

# TREC Updates to Inspector Standards of Practice & Inspection Report Form

## Standards of Practice

The Texas Real Estate Commission recently adopted changes to the real estate inspector [Standards of Practice \(SOPs\)](#).

These changes will become mandatory on February 1, 2022:

### **§535.227 Standards of Practice: General Provisions**

- The changes require an inspector to use reasonable and appropriate tools necessary to comply with the requirements of the Standards of Practice. However, an inspection does not require the use of specialized equipment, including but not limited to:
  - thermal imaging equipment
  - moisture meters
  - gas or carbon monoxide detection equipment
  - environmental testing equipment and devices
  - elevation determination devices (i.e., ZipLevel's for foundation elevation)
  - ladders capable of reaching surfaces over one story above ground surfaces
  - cameras or other tools used to inspect the interior of a drain or sewer line
  - drones
- Specifies that if an inspector provides services beyond the scope of the Standards, including the use of specialized equipment, or inspects components and systems in addition to those listed under the Standards, **the inspector must possess the competency required to do so.** (i.e., *Sewer Scope Inspections, Foundation Elevations, etc.*).
- Additionally, the amendments clarify that an inspector cannot perform an inspection for a client until they have notified the client of any systems or components the inspector does not routinely inspect that are otherwise required by the Standards.
- Finally, the amendments include a new definition for "gas distribution system" to conform to changes made to §535.231 Standards of Practice: Minimum Inspection Requirements for Plumbing Systems.

### **§535.228 Standards of Practice: Minimum Inspection Requirements for Structural Systems**

- These changes update requirements for doors between the residence and an attached garage to better reflect current building code requirements:
  - Report as deficient: an attached garage doorway that is not equipped with self-closing or automatic closing devices.
- Clarify reporting requirements for gas fixtures and appliances listed under this section to conform to changes made to §535.231 Standards of Practice: Minimum Inspection Requirements for Plumbing Systems.

### **§535.229 Standards of Practice: Minimum Inspection Requirements for Electrical Systems**

- These changes update the requirements for electrical systems to better reflect current building code requirements:
  - Report as deficient:

- the absence of ground-fault circuit interrupter protection in all:
  - accessory building receptacles; receptacles that serve kitchen countertops; receptacles that are located within six feet of the outside edge of a sink, shower, or bathtub; laundry area receptacles; indoor damp and wet location receptacles; kitchen dishwasher receptacle; and electrically heated floors.
- the absence of arc-fault protection in the following locations:
  - kitchens; family rooms; dining rooms; living rooms; parlors; libraries; dens; bedrooms; sunrooms; recreation rooms; closets; hallways; and laundry area.
- receptacles less than five and a half feet above the floor that are not tamper resistant.
- deficiencies in 125-volt receptacles by determining the:
  - presence of power; correct polarity; and presence of grounding.
- deficiencies in 250-volt receptacles by determining the presence of power.
- the absence of carbon monoxide alarms outside each separate sleeping area in the immediate vicinity of the sleeping rooms when either of the following conditions exist:
  - Fuel fired appliances are installed in the dwelling, or an attached garage with an opening into the dwelling unit.
- The inspector is not required to test arc-fault circuit interrupter devices when the property is occupied or damage to personal property may result, in the inspector's reasonable judgement.

**§535.230 Standards of Practice: Minimum Inspection Requirements for Heating, Ventilation, and Air Conditioning Systems**

- The amendments clarify what an inspector is required to do and report when determining if an HVAC system is functioning properly:
  - the inspector shall:
    - report the type of systems.
    - measure and report the temperature difference between the supply air and the returned air or report industry-accepted method used to determine performance.
    - generally report extraneous factors or conditions, present on the day of inspection, that would adversely impact the temperature differential of an otherwise performing unit.
  - the inspector shall report as Deficient:
    - deficiencies in the performance of the cooling system that:
      - fails to achieve a 15 degrees Fahrenheit to 22 degrees Fahrenheit temperature differential; or
      - fails to cool adequately as determined by other industry-accepted methods.
- They also clarify reporting requirements for gas fixtures and appliances listed under this section to conform to changes made by proposed amendments to §535.231 Standards of Practice: Minimum Inspection Requirements for Plumbing Systems.

**§535.231 Standards of Practice: Minimum Inspection Requirements for Plumbing Systems**

- The changes require an inspector to report the material used for water supply lines, water drain lines, and the gas distribution system.
- Specify that certain items are required to be reported only when visible.
- Require an inspector to report water pressure exceeding 80 PSI.
- They also move the requirements related to the inspection of a gas distribution system that are currently contained in various other sections of the Standards to a new subsection (d) of this section and clarify reporting requirements for gas fixtures and appliances listed under this section to conform to the new subsection (d).

#### **§535.232 Standards of Practice: Minimum Inspection Requirements for Appliances**

- The amendments move the general exception to the requirements of this section to the end of the rule to mirror other sections of the Standards.
- The amendments also update the requirements for bathroom ventilation to better reflect current building code requirements:
  - The inspector shall report as Deficient:
    - the lack of mechanical ventilation in a bathroom if no operable window is present.
- Specify that certain items are required to be reported only when visible.
- Clarify the reporting requirements for gas fixtures and appliances listed under this section to conform to changes made by proposed amendments to §535.231 Standards of Practice: Minimum Inspection Requirements for Plumbing Systems.

#### **§535.233 Standards of Practice: Minimum Inspection Requirements for Optional Systems**

- These changes add an optional reporting requirement for built-in appliances.
- Specify that an inspector is not required to report on the performance of an underground zone of a sprinkler system.
- Clarify that a private sewage system is not limited to a septic system.

### **Inspection Report Form (REI 7-6)**

The Inspection Report Form has also been updated to reflect these changes and was adopted under the new form number REI 7-6. The [REI 7-6](#) is required for all real estate inspections performed in Texas as of February 1, 2022.

#### **§535.223 Standard Inspection Report Form**

- The amendments clarify the requirement when an inspector uses computer software or other means to produce an inspection report to ensure that it complies with established reporting requirements:

*If an inspector uses computer software or other means to produce an inspection report, the inspector must reproduce the text of the standard form verbatim and the spacing, borders and placement of text must be identical to the standard form.*

This clarification came about due to the multitude of different types of inspection report writing software that is being used in the market. The required form (REI 7-6) follows a very specific format and has its own set of rules. This is done for consistency across the board to both consumers and licensees. Some versions of software produce a primary report which is not the required form that inspectors are required to provide to a client. The software may have the required form at the end of

their report or added as a separate file from their form. This could be a violation of the TREC rules. The required form (REI 7-6) should be the first thing that a client sees when they receive the report itself. If the software company wants to supplement that with their own format of a report, then that should only come after the required version is presented to the client.

- The preamble (pages 1&2) of the new REI 7-6 has been revised to be more straightforward, to provide greater clarity to an inspector's client regarding an inspector's duties while performing an inspection, and to better explain what the client should expect from the inspection and inspection report.
- There is a new section in the report form for Gas Distribution Systems. This added section is intended to be used for the gas distribution system and gas appliances that are not explicitly addressed in the Standards, such as outdoor cooking equipment.