, adequacy or capacity of the systems;

(2) determine the uniformity of the supply of conditioned air to the various parts of the structure;

(3) determine the types of materials contained in insulation, wrapping of pipes, ducts, jackets, boilers and wiring;

(4) operate venting systems unless ambient temperatures or other circumstances, in the reasonable opinion of the inspector, are conducive to safe operation without damage to the equipment; or

(5) operate a unit outside its normal operating range as reasonably determined by the inspector.

(x) Plumbing systems. The inspector shall:

(1) inspect and report as in need of repair deficiencies in the type and condition of all accessible and visible water supply and waste-water and vent pipes;

(2) inspect and report as in need of repair deficiencies in the operation of all fixtures and faucets where the flow end of the faucet is not connected to an appliance;

(3) report as in need of repair the lack of back-flow devices, anti-siphon devices or systems or air gaps when applicable;

(4) report as in need of repair incompatible materials in connecting devices between differing metals in the supply system, where visible;

(5) report as in need of repair deficiencies in water supply by viewing functional flow in two fixtures operated simultaneously;

(6) report as in need of repair deficiencies in functional drainage at accessible plumbing fixtures;

(7) report as in need of repair deficiencies in installation and identification of hot and cold faucets;

(8) report as in need of repair mechanical drainstops that are missing or do not operate if installed on sinks, lavatories and tubs;

(9) report as in need of repair commodes that have cracks in the ceramic material, are improperly mounted on the floor, leak or have tank components which do not operate;

(10) report as in need of repair accessible supply and drain pipes that leak;

(11) report as in need of repair the lack of a visible vent pipe system to the exterior of the structure or improper routing or termination of the vent system;

(12) report as in need of repair a shower enclosure that leaks; and

(13) report as in need of repair any exterior faucet attached or immediately adjacent to the structure that does not operate properly.

(y) Specific limitations for plumbing systems. The inspector is not required to do the following:

(1) operate any main, branch or shut-off valves;

(2) inspect any system that has been shut down or otherwise secured;

(3) inspect any components that are not visible or accessible;

(4) inspect any exterior plumbing components such as water mains, private sewer systems, water wells, sprinkler systems or swimming pools;

(5) inspect fire sprinkler systems;

(6) inspect or operate drain pumps or waste ejector pumps;

(7) inspect the quality or the volume of well water;

(8) determine the potability of any water supply;

(9) inspect water-conditioning equipment, such as softeners or filter systems;

(10) inspect solar water heating systems;

(11) determine the effectiveness of anti-siphon devices on appropriate fixtures or systems;

(12) operate free-standing appliances;

(13) inspect private water supply systems, swimming pools, or pressure tanks;

(14) inspect the gas supply system for leaks; or

(15) inspect for sewer clean-outs;

§535.230. Standards of Practice: Inspection Guidelines for Electrical Systems.

(a) Service entrance and panels. The inspector shall:

(1) inspect service entrance cables and report as in need of repair deficiencies in the integrity of insulation, drip loop, separation of conductors at weatherheads and clearances;

(2) report as in need of repair a drop, weatherhead or mast that is not securely fastened;

(3) report as in need of repair the lack of a grounding electrode conductor in the service where visible, or the lack of secure connection to the grounding electrode or grounding system;

(4) report as in need of repair accessible main or subpanels that are not secured to the structure or appropriate for their location (weather-tight if exposed to weather, appropriate clearances and accessibility), do not have inside covers (dead fronts) in place , do not have conductors protected from the edges of metal panel boxes, do not have trip ties installed on labeled 240 volt circuits, do not have proper fasteners or do not have knockouts filled ;

(5) inspect and report as in need of repair deficiencies in the type and condition of the wiring in the panels, in the compatibility of overcurrent protectors for the size of conductor being used and in sizing of listed equipment of overcurrent protection and conductors, when power requirements for listed equipment are readily available and breakers are labeled;

(6) report as in need of repair a panel that is installed in a hazardous location, such as a clothes closet;

(7) report as in need of repair the absence of appropriate connections, such as copper/aluminum approved devices, pig-tailed connections or crimp connections; and the absence of anti-oxidants on aluminum conductor terminations; and

(8) report as in need of repair the lack of main disconnect(s).

(b) Specific limitations for service entrance and panels. The inspector is not required to do the following:

(1) determine service capacity amperage or voltage or the capacity of the electrical system relative to present or future use;

(2) determine the insurability of the property;

(3) conduct voltage drop calculations; or

(4) determine the accuracy of breaker labeling.

(c) Branch circuits, connected devices and fixtures. The inspector shall:

(1) report the type of branch circuit wiring;

(2) inspect all accessible receptacles and report as in need of repair a receptacle in which:

(A) power is not present;

(B) polarity is incorrect;

(C) the unit is not grounded, if applicable;

(D) there is evidence of arcing or excessive heat;

(E) the unit is not secured to the wall;

(F) the cover is not in place; or

(G) ground fault circuit interrupter devices are not properly installed as set forth by the current edition of the National Electric Code, publication 70A of the National Fire Protection Association, or do not operate properly as shown by use of a separate testing device;

(3) operate all accessible wall and appliance switches and report as in need of repair a switch that:

(A) does not operate or is damaged;

(B) displays evidence of arcing or excessive heat; or

(C) is not fastened securely with cover in place.

(4) inspect installed fixtures including lighting devices and ceiling fans;

(5) report as in need of repair an inoperable or missing fixture;

(6) report as in need of repair deficiencies in exposed wiring, wiring terminations, junctions and junction boxes;

(7) report as in need of repair deficiencies or absences of conduit in appropriate locations or conduit that is not terminated securely;

(8) report as in need of repair appliances and electrical gutters that do not have proper bonding;

(9) report as in need of repair subpanels that are not properly bonded and grounded;

(10) report as in need of repair the lack of disconnects in appropriate locations;

(11) inspect (if branch circuit aluminum wiring is discovered in the main or subpanels) a random sampling of accessible receptacles and switches and report as in need of repair the absence of appropriate connections, such as copper/aluminum approved devices, pig-tailed connections or crimp connections;

(12) report as in need of repair the improper use of extension cords; and

(13) report as in need of repair the absence of, or deficiencies in, the installation and operation of smoke or fire detectors not connected to a central alarm system.

§535.231. Standards of Practice: Optional Systems.

(a) Scope. This section covers other systems and attachments that an inspector may inspect. The inspector may need special knowledge or tools to perform these inspections. It is the responsibility of the inspector to be properly informed and know current and safe procedures for inspecting the items described in this section. The inspector shall determine and provide a report of the condition of the equipment, systems, parts or components by visual observation and operation in normal modes and operating range noted at the date and time of the inspection. If an inspector agrees to inspect a component described in this section, §535.227 of this title (relating to Standards of Inspection: General Provisions) applies to the inspection.

(b) Inspection guidelines for gas lines. The inspector shall:

(1) inspect and report as in need of repair deficiencies in the condition and type of all accessible and visible gas piping; and

(2) test gas lines by using a local or an industry-accepted procedure.

(c) Specific limitations for gas lines. The inspector is not required to inspect sacrificial anode bonding or for its existence.

(d) Inspection guidelines for outbuildings. The inspector shall:

(1) inspect the building and report as in need of repair water penetration or deficiencies in structural performance; and

(2) report as in need of repair deficiencies in electrical, plumbing, heating, ventilation or air-conditioning systems that the standards of practice would require the inspector to report for the principal structure.

(e) Inspection guidelines for outdoor cooking equipment. The inspector shall:

(1) report the energy source and operate the unit;

(2) report as in need of repair deficiencies in operation, control knobs, handles, burner bars, grills, box, rotisserie (if present) and heat diffusion material;

(3) report as in need of repair a unit or pedestal that is not stable;

(4) report as in need of repair gas units that use improper materials for the gas branch line and the connection to the appliance; and

(5) report as in need of repair a gas unit that has no shut-off valve, an inaccessible valve or a valve that leaks;

(f) Inspection guidelines for lawn and garden sprinkler system. The inspector shall:

(1) operate all zones or stations on the system manually;

(2) report as in need of repair deficiencies in water flow or pressure at the circuit heads;

(3) report as in need of repair surface water leaks, the absence or improper installation of anti-siphon valves and backflow preventers or the absence of shut-off valves;

(4) inspect and report as in need of repair deficiencies in the condition and mounting of the control box and visible wiring; and

(5) report as in need of repair deficiencies in the operation of each zone and associated valves, spray head patterns and areas of non-coverage within the zone.

(g) Specific limitations for lawn and garden sprinkler system. The inspector is not required to inspect the automatic function of the timer or control box, the rain sensor or the effectiveness and sizing of anti-siphon valves or backflow preventers.

(h) Inspection guidelines for private water wells. The inspector shall:

(1) operate at least two fixtures simultaneously;

(2) report the type of pump and type of storage equipment;

(3) report as in need of repair deficiencies in water pressure and flow and operation of pressure switches;

(4) inspect and report as in need of repair deficiencies in the condition of visible and accessible equipment and components;

(5) report as in need of repair wiring that is improper or lacks circuit protection;

(6) report as in need of repair deficiencies in the well head, including improper site drainage;

(7) recommend, or arrange to have performed, a coliform analysis; and

(8) report the proximity of any known septic system.

(i) Specific limitations for private water wells. The inspector is not required to do the following:

(1) open, uncover or remove the pump, heads, screens, lines or other component parts of the system;

(2) determine water quality or potability or the reliability of the water supply or source; or

(3) locate or verify underground water leaks.

(j) Inspection guidelines for Individual private sewage systems (septic systems). The inspector shall:

(1) report as in need of repair deficiencies in accessible or visible components of the system at the time of the inspection;

(2) operate plumbing fixtures and report as in need of repair deficiencies in functional flow;

(3) walk over the area of tanks and fields or beds and report as in need of repair any visual or olfactory evidence of effluent seepage or flow at the surface of the ground;

(4) report as in need of repair areas of inadequate site drainage around or adjacent to the system;

(5) report the proximity of any known water wells; underground cisterns; water supply lines; streams, ponds and lakes; sharp slopes or breaks; easement lines; property lines; soil absorption systems; swimming pools or sprinkler systems.

(6) inspect the operation of the system;

(7) report the lack of visible access to tanks;

(8) report the type of the system, if possible, and the location of the drainfield; and

(9) report as in need of repair aerators or dosing pumps that do not operate or equipment that is improperly wired.

(k) Specific limitations for individual private sewage systems (septic systems). The inspector is not required to do the following:

(1) excavate or uncover the system or its components to determine the size, adequacy or efficiency of the system; or

(2) determine the type of construction used unless readily known without excavation or destructive examination.

(l) Inspection guidelines for swimming pools and equipment (spas and hot tubs). The inspector shall:

(1) report the type of pool construction;

(2) report as in need of repair deficiencies in pool surfaces,

(3) report as in need of repair deficiencies in tiles, copings and decks;

(4) report as in need of repair deficiencies in slides, steps, diving boards and other equipment;

(5) report as in need of repair deficiencies in drains, skimmers and valves;

(6) report as in need of repair pool lights that are missing, do not function or lack ground fault circuit interrupter protection;

(7) report as in need of repair pump motors, controls, and sweeps that do not function or lack proper wiring and circuit protection;

(8) when inspecting a heater, report as in need of repair deficiencies that the standards of practice would require the inspector to report for a heating system;

(9) report as in need of repair gas heaters that use improper materials for the branch line and the connection to the appliance;

(10) report as in need of repair a gas unit that has no shut-off valve, an inaccessible valve or a valve that leaks;

(11) report as in need of repair a pump motor, blower or other electrical equipment, if visible, that lacks external grounding;

(12) report as in need of repair above-ground water leaks or deficiencies in the filter tank or pressure gauge; and

(13) report as in need of repair the absence of, or deficiencies in, fences, gates or enclosures.

(m) Specific limitations for swimming pools and equipment (spas and hot tubs). The inspector is not required to the following:

(1) dismantle or otherwise open any components or lines;

(2) uncover or excavate any lines or otherwise concealed components of the system or determine the presence of sub-surface leaks;

(3) fill the pool, spa or hot tub with water;

(4) determine the presence of sub-surface water tables; or

(5) inspect ancillary equipment such as computer controls, covers, chlorinators or other chemical dispensers, or water ionization devices or conditioners other than required by this section.