



ORCIA™

Oklahoma Residential and Commercial Inspection Association

AMENDED BYLAWS

November 13, 2009

Article 1 - Name, Location, Purpose and Restrictions

1.1 **Name.** The name of this Professional Association is the Oklahoma Residential and Commercial Inspection Association (ORCIA), a not for profit corporation incorporated in the State of Oklahoma.

1.2 **Location.** The principal office of ORCIA is located in Oklahoma City, Oklahoma, or as determined by the State Board and Directors.

1.3 **Purpose.** The primary purpose of the Association is to serve the needs of its membership and the general public through research, education and exemplary practice in the residential/commercial inspection profession. The purpose includes the following goals:

1.3.1 To plan, develop and oversee professional opportunities for the members and others to achieve preeminence in the residential/commercial inspection profession; establish, promote and maintain professional standards and qualifications; develop, review and publish technical and educational materials;

1.3.2 To develop, maintain and enhance membership growth and retention programs;

1.3.3 To develop and maintain the financial and human resources necessary to accomplish the purposes and goals of the Association;

1.3.4 To communicate the ethics, standards, purposes, goals and accomplishments of the Association to its membership, government, private sectors and the general public;

1.3.5 To promote and enhance relationships with all public, including the Association

membership, other associations, governmental agencies, organizations and the general public.

1.4 Restrictions. The policies and activities of the Association shall be consistent with the following:

1.4.1 It is the undeviating policy of the Association to comply strictly with the letter and spirit of all applicable federal, state and local laws. Any activities of the Association or Association-related actions of its staff, officers, directors or members which violate these regulations and laws are detrimental to the interests of the Association, are unequivocally contrary to Association policy and, in consideration of these Bylaws, lack authority.

1.4.2 Applicable tax exemption requirements including the requirements that the Association not be organized for profit and that no part of its net revenue inures to the benefit of any private individual or corporation.

Article 2 - Membership

2.1 Membership Qualifications. Membership in the Association is available to individuals involved in or associated with the residential/commercial inspection profession. Members must be a member in good standing of a Chapter.

2.1.1 Individuals of each category of membership as defined by these bylaws shall be entitled to the rights and privileges, as specified by these bylaws, as long as those individuals comply with these Bylaws, Code of Ethics and other applicable requirements of the Association, including financial obligations.

2.1.2 To avoid the possibility or appearance of a conflict of interest, a member, as defined in Section 2.2.

2.2 Shall not:

A. other than a retired member, inspect property he/she is actively engaged in business as broker or salesperson in the sale, purchase or listing of real estate;

B. repair, offer to repair at no cost or for a fee any conditions found during inspections for the period of one year after the date of the inspection.

2.1.3 Continued membership in good standing for all categories of members within 50 miles of a chapter is dependent upon meeting or exceeding the following guidelines. (Members

must accumulate a minimum of twelve (12) continuing education hours):

A. Must attend at least two scheduled chapter meetings within a calendar quarter as defined as Jan-Mar, Apr-Jun, Jul-Sep and Oct-Dec. Minimum attendance is eight (8) times per year. (Scheduled meeting attendance is equal to 1(one) ORCIA continuing education hour).

B. Attending either the spring or Fall Conferences will be considered as attendance in lieu of a regularly scheduled meeting within that particular calendar quarter. Attendance will be equivalent to one (1) hour of ORCIA continuing education and will be added to the continuing education hours for the conference (4-8 as determined and approved by the conference committee). Conference minimum continuing education hours will be four (4) Oklahoma recognized continuing education hours. (Total minimum ORCIA continuing education hours for attending a conference are five (5)).

C. Attendance of other than ORCIA education conferences such as ASHI, NACHI, NAHI etc, where continuing education is provided for home inspectors can be considered towards ORCIA continuing education requirements.

D. Attendance of an Oklahoma recognized and approved continuing education course at an accredited and approved local education center can be considered towards ORCIA continuing education requirements at a one for one equivalent.

2.1.4. Continued membership in good standing for all categories of members beyond 50 miles of a chapter is dependent upon meeting or exceeding the following guidelines:

Accumulating a total of twelve (12) continuing education hours (Oklahoma requirements included) through the different methods identified in 2.1.3. A-D. Copies of continuing education should be submitted at time of submitting ORCIA annual dues.

2.1.5 Absences necessitated by disability, long term illness, weather or business will be considered on a case by case basis.

2.1.6. If conferences or monthly meetings are suspended for good cause, all members will get credit for meeting attendance. Cancellation will only credit the member for one (1) hour of ORCIA continuing education.

2.2. Categories of Membership:

2.2.1. Member Inspector: Members that are newly licensed and have not performed 250 fee paid inspections. Member Inspectors are considered limited members. Those limitations are: (1) May vote on Chapter initiatives only that involve fund raising and chapter activities, (2) new member acceptance and (3) Chapter Officer elections. Members may hold offices other than Chapter President and Treasurer. (Member Inspectors may not vote on the application of a member to become a Certified Inspector.) Member Inspectors shall pay dues.

2.2.2. Certified Inspector: Members that have performed 250 or more fee paid inspections have been licensed a minimum of two years and have submitted the necessary application and affidavit. (Only Certified Members may vote on any application for Certified Member). Certified Inspectors have the same voting rights as a Member Inspectors plus voting rights to elect the Chapter President and Treasurer. Certified members may hold any elected position within the Chapter and limited seats on the State Board. Selection criteria for Certified Inspector can be found at Annex A. Certified Inspector members shall pay dues.

2.2.3. Master Certified Inspector: Members that have 5 years experience and completed 1,500 inspections and submitted the necessary application, affidavit and paper copies of inspections from each of the previous 5 years. Master Certified Inspectors will be approved by a majority vote of the Board and Directors. Selection criteria for Master Certified Inspector can be found at Annex A. Master Certified Inspector members shall pay dues.

2.2.4. Retired Members: Retired members of the Association are individuals who have been ORCIA members in good standing for a minimum of 3 full years and who are no longer actively engaged in the residential/commercial inspection profession including performing inspections or supervision of inspectors. Retired members may vote and hold office. Except as specified in these Bylaws, all reference to members shall include retired members. Retired Members shall pay dues.

2.2.5. Affiliate Members: Affiliates of the Association are individuals or companies providing products and/or services to residential/commercial inspectors and the inspection profession. Affiliates shall meet the requirements and shall be entitled all the benefits of being a member except that an Affiliate may not vote for officers of the Association. Affiliates may not hold office in any chapter or State level positions. Affiliates may be heard and can participate in chapter activities. Affiliate members shall pay dues.

2.2.6. Friends: Friends of the Association are individuals who are not eligible to be members or affiliates, and who shall have performed distinguished service to the inspection profession and who are nominated by the State Board. Friends shall be identified in writing by the chapter requesting this title for anyone who is considered Friend to the trade. Friends shall pay no dues.

2.2.7. Honorary Members: Honorary members are determined by the State Board upon application by any chapter that wishes to bestow this title on anyone who by demonstrated support to the inspection trade, has been nominated. Requests should be submitted to the Board in letter format. Honorary members shall pay no dues.

2.3 Non-Voting Memberships: The following membership categories do not have a vote and are not eligible to serve as directors or hold office in the Association:

2.3.1. Affiliates

2.3.2. Friends

2.3.3. Honorary Members

2.4. Application for Membership. All applicants for membership other than for Friends, must complete and sign the application form provided by the Association (Annex A) and submit the application to the principal office of the Association (Chapter Membership Committee Chairman). Approved applications for Member Inspector, Certified Inspector will remain with the Chapter Membership Committee with a copy furnished to the Executive Director. All Applications for Master Certified Inspector will be sent to the State Board for consideration.

2.5 Resignation/Leave. Any individual holding membership in the Association may resign or take a leave of absence by filing a written request with their respective chapter and a copy forwarded to the State Board of Directors. The applicable chapter will then vote to grant or deny such request.

2.5.1 such resignation will result in loss of all membership privileges. Members who are on leave are not allowed to vote or hold any office or directorship

2.6 Membership Drives. Membership drives will occur twice per fiscal year in conjunction with the Spring and Fall Conferences. The following guidelines apply for ORCIA membership drives:

2.6.1 Application fee will be waived no sooner than 10 days prior to the conference.

2.6.2 Dues will be at the applicable prorated level as defined by 3.1.2. A.

2.6.3 Applications will be completed at conference.

2.7 Discipline. Any individual holding membership in the Association may be censured, suspended or expelled for reasons as set forth in the applicable Oklahoma Home Inspector licensing law, the Oklahoma Home Inspector Regulations (Standards of Practice) and the adopted Code of Ethics.

2.7.1 Failure to meet financial or attendance obligations, continuing education requirements, or is, with reasonable written notice, adequate reason for suspension or expulsion and does not require deliberation by a hearing committee or the State Board.

2.7.2 Any member proposed for discipline, except for Section 2.7.1 above, shall be provided due process, including reasonable written notice of the reason for discipline, opportunity to oppose the charge in writing or in person before a tribunal, final written notice of the tribunal's decision, and the right of appeal to the State Board.

2.7.3 Reasons for discipline include violations of ORCIA Bylaws, ORCIA Code of Ethics, Oklahoma Standards of Practice, rules, policies or any act which tends to interfere with the objectives of ORCIA. ORCIA shall maintain disciplinary procedures.

2.8 Readmission. Any member, affiliate or candidate who has resigned, retired or been expelled may reapply for membership, pursuant to policy determined by the State Board.

Article 3 - Dues and Other Financial Obligations.

3.1 Dues and Other Financial Obligations of Membership. Dues and other financial obligations of membership are established below:

3.1.1. Dues for all members of ORCIA are \$150.00 due no later than 31 March of each year. Chapter Treasurers will invoice members annually. Members in arrears as of 31 March of each year will be considered "Not in good standing."

3.1.2. Member Inspector Application; \$50.00 Application Fee (non-refundable) and appropriately pro-rated dues.

A. Pro-ration of Dues:

1. January 1 to March 31 \$150.00
2. April 1 to June 30 \$100.00
3. July 1 to 30 September \$75.00
4. October 1 to December 31 \$50.00

3.1.3. Certified Inspector Member Application: (Qualification criteria as described in Annex B).

- A. Initial Application is \$50.00 Application Fee and appropriate affidavit and paper Copy of a current written inspection report, and appropriately pro-rated dues. The \$50.00 application fee will be divided by the Chapter and the State Board.
- B. Membership upgrade in Category: Where the Member Inspector is upgrading his category of membership; he/she should submit the applicable application and the supporting documentation with a \$25.00 application fee (non-refundable). The \$25.00 application fee will be divided by the Chapter and the State Board.
- C. Copy of inspection report which will be returned to the applying inspector.

3.1.4. Master Certified Inspector: Master Certified Inspector Member Application: (Qualification criteria as described in Annex C).

- A. Initial Application is \$50.00 Application Fee and appropriate affidavit and paper copy of inspections performed from each year of the past five (5) years which should include a current written inspection report, and appropriately pro-rated dues. The \$50.00 application fee will be divided by the Chapter and the State Board.
- B. Membership upgrade in Category: Where the Certified Member Inspector is upgrading his category of membership; he/she should submit the applicable application and the supporting documentation with a \$25.00 application fee (non-refundable). The \$25.00 application fee will be sent to the State Board.
- C. Copies of all reports will be returned to the applying inspector.

3.2 Delinquency. Any individual or affiliate more than 60 days in arrears for any indebtedness to ORCIA, including payment of dues, shall be considered “not in good standing” and will not be directly benefitted by Chapter decisions until such time as the member is considered “In Good Standing.”

- A. Members considered “Not in good standing” can be reinstated to “In Good Standing” upon payment in full of the annual dues according to B below.

B. Members in arrears three (3) to six (6) months will be considered delinquent and required to pay a delinquency charge defined below to be reinstated.

1. April 1-April 30 \$15.00
2. May 1-May 31 \$30.00
3. June 1-June 30 \$50.00

Article 4-Chapters

4.1 **Chapters.** Groups of members may be recognized as chapters of ORCIA by a majority vote of members of the State Board and Directors.

4.1.1 All members of chapters shall be members in good standing as identified in 2.2 of these bylaws .

4.1.2 ORCIA members shall not be members of more than one chapter unless they indicate one chapter affiliation for the purpose of elections and selection of Directors.

4.1.3 At least three (3) Association members operating in a defined geographical area are may establish a local chapter. The Association members desiring to form a chapter shall have an organizational meeting and elect a nominating committee by majority vote of members present. The nominating committee shall nominate at least one person for each of the following officers: President, Vice President, Secretary and Treasurer. One person may serve in two positions only in the case of Secretary and Treasurer.

4.1.4 Chapter Privileges. Chapters shall constitute the “grass roots” representation of the Association, and within the limits defined above be entitled to all its rights and privileges. Chapters shall engage in such activities as are consistent with the ideals and Code of Ethics of the Association. Such activities shall be restricted to the geographical boundaries established for the chapter, except as may be authorized by the Board of Directors in consultation with and with the concurrence of all other affected charter areas. Chapters shall not have any voting privileges in the affairs of the Association except that their individual members are entitled to vote insofar as they are qualified voting members of the Association.

4.1.5 New chapter will operate under the State Board of Directors/Peer Review/Complaints Committee for a period of six (6) months and are then on their own.

4.1.6 Once a new chapter has been established and membership in the chapter has increased above the three (3) member initial requirement, the Chapter will be considered self governing. Should membership in the chapter fall below six (6) members, the Chapter will once again operate

under the State Board of Directors/Peer Review/Complaints Committee until membership level increases to at least six (6) members.

4.1.7. Chapters will develop a set of bylaws for their chapter which will include the frequency of meetings, location of meetings and define the duties of chapter officers. These bylaws may be used as a guide for chapter bylaws. Each Chapter may append these bylaws with their particular requirements in lieu of developing a complete document. Bylaws or Appendices will be approved by the State Officers and Board of Directors. Local chapters may have additional membership requirements such as local dues. Membership status in local chapters will be governed by Bylaws adopted by the chapter. Once a Chapter is approved by the State Board and Directors, a Charter will be issued as shown in Annex D.

4.1.8 Meetings throughout ORCIA will be conducted in accordance with Roberts Rules of Order (Annex G).

4.1.9 The Association shall not restrict nor interfere with the operation of the chartered chapter in any of the following ways:

1. Shall not dictate its Bylaws except for as necessary to affiliate the Association and the Chapter.
2. Shall not be involved in running the day-to-day affairs of the Chapter.
3. Shall not dictate local meeting places, times, or frequency.
4. Shall not have any approval or disapproval over elections of the Chartered Chapter.

4.2 **Regions.** Regions are generally defined by large population centers. Population centers include Oklahoma City (Central), Tulsa (East), Lawton (South), Ardmore (Southeast) and Altus(Southwest). See Annex E.

4.3 **Qualifications.** Chapters and regions shall comply with the Bylaws and must conform to such other requirements as may be established by the State Board.

4.4 **Suspension or Disqualification.** A chapter or region that fails to comply with these Bylaws, or for other cause deemed sufficient, may be suspended or disqualified as a chapter or region by two-thirds vote of the State Board.

4.4.1 Reasonable written notice, as determined by the State Board, must be given to the chapter or region before such State Board action.

4.4.2 A chapter or region that has been suspended or disqualified may be reinstated by a two-thirds vote of the State Board.

4.4.3 All records, bank accounts will revert to the State Board once the chapter is voted disqualified in accordance with 4.4 of these bylaws. Funds will be used as needed by the State Board to conduct business.

4.4.4 Members (regardless of category) who wish to continue as an ORCIA member in good standing will be administratively transferred to the nearest operating Chapter. Dues and attendance requirements will continue to be in accordance with these bylaws. Prorated dues upon transfer will be transferred to the gaining chapter. The State Board of Directors will determine the appropriate nearest chapter.

Article 5 - State Board of Directors

5.1 **Purpose.** There shall be a State Board of Directors (the State Board), which shall be the governing body of the Association.

5.2 Election of Directors to the State Board.

5.2.1 **Chapter Representation.** A newly formed chapter shall not be represented on the State Board until the beginning of the ORCIA fiscal year following their formulation and approval by the State Board. ORCIA fiscal year will run from January 1 to December 31.

5.2.2 Each chapter shall elect members to the ORCIA State Board of Directors from and in accordance with the number of certified members in good standing in their chapter at the end of their last fiscal year. The number of Directors from each chapter shall be according to the following:

Membership (All categories)	Directors
3 through 10	1
11 through 20	2
21 through 30	3
31 through 40	4
41 or more	5

5.3 Duties. The State Board shall:

5.3.1 Have authority for and be responsible for the supervision, control and direction of the Association;

5.3.2 Establish administrative and fiscal policies governing the Association, including discharge of fiscal obligations and the designation of accountants to audit all books of accounts for the current fiscal year;

5.3.3 Establish the requirements, rights, privileges and restrictions applicable to each category of membership, including the use of the ORCIA name, acronym and logo, except as established by these Bylaws;

5.3.4 With regard to chapters, assume the responsibilities specified in Article 4 of these Bylaws;

5.3.5 Schedule the Annual Members Meeting;

5.3.6 Act on the President's appointments to committee chairmanships;

5.3.7 Plan for and devise measures for the Association's development;

5.3.8 Perform such other duties as are specified in these Bylaws.

5.4 Executive Director. The State Board may, on behalf of the Association, retain an Executive Director who shall be an ex-officio member of the State Board with no vote.

5.4.1 The Executive Director shall perform such duties as are specified in these Bylaws or as may be assigned by the State Board, including fiscal management and adherence to the approved budget.

5.4.2 The Executive Director shall be provided appropriate bond at the expense of the State Board.

5.5 Composition of the State Board. The State Board shall consist of voting members designated as follows: President, President-Elect, Vice President, Secretary, Treasurer, the Immediate Past President and Directors designated from each chapter in accordance with 5.2.1 and 5.2.2

5.5.1 Past State Presidents, other than the Immediate Past President & Parliamentarian/Historian, are lifetime ex-officio members of the State Board with no vote.

5.6 Vacancies. If a vacancy other than the officers shall occur, the position shall be filled by the State Board for the unexpired portion of the term. Vacancies occurring among the officers shall be filled as provided for in Article 6.

5.7 Meetings. The State Board shall meet together at whatever times and places as may be specified by the President, but at least two (2) times annually. Such regular meetings shall be called by the President with notice.

5.7.1 Special State Board meetings in addition may, with reasonable notice, be called by the President pursuant to and within 7 days of the President's receiving such written request from not less than 25 percent of the State Board.

5.7.2 Special State Board meetings in addition shall, with reasonable notice, be called by the President within 7 days and to occur within 60 days of the President's receiving a valid petition.

5.7.3 The State Board may in addition meet via telephone conference call.

5.7.4 Provided a quorum of the members is present or participating, a majority of the State Board is necessary to make a decision except where some other number is required by law or by these Bylaws.

5.7.5 The State Board may transact business by mail or facsimile by voting on proposals submitted to them at the direction of the President. Unless specified otherwise in these Bylaws, a vote of the majority of the members of the State Board, received in writing at headquarters, shall determine the result.

5.7.6 Proxy voting is not permitted at State Board meetings.

5.8 Quorum. A majority of members of the State Board, including the presence of the President,

President-Elect or Vice President, shall constitute a quorum.

5.9 Removal of a Director. A Director may be removed from office for good cause by a majority vote of the State Board. A directorship so vacated shall be immediately filled by a State Board alternate from the chapter of the removed director, who shall serve the remaining term of the removed director.

Article 6 - Officers

6.1 Officers. The officers of the Association are a President, President-Elect, Vice President, Secretary, Treasurer, the Immediate Past President, and a Parliamentarian/Historian.

6.2 Election. The President-Elect, Vice President, Secretary and Treasurer shall be elected prior to the Annual Meeting. The incumbent President-Elect shall succeed to the office of President upon installation of all officers at the Annual Meeting.

6.2.1 The schedule for nominations and balloting shall be determined by the State Board and announced to the members.

6.2.2 Election shall be by mail ballot of the voting members of the Association in good standing. A plurality vote shall constitute an election.

6.2.3 Ballots shall be secret, and shall allow for write-in candidates for each office.

6.3 Terms of Office. The President-Elect, Vice President and Secretary shall be elected annually to serve for a term of one year. The Treasurer shall be elected annually to serve for two years, and shall be eligible for re-election for a maximum of two additional successive such terms (not to exceed 6 years). The President and Immediate Past President shall serve for a term of one year. Each one-year term shall extend from January 1 to December 31. Elections will be announced in accordance with these bylaws and conducted in conjunction with the Fall Conference (Membership Conference).

6.4 Duties. The officers perform those duties usual to their positions, including those specified herein and as assigned to them by the State Board of Directors.

6.4.1 The President shall be chairperson of the State Board of Directors and an ex-officio member of all committees. He shall vote only on the State Board of Directors, and only

to break a tie.

6.4.2 The President-Elect, upon the inability of the President to act, shall assume the duties of the President. In the event of a vacancy occurring in the office of the President, the President-Elect shall serve as Acting President until the expiration of the term, and at that time, shall become President.

6.4.3 The Vice President, upon the inability of the President and the President-Elect to act, shall assume the duties of the President. In the event of a vacancy occurring in the office of the President and the President-Elect, the Vice President shall serve as Acting President, until the expiration of the term. For the subsequent term, the position of President shall be subject to nomination and election in accordance with this Article 6 of the Bylaws.

6.4.4 The Secretary shall be responsible for keeping and distributing the minutes of all meetings of the State Board, the Annual Meeting, and any special members' meetings of the Association. The Secretary shall have custody of the corporate seal, and oversee all balloting by the State Board and by the members.

6.4.5 The Treasurer shall have general supervision over the fiscal affairs of the Association and shall be responsible for safeguarding all assets. The Treasurer shall be appropriately bonded at the expense of the State Board.

6.4.6 All officers will be elected as set forth in 7.2.1 of these By-Laws with the exception of the Parliamentarian/Historian who will be appointed to an indefinite term by the State President. He should be a long term member in good standing. Resignation from this office shall be in writing to the State President.

a. It shall be the duty of the Parliamentarian/Historian to preserve in a safe and orderly fashion, all important documents, such as but not limited to, latest accepted By-Laws, Standards of Practice, Code of Ethics, Membership applications, Official ORCIA Membership Numbers, Minutes of State meetings and any historical document that relates to ORCIA.

6.5 Suspension or Removal.

6.5.1 The authority of any officer may be suspended for cause and reinstated by a two-thirds vote of the State Board.

6.5.2 The authority of any director may be suspended for cause and reinstated by a two-thirds vote of the State Board.

6.5.3 An officer elected by the members may be removed, with or without cause, only by a majority vote of the members.

6.5.4. Revocation of Membership: Membership will be automatically revoked for any of the following reasons:

A. Nonpayment of dues in accordance with the schedule published by the Board of Directors.

B. Application for membership later revealed to have been untruthful.

C. Loss of Oklahoma Inspector License.

6.5.5. Membership may be revoked by, two-thirds (2/3) vote of the members of the Board of Directors, for any of the following reasons:

A. Violation of ORCIA Code of Ethics (ANNEX F).

B. Upon finding of guilt in violation of the laws or codes of the State of Oklahoma or of the United States in the conduct of the member's inspection business.

6.6 Vacancies. If the offices of Vice President, Secretary or Treasurer shall become vacant, the President shall appoint a successor to fill out the unexpired portion of the term subject to the approval of the State Board.

6.6.1 If the appointee is already holding elective or appointive office, the appointee shall serve in the appointed capacity in addition to other duties.

6.6.2 The President may replace any such appointees, subject to the approval of the State Board.

Article 7 - Committees

7.1 Purpose. The purpose of committees is to carry out their specific charges. Unless otherwise specified in the Bylaws, they make recommendations in accordance with procedures adopted by the State Board and, when requested by the State Board, they assist in their implementation.

7.2 Standing Committees. All standing committees shall have a minimum of three members, including a chairperson appointed by the President and approved by the State Board, unless otherwise noted herein. The President may terminate membership on any standing committee except the Nominating Committee and the Complaints Committee. Each standing committee shall perform the duties described by these Bylaws and such other duties as may be directed by the State Board. The standing committees shall be appointed at or immediately after each Annual Meeting to serve until the next Annual Meeting or until their respective successors are appointed. The Standing Committees follow:

7.2.1 The Nominating Committee will consist of a minimum of three members, selected as outlined in 7.2 above. It will be their responsibility to select a proposed slate of officers for the upcoming year to be presented to the general membership as follows:

A. The Nominating Committee shall consist of a chair, who shall be a past State Officer appointed by the President and approved by the State Board, and two additional members selected by the State Board from among themselves and one person from each eligible chapter. This Committee will meet no later than August 31 each year. The chair shall vote only to break a tie.

B. A ballot will be put together with names of those persons who have been selected for each office. In addition, a space will be made available for members to write in other names if they so desire.

C. This ballot will be mailed only to Certified Members in good standing at the Fall Conference or no later than October 15 each year. A self-addressed envelope will be included for their return. All ballots received through this process will be brought unopened to the Nominating Committee for counting. Announcement of the new officers will be made to membership at large by the Chairman of this Committee.

7.2.2 The Membership Committee shall establish qualifications for membership, subject to the approval of the State Board and to conformance with these Bylaws. The committee shall evaluate all applications for membership and all candidates for satisfaction of these qualifications and shall recommend action.

7.2.3 The Complaints Committee shall review any complaints received against voting members, candidates, affiliates and friends, regarding alleged violations of the Code of Ethics, these Bylaws, policies, Standards of Practice, and other rules, as applicable.

7.2.4 The Bylaws Committee shall, when advisable, prepare proposed amendments to the Bylaws of the Association. It shall also counsel on interpretations of the Bylaws and on policy conflicts with the Bylaws.

7.2.5 The Finance Committee shall be responsible for the financial planning and policies of the Association, including the annual budget. The Treasurer shall serve as chairperson.

7.2.6 The Standards Committee shall develop and maintain recommended inspection standards in accordance with procedures adopted by the State Board. The Standards of Practice may be amended in accordance with Section 8.5.2.

7.3 Other Standing Committees. The State Board may establish other standing committees with defined purpose. Such committees shall be subject to all the same conditions common to those standing committees included in these Bylaws.

7.4 Special Committees. The President from time to time may establish such special committees as it deems necessary. The composition and charge of special committees, including the appointment and service of their members shall be determined by the President with the approval of the State Board. The tenure of such committees shall be through completion of their charge or as otherwise specified by the President.

7.5 Quorum. A majority of the members of any committee shall constitute a quorum.

Article 8 - Members, Meetings and Voting

8.1 Annual Meetings. The Association shall hold Annual Members' meeting. The place, date and hour of Annual Meetings shall be designated by the State Board.

8.2 Special Meetings. Special meetings of the Association may be called by the State Board or, conforming to law, by the members. The place, date and hour of any Special Meeting shall be determined by the President, subject to the State Board's approval.

8.3 Notice. Adequate notice of each meeting shall be mailed to the members prior to the meeting. The notice must include a description of the business to be discussed.

8.4 Quorum. At least 25 percent of the voting members in good standing present in person shall constitute a quorum for the conduct of business at annual and special meetings of the Association, provided that the President, President-Elect, or Vice President and two other members of the State Board are present.

8.5 Voting. Whenever in the judgment of the State Board any matter shall arise which requires a vote of the members, the State Board shall, unless otherwise required by these Bylaws, submit such matter at a meeting or by mail to the voting members in good standing for vote.

8.5.1 Any matter at a meeting, requiring a vote, shall be decided, in questions with two options, by the majority vote of such members present casting a vote, unless otherwise mandated by these Bylaws. In questions with more than two options, the matter shall be decided by the plurality vote.

8.5.2 Any matter submitted by mail ballot shall, unless otherwise mandated by the Bylaws, be decided, in questions with two options, by the majority of the votes that are received within a period of time, determined by the State Board, after submission to such members, provided that in each case votes of 30 percent of such members shall be received. In a question with more than two options, the matter shall be decided by the plurality vote.

Article 9 - General

9.1 Fiscal Year. The fiscal year of the Association shall be January 1 thru December 31.

9.2 Indemnification. The Association shall indemnify any person who was or is a party or threatened to be made a party to any threatened, pending or completed action, suit or proceedings (including actions by the Association to procure a judgment in its favor) by reasons of the fact that the person did or does represent the Association. All such representatives shall conform to the definition of an "insured" under any applicable association liability insurance coverage. Such indemnification shall protect against expenses including attorney's fees, fines, and amounts paid in settlement, actually and reasonably incurred, if such person has been successful on the merits or otherwise in such action, or upon a determination in the specific case that such indemnification is proper in the circumstances. The Association shall, if available and feasible, purchase and maintain insurance for the purpose of indemnification on behalf of such persons to the full extent authorized by law.

9.3 Parliamentary Authority. The rules contained in Robert's Rules of Order (most recent edition) shall, in connection with meetings, govern this Association in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and with any special rules of order the

Association may adopt.

9.4 **Seal.** The State Board of Directors may adopt a seal for the Association, to be in such form and to be used in such manner as the State Board shall direct.

9.5 **Dissolution.** In the event that the Oklahoma Residential and Commercial Inspection Association shall elect or be caused to discontinue, it shall require a vote of the members as specified by the laws of the state of incorporation. In the event of dissolution, the State Board shall distribute all corporate assets remaining, after all debts and other obligations of the Association are discharged, for the exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or the corresponding section of any future Federal Tax Code.

Article 10 - Amendments

10.1 **Amendment at Annual or Special Members Meetings.** The Bylaws Committee shall submit to the State Board all proposed amendments to these Bylaws with the Committee's recommendations at least 60 days before the members meeting and such proposals shall also be provided to the members at least 30 days prior to the members meeting. The State Board's recommendations shall be recorded in its minutes. A two-thirds vote of the voting members present in person is required to amend these Bylaws at any members meeting.

10.2 **Amendment by Mail Ballot.** These Bylaws may be also amended by two-thirds of all members in good standing voting by mail ballot in conformance with Section 8.5.

10.3 **Amendment Proposals.** An amendment may be proposed by a petition signed by 10 percent of the members or such lesser number as may be established by the State Board, by a two-thirds vote of the State Board or by the Bylaws Committee. In each case, the petition or proposal for amendment must be submitted to the Bylaws Committee in time for submission by the Committee to the State Board. The State Board may correct article and section designations, punctuation, English usage, spelling and cross-references and may make non-substantive technical changes.

ANNEX A

APPLICATION FOR MEMBERSHIP, AFFILIATE, RETIRED MEMBER, OR APPLICATION FOR CHANGE OF CATEGORY OF MEMBERSHIP, AFFIDAVIT

- A. Criteria for application for membership as Member or Certified Inspector (Initial). Complete Application and submit to Membership Committee.
 - a. If applicable (initial application as Certified Member), submit affidavit and one copy of recent inspection.
 - b. Pay \$50.00 non-refundable application fee.
 - c. Must be a licensed Oklahoma Home Inspector (attach copy of license)
 - d. Upon majority vote of membership, pay appropriate Dues as identified in 3.1.2 of these bylaws.

- B. Criteria for application of Member upgrade to Certified Inspector
 - a. Complete Application, have completed 250 fee paid inspections, fill our affidavit and submit one copy of a recent inspection and submit to Membership Committee.
 - b. Pay \$25.00 non-refundable application fee.
 - c. Must be a current licensed Oklahoma Home Inspector and be Member in Good Standing. (Verified by Treasurer).



ORCIA™

9300 N. May Suite 400-107
Oklahoma City, OK 73120
(405)532-1874

Date application approved: _____

APPLICATION FOR ORCIA MEMBERSHIP/MEMBERSHIP UPGRADE

Date of application: _____

Membership applying for: (X one) a. MEMBER _____ b. CERTIFIED MEMBER _____
c. AFFILIATE _____ d. RETIRED MEMBER _____

****Please Note: Membership categories are defined on the reverse side. Annual membership dues; \$150.00**

Please print the following information: Have taken a National Home Inspector Exam Yes ___ No ___

Name: _____ License Number _____

Business Name: _____

Mailing address: _____
CITY STATE COUNTY ZIP CODE E-MAIL ADDRESS

Business phone: _____ Home phone: _____ FAX: _____

ALL CATEGORIES OF MEMBERSHIP MUST FILL IN THE FOLLOWING INFORMATION:

EDUCATIONAL BACKGROUND:

High School _____ Year graduated _____

College or technical school _____ Year graduated _____

Additional education _____

Residential _____ Commercial _____

Indicate in the blanks above the number of fee-paid home inspections you have completed. A fee-paid inspection (normally pre-purchase) involves an inspection and report on the conditions of a house or commercial building as follows: Lot Drainage, Roof, Electrical, Mechanical, Plumbing and Preliminary Structural.

PROFESSIONALISM THROUGH COOPERATIVE EFFORTS

EXPERIENCE: (List in reverse chronological order - most recent first)

From Mo/yr.	To Mo/yr.	Name & Address of Employer	Position and duties

INFORMATION FOR AFFILIATE MEMBERSHIP

My primary interest and vocation is in the field of: _____

I am currently employed by: _____

If I am accepted for membership, I agree to all terms and conditions imposed by the By-Laws, Code of Ethics and Standards of Practice.

NOTE: The \$50 application fee is understood to be non-refundable.

SIGNATURE: _____

Membership Definitions:

Member: Members of the Association are individuals who meet the requirements determined by the Association Bylaws and who may be eligible to become members of the Association upon satisfaction of all member requirements. Members vote chapter matters and do not hold Association, region or chapter offices of President or Treasurer.

Certified Inspector Member: Certified Inspectors of the Association are those individuals who themselves perform inspections of residential/commercial real estate and who meet the requirements for members as determined by the Bylaws. Certified Members conforming to the bylaws are members in good standing and shall be entitled to all rights and privileges of membership in the Association. Certified Inspector Members vote on all matters of the Association and may hold any office in the Association.

Master Certified Member: Master Certified Members of the Association are those individuals who themselves perform inspections of residential/commercial real estate and who meet the requirements for members as determined by the Bylaws. Members conforming to the bylaws are members in good standing and shall be entitled to all rights and privileges of membership in the Association. Master Certified Inspector Members vote on all matters of the Association and may hold any office in the Association.

Retired Members: Retired members of the Association are individuals who have been ORCIA members in good standing for a minimum of 3 full years and who are no longer actively engaged in the residential/commercial inspection profession including performing inspections or supervision of inspectors. Retired members may vote and hold office, provided they are not actively engaged in business as a broker or salesperson in the sale, purchase or listing of real estate. Except as otherwise specified in these Bylaws, all reference to members shall include retired members.

Affiliates: Affiliates of the Association are individuals or companies providing products and/or services to residential/commercial inspectors and the inspection profession. Affiliates shall meet the requirements and shall be entitled to such rights and privileges as may be adopted by the State Board. Affiliates shall designate a specific individual to be the non-voting representative to the Association.

Friends: Friends of the Association are individuals who are not eligible to be members, candidates or affiliates, and who shall have performed distinguished service to the inspection profession and who are nominated by the State Board. Friends shall pay no dues.

AFFIDAVIT

Date: _____

ORCIA TM

Oklahoma Residential & Commercial Inspection Association

9300 N. May Suite 400-107

Oklahoma City, Oklahoma 73120

(405)532-1874

Dear Association Members:

Re: Membership Application Certified Inspector/Master Certified Inspector

This letter will serve to certify that I meet the following requirements for membership in the Oklahoma Residential & Commercial Inspection Association as a CERTIFIED INSPECTOR.

1. I have submitted an Application for Membership on the prescribed form.
2. As a minimum service to my clients, I agree to comply with Oklahoma Standards of Practice Title 158:70 and ORCIA Code of Ethics.
3. I have met my financial obligation to the Association.
4. I have performed _____ Home Inspections of residential systems consisting of: Heating, ventilation and air conditioning (HVAC), Insulation, Plumbing, Electrical, Roofing, Structural, Interior and Appliances.
5. I acknowledge the Association's right to confirm, by audit, the number of inspections I have performed and the compliance with Oklahoma's Standards of Practice. I agree, if it is requested, to make available the documentation necessary to confirm my compliance in accordance with the bylaws.

This Certification is furnished as testimony to my commitment to the highest standards of professionalism in the Home Inspection Business and my willingness to work through the Association to attain this end.

Sincerely yours,

Name:

Company Name:

Subscribed and Sworn to before me this date: _____

Notary Public: _____

My Commission Expires: _____

SEAL

ANNEX B

APPLICATION FOR UPGRADE OF CATEGORY TO MASTER CERTIFIED INSPECTOR

Selection Criteria Master Certified Inspector

- A. Must make application for upgrade to Master Certified Inspector and pay the application fee of \$25.00 and submit to the State Board and Directors..
- B. Must have been a licensed Oklahoma Home Inspector for a minimum of five (5) years.
- C. Must have taken and passed the National Home Inspection Examination. (Copy of results will be submitted to the Board).
- D. Must have been a Certified Member of ORCIA for a minimum of two (2) years and completed a minimum of 1,500 fee paid inspections and currently be a Certified Member in Good Standing.
- E. Must submit paper copies of completed inspections for the past three years (one from each year) for review by the State Board and Directors.

RESPONSIBILITY OF BOARD AND DIRECTORS WHEN CONSIDERING APPLICATION FOR MASTER CERTIFIED INSPECTOR

Review Requirements

- A. Examine application for all required entries.
- B. Verify “Good Standing Status”
- C. Verify completion of “National Home Inspection Exam.”
- D. Review inspection forms submitted for compliance with Oklahoma Standards of Practice as defined in OAC 310:276 and as updated by OAC 158:70. (Note: Inspections conducted prior to July 2009 will be reviewed for compliance with OAC 310:276 and all inspections submitted that are dated after July 2009 will be reviewed for compliance with OAC 158:70. Inspections reviewed will be reviewed using the attached checklist that lists all mandatory requirements established in the rules and regulations.



ORCIA™

9300 N. May Suite 400-107

Oklahoma City, OK 73120

(405)532-1874

Date application approved: _____

APPLICATION MASTER CERTIFIED INSPECTOR

Date of application: _____

Certified Inspector applying for upgrade to MASTER CERTIFIED INSPECTOR

****Please Note: Membership categories are defined on the reverse side. Annual membership dues; \$150.00**

Please print the following information: Have taken a National Home Inspector Exam Yes___No___

Name: _____ License Number _____

Business Name: _____

Mailing address: _____

CITY _____ STATE _____ COUNTY _____ ZIP CODE _____ E-MAIL ADDRESS _____

Business phone: _____ Home phone: _____ FAX: _____

ALL CATEGORIES OF MEMBERSHIP MUST FILL IN THE FOLLOWING INFORMATION:

EDUCATIONAL BACKGROUND:

High School _____ Year graduated _____

College or technical school _____ Year graduated _____

Additional education _____

Residential _____ Commercial _____

Indicate in the blanks above the number of fee-paid home inspections you have completed. A fee-paid inspection (normally pre-purchase) involves an inspection and report on the conditions of a house or commercial building as follows: Lot Drainage, Roof, Electrical, Mechanical, Plumbing and Preliminary Structural.

PROFESSIONALISM THROUGH COOPERATIVE EFFORTS

EXPERIENCE: (List in reverse chronological order - most recent first)

From Mo/yr.	To Mo/yr.	Name & Address of Employer	Position and duties
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INFORMATION FOR AFFILIATE MEMBERSHIP

My primary interest and vocation is in the field of: _____

I am currently employed by: _____

If I am accepted for membership, I agree to all terms and conditions imposed by the By-Laws, Code of Ethics and Standards of Practice.

NOTE: The \$50 application fee is understood to be non-refundable.

SIGNATURE: _____

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Master Certified Member: Master Certified Members of the Association are those individuals who themselves perform inspections of residential/commercial real estate and who meet the requirements for members as determined by the Bylaws. Members conforming to the bylaws are members in good standing and shall be entitled to all rights and privileges of membership in the Association. Master Certified Inspector Members vote on all matters of the Association and may hold any office in the Association.

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Friends: Friends of the Association are individuals who are not eligible to be members, candidates or affiliates, and who shall have performed distinguished service to the inspection profession and who are nominated by the State Board. Friends shall pay no dues.

AFFIDAVIT

Date: _____

ORCIA TM

Oklahoma Residential & Commercial Inspection Association

9300 N. May Suite 400-107

Oklahoma City, Oklahoma 73120

(405)532-1874

Dear Association Members:

Re: Membership Application Certified Inspector/Master Certified Inspector

This letter will serve to certify that I meet the following requirements for membership in the Oklahoma Residential & Commercial Inspection Association as a MASTER CERTIFIED INSPECTOR:

1. I have submitted an Application for Master Certified Inspector on the prescribed form.
2. As a minimum service to my clients, I agree to comply with Oklahoma Standards of Practice Title 158:70 and ORCIA Code of Ethics.
3. I have met my financial obligation to the Association.
4. I have performed _____ Home Inspections of residential systems consisting of: Heating, ventilation and air conditioning (HVAC), Insulation, Plumbing, Electrical, Roofing, Structural, Interior and Appliances.
5. I acknowledge the Association's right to confirm, by audit, the number of inspections I have performed and the compliance with Oklahoma's Standards of Practice. I agree, if it is requested, to make available the documentation necessary to confirm my compliance in accordance with the bylaws.

This Certification is furnished as testimony to my commitment to the highest standards of professionalism in the Home Inspection Business and my willingness to work through the Association to attain this end.

Sincerely yours,

Name:

Company Name:

Subscribed and Sworn to before me this date: _____

Notary Public: _____

My Commission Expires: _____

SEAL

ANNEX C: REGIONS

NORTH



WEST

EAST

SOUTH

ANNEX D

CHARTER

CHAPTER CHARTER

Recognizing that the profession of Real Estate Inspection is now more than ever a vital social and economic influence in the State of Oklahoma, the _____ Chapter of the Oklahoma Residential and Commercial Inspection Association does hereby dedicate itself to the advancement of the real estate inspection industry, to serve both the public interest and the interest of its members.

OBJECTIVES

The _____ Chapter of the Oklahoma Residential and Commercial Inspection Association (hereafter ORCIA) shall be a non-profit organization, whose objectives shall be to advance the profession of real estate inspection in the area served by the chapter; to aide and contribute to the education of its members, other real estate professionals, and the general public in attaining high inspection standards, both technical and ethical; to provide a local headquarters for a closer association of its members; and to provide for local meetings for its membership.

NAME AND LOCATION

Section 1. The name of this organization shall be the _____ Chapter of the Oklahoma Residential and Commercial Inspection Association.

Section 2. The area of jurisdiction of the Chapter shall be following counties of the State of Oklahoma:

Section 3. The Executive Committee of the Chapter shall select the location of the Chapter.

ADOPTION

The Chapter by action of its State Board and Directors and upon consent of its membership does hereby affiliate itself with the Oklahoma Residential and Commercial Inspection Association (ORCIA) as a Chartered Chapter of said Association. ORCIA upon approval by its State Board and Directors hereby issues this Charter to the Chapter.

Dated this the day of _____ Signed in behalf of the Association:

President (year)

Signed in behalf of the Chapter: Chairman (year)

ANNEX E

COMPLAINTS PROCEDURES

C. Complaints of violation of Code of Ethics or Bylaws Procedures:

1. Filing of complaints: complaints against any member of ORCIA may be filed by either a member of ORCIA or a nonmember, in writing, provided that the charges specify the exact nature of the complaint, including the specific misconduct, improper performance, or nonperformance of the member against which the complaint is filed, as well as the exact and precise basis on which the complaint is filed. Complaints cannot be filed against Honorary members. The written complaint must include the result or consequence, if any, of the alleged misconduct, nonperformance, or improper performance of the member against which the complaint is filed.

Complaints in writing must be filed with the President of ORCIA or the Executive Director of ORCIA. The President or Executive Director shall promptly send a correct copy of the complaints to the respondent and notify all principals and committee members of the time and place of the hearing.

2. Investigation of Complaints: If preliminary investigations so warrant, the chairman shall order a hearing on the complaints to be conducted by the Professional Standards Committee within sixty (60) days after the complaints are filed.
3. Hearing: A quorum shall be a majority of the members of the Professional Standards Committee. The principals may introduce such documentary evidence and present such testimony of witnesses, as the committee may deem relevant.

Each principal shall be accorded full opportunity to be heard and counsel may represent them. The deliberations of the committee shall be confidential and conducted outside the presence of the principals. Hearing shall be held within thirty (30) days of receipt of submission of written complaint.

4. Notification of Findings: Within thirty (30) days after conclusion of the hearing the committee chairman shall notify the principals in writing of the findings and of the recommendations of the committee. A written copy of the findings shall be forwarded to the Board of Directors.

5. Decisions of the Board of Directors: Principals in disagreement with the findings of the Professional Standards Committee may request in writing a review by the Board of Directors of the findings and of the recommendations of the committee. A written copy of the findings and recommendations of the committee shall be forwarded to the Board of Directors. After all considerations, the Board of Directors shall notify the principals, in writing, of their decision.

D. Special Conditions:

1. Neither the Professional Standards Committee nor the Board of Directors will hear complaints against a member if legal action of any type has been initiated or is pending against a member in connection with the same complaint.
2. A complainant will be provided a written procedure for submitting his complaint. Upon receiving such request, ORCIA will notify the member against which the complaint is to be filed of such request.
3. A preliminary hearing by the sub-chairman and the committee member in a given area may be held at the request of the member against whom the complaint is filed, if written request for such preliminary hearing is submitted to the President or Executive Director within then (10) days of being notified of the formal hearing of the main body committee.
4. Committee hearings shall be held at the time and place of regular monthly or special meetings.
5. Any member refusing to comply with any of the above procedures shall be notified in writing by the President that such refusal can constitute basis for termination of membership upon vote of the Board of Directors.
6. It should be made clear that the authority of the Board of Directors is limited to suspension of membership on the basis of noncompliance of the Code of Ethics or other SECTIONS of the Bylaws of ORCIA.
7. The person filing the complaint will close the file for any complaint upon non-compliance with procedures, unless non-compliance is essentially beyond his control, such as illness or a conflict with previously scheduled commitments.
8. The findings of the Board of Directors on final review of the recommendations of the committee is final and binding and constitutes closing of the file unless extenuating circumstances, in the judgment of the Board of Directors, demand further consideration.
9. Chairman, sub-chairman or members of the Professional Standards Committee shall in no way be influenced by personal considerations or judgments of the member against whom the complaint is files and shall act solely and objectively on the facts and evidences presented.

ANNEX F

CODE OF ETHICS

Code of Ethics

Preamble

The responsibility of those persons who engage in the business of performing independent inspections of buildings and all such structures involved in a real estate transaction imposes integrity beyond those of a person involved in ordinary commerce.

Each inspector agrees to maintain a high standard of professionalism, independence and fairness in all such actions while in the performance of inspections in a real estate transaction.

Accepting this standard as his own, every inspector pledges himself to observe the spirit of this standard and to conduct his business in accordance with the following Code of Ethics: \

ARTICLE I: Inspector-Client Relationship

- A. In accepting employment as an inspector, the inspector shall protect and promote the interests of his client to the best of his ability and knowledge, recognizing that his client has placed his trust and confidence in the inspector.
- B. The inspector shall endeavor always, in the interests of his client and his profession, to maintain and increase his level of knowledge regarding new developments in the field of inspection.
- C. The inspector shall conduct his business in a manner that will assure his client of the inspector's independence from outside influences and interests that might compromise his ability to render a fair and impartial opinion regarding any inspection performed.
- D. The inspector shall maintain and promote fairness in all business transactions with this client, reporting conditions of items inspected using his utmost in judgment, ability and knowledge to protect the rights and interests of his client.
- E. The inspector shall meet the requirements of the Oklahoma Home Inspection Licensing Act, where those requirements exceed those listed above.

ARTICLE II: Inspector-Public Relationship

- A. The inspector shall deal with the general public at all times and in all manners in a method that is conducive to the promotion of professionalism, independence and fairness of himself, his business and of the inspection industry.
- B. The inspector shall advertise, conduct business promotions, and generally conduct his marketing activities in a manner that reflects the professionalism, independence and fairness to the profession.
- C. The inspector, in recognizing his obligations to the general public, shall endeavor to maintain a high standard of knowledge and education regarding items that he undertakes to inspect, and further accepts the responsibility of increasing such knowledge at every reasonable opportunity.
- D. The inspector should attempt to assist the general public in recognizing and understanding the need for inspections, regardless of whether he is selected to perform such inspection or not.
- E. The inspector accepts the duty of protecting the public against fraud, misrepresentation or unethical practices in the field of real estate inspections.

ARTICLE III: Inspector-Inspector Relationship

- A. The inspector shall bind himself to the duty of maintaining fairness and integrity in all his dealings with other inspectors and other persons performing real estate inspections.
- B. The inspector should seek no unfair advantage over other inspectors, and should be willing to share with other inspectors the lessons of his experience and studies.
- C. The inspector should not solicit the services of employees of his fellow inspector, or his competitors, without the knowledge of his fellow inspector or competitor.
- D. Should an inspector be charged with unethical practices, negligence, misrepresentation, or such alleged breach, and a second inspector has knowledge or information of the alleged breach, the second inspector shall place the facts before the proper tribunal for investigation and judgment.
- E. The inspector shall conduct his business so as to avoid controversy with other inspectors. However, should a controversy arise between inspectors, said inspectors agree to place the facts before the Professional Ethics Committee of the Association for investigation and recommendations as to

resolution of the controversy.

- F. The inspector shall cooperate with other inspectors to insure the continued promotion of the high standards of the real estate inspection profession, and pledges himself to the continued pursuit of increasing competence, fairness, education and knowledge necessary to achieve the confidence of the public.

ANNEX G

ROBERTS RULES OF ORDER

(Abbreviated version)

Robert's Rules of Order - Summary Version

For Fair and Orderly Meetings & Conventions

Provides common rules and procedures for deliberation and debate in order to place the whole membership on the same footing and speaking the same language. The conduct of ALL business is controlled by the general will of the whole membership - the right of the deliberate majority to decide. Complementary is the right of at least a strong minority to require the majority to be deliberate - to act according to its considered judgment AFTER a full and fair "working through" of the issues involved. Robert's Rules provides for constructive and democratic meetings, to help, not hinder, the business of the assembly. Under no circumstances should "undue strictness" be allowed to intimidate members or limit full participation.

The fundamental right of deliberative assemblies require all questions to be thoroughly discussed before taking action!

The assembly rules - they have the final say on everything!
Silence means consent!

- Obtain the floor (the right to speak) by being the first to stand when the person speaking has finished; state Mr./Madam Chairman. Raising your hand means nothing, and standing while another has the floor is out of order! Must be recognized by the Chair before speaking!
- Debate can not begin until the Chair has stated the motion or resolution and asked "are you ready for the question?" If no one rises, the chair calls for the vote!
- Before the motion is stated by the Chair (the question) members may suggest modification of the motion; the mover can modify as he pleases, or even withdraw the motion without consent of the seconder; if mover modifies, the seconder can withdraw the second.
- The "immediately pending question" is the last question stated by the Chair! Motion/Resolution - Amendment - Motion to Postpone
- The member moving the "immediately pending question" is entitled to preference to the floor!
- No member can speak twice to the same issue until everyone else wishing to speak has spoken to it once!

- All remarks must be directed to the Chair. Remarks must be courteous in language and deportment - avoid all personalities, never allude to others by name or to motives!
- The agenda and all committee reports are merely recommendations! When presented to the assembly and the question is stated, debate begins and changes occur!

The Rules

- **Point of Privilege:** Pertains to noise, personal comfort, etc. - may interrupt only if necessary!
- **Parliamentary Inquiry:** Inquire as to the correct motion - to accomplish a desired result, or raise a point of order
- **Point of Information:** Generally applies to information desired from the speaker: "I should like to ask the (speaker) a question."
- **Orders of the Day (Agenda):** A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules)
- **Point of Order:** Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made
- **Main Motion:** Brings new business (the next item on the agenda) before the assembly
- **Divide the Question:** Divides a motion into two or more separate motions (must be able to stand on their own)
- **Consider by Paragraph:** Adoption of paper is held until all paragraphs are debated and amended and entire paper is satisfactory; after all paragraphs are considered, the entire paper is then open to amendment, and paragraphs may be further amended. Any Preamble can not be considered until debate on the body of the paper has ceased.
- **Amend:** Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions
- **Withdraw/Modify Motion:** Applies only after question is stated; mover can accept an amendment without obtaining the floor
- **Commit /Refer/Recommit to Committee:** State the committee to receive the question or resolution; if no committee exists include size of committee desired and method of selecting the members (election or appointment).
- **Extend Debate:** Applies only to the immediately pending question; extends until a certain time or for a certain period of time
- **Limit Debate:** Closing debate at a certain time, or limiting to a certain period of time
- **Postpone to a Certain Time:** State the time the motion or agenda item will be resumed

- **Object to Consideration:** Objection must be stated before discussion or another motion is stated
- **Lay on the Table:** Temporarily suspends further consideration/action on pending question; may be made after motion to close debate has carried or is pending
- **Take from the Table:** Resumes consideration of item previously "laid on the table" - state the motion to take from the table
- **Reconsider:** Can be made only by one on the prevailing side who has changed position or view
- **Postpone Indefinitely:** Kills the question/resolution for this session - exception: the motion to reconsider can be made this session
- **Previous Question:** Closes debate if successful - may be moved to "**Close Debate**" if preferred
- **Informal Consideration:** Move that the assembly go into "**Committee of the Whole**" - informal debate as if in committee; this committee may limit number or length of speeches or close debate by other means by a 2/3 vote. All votes, however, are formal.
- **Appeal Decision of the Chair:** Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business
- **Suspend the Rules:** Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified

ANNEX H
CERTIFIED AND MASTER CERTIFIED
INSPECTION CHECKLIST

HOME INSPECTION REVIEW CHECKLIST

	YES	NO	Not Applicable	COMMENTS
PURPOSE OF REVIEW				
CERTIFIED MEMBER				
MASTER CERTIFIED MEMBER				
PREREQUISITES				
Member in "Good Stand"				
a. Affidavit for Certified Member submitted				
b. Affidavit for Master Certified Member submitted				
c. SUBMITTED CERTIFIED MEMBER INSPECTION REPORT				
SUBMITTED MASTER CERTIFIED MEMBER INSPECTION REPORTS				
d. PAID APPLICABLE FEE				
OAC 158:70 COMPLIANCE CHECKLIST				
OAC 158:70-1-3 (c) Structural System Inspection Requirements				
Did the Inspector:				
Describe the Foundation?				
Describe the Floor Structure?				
Describe the Roof Structure?				
Describe the Ceiling Structure?				
Describe the Wall Structure?				
Describe indicators of foundation or structural movement?				
Enter the Crawl Space?				If not entered, did the inspector state reason?
Enter the Attic Space?				If not entered, did the inspector state reason?
OAC 158:70-1-3 (d) Exterior System Inspection Requirements				
Did the Inspector:				

HOME INSPECTION REVIEW CHECKLIST

	YES	NO	Not Applicable	COMMENTS
Describe the Exterior wall covering?				
Describe the attached decks/patios and balconies?				
Describe driveways?				
Describe walkways?				
OAC 158:70-1-3 (e) Roof system Inspection Requirements				
Did the Inspector:				
Describe the roof covering?				
Identify the number of layers attached to the roof?				
Identify if there was Asphalt over Wood Shingles/Shakes?				
OAC 158:70-1-3 (f) Plumbing System Inspection Requirements				
Did the Inspector:				
Describe the water supply materials?				
Describe the drain, waste and vent piping material?				
Describe the water heating equipment and the energy source?				
Identify the location of the main water shut-off and the main fuel shut-off?				
Identify the location of the plumbing cleanout?				
OAC 158:70-1-3 (g) Electrical System Inspection Requirements				
Did the Inspector:				
Describe the amperage and voltage rating of the service?				
Identify the location of the main breaker?				
Identify the location of the Main and Sub Panels?				
Describe the presence of solid conductor aluminum branch circuit wiring?				

HOME INSPECTION REVIEW CHECKLIST

	YES	NO	Not Applicable	COMMENTS
Describe the absence of smoke detectors?				
OAC 158:70-1-3 (h) Heating, Air Conditioning and Distribution System Inspection Requirements				
Did the Inspector:				
Describe the heating methods by their distinguishing characteristics?				
Describe the heating energy source?				
Describe the cooling system by the distinguishing characteristics?				
Describe the energy sources for the cooling equipment?				
Describe the type of conditioned air distribution system?				
OAC 158:70-1-3 (i) Interior System Inspection Requirements				
Did the Inspector:				
Describe the walls?				
Describe the ceiling?				
Describe the floors?				
OAC 158:70-1-3 (j) Insulation and ventilation System Inspection Requirements				
Did the Inspector:				
Describe the insulation in unfinished spaces?				
Describe the absence of insulatiion in unfinished spaces?				
OAC 158:70-1-3 (k) Appliance System Inspection Requirements				
Did the Inspector:				
Describe the range/stove?				
Describe the cooktop?				
Describe the oven?				

HOME INSPECTION REVIEW CHECKLIST

	YES	NO	Not Applicable	COMMENTS
Describe the energy sources for the range, stove, cooktop and oven?				
OAC 158:70-1-3 (I) Fireplaces and solid fuel burning appliances Inspection Requirements				
Did the Inspector:				
Describe the fireplace?				
Describe solid fuel burning appliances?				
Describe the chimney?				
OAC 158:70-1-3 (a) General Requirements				
Did the inspector:				
1. Inspect all readily accessible installed systems listed in the standards?				
2. Inspect all readily accessible installed components listed in the standards?				
3. complete a written inspection report?				
4. deliver the written report in a timely manner?				
5. did the report contain the name and license number of the inspector?				
6. identify any systems and components which were present and not inspected including the reason not inspected?				
7. exclude systems as requested in writing by the client prior to the inspection?				