

**198B.704 Kentucky Board of Home Inspectors -- Members -- Meetings -- Salary -- Removal.**

- (1) There is created an independent agency of state government to be known as the Kentucky Board of Home Inspectors, which shall be attached to the Office of Occupations and Professions in the Public Protection Cabinet for administrative purposes.
- (2) The board shall be composed of nine (9) members appointed by the Governor as follows:
  - (a) Five (5) of the board members shall:
    1. Have been actively engaged in performing home inspections in Kentucky for at least five (5) years immediately before the member's appointment to the board, or have completed no less than one hundred (100) fee-paid inspections per year over the last five (5) years; and
    2. Be licensed by the board as a home inspector; and
  - (b) The other four (4) board members shall be qualified as follows:
    1. One (1) member shall be a home builder who has been actively engaged in home building in Kentucky for at least five (5) years immediately before the member's appointment to the board. This member shall be selected from a list of three (3) names submitted to the Governor from the Home Builders Association of Kentucky;
    2. One (1) member shall be a licensed real estate salesperson or broker under this chapter who has been actively engaged in selling, trading, exchanging, optioning, leasing, renting, managing, or listing residential real estate in Kentucky for at least five (5) years immediately before the member's appointment to the board. This member shall be selected from a list of three (3) names submitted to the Governor from the Kentucky Association of Realtors;
    3. One (1) member shall represent the public at large and shall not be associated with the home inspection, home building, or real estate business other than as a consumer. This member shall be appointed by the Governor, but shall not be selected from a submitted list of names; and
    4. One (1) member shall be a licensed manufactured home retailer, certified retailer, or certified installer who has been actively engaged in such an occupation for at least five (5) years immediately before the member's appointment to the board. This member shall be selected from a list of three (3) names submitted to the Governor from the Kentucky Manufactured Housing Institute.
- (3) The members of the board shall be residents of Kentucky.
- (4) Each member shall serve a term of three (3) years or until a successor has been duly appointed. Each member serving on July 1, 2011, shall continue to serve through his or her appointed term.

- (5) The Governor may remove a board member at any time for incompetence, neglect of duty, or unprofessional conduct.
- (6) If a vacancy occurs in the membership of the board, the Governor shall appoint an individual to serve for the remainder of the unexpired term who has like qualifications required of the member who created the vacancy.
- (7) A member shall not serve on the board for more than six (6) consecutive years.
- (8) The board shall designate either a board member or a member of the board's administrative staff to serve as secretary to the board.
- (9) Each year the board shall elect a member as chairperson and a member as vice chairperson.
- (10) The chairperson and vice chairperson shall serve in their respective capacities for no more than one (1) year consecutively and until a successor is elected.
- (11) The chairperson shall preside at all meetings at which the chairperson is present. The vice chairperson shall preside at meetings in the absence of the chairperson and shall perform other duties as the chairperson directs.
- (12) If the chairperson and vice chairperson are absent from a meeting of the board when a quorum exists, the members who are present may elect a presiding officer who shall serve as acting chairperson until the conclusion of the meeting or until the arrival of the chairperson or vice chairperson.
- (13) The board shall meet at least quarterly each calendar year upon the call of the chairperson or the written request of a majority of the members of the board.
- (14) The chairperson shall establish the date, time, and place for each meeting.
- (15) A majority of the current members of the board constitutes a quorum.
- (16) The affirmative vote of a majority of the members is necessary for the board to take official action.
- (17) Each member of the board is entitled to a minimum salary of thirty-five dollars (\$35) per diem. Each member of the board is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties as established under KRS 45.101.
- (18) A member shall be automatically removed from the board and a vacancy shall be created if a member fails to adhere to a duly adopted code of ethics of the board. Failure to adhere to such a code shall be determined by official action of the board.

**Effective:** June 8, 2011

**History:** Amended 2011 Ky. Acts ch. 100, sec. 5, effective June 8, 2011. -- Amended 2010 Ky. Acts ch. 24, sec. 299, effective July 15, 2010. -- Amended 2008 Ky. Acts ch. 100, sec. 2, effective July 15, 2008. -- Amended 2006 Ky. Acts ch. 77, sec. 1, effective July 12, 2006. -- Created 2004 Ky. Acts ch. 109, sec. 3, effective July 13, 2004.

**Legislative Research Commission Note (7/12/2006).** The reference to "subsection (2)(a)3. of this section" that is contained in subsection (3) of this statute pertains to provisions involving the appointment of certain board members that were removed in 2006 Ky. Acts ch. 77, sec. 1. Because this reference relates to licensure requirements that were to be met by July 1, 2006, and was not removed in the Act, the Reviser of Statutes has not altered or attempted to correct this phrase during codification.