

NOTICE OF PUBLIC RULE HEARING AND BOARD MEETING

The Regulation and Licensing Department (Department) in consultation with the New Mexico Home Inspectors Board (Board), and pursuant to Board authority at Section 61-24D-3(F) NMSA 1978, will hold a rule hearing on Monday, September 11, 2023, at 9:00 a.m., to include a Special meeting of the Board to discuss and consider adoption of the proposed rules listed below. The rule hearing and subsequent Board meeting will be held at the Regulation and Licensing Department, 5500 San Antonio Drive NE, Albuquerque, NM 87109.

The hearing and subsequent board meeting may also be accessed via Cisco Webex Meetings by using the following link: <https://nmrld.webex.com/nmrld/j.php?MTID=m45ea6c4adee4b6445c0b7de9f724396f>

Join by meeting number

Meeting number (access code): 2488 161 7481

Meeting password: WjMkdGWk779 (95653495 from video systems)

Join from a video system or application

Dial 24881617481@nmrld.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

The purpose of the rule hearing is to receive public comments related to proposed amendments of the following rules that address changes to Board rules:

1. Title 16 Chapter 66 Part 1- General Provisions
 - a. 16.66.1.7 Definitions
2. Title 16 Chapter 66 Part 2 – Fees
 - a. 16.66.2.8 Fees
3. Title 16 Chapter 66 Part 3 – Applications and Licenses
 - a. 16.66.3.8 Application for Licensure by Training and Examination
 - b. 16.66.3.9 Application for Licensure by Experience and Examination
 - c. 16.66.3.10 Application for Licensure by Credentials
 - d. 16.66.3.11 Examinations
 - e. 16.66.3.12 Expedited Licensure for Military Service Members Spouses, Children and Veterans
 - f. 16.66.3.13 Initial License Length (Rules in Effect Until December 31, 2021)
 - g. 16.66.3.14 Licensure Procedure
 - h. 16.66.3.15 Criminal Convictions
4. Title 16 Chapter 66 Part 4 – License Renewals and Reactivation
 - a. 16.66.4.8 License Renewal
 - b. 16.66.4.10 Reactivation of Expired or Inactive Licenses
5. Title 16 Chapter 66 Part 5 – Continuing Education
 - a. 16.66.5.8 Continuing Education
 - b. 16.66.5.10 Continuing Education Audits
6. Title 16 Chapter 66 Part 8 – Disciplinary Proceedings
 - a. 16.66.8.8 Grounds for Disciplinary Action
 - b. 16.66.8.9 Complaints and Responses
 - c. 16.66.8.10 Review of Complaint

On July 31, 2023 copies of the proposed rules may be obtained by going to the Boards and Commissions Division, Home Inspectors Board website at: <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/home-inspectors/board-information/>, or by contacting the Board Administrator for the Board, Roxanne Romo, at (505) 222-9820.

The Department and the Board will begin accepting public comments on the proposed rules beginning July 31, 2023. Please submit written comments on the proposed changes to Roxanne Romo, Board Administrator, via electronic mail at: home.inspectors@rld.nm.gov, or by regular mail at 5500 San Antonio Drive NE, Albuquerque, NM 87109 no later than September 11, 2023 8:00 a.m.

Written comments received during the public comment period will be posted to the Board’s website page linked above. Any person in attendance will be given the opportunity to present their comments at the rule hearing.

An individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing or the special board meeting, please contact Ms. Roxanne Romo, Board Administrator (505) 222-9820 at least 7 days prior to the rule hearing and special board meeting. Public documents, including the proposed rules, meeting agenda and minutes, can be provided in various accessible formats.

Purpose of Proposed Rules:

The above proposed rules by the Board at 16.66.1 through 16.66.5 NMAC govern the application requirements and process for licensure and licensure renewal and establish the requirements for reactivation of licensure for individual applicants and licensees. The proposed rules intend to create consistency between the Board’s rules and recent legislative amendments to the Home Inspector Licensing Act, improve Board efficiency, and improve the functioning of the profession for the benefit of the public.

The above proposed rules by the Board at 16.66.8 NMAC govern disciplinary proceedings against licensees.

Summary of Proposed Changes:

The proposed amendments to the rules previously promulgated by the Board at 16.66.1 through 16.66.5 and at 16.66.8 NMAC would (1) amend the requirements for board examination and licensure to comport with recent legislative amendments, (2) define and incorporate “ancillary services” “pre-inspection agreements” and “business relationship,” (3) repeal state of emergency provisions, (4) amend the continuing education provisions to require minimum Board meeting attendance, (5) mandate exclusive three-year license periods, (6) amend the grounds for discipline to include failure to comply with continuing education requirements or the Board’s code of ethics, and (7) require satisfactory evidence of E&O insurance as a condition of renewal.