

Regulating Ontario's home inspectors is taking too long: Aaron | Toronto Star

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By Bob Aaron Property law
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There's good news and bad news for homebuyers who would like to see a formal licensing protocol instituted for the province's home inspectors.

The good news is that last month MPP Han Dong (Trinity-Spadina) introduced Bill 165, a private member's bill, entitled Licensed Home Inspectors Act, 2016.

The bad news is that after more than three years of study, the Ontario government is still not ready to proceed with its own legislation. Instead it has allowed the issue of regulation of home inspectors to be brought to the legislature by a private member's bill which stands little if any chance of passage.

Buying a home is the largest investment most people will make in their lifetimes. Homebuyers are increasingly reliant on home inspectors.

In Ontario, anyone with a business card and a flashlight can be a home inspector. There is no requirement for training, competence, insurance or regulation. The current situation ultimately hurts consumer confidence and the home inspection industry as a whole.

The government recognized this vacuum and in December, 2013, Tracy MacCharles, the then-minister of consumer services, commissioned a blue-ribbon panel to report on industry regulation. Not surprisingly, the panel's report, entitled *A Closer Look: Qualifying Ontario's Home Inspectors*, recommends the regulation of home inspectors.

The panel reconvened last year and affirmed the 35 recommendations in its earlier report.

It recommended setting up a governing body to license, govern and regulate home inspectors. Mandatory insurance, education standards and a code of ethics would be instituted.

Now, more than two years later, the government is still not ready to proceed.

During the debate on second reading for Bill 165 last month, Jim McDonell (Stormont) said: "While I commend the member on finally taking action and not waiting for a government bill, I am concerned that this bill is issued without taking into consideration the results of the expert panel . . . The people of Ontario and the Ontario Association of Home Inspectors deserve more."

As written, Bill 165 would establish a designated administrative authority (DAA) with the power to regulate the industry. In governing its members, the DAA would act like the Electrical Safety Authority, the Real Estate Council of Ontario, and the proposed governing body under the new Condominium Management Services Act, 2015.

Last week I spoke to David Oraziatti, Minister of Government and Consumer Services to ask him about the government's position on home inspector licensing.

He told me that he feels strongly about the issue, and wants greater regulation in this area.

"I'm committed to introducing legislation as soon as possible," he said, adding that it would be "within this year."

While welcoming the advocacy of Han Dong in this field, Oraziatti acknowledged that private members are more "nimble" in introducing their own proposed legislation than ministers of the Crown.

He expressed optimism that when his ministry does introduce mandatory regulation for home inspectors, there would be strong support from all parties.

Bill 165 is headed for the Standing Committee on Regulations and Private Bills which is where most private member's bills die.

But, hopefully, the issue is now on the front burner and Ontarians can look forward to government legislation before we're again looking at the start of winter in December.

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