

11 NCAC 08 .1204 INVESTIGATION

(a) On receipt of a complaint conforming to this Section, the Engineering and Codes Division shall conduct an investigation.

(b) A copy of the complaint and supporting information as set forth in Rule .1202(d) and (f) of this Section shall be mailed to the home inspector. The home inspector shall submit a written response to the Engineering and Codes Division within two weeks after receipt of the copy of the complaint.

(c) Upon completion of the investigation, the Board's Investigation Review Committee ("Committee") shall make a determination of whether there is sufficient evidence to support a violation of G.S. 143-151.56(a). Based on its determination, the Committee may:

- (1) recommend to the Board that the complaint be dismissed;
- (2) recommend to the Board to dismiss the complaint and a letter of caution be issued to the home inspector;
- (3) recommend to the Board that the complaint be resolved by consent agreement if the home inspector agrees to the terms of the consent agreement; or
- (4) recommend to the Board to establish a time and place for a disciplinary hearing and give notice to the home inspector and complainant. Prior to the matters being heard and determined by the Board, it may be resolved by consent agreement with the approval of the Board.

(d) The Committee shall notify the complainant and the home inspector of its determination.

*History Note: Authority G.S. 143-151.49; 143-151.56; 150B-38(h);
Codifier determined that agency findings did not meet criteria for temporary rule Eff. October 15, 1996;
Temporary Adoption Eff. October 24, 1996;
Eff. July 1, 1998;
Amended Eff. February 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*