

# **American Society of Home Inspectors, Inc.**

## **Policy Manual**

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# **1 MANUAL PURPOSE AND STYLE**

## **1.0 Purpose of this Manual**

The American Society of Home Inspectors, Inc. Policy Manual provides direction for ASHI daily operations, including functions performed by staff, volunteers, and other parties. The ASHI Board of Directors (ASHI Board) establishes policy.

## **1.1 Purpose of Style**

This manual is a living document. Content will be added and changed many times, by many people, over many years. Consistency and clarity will be compromised if conventions are not adopted and enforced to maintain a consistent style. Lack of consistency and clarity causes confusion, which can create liability risks for ASHI, and can degrade ASHI performance.

## **1.2 Policy Definition**

The purpose of policy is to help ensure compliance with ASHI Bylaws and ASHI Board decisions. Policies are mandatory, and operate as extensions of ASHI Bylaws. Deviation from policy shall require presentation of a motion to the ASHI Board, and an affirmative vote of a majority of the ASHI Board.

## **1.3 Additions and Changes to Policy**

1. Additions and changes to ASHI policy shall require presentation of a motion to the ASHI Board, and an affirmative vote of the ASHI Board.
2. Additions and changes to ASHI policy affecting the MRC shall be in accordance with the ASHI Bylaws.
3. Additions and changes to ASHI policies should use the format and style conventions contained in this section.

## **1.4 Equivalent Laws, Regulations, and Practices in Other Countries**

References to United States Federal and State laws and regulations, and references to operating and business practices including, but not limited to, incorporation, insurance, and accounting, shall include the equivalents, if any, in the country where the ASHI chapter, or other entity, is located. Cross reference: ASHI International Policy Manual.

## **1.5 Home Inspector License Definition**

1. References to a home inspector license mean government regulations that preclude people from providing home inspections without government approval. A home inspector license includes, but is not limited to, licensing, certifying, and registering home inspectors. A home inspector license does not include licenses to perform ancillary services including, but not limited to, wood destroying organism inspections and radon inspections.
2. References to a home inspector license number mean the unique identifier assigned by the government regulator to a licensed home inspector.



## 1.6 Manual Style

1. Imperative sentences should be used whenever possible, and should use the following format, whenever possible.
  - The party responsible for an action should be identified. Examples include the ASHI Executive Director, the ASHI President, and the ASHI Board.
  - The verb “shall” should be used to indicate a mandatory action.
  - The verbs “may” and “should” should be used to indicate an optional action.
  - The action should be clearly identified.
  - Example: The ASHI Executive Director shall consume at least eight ounces of coffee or tea every morning while at ASHI headquarters.
2. Each numbered paragraph should contain no more than one action, whenever possible. Content that explains or clarifies the action may be included in the numbered paragraph.
3. Section titles should be coded as Heading 1 in Microsoft Word, and shall be formatted as: Times New Roman, 18 pt., bold, 12 pt. after.
4. Section subtitles should be coded as Heading 2 in Microsoft Word, and shall be formatted as: Times New Roman, 14 pt., bold, 12 pt. before, 3 pt. after
5. Section text should be coded as Normal in Microsoft Word, and shall be formatted as: Times New Roman, 12 pt., 6 pt. before, 6 pt. after.
6. The following abbreviations should be used in this manual.
  - American Society of Home Inspector, Inc. (ASHI)
  - ASHI Board of Directors (ASHI Board)
  - ASHI Certified Inspector (ACI)
  - ASHI Code of Ethics for the Home Inspection Profession (CoE)
  - ASHI Standard of Practice for Home Inspections (SoP)
  - ASHI Standards of Practice for Auxiliary Services (SoPA)
  - Background Review Committee (BRC)
  - Background Verified Inspector (BVI)
  - Continuing Education Credits (CE)
  - Leadership Development Conference (LDC)
  - Meeting Group (MG)
  - Member Relations Committee (MRC)
  - Request for Interpretation (RFI)
  - Special Investigation Panel (SIP)

## 2 ACCOUNTING AND OPERATIONS

### 2.1 Accounting and Internal Controls Manual

ASHI and related entities shall use the ASHI Accounting and Internal Controls Manual. This is a separate document.

### 2.2 Record Retention Schedule

1. ASHI staff shall retain records according to the schedule in the following table.
2. ASHI staff shall provide or arrange for appropriate records storage to ensure security against unauthorized access, and to ensure against loss and damage.

<b>Document</b>	<b>Retain (years)</b>
Accident Reports and Claims (settled cases)	7
Accounts Payable ledgers and schedules	7
Accounts Receivable ledgers and schedules	7
Applicants for ACI status	2
Audit Reports from Accountants	Permanent
Bank reconciliations	2
Cash books	7
Chart of Accounts	2
Checks (canceled, but see exception below)	7
Checks (canceled, for important payments, i.e., taxes, purchases of property, special contracts, etc. – checks should be filed with the papers pertaining to the underlying transaction)	7
Complaints	Refer to complaints general policies
Confidentiality and Conflict of Interest Forms	3
Contracts and leases (expired)	7

Contracts and leases (still in effect)	Permanent
Correspondence (routine) with members, customers, vendors	1
Correspondence, including MRC correspondence (general)	3
Criminal background checks (BVI program)	5
Current ACI Certificants	5
Deeds, Mortgages and Bills of Sale	Permanent
Depreciation schedules	2
Duplicate deposit slip	2
Exam Development Reports (including job analysis, cut score studies, technical analysis) (per EBHI)	3
Exam Scores (per EBHI)	5
Employee Personnel Records (after termination)	3
Expense Analyses and expense distribution schedules	7
Financial Statements, end of year (other months optional)	Permanent
General and Private ledgers (and end of year Trial Balance)	7
Insurance Policies (expired)	3
Insurance Records, current accident reports, claims, policies, etc.	3
Internal Audit reports (longer retention periods may be desired)	3
Internal reports	3
Invoices to members and customers	2
Invoices from vendors	7
Journals	7
Membership applications	2
Minutes of Directors/Committees, including Bylaws and MRC	Permanent
MRC requests to ASHI Board	Permanent

MRC applications	90 days after selection
CE correspondence/applications (members-companies)	3
NHIE applicants (per EBPHI)	NA
NHIE candidates (per EBPHI)	3
Notes Receivable ledgers and schedules	7 years
Payroll Records and summaries, including payments to pensioners	7
Physical inventory tags	3
Previous ACI Certificants	5
Product orders	2
Property appraisals by outside appraisers	Permanent
Property records including costs, depreciation reserves, end-of-year trial balances, depreciation schedules, blueprints and plans	7
Purchase Orders (except purchasing department copy)	2
Sales records	7
Savings Bond registration records of employees	3
Scrap and Salvage records (inventories, sales, etc.)	7
Stock and Bond certificates (canceled)	7
Subsidiary ledgers	7
Tax Returns and worksheets, revenue agents' reports and other documents related to determination of income tax liability	Permanent
Time books	2
Trade Mark registrations	Permanent

Verification records	3
Voucher register and schedules	7
Vouchers for payments to vendors, employees, etc. (including allowances and reimbursement of employees, officers, etc., for travel and entertainment expenses)	7

## 2.3 Expense Reimbursement

1. ASHI shall reimburse reasonable and necessary expenses for transportation, lodging, meals, and other travel-related expenses for:
  - a. ASHI staff while conducting ASHI business,
  - b. officers while conducting ASHI business,
  - c. directors while attending ASHI Board meetings,
  - d. newly elected directors attending InspectionWorld, and
  - e. committee members attending authorized committee meetings, except for meetings held at InspectionWorld.
2. ASHI shall reimburse reasonable and necessary phone, mailing/shipping, and other approved expenses incurred while conducting ASHI business. The ASHI Executive Director shall approve other expenses before they are incurred.
3. ASHI shall reimburse the actual cost of meals during authorized travel. Maximum meal reimbursement shall be: \$20 breakfast, \$25 lunch and \$40 dinner; these amounts may not be combined. The ASHI Executive Director may approve reimbursement of actual costs exceeding these amounts.
4. Persons who incur approved reimbursable expenses shall adhere to the following policies when requesting reimbursement.
  - a. Travel by public conveyance (such as air travel) shall be economy class that allows seat selection and carry-on bags at no additional charge. Maximum travel reimbursement shall be \$750, subject to 4b.
  - b. The ASHI Executive Director may waive the maximum travel reimbursement amount based, in part, on the following.
    - Was the ticket purchased more than twenty-one (21) days prior to travel?
    - Were the travel dates known and published more than twenty-one (21) days prior to travel?
    - Are there restrictions or limitations on transportation services from the departure location?
    - Is the cost increased due to travel before or after ASHI business?
    - Are alternative travel times available that do not place an unreasonable burden on the traveler?

- c. ASHI shall reimburse travel using a person's vehicle at the then current Internal Revenue Service rate. Maximum reimbursement shall be \$750, subject to 4b.
5. Persons requesting expense reimbursement shall submit:
  - a. the request on the specified expense report form.
  - b. receipts for amounts of twenty-five dollars (\$25) or more, or copies thereof. Receipts for meals involving more than one person shall indicate the names of the person(s) and the ASHI business purpose for the meal.
  - c. the request no more ninety (90) days from the date the expense was incurred or the date of the event, whichever is later. Expense reports submitted after ninety days (90) may not be paid.
6. The ASHI Executive Director may approve a travel advance for staff and volunteer travel in cases of financial hardship claimed by the staff or the volunteer.
7. Persons who receive a travel advance shall comply with this expense reimbursement policy, and shall submit an expense report when the travel is complete. Funds not spent shall be returned to ASHI with the expense report.
8. Funds budgeted for expenses that may be incurred by staff, volunteers, and committees, shall be considered the maximum amount that may be spent. Spending less than the maximum amount is expected if it is feasible to do so and achieve the objectives for which the funds were approved.

## **2.4 Membership List**

1. The ASHI membership list shall include available contact information for ASHI members including, but not limited to, physical mailing address, electronic communication address, and telephone numbers.
2. Members shall have the option of having their name and contact information removed from the ASHI membership list that ASHI may provide for promotion of inspector-related products and services. The member must make this request in writing.
3. ASHI staff shall provide the ASHI membership list to chapters at no cost for use in chapter development, and for seminar promotion.

## **2.5 Contacting Members for Commercial Purposes**

1. Entities wishing to contact ASHI members by mail, or by similar physical means, shall submit a request to ASHI along with a sample of the document to be sent.
2. ASHI Affiliates shall be allowed to contact ASHI members, using electronic communication content that is approved and sent by ASHI staff, in accordance with the Affiliate's agreement, and in accordance with ASHI policy.
3. ASHI Affiliates wishing to contact ASHI members by electronic communication shall submit a request to ASHI Headquarters along with the electronic communication to be sent.
4. ASHI staff or the ASHI President may approve or deny a contact request.

5. Exhibitors at InspectionWorld shall be allowed to contact InspectionWorld attendees using the attendee list provided by ASHI. The exhibitor agreement shall contain a contact limit of not more than four (4) before InspectionWorld, not more than two (2) during InspectionWorld, and not more than four (4) after InspectionWorld. Attendees may opt-in to receive additional contacts. Opting-in includes participation in exhibitor-operated contests, drawings, and similar promotions.

## **2.6 Acceptance of Financial and In-Kind Donations and Gifts**

1. This policy shall include Inter Vivos and testamentary financial and in-kind donations and gifts to ASHI and to the ASHI Foundation.

2. This policy applies to: financial donations and gifts (e.g., cash and marketable securities) exceeding \$50,000, in-kind donations and gifts (e.g., art and real estate) exceeding \$10,000, and all non-standard contributions (as defined by the Internal Revenue Service). This policy may be applied to any donation and gift at the discretion of the ASHI Executive Director, the ASHI Foundation Executive Director, and the ASHI President.

3. The ASHI Finance Committee shall evaluate the donation or gift, and shall provide a recommendation to the ASHI Board, with a rationale about whether or not to accept a donation or gift.

4. ASHI staff, Legal Counsel, and accountants shall, upon request by the Finance Committee or by the ASHI Board, assist the Finance Committee and the ASHI Board in evaluating the donation or gift.

5. Evaluation of donations and gifts may include the following criteria:

- the identity of the benefactor,
- the stated purpose and use of the donation or gift, and whether it is consistent with ASHI's mission and goals,
- conditions imposed by the benefactor on the use of the donation or gift, and whether the conditions are consistent with ASHI's mission and goals,
- whether it is feasible to receive, maintain, or sell the gift or donation,
- other factors that the Finance Committee or the ASHI Board considers relevant.

6. The ASHI Executive Director, in consultation with the Finance Committee, shall determine and implement how to receive, maintain, or sell the donation or gift (i.e. escrow, restricted account, general funds, etc.).

7. The ASHI Board shall have the option to review, approve, terminate, or refund donations and gifts.

8. The ASHI Executive Director shall communicate with the prospective benefactor consistent with this policy.

## **2.7 Agreements to Associate with Other Organizations**

1. This policy addresses negotiation of agreements that may create a mutually beneficial relationship between an organization, ASHI, and ASHI's members. Each relationship is unique; therefore, this policy is intended to allow flexibility during the process of negotiating these agreements.
2. The ASHI Executive Director and the ASHI President may determine the procedure for initial contact and negotiation with an organization. This includes determining the persons who may be involved in the negotiations, and who may be notified about the negotiations.
3. The ASHI Executive Director and the ASHI President shall submit written agreements with organizations to ASHI Legal Counsel and to the Finance Committee for consultation and modification, if necessary. Cross reference: ASHI Accounting and Internal Controls Manual.
4. The Finance Committee shall submit written agreements with organizations to the ASHI Board for approval by majority vote.

## **2.8 Recommendation for Home Owners**

The following recommendation shall be made to homeowners "ASHI recommends the installation of smoke alarms and carbon monoxide alarms in all homes."

## **2.9 Requests for Information**

1. This policy does not apply to members of the ASHI Board.
2. The party requesting information shall make the request in writing to the ASHI Executive Director. The request shall include the name of the party and a statement of the reason for the request. The request shall be specific, and staff shall provide only the specific information requested.
3. The ASHI Executive Director shall have the discretion to deny requests for information deemed to be confidential, inappropriate, or where the information requested is unreasonable.
4. The ASHI Board shall review, and may approve or disapprove, requests denied by the ASHI Executive Director. Review by the ASHI Board shall occur only upon written request by the party whose request was denied.



## **2.10 ASHI Business Communications**

1. ASHI staff and volunteers, including but not limited to, officers, directors, committees, and task forces shall use communication resources (e.g., GoToMeeting) that are provided by and paid for by ASHI when conducting ASHI-related business.
2. ASHI volunteers shall submit a request to ASHI staff to schedule and use ASHI communication resources. ASHI staff shall accommodate requests on a first-come, first-served basis.
3. The ASHI Executive Director or the ASHI President may grant exceptions to this policy section at their discretion when communication involves sensitive or confidential issues, or when the exception is in the best interest of ASHI.

## **2.11 Oversight of Printers and Copiers**

1. The person in charge of information technology shall establish a system that tracks usage of multi-user printers/copiers by person. This policy does not apply to low volume printers located in individual offices.
2. The person in charge of information technology shall review usage of multi-user printers/copiers not less than monthly to identify excessive or unusual usage patterns.
3. The person in charge of information technology shall investigate suspected excessive or unusual printer/copier usage patterns and shall report patterns that do not have a satisfactory explanation to the ASHI Executive Director for further action.

# **3 LEGAL POLICIES**

## **3.1 Complaints Against Outside Parties**

1. Outside parties shall be defined as parties other than full-time and part-time paid staff of AEI and ASHI. Examples include, but are not limited to, attorneys, unpaid volunteers, public relations firms, accountants, and consultants. Outside parties do not include the ASHI President and the ASHI President-elect. Refer to other sections of this document for policies involving complaints by parties employed by ASHI.
2. ASHI shall process such complaints in the following manner.
  - a. The entity lodging the complaint shall submit a written complaint to the ASHI Executive Director, with a copy to the ASHI President and to the ASHI Legal Counsel. The complaint shall identify the person or persons against whom the complaint is lodged, and shall provide as many details as possible about the situation giving rise to the complaint.
  - b. The ASHI Executive Director, ASHI Legal Counsel, and the ASHI President shall not receive a copy of the complaint, and shall not be involved in processing the complaint, if the complaint involves them. The ASHI President-elect shall substitute for the ASHI President if the complaint involves the ASHI President.

- c. The ASHI Executive Director, ASHI President, and ASHI Legal Counsel shall determine how to address the complaint.
  - d. The ASHI President shall inform the ASHI Board about complaints that the ASHI President deems serious enough to warrant consideration by the ASHI Board.
3. Nothing in this policy shall preclude the ASHI President or the ASHI Board from addressing these complaints.

### **3.2 Friend of the Court Briefs**

The ASHI Board may authorize ASHI Legal Counsel, or other attorneys, to produce a friend of the court brief if the ASHI Board believes that the brief will advance or protect ASHI interests and the interests of the home inspection profession.

### **3.3 Subpoenas and Court Orders**

ASHI shall, upon advice from the ASHI Legal Counsel, comply with valid subpoenas and court orders.

### **3.4 Referral of Legal Matters to Outside Legal Counsel**

1. ASHI Legal Counsel shall deal with routine legal matters. Examples include, but are not limited to, reviewing and interpreting ASHI Bylaws and policies, writing and reviewing contracts, attending ASHI Board meetings, and advising officers, board members, and staff.
2. ASHI Legal Counsel shall consult with the ASHI President and the ASHI Executive Director before recommending that a matter be referred to outside legal counsel, and before recommending a specific outside legal counsel.
3. The ASHI Board may refer legal matters to outside legal counsel.
4. ASHI Legal Counsel shall monitor the work of outside legal counsel. Outside legal counsel shall be instructed to keep ASHI Legal Counsel fully informed about the status and progress of the outside legal counsel's work.
5. ASHI Legal Counsel shall report to the ASHI Board about the status and progress of matters referred to outside legal counsel. This report shall occur at quarterly ASHI Board meetings, and at other times when ASHI Legal Counsel believes a report is appropriate.

### 3.5 Antitrust Laws

1. ASHI is a not-for-profit organization. ASHI is not organized to, and shall not, play any role in the competitive decisions of its members or their employees, nor in any way restrict competition among members or potential members. Rather it serves as a forum for a free and open discussion of diverse opinions without in any way attempting to encourage or sanction any particular business practice.

ASHI provides a forum for exchange of ideas in a variety of settings including InspectionWorld, educational programs, committee meetings, and Board meetings. The ASHI Board recognizes the possibility that ASHI, and its activities, could be viewed as an opportunity for anticompetitive conduct. Therefore, this statement clearly and unequivocally supports the policy of competition served by the antitrust laws, and communicates ASHI's uncompromising policy to comply strictly in all respects with those laws.

ASHI also recognizes the severity of the potential penalties that might be imposed ASHI or its members if certain conduct is found to violate the antitrust laws. Should ASHI or its members be involved in any violation of federal/state antitrust laws, such violation can involve both civil and criminal penalties that may include imprisonment for up to three years as well as fines up to \$350,000 for individuals and up to \$10,000,000 for ASHI, plus attorney fees. In addition, damage claims awarded to private parties in a civil suit are tripled for antitrust violations. Given the severity of such penalties, the ASHI Board takes all necessary and proper measures to ensure that violations of the antitrust laws do not occur.

2. ASHI, and its members shall comply with following:

- a. ASHI, and all committees, chapters, meeting groups, and activities, shall not be used to reach, or attempt to reach, any understanding or agreement, written or oral, formal or informal, expressed or implied, among two or more ASHI members or other competitors about prices or terms and conditions of contracts for services or products. Therefore, discussions and exchanges of information about such topics shall not be permitted at ASHI meetings and other activities.
- b. No discussions shall occur about:
  - discouraging or withholding patronage or services from, or encouraging exclusive dealing with, any supplier or purchaser or group of suppliers or purchasers of products or services, any actual or potential competitor or group of actual potential competitors, or any private or governmental entity.
  - allocating or dividing geographic or service markets or customers.
  - sanctioning advertising or solicitation that is false, misleading, deceptive, or directly competitive with ASHI products or services.
  - discouraging entry into, or competition in, any segment of the marketplace.
  - whether the practices of any ASHI member, actual or potential competitor, or other person are unethical or anticompetitive, unless the discussions or complaints follow the prescribed due process provisions of the ASHI policies.

3. The ASHI Executive Director, or designate, shall inform instructors and other presenters about the ASHI antitrust policy.

4. The ASHI President, chapter presidents, committee chairs, and others who lead meetings shall prepare and follow a written agenda.

5. The ASHI Secretary, chapter secretaries, and others responsible for documenting meetings shall prepare and distribute meeting minutes that contain a concise summary of topics discussed, conclusions reached, and actions agreed-upon.

6. ASHI, volunteers, and staff may avail themselves of their First Amendment right to petition government. The antitrust exemption for these activities, referred to as the Noerr-Pennington Doctrine, protects ethical and proper actions or discussions that designed to influence: 1) legislation at the national, state, or local level; 2) regulatory or policy-making activities (as opposed to commercial activities) of a governmental body; or 3) decisions of judicial bodies. The exemption does not protect actions constituting a sham to cover anticompetitive conduct.

### **3.6 Antitrust Compliance Policy**

1. ASHI, and all committees, chapters, meeting groups, and its members, shall not:

- a. discuss prices, fees, rates, or features that can impact (raise, lower, or stabilize) prices, such as discounts, costs, terms and condition of sale, warranties or profit margins. Note that price fixing may be inferred by involvement in price related discussions, whether or not an agreement was made among competitors.
- b. agree with competitors to uniform terms of sale, warranties or contract provisions.
- c. exchange information concerning fees, prices, production, sales, bids, costs, customer credit, or other business practices unless the exchange is pursuant to a well-considered plan approved by ASHI Legal Counsel.
- d. agree with competitors to divide up customers, markets, or territories.
- e. agree with competitors not to deal with certain suppliers, or others.
- f. try to prevent a supplier from selling to your competitors.
- g. discuss your customers with your competitors.
- h. agree to any membership restrictions, standard setting, certification, accreditation, or self-regulation programs without the restrictions or programs having been approved by ASHI Legal Counsel.

2. ASHI, and all committees, chapters, meeting groups, and its members, shall:

- a. insist that meeting agendas are circulated in advance, and that minutes of all meetings properly reflect the actions taken at the meeting.
- b. leave any meeting (formal or informal) where improper discussions are held that might border on antitrust violations, and tell everyone why you are leaving.
- c. ensure that ASHI staff sends out all ASHI-related correspondence.

- d. ensure that ASHI officers, directors, committee members, or other ASHI members do not hold themselves out as speaking or acting with the authority when they do not, in fact, have such authority.
  - e. ensure that if questions arise about the legal aspects or individual responsibilities under the antitrust laws, you seek advice and counsel from your own legal counsel, from ASHI staff, and ASHI Legal Counsel.
3. ASHI, and all committees, chapters, meeting groups and its members, shall not participate in anticompetitive discussions such as:
- a. how much do you charge, I'm trying to firm up my price lists?
  - b. let's decide to all close at 1 p.m. on Saturdays; that way no one will lose business if we all close our shops.
  - c. what do you think about you taking everything on this side of Main Street, and I'll take the business on the other side?
  - d. I don't mind getting government business, but if we make sure we bid at least, then it will be more profitable.
  - e. if we give all of our business to one supplier, I think he'll offer us lower prices.
  - f. if we merge our three companies, we'll be able to put that new guy in town out of business.
4. ASHI shall commit to an antitrust compliance program that includes, but is not limited to the following.
- a. ASHI staff shall include an antitrust policy statement in the topics discussed at the annual leadership orientation.
  - b. The ASHI President and ASHI Executive Director shall ensure that leadership orientation includes a review of topics that should not be discussed at ASHI meetings. These topics may include membership expulsion and denial of services, setting prices, defining territories, boycotting a supplier, and other issues particular to the trade or profession.
  - c. ASHI staff shall review ASHI publications for content that could be an antitrust violation, or that could be perceived as an antitrust violation.
  - d. ASHI staff shall provide member services on an equal and consistent basis. ASHI staff shall review deviations from equal and consistent member services for antitrust implications.
  - e. ASHI officers, directors, and staff shall not participate in discussions or actions that may reasonably appear to be an antitrust violation.
  - f. ASHI Legal Counsel shall review documents used for leadership orientation and at meetings where antitrust violations could occur.

### **3.7 Harassment and Discrimination Policy**

1. ASHI is committed to equal employment opportunity for all applicants and employees. ASHI shall comply with all applicable federal, state, and local laws prohibiting harassment and discrimination in employment.
2. These harassment and discrimination policies apply to ASHI, to its related entities, and to contractors and consultants that may be involved with harassment and discrimination issues.
3. ASHI prohibits harassment and discrimination on the basis of age, ancestry, citizenship status, national origin, religion, creed, sex, gender, sexual orientation, pregnancy (including childbirth and medical conditions related to pregnancy and childbirth), marital status, disability (physical or mental), genetic information, race, color, sealed or expunged records, arrest records not resulting in conviction, judicially dismissed criminal convictions, status as a victim of a crime (including, but not limited to, domestic violence, sexual assault, and stalking), military discharge or veteran status, or any other characteristic protected by state, federal or local law.
4. ASHI's policy of equal opportunity employment applies to all terms, conditions, and privileges of employment including, but not limited to hiring, introductory period, training, placement, employee development, promotion, transfer, compensation, benefits, educational assistance, layoff and recall, social and recreational programs, employee facilities, termination, and retirement.
5. ASHI shall recruit, employ, evaluate, and consider for promotion without regard to any protected characteristic, such as those referenced above. ASHI intends to promote from within ASHI when practical and appropriate.
6. ASHI prohibits harassment that includes (but is not limited to) name-calling, letters, jokes, email, cartoons, graffiti, pictures, posters, gestures, slurs, epithets, and other conduct, which is aimed at a particular employee or group of employees.
7. ASHI prohibits sexual harassment. Sexual harassment is not always based on sexual desire. Sexual harassment encompasses a wide range of unwanted, sexually directed behavior, and has been defined as follows.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment applies to the conduct of a supervisor toward a subordinate, an employee toward another employee, a non-employee toward an employee, an employee toward an applicant for employment, or an employer against non-employees, including contractors, consultants and anyone else directly performing services for the employer pursuant to a contract with that employer. Harassment can apply to conduct outside the workplace as well as on the work site.

8. ASHI prohibits reprisal or retaliation against the employee reporting the allegation of harassment or discrimination, and against witnesses who participate in the investigation. Retaliation against an individual for reporting harassment or discrimination, or for participating in an investigation of a claim of harassment or discrimination, is a serious violation of this policy and, like harassment or discrimination itself, shall be subject to disciplinary action up to and including termination.

9. ASHI shall make reasonable efforts to keep the investigation and disposition of harassment and discrimination complaints confidential. Given the nature of these situations, ASHI cannot guarantee confidentiality of complainants, witnesses, other involved parties, documents, other evidence, and of the disposition of such complaints.

### **3.8 Harassment and Discrimination Reporting and Disposition Procedure**

1. Persons who believe that they are a victim of harassment or discrimination may bring the matter to the attention of their immediate supervisor, the ASHI Executive Director, or the ASHI Human Resources consultant. A person may select any of these options, and should not feel obligated to begin with the immediate supervisor. Persons should report harassment or discrimination involving the ASHI Executive Director directly to the ASHI Human Resources consultant, or to the ASHI President.

2. Persons who believe they are the victim of harassment or discrimination should report the matter to the chosen party as close in time to the event as practical. This is to allow for timely intervention, and to allow for more accurate and complete gathering of facts regarding the matter. There is, however, no fixed time limit regarding reporting the matter.

3. Supervisors who become aware of a harassment or discrimination complaint shall immediately report the complaint to the ASHI Executive Director, unless requested in writing not to do so.

4. Supervisors who become aware of a harassment or discrimination complaint involving the ASHI Executive Director shall immediately report the complaint to the ASHI Human Resources consultant, or to the ASHI President, unless requested in writing not to do so.

5. Supervisors who are requested in writing not to report a harassment or discrimination complaint shall recommend, in writing, that the complainant report the complaint to the ASHI Human Resources consultant if the complainant wishes to pursue the complaint.

6. The ASHI Executive Director and/or the ASHI Human Resources consultant shall thoroughly investigate harassment and discrimination complaints reported to them.

7. The ASHI Executive Director and the ASHI Human Resources consultant may use their best judgment about disposition of a harassment and discrimination complaint.

8. The ASHI Executive Director and the ASHI Human Resources consultant shall report harassment or discrimination complaints that appear likely to involve termination of employment to the ASHI President and to the ASHI Legal Counsel.

### **3.9 Whistleblower Policy**

1. ASHI is committed to the highest standards of ethical, moral, and lawful business practice and conduct. ASHI is also committed to open internal communication.

2. The Whistleblower Policy is intended to provide a mechanism for people to raise good faith allegations about conduct that could have a significant impact on ASHI and its operations. ASHI officers, directors, volunteers, and staff are encouraged to report a Harmful Violation or potential Harmful Violation of any of the following:

- a. violations of law including U.S. law and State law,
- b. violations of ASHI Bylaws and policies,
- c. improper accounting entries, violations of internal accounting controls, improper audit matters, or financial irregularities or improprieties of any kind,
- d. other matters, which in the good faith belief of any Affected Person, could cause harm to the business operation or public position of ASHI, or could cause undue distress, harm or injury to ASHI staff, officers, or directors,
- e. attempts to conceal a potential Harmful Violation, or to conceal evidence of a potential Harmful Violation, or
- f. harassment or retaliation for any report, complaint, allegation or other disclosure made pursuant to this policy.

#### **3. Definitions**

- a. Whistleblower is someone who exposes wrongdoing within an organization, the informant.
- b. Affected Person is an ASHI officer, director, staff, or any other person who would be adversely affected or harmed by a violation.
- c. Good Faith means that the Whistleblower has a reasonably held belief that the allegation is true, and is not made out of malice, spite, jealousy, for improper personal gain, or for ulterior motives.



#### 4. Safeguards

- a. Harassment: ASHI prohibits, and shall not tolerate, harassment or retaliation against a Whistleblower. ASHI shall treat acts of harassment or retaliation against a Whistleblower as a serious violation of ASHI policy that could result in discharge from employment or volunteer service within ASHI, or that could result in other disciplinary action.
- b. Confidentiality: ASHI shall make every reasonable effort to protect the Whistleblower's identity. ASHI shall exercise particular care to keep confidential the identity of a Whistleblower making an allegation until a formal investigation is launched. Thereafter, the identity of the Whistleblower making the allegation may be kept confidential, if requested, unless such confidentiality is incompatible with a fair investigation, unless there is an overriding reason for identifying the Whistleblower, or unless the law requires the disclosure of the identity of the Whistleblower.
- c. Anonymous Allegations: ASHI encourages, but does not require, that Whistleblowers identify themselves. Appropriate follow-up questions and investigation may not be feasible unless the source of the information is known. ASHI shall investigate allegations expressed anonymously; however, consideration will be given to the seriousness of the issue, the credibility of the concern, and the likelihood of confirming the allegation from other sources.
- d. Malicious Allegations: Persons making allegations that prove to be knowingly false, or who make allegations for malicious or frivolous reasons, may be subject to disciplinary actions, including discharge from employment or volunteer service. If a Whistleblower makes an allegation in good faith pursuant to this policy and the allegations are unsubstantiated, no action shall be taken against the Whistleblower. In making an allegation, persons are advised to exercise due care to ensure the accuracy of the information disclosed.

### **3.10 Procedure for Addressing Whistleblower Allegations**

1. The Whistleblower shall report an allegation of a Harmful Violation to the ASHI Executive Director, the ASHI President, or the ASHI Human Resources consultant. The Whistleblower may report the allegation to any or all of these parties, and should not feel obligated to begin with the ASHI Executive Director. The Whistleblower should report allegations involving the ASHI Executive Director or the ASHI President to the ASHI Human Resources consultant.
2. The Whistleblower should report the allegation of a Harmful Violation to the chosen party as close in time to the violation as practical. This is to allow for timely intervention, and to allow for more accurate and complete gathering of facts regarding the violation. There is, however, no fixed time limit regarding reporting the violation.
3. The ASHI Executive Director and/or the ASHI Human Resources consultant shall thoroughly investigate whistleblower allegations reported to them.

4. The ASHI Executive Director and the ASHI Human Resources consultant may use their best judgment about disposition of a whistleblower allegation.
5. The ASHI Executive Director and the ASHI Human Resources consultant shall report whistleblower allegations that appear likely to be substantiated to the ASHI President and to the ASHI Legal Counsel.
6. The ASHI President and the ASHI Legal Counsel may use their best judgment about whether and when to inform the Finance Committee and the ASHI Board about whistleblower allegations.

### **3.11 Executive Director Complaints Committee**

1. ASHI shall create and maintain a standing Executive Director Complaints Committee (EDCC). This committee shall remain active until dissolved by the ASHI Board.
2. The EDCC shall receive and process complaints against the ASHI Executive Director, including harassment and discrimination complaints, as described in the applicable policy.
3. The EDCC shall consist of three (3) ASHI Past Presidents who are willing to serve, and who are free from conflicts of interest, including, but not limited to, being a vendor, instructor, or having other contractual or partnership relationships with ASHI, The ASHI School, ASHI Education Inc., or the ASHI Foundation.
4. EDCC members shall serve a three (3) year term. One EDCC member shall rotate off each year. This member may continue to serve if willing to do so, and if there have been no complaints against the ASHI Executive Director during the member's service period.
5. The ASHI Secretary shall appoint a replacement member until the ASHI Board can select another member.
6. ASHI staff shall, on the last business day of November, send the following letter to all ASHI Past Presidents.

Dear Past President,

To fill the ASHI Executive Director Complaints Committee, we are sending this letter to all Past Presidents asking for a candidate to serve as a committee member. The ASHI Board shall select one of you to serve. The policy describing this Committee is included with this letter.

Question 1: Will you serve on this committee?      YES              NO

Question 2: Are you free from conflicts of interest that could impair your impartiality in evaluating complaints against the ASHI Executive Director, including, but not limited to, being a vendor, instructor, or having other contractual or partnership relationships with ASHI, The ASHI School, ASHI Education Inc., or the ASHI Foundation.      YES      NO

7. The ASHI Executive Director shall prepare a ballot containing the names of all ASHI Past Presidents qualifying and willing to serve. The ASHI President shall place this ballot on the agenda for the January ASHI Board meeting.
8. The ASHI Board shall select a member to serve on the EDCC.

## **4 ASHI BOARD OF DIRECTORS**

### **4.1 Suspension and Removal of Officers, Directors, and Nominating Committee Members**

1. Suspension and removal from office of officers, directors, and Nominating Committee members shall be in accordance with the ASHI Bylaws.
2. The ASHI Board may suspend or remove from office officers, directors, and Nominating Committee members for reasonable cause, including, but not limited to, consistent failure to attend ASHI Board meetings or Nominating Committee meetings, including electronic meetings. Suspension and removal from office requires a two-thirds affirmative vote of the ASHI Board members present at a meeting at which there is a quorum. Suspension shall apply to the ASHI Board and to the ASHI Foundation Board.
3. The ASHI Board may reinstate suspended officers, directors, and Nominating Committee members. Reinstatement requires a two-thirds affirmative vote of the ASHI Board members present at a meeting at which there is a quorum. Reinstatement shall apply to the ASHI Board and to the ASHI Foundation Board.
4. The ASHI Board shall provide the officer, director, and Nominating Committee member with due process including an opportunity to address the allegations upon which suspension or removal might be based before voting on the suspension or removal.

### **4.2 Meeting Notice**

1. The ASHI President shall provide at least forty-five (45) day notice to each ASHI Board member before meetings that require travel.
2. The ASHI President shall provide at least seven (7) day notice to each ASHI Board member before electronic meetings.
3. The ASHI Board may waive notice requirements by unanimous consent.
4. Individual ASHI officers and directors may waive notice requirements.

### **4.3 Executive Session Confidentiality**

Persons in attendance during an Executive Session shall not disclose anything that transpires during the Executive Session to anyone not in attendance during the Executive Session, except as specifically authorized by the ASHI Board. The ASHI President may disclose matters discussed in Executive Session to ASHI Board members who were not in attendance during the Executive Session.

#### **4.4 Participation During ASHI Board Meetings**

1. ASHI Board meetings held in-person are open to ASHI members and to invited guests. The ASHI President may close in-person board meetings to any person. The ASHI Board may reverse this decision by majority vote.
2. ASHI Board meetings held using electronic communications are closed. The ASHI President may invite guests to these meetings. The ASHI Board may reverse this decision, and may invite guests, by majority vote.
3. Guests invited to ASHI Board meetings include only the specific persons invited. Invited guests and ASHI Board members shall not permit other persons to listen or to view ASHI Board meetings.
4. Persons who attend ASHI Board meetings using electronic communication shall disclose all persons who are listening or viewing using the person's electronic connection.
5. ASHI Board meetings held in-person or using electronic communication may be recorded by any method only after: (a) receiving permission from the ASHI President, and (b) a majority affirmative vote of the ASHI Board members present when recording commences, and (c) notification that the meeting is being recorded is provided to invited guests present when recording commences.
6. Only the individual receiving approval may record that meeting.
7. Recordings of ASHI Board meetings shall not be disclosed to any person or entity without the consent of the ASHI Board.
8. The MRC Chair shall be allowed to attend and to participate in all ASHI Board meetings. The MRC Chair may attend ASHI Board meeting executive sessions if attendance is approved by a majority of the ASHI Board. The MRC Chair shall not be allowed to make motions, and shall not be allowed to vote.

#### **4.5 Board Book and Motions Distribution**

ASHI staff shall distribute ASHI Board Books only to current ASHI Board members and to ASHI Legal Counsel.

#### **4.6 Minutes of ASHI Board Meetings**

1. The ASHI Secretary, assisted by ASHI staff when requested by the ASHI Secretary, shall record minutes of all ASHI Board meetings, including those held in-person and those held using electronic communications.
2. The ASHI Secretary shall compose and distribute draft minutes of all ASHI Board meetings to ASHI Board members within two (2) weeks after each ASHI Board meeting. Distribution shall include a notice that draft minutes are not for distribution.
3. ASHI Legal Counsel shall review draft minutes and final minutes of all ASHI Board meetings before distribution to ASHI Board members.
4. ASHI staff shall delete all recordings of ASHI meetings not later than three (3) business days after the minutes of the meetings have been approved. Cross reference: Participation During Board Meetings.

## **4.7 US Flag**

A US Flag shall be available in the ASHI Board meeting room.

## **4.8 Motions**

1. ASHI Board members shall submit motions to the ASHI President for review and potential inclusion on the ASHI Board meeting agenda, except for motions raised during an ASHI Board meeting.
2. ASHI Board members shall submit motions for inclusion on the ASHI Board meeting agenda to the ASHI President at least two (2) days before the Board Book publication deadline.
3. ASHI Board members shall submit motions brought before the ASHI Board during an ASHI Board meeting in writing, except when a verbal motion is recognized by the ASHI President.
4. ASHI Board members should include in proposed motions brought before the ASHI Board at least one supporting statement, one opposing statement, and the budget impact of the proposal. The supporting statement may be the same as the rationale.

## **4.9 Conflict of Interest**

1. ASHI officers, directors, and the MRC chair shall avoid actual and perceived conflicts of interest regarding matters considered by the ASHI Board.
2. ASHI officers, directors, and the MRC chair may have a conflict of interest when the person's self-interest could conflict, or could be perceived to conflict, with the interests of ASHI. Examples include, but are not limited to, personal or family financial gain may be derived from the matter being considered by the ASHI Board, or a business or personal relationship exists with the person or entity being considered by the ASHI Board.
3. ASHI officers, directors, and the MRC chair shall not simultaneously hold an officer or director position in another home inspector organization at the national, state, or local level.
4. ASHI officers, directors, and the MRC chair shall disclose all material facts about potential conflicts of interest before the discussion of such matters by the ASHI Board, if the conflict is known before discussion begins.
5. ASHI officers, directors, and the MRC chair shall interrupt discussion of a matter to disclose a potential or actual conflict of interest when the conflict becomes apparent.
6. ASHI may enter into contracts and other business relationships with ASHI officers, directors, and the MRC chair, as individuals, and with companies in which the ASHI officer, director or the MRC chair have a financial interest, if the contract or relationship is disclosed in accordance with this policy, and is fair to ASHI. The ASHI officer, director, or MRC chair with the conflict shall leave the meeting room during the deciding discussion and during the vote. A two-thirds affirmative vote is then required of the remaining voters for the proposed contract to be approved.

#### 4.10 Committee Assignments

1. The ASHI Board shall maintain a system to assure that Committee assignments are carried out in a timely manner, and that the ASHI Board is aware of the progress of Committee work.

DEADLINE	TASK
Early October	Publish calls for volunteers on the ASHI website Publish calls for volunteers in ASHI online communications such as <i>First Thing</i> Provide the current year committee roster to the ASHI President-elect as a resource for selecting new committee chairs ASHI President-elect appoints committee chairs (deadline for October ASHI Board book)
Late October	ASHI Board approves committee chairs at the October ASHI Board meeting
December 30	Committee chairs recruit committee members Committee chairs develop committee work plan Deadline for chairs to submit committee member rosters

#### 4.11 Committee Chair and Member Selection

1. Selection of committee chairs should attempt to satisfy the following criteria. It is recognized that compliance with these criteria may not be practical.

- a. Committee chairs should have served at least one year on any committee within the previous three years.
- b. National officers and directors may serve as committee chairs.

2. Committees should be organized and operated based on the following.

- a. The ASHI President shall assign each committee a Board liaison and a staff liaison as a non-voting member of the committee.
- b. The committee chair shall determine the size of the committee, which shall be sufficient to serve the needs of the committee, except where the committee size is specified in the ASHI Bylaws or in ASHI policy.
- c. Committee chairs of committees that meet in person should limit the committee size to not more than eight (8) people, including the chair and board liaison.
- d. The ASHI Finance committee shall approve in-person committee meetings.
- e. The Nominating Committee and the MRC shall be exempt from this policy.

3. Members of the Background Review Committee (BRC) and the Complaints Committee shall execute a non-disclosure agreement prior to their participation in any committee functions. Members of these committees shall comply with the ASHI Board conflict of interest and executive session policies. Cross reference: Executive Session Confidentiality and Conflict of Interest in this Policy Manual section.

#### **4.12 Task Forces**

1. A Task Force is a group appointed by the ASHI President to perform one or more specific tasks.
2. A Task Force may continue to function until it completes its tasks, or until the ASHI President decides to disband the Task Force.
3. Approval of the ASHI Board is not required to form or to disband a Task Force.
4. The ASHI President may appoint officers, directors, ASHI members, or any other persons as Task Force chairs and members.
5. Task Force members, except for officers and directors, who are likely to become privy to information that would usually be discussed in executive session shall sign a nondisclosure agreement.

#### **4.13 Motions and Voting by Email**

1. An ASHI officer or director may propose a motion for email voting by the ASHI Board. A second is not required for these motions.
2. The maker of the motion shall submit the motion to the ASHI President. The ASHI President may elect to postpone the motion until the next ASHI Board meeting if the ASHI President believes that the subject of the motion is controversial, or is otherwise not appropriate for email voting.
3. The ASHI President may submit the motion to the ASHI Legal Counsel for review.
4. The ASHI President shall send the motion to ASHI Staff for submission to the ASHI Board for email voting.
5. ASHI Staff shall distribute the motion by email to the ASHI Board.
6. A motion may be withdrawn and a new motion offered.
7. A unanimous yes vote shall be required to approve an email vote motion. The motion shall not be approved unless all ASHI Board members vote. Abstentions and failure to vote shall be counted as no votes.
8. The ASHI Secretary shall record the results of the vote and shall publish the results of the vote as the minutes of the next ASHI Board meeting.

## **5 MEMBERSHIP**

### **5.1 Membership Categories, Requirements, and Benefits**

1. The requirements for ASHI Certified Inspectors (ACI) shall be:
  - complete at least 250 fee-paid home inspections as defined in the ASHI Standard of Practice for Home Inspections,
  - pass the National Home Inspector's Exam (NHIE),
  - have reports verified to confirm that the reports comply with ASHI Standard of Practice for Home Inspections,
  - complete and pass the ASHI Standard of Practice and Code of Ethics education module,
  - agree to comply with the ASHI Standard of Practice for Home Inspections and the ASHI Code of Ethics,
  - remain current on all dues and payments to ASHI, and
  - obtain the required number of verifiable CE each year.
  
2. Membership benefits for ASHI Certified Inspectors shall be at least:
  - access to all areas of the ASHI website, after providing a valid home inspector license number in all jurisdictions that require a license where the member operates, Cross reference: ASHI Website,
  - opportunity to place a profile on the ASHI website, after providing a valid home inspector license number in all jurisdictions that require a license where the member operates, Cross reference: ASHI Website,
  - a listing on the Find an Inspector search engine, after providing a valid home inspector license number in all jurisdictions that require a license where the member operates, Cross reference: ASHI Website,
  - access to and use of ASHI intellectual property including the use of the ACI Gold Seal logo, the ASHI Certified Inspector title, and the ACI acronym,
  - one copy of *The ASHI Reporter* magazine,
  - participation in ASHI programs and services,
  - right to vote in ASHI elections as specified in the ASHI Bylaws,
  - opportunity to serve as an ASHI officer, director, committee or task force chair, committee or task force member, and
  - opportunity to serve as an ASHI chapter officer, director, committee or task force chair, committee or task force member.



3. The requirements for ASHI Inspectors shall be:
  - complete at least 75 fee-paid home inspections as defined in the ASHI Standard of Practice for Home Inspections,
  - pass the National Home Inspector's Exam (NHIE),
  - have reports verified to confirm that the reports comply with ASHI Standard of Practice for Home Inspections,
  - complete and pass the ASHI Standard of Practice and Code of Ethics education module,
  - agree to comply with the ASHI Standard of Practice for Home Inspections and the ASHI Code of Ethics,
  - remain current on all dues and payments to ASHI, and
  - obtain the required number of verifiable CE each year.
4. Membership benefits for ASHI Inspectors shall be at least:
  - access to all areas of the ASHI website,
  - opportunity to place a profile on the ASHI website, after providing a valid home inspector license number in all jurisdictions that require a license where the member operates, Cross reference: ASHI Website,
  - a listing on the Find an Inspector search engine, after providing a valid home inspector license number in all jurisdictions that require a license where the member operates, Cross reference: ASHI Website,
  - access to and use of ASHI intellectual property including the use of the ASHI Inspector logo,
  - one copy of *The ASHI Reporter* magazine,
  - participation in ASHI programs and services,
  - right to vote in ASHI elections as specified in the ASHI Bylaws,
  - opportunity to serve as an ASHI officer, director, committee or task force chair, committee or task force member, except when precluded from serving in the ASHI Bylaws, and
  - opportunity to serve as an ASHI chapter officer, director, committee or task force chair, committee or task force member.
5. The requirements for ASHI Associates shall be:
  - agree to comply with the ASHI Standard of Practice for Home Inspections and the ASHI Code of Ethics,
  - complete and pass the ASHI Standard of Practice and Code of Ethics education module within sixty days of becoming a member,
  - remain current on all dues and payments to ASHI, and
  - obtain the required number of verifiable CE each year.

6. Membership benefits for ASHI Associates shall be at least:
  - access to all areas of the ASHI website,
  - access to and use of ASHI intellectual property including the use of the ASHI Member logo,
  - opportunity to place a profile on the ASHI website, after completing and passing the ASHI Standard of Practice and Code of Ethics education module, and after providing a valid home inspector license number in all jurisdictions that require a license where the member operates, Cross reference: ASHI Website,
  - a listing on the Find an Inspector search engine, after completing and passing the ASHI Standard of Practice and Code of Ethics education module, and after providing a valid home inspector license number in all jurisdictions that require a license where the member operates, Cross reference: ASHI Website,
  - one copy of *The ASHI Reporter* magazine, and
  - participation in ASHI programs and services.
7. The requirements for ASHI Retired Member shall be:
  - have been an ACI for at least five full years,
  - are no longer actively engaged in the home inspection profession, including performing inspections or supervising inspectors, and
  - remain current on all dues and payments to ASHI.
8. Membership benefits for ASHI Retired Members shall be the same as for ACI, except that ASHI Retired Members are not eligible for a listing on the Find an Inspector search engine.
9. An ASHI Student Member shall be an individual who is currently enrolled in, or who has completed, a home inspector prelicensing education course during the previous twelve months, and who has never performed a home inspection for compensation, as defined by the ASHI Standard of Practice for Home Inspections.
10. The requirements for ASHI Student Member shall be:
  - complete the required application, and
  - remain current on all dues and payments to ASHI.
11. Membership benefits for ASHI Student Members shall be at least:
  - an ASHI membership number and password,
  - access to all areas of the ASHI website,
  - one copy of *The ASHI Reporter* magazine, and
  - participation in ASHI programs and services.
12. ASHI Affiliates shall be individuals or companies providing products or services to home inspectors and the inspection profession.
13. The requirements for ASHI Affiliates shall be:
  - complete the required application and affiliate agreement,
  - designate an individual to be the representative to ASHI, and
  - remain current on all dues and payments to ASHI.

14. Membership benefits for ASHI Affiliates shall be at least:
  - an ASHI membership number and password,
  - access to all areas of the ASHI website,
  - a listing on the ASHI website,
  - access to and use of the ASHI Affiliate logo,
  - one copy of *The ASHI Reporter* magazine, and
  - other benefits as defined in the affiliate agreement.
15. Allied Professionals shall be individuals who have an interest in home inspection and related fields, such as real estate, construction, and engineering, but are not eligible for other membership categories.
16. The requirements for Allied Professionals shall be:
  - complete the required application, and
  - remain current on all dues and payments to ASHI.
17. Membership benefits for Allied Professionals shall be at least:
  - an ASHI membership number and password,
  - access to all areas of the ASHI website,
  - a listing on the ASHI website,
  - ACI rates for ASHI publications and seminars, special advertising rates, and special exhibitor rates, and a listing in the membership directory.
  - opportunity to join an ASHI chapter as a non-voting member, and
  - one copy of *The ASHI Reporter* magazine.
18. The Finance Committee shall estimate Allied Professional membership dues in the annual budget.
19. Friends of ASHI shall be individuals who are not eligible for other membership categories, who shall have performed distinguished service to the inspection profession, and who are nominated by the ASHI Board. Friends of ASHI shall pay no dues.
20. ASHI may decline membership, or may terminate membership, of an individual or entity for reasons that include, but are not limited to, not meeting the requirements of membership, conviction of a crime during the period of their membership, violation of other applicable laws and regulations governing their profession, or engaging in behavior which may otherwise disparage ASHI. Cross reference: criminal background check policies in this policy section. Cross reference: Complaints.
21. Members who wish to end their membership shall do so by resigning from membership in writing.

## 5.2 Membership and Dues

1. The minimum age for ASHI membership shall be 18 years.
2. Dues of members who joined before the dues anniversary date policy shall be paid on or before 30 September.
3. Dues of members who joined after the dues anniversary date policy shall be paid on or before the anniversary of the date upon which the member joined ASHI.
4. ASHI staff shall place members who are in arrears in payment of dues or other financial obligations to ASHI on administrative suspension. Cross reference: Administrative and Disciplinary Suspension.
5. ASHI members may pay dues in installments in accordance with procedures adopted by the ASHI Board and ASHI staff.
6. Dues and fees are not refundable, and shall not be prorated except:
  - for errors such as duplicate payments,
  - as required to process a specific type of dues payment, such as payments from multi-inspector companies, and
  - not issuing a refund or proration would create an unjust result.
7. The ASHI Executive Director shall approve all refunds and prorations. The ASHI Executive Director may delegate this responsibility.
8. The ASHI Board shall determine the dues for all membership categories.
9. ASHI staff shall cause dues to be printed on the membership application.
10. ASHI shall waive dues for Past Presidents of ASHI for life.
11. A home inspection company with at least three (3) home inspectors who are ASHI members shall be eligible to pay dues for its inspectors as follows:
  - (a) home inspectors who are not ASHI members may join ASHI at the then-current dues amount plus the then-current administrative fee;
  - (b) home inspectors who are ASHI members may renew their membership for \$299 per year, paid in one payment;
  - (c) the home inspection company shall enroll the home inspector;
  - (d) home inspectors who have paid dues shall not be eligible for a refund or proration of paid dues;
  - (e) home inspectors may join or renew at any time during the year.
12. The multi-inspector company dues program shall cease on 30 June 2020 unless extended by the ASHI Board.
13. ASHI staff shall identify companies that are eligible to participate in the multi-inspector dues program and shall notify these companies about the program, including that the program may be modified or discontinued based in part on the number of companies and inspectors that participate in the program.

### **5.3 Criminal Background Checks for New Members**

1. A criminal background check shall include criminal offenses in which a person has been charged with a crime, convicted of a crime, or has pled guilty or no contest to a crime.
2. All new applicants for ASHI membership, and members who submit an application to be ASHI officers, directors, and members of the BRC and Complaints committees shall submit to a criminal background check. ASHI shall pay the cost of this criminal background check for new applicants, and for members who submit an application to be ASHI officers, directors, and members of the BRC and Complaints committees.
3. ASHI staff shall advise the applicant that results of the criminal background check may or may not prohibit the applicant from becoming a member of ASHI.
4. ASHI members as of the effective date of this policy shall not be required submit to a background check, except candidates for ASHI officers, directors, and members of the BRC and Complaints committees.
5. Applicants for ASHI membership who have acceptable non-criminal records shall be offered ASHI membership.
6. ASHI shall refund dues paid by an applicant, including chapter dues, if the applicant is denied ASHI membership as a result of the criminal background check. The chapter shall not be told the reason for the membership denial, or for the refund.

### **5.4 Criminal Offenses and Existing Members**

1. An ASHI member shall certify that the member has not been arrested, charged, or convicted of any crimes when renewing ASHI membership.
2. An ASHI member who is arrested, charged, or convicted of a crime, or who does not notify ASHI about a criminal arrest, charge, or conviction, shall be subject to loss of ASHI membership.
3. Policies 5.5 and 5.6 shall be used to determine the eligibility for ASHI membership for applicants subject to policy 5.4 #2.

### **5.5 Background Verified Inspector (BVI) Program**

1. Participants in the BVI Program shall submit to a criminal background check. This criminal background check shall include criminal offenses in which a person has been charged with a crime, convicted of a crime, or has pled guilty or no contest to a crime. Cross reference: Sections 5.6 and 5.7.
2. Participation in the BVI Program shall be voluntary for new applicants for ASHI membership, and for existing ASHI members, except candidates for ASHI officers, directors, and members of the BRC and Complaints committees. Those who satisfy the BVI Program requirements, and who continue to satisfy the BVI Program requirements, may use the BVI designation and logo, in accordance with existing policy.

3. Existing ASHI members who wish to participate in the BVI Program shall submit to a criminal background check, and shall pay the fee charged by the background check provider, except that ASHI shall pay the criminal background check fee for ASHI officers, directors, and members of the BRC and Complaints committees.
4. Applicants for the BVI Program who have acceptable non-criminal records shall be allowed to participate in the BVI Program.
5. BVI Program participants who wish to continue in the BVI Program, and officers, directors, and members of the BRC and Complaints committees, shall submit to a new criminal background check every two (2) years, and shall pay the then current fee charged by the background check provider, except that ASHI shall pay the criminal background check fee for ASHI officers, directors, and members of the BRC and Complaints committees.
6. ASHI shall have the right to summarily and immediately suspend use of the BVI logo and the name Background Verified Inspector by the participating member if ASHI discovers adverse information about the BVI Program participant. ASHI may also institute the procedure to terminate ASHI membership.
7. A BVI Program participant may appeal suspension in accordance with the BVI Program policies.
8. ASHI staff shall inform the public about the limitations of the criminal background check, and about the limitations of the BVI Program. For example, since the background check is conducted every two (2) years, the disclosure to the public shall state this. Also, the public shall be informed in a manner similar to the disclaimer stated by the background check provider about the limitations of their search. These limitations shall be disclosed on consumer-facing pages of ASHI's website. The digital badge, or other BVI Program logo, that appears on a BVI participant's website shall provide a link or a reference to the BVI limitations page on the ASHI website, to the extent that this is technically and economically feasible. ASHI shall inform the public that the BVI Program does not relate to the participant's technical or other expertise.

## **5.6 Criminal Background Check Process**

1. One designated ASHI staff member at the manager level or higher (ASHI Manager) shall provide a link that the applicant shall use to access the background check provider's confidential website.
2. The applicant shall enter the required information that allows the background check provider to conduct the criminal background check.
3. The background check provider shall submit the criminal background check results to the ASHI Manager and to the applicant.
4. The ASHI Manager shall store criminal background checks that have no actionable results in a secure manner in accordance with this policy, and shall notify ASHI staff to proceed with processing the membership application, or the BVI Program application.
5. No ASHI staff or volunteer, including the ASHI Board, shall have access to the applicant's criminal background check information, such as social security numbers, except for designated ASHI staff.

6. Physical copies of information regarding the person's criminal background check, including clear criminal background checks and all hearing materials, shall be secured in a locked file cabinet at ASHI headquarters. Electronic copies shall be secured in password-protected files and shall be secured against unauthorized access to the extent practical.
7. The ASHI Executive Director, the ASHI Manager, and ASHI Legal Counsel shall be the only persons that have access to this information.
8. ASHI shall retain this information for five (5) years.
9. ASHI shall follow the background check provider's guidance regarding "Adverse Action", and shall follow Fair Credit Reporting Act requirements.

### **5.7 Processing Criminal Background Checks with Actionable or Incomplete Results**

1. The ASHI Manager shall process criminal background checks that have actionable or incomplete results in accordance with this policy.
2. The ASHI Manager shall contact the applicant to confidentially discuss the result of the criminal background check, and to consider:
  - the nature and circumstances surrounding the crime,
  - the time that has elapsed since the conviction,
  - the number (if more than one) of convictions, and
  - any explanation offered by the applicant.
3. The ASHI Manager shall have the authority to decline membership into ASHI and participation in the BVI Program due to the applicant's failure to fully cooperate with this interview.
4. The ASHI Manager shall prepare a written summary of the criminal background check for the BRC, and shall include the summary with the applicant's application. The BRC shall receive, at minimum, information about the crime for which the applicant was convicted, the date of conviction, the date which any imprisonment, parole, or probation ended, any additional information the applicant wishes the BRC to consider, and the written summation and thoughts of the ASHI Manager.
5. The ASHI Manager shall not release the actual criminal background check and other confidential material to the BRC.
6. The BRC shall convene to determine if the applicant should be eligible for ASHI membership, or should be eligible for the BVI Program. The BRC may, at its discretion, invite the applicant to the conference.
7. The BRC shall consider all the information provided.
8. The BRC shall determine the applicant's eligibility for ASHI membership, or participation in the BVI program, by majority vote. The vote shall be by secret ballot.
9. The BRC chair shall notify the ASHI Manager of the committee's decision.
10. The ASHI Manager shall notify the applicant about the acceptance or denial of membership in ASHI, or participation in the BVI Program.

11. The ASHI Manager shall advise the applicant of the right to appeal a denial to the ASHI Board.
12. The work of the BRC shall remain confidential, to the extent feasible.
13. The applicant may appeal the decision of the BRC to the ASHI Board. The BRC 's decision shall remain in effect during this appeal. The ASHI Board may, at the Board's discretion, consider the appeal based on the existing record.

## **5.8 Compliance with Standards and Ethics**

1. New applicants for ASHI membership after January 1<sup>st</sup> 2009 shall take and pass an ASHI Standard of Practice and Code of Ethics education module. Cross reference: Section 5.1.
2. Applications for ASHI membership, and for renewal of ASHI membership, shall contain a signed statement attesting that the member shall comply with the ASHI Standard of Practice for Home Inspections and the ASHI Code of Ethics for the Home Inspection Profession.

## **5.9 Continuing Education Requirement (CE)**

1. ASHI staff shall administer ASHI CE requirements in accordance with ASHI policies.
2. ACI, ASHI Inspectors, and ASHI Associates shall earn at least twenty (20) CE each year to renew ASHI membership.
3. ASHI Associates shall be required to earn CE beginning on the first anniversary of becoming an ASHI member.
4. ASHI Certified Inspectors and ASHI Inspectors who become members at these levels shall be required to earn CE during their first year of membership.
5. ACI, ASHI Inspectors, and ASHI Associates shall not be permitted to carry more than ten (10) CE from one year to the next year.

## **5.10 Continuing Education Approval**

1. ASHI staff shall award ASHI Associates one (1) CE per parallel inspection with a maximum of ten (10) CE per year.
2. ASHI staff shall award ACI two (2) CE per parallel inspection with a maximum of ten (10) CE per year.
3. ASHI shall accept approved education courses from members, individuals, associations and business to satisfy the CE requirement.
4. The entity sponsoring an education course shall submit the course for approval using an ASHI CE approval application.
5. ASHI may charge a fee for course approval, to be determined by ASHI staff. The fee shall be waived for ASHI chapters.
6. An ACI, ASHI Inspector and ASHI Associate may appeal the denial of CE to the MRC.



## **5.11 Continuing Education Verification**

1. ASHI staff shall verify claimed CE based upon a percentage of total number of renewal applications during the previous ASHI fiscal year.
2. ASHI staff shall notify members with unverified claimed CE, and shall place the member on administrative suspension until the member submits verifiable evidence of the minimum number of CE.

## **5.12 Acceptance of Continuing Education During Dues Renewal Grace Period**

1. ASHI staff shall accept CE during the grace period that is allowed for dues renewal. Cross reference: Administrative and Disciplinary Suspension.
2. ASHI staff shall apply CE earned during the grace period first to the member's delinquent CE requirement, then to the current year CE requirement.
3. ASHI staff shall notify members who have paid dues and have not satisfied their CE requirement, and shall place the member on administrative suspension until the member submits verifiable evidence of the minimum number of CE, or until the end of the member's membership period, whichever occurs first.
4. ASHI staff shall remove the administrative suspension immediately upon the member's submission of the required CE.

## **5.13 Parallel Inspections**

1. ASHI Inspectors and ASHI Associates shall be permitted to count parallel inspections (also called ride-along inspections) toward the minimum fee-paid inspection requirements for attaining the next ASHI member level.
2. A parallel inspection shall be defined as a fee-paid home inspection conducted by an ACI with no more than two ASHI Inspectors or ASHI Associates inspecting the property, and generating a full report.
3. The ACI shall review the reports from the ASHI Inspector or ASHI Associate, verify that the reports are in substantial compliance with the ASHI SoP, and sign forms provided by ASHI attesting to the details of the parallel inspection.
4. Parallel inspection reports that have been revised and corrected shall qualify as SoP compliant reports.
5. The ASHI Inspector or ASHI Associate shall be responsible to submit all appropriate forms to ASHI.

## **5.14 Report Verification**

1. ASHI Inspectors shall complete at least seventy-five (75) inspections before submitting reports for verification.
2. ASHI may provide ASHI Associates with a report pre-verification as a courtesy. Report pre-verification is not a report verification for ASHI Inspectors.

3. ASHI staff and report verifiers shall keep the verification process confidential. All submitted reports, results, and discussions related to verification shall be limited to the ASHI Inspector, the verifier, appropriate ASHI staff, and the MRC and Standards Committee chair, on an as needed basis.
4. ASHI may charge a fee for report verification. Staff shall determine the fee amount.

### **5.15 Administrative and Disciplinary Suspension**

1. ASHI staff shall place a member on administrative suspension for failure to pay dues or other financial obligations, and for failure to comply with CE requirements. A hearing or an appeal shall not be required.
2. Administrative suspension shall occur thirty (30) days after the due date of dues or other financial obligations, or thirty (30) days after failure to submit verifiable evidence of compliance with CE requirements.
3. The Certification Committee shall be empowered to place an ACI on administrative suspension for issues involving the ACI's qualifications for this membership category. A hearing and appeals shall be required in accordance with this manual, and the ASHI Bylaws. Cross reference: Certification Committee.
4. The Complaints Committee shall be empowered to place a member on disciplinary suspension for reasons stated in this manual and in the ASHI Bylaws. A hearing and appeals shall be required in accordance with this manual, and the ASHI Bylaws. Cross reference: Complaints.
5. ASHI staff shall provide written notice to a member placed on administrative suspension stating the reason for the suspension and the requirements for being reinstated. This notice may be sent by electronic communications.
6. A member placed on administrative suspension shall not be in good standing, and shall lose all membership benefits during the suspension.
6. A member may remain in administrative suspension for two (2) years after the administrative suspension begins. Cross reference: Membership Reinstatement.

### **5.16 Membership Reinstatement**

1. ASHI staff shall reinstate a member who has been on administrative suspension for not more than one (1) year, for reasons other than discipline, provided that dues for the next year, and delinquent financial obligations, if any, are paid in full, and provided that the member has submitted verifiable evidence of earning all CE that were required during the suspension.
2. ASHI staff shall reinstate a member who has been placed on disciplinary suspension by the Complaints Committee as specified in this manual and in the ASHI Bylaws. Cross reference: Complaints.

## 5.17 Disaster Inspections

ASHI encourages all ASHI home inspector members to be trained to perform disaster inspections by at least one of the subcontractors approved by Federal Emergency Management Agency (FEMA).

## 5.18 Advanced Education Program (Digital Badge) Policy

1. ASHI staff shall apply this policy when issuing, renewing, and removing Digital Badges awarded by this program.
2. Digital Badges issued by ASHI are ASHI Intellectual Property, as defined and regulated in this Policy Manual. Cross reference: Intellectual Property
3. ASHI staff may grant a Digital Badge to an ACI or a Retired Member after the member complies with all of the following:
  - is in good standing,
  - completes the Digital Badge course of instruction,
  - passes the Digital Badge examination with a score of at least 80%,
  - agrees to comply with the ASHI SoP, if any, applicable to the service covered by the Digital Badge, with the ASHI CoE, and with ASHI policies, and applicable state and local laws, and
  - agrees to the Digital Badge Program Participation Agreement.
4. A Digital Badge shall expire if not renewed within two years after the day that the Digital Badge was issued.
5. ASHI staff may renew a Digital Badge for an ACI or a Retired Member after the member complies with the following:
  - is in good standing, and
  - passes the then-current Digital Badge examination with a score of at least 80% (two attempts allowed), **or**
  - completes the then-current Digital Badge course of instruction, and passes the then-current Digital Badge examination with a score of at least 80%, and
  - agrees to comply with the ASHI SoP, if any, applicable to the service covered by the Digital Badge, with the ASHI CoE, and with ASHI policies, and applicable state and local laws, and
  - agrees to the Digital Badge Program Participation Agreement.
6. ASHI staff may remove a Digital Badge for good cause without a disciplinary hearing. ASHI staff may use, but are not limited to, the following good causes.
  - Member is not an ACI or a Retired Member in good standing.
  - The Digital Badge is expired, and has not been renewed.
  - The member has been disciplined according to ASHI Policy. Cross reference: Complaints
7. ASHI staff may reinstate a removed Digital Badge, at staff's discretion.

## **6 AWARDS**

### **6.1 Philip C. Monahon Award**

1. The Philip C. Monahon Award shall recognize an ASHI member who has made exceptional and innovative contributions to the ASHI membership.
2. The recipient of award shall:
  - be an ACI who is dedicated to the goals and ideals of ASHI as stated in the CoE,
  - have rendered outstanding contributions to ASHI for a minimum of five (5) years, and
  - have contributed time, talent, or expertise that has been beneficial to ASHI, its members, and the public, which ASHI ultimately serves.
3. ASHI staff shall publish a call for nominations for Philip C. Monahon Award in *The ASHI Reporter* at least four (4) months prior to InspectionWorld. All ASHI members shall be encouraged to submit nominations for the Philip C. Monahon Award.
4. The nomination shall include a description of the contributions made by the ACI and other information about why the ACI should be considered for the award.
5. The call for nominations shall contain a deadline of at least thirty (30) days before the start of InspectionWorld. Nominations received after the deadline shall not be accepted.
6. The Philip C. Monahon Award Committee shall be three (3) previous recipients of the award. The ASHI President shall select committee members from the immediate past five (5) living recipients. The committee shall select the committee chair from among themselves.
7. The recipient of the Philip C. Monahon Award shall be announced at InspectionWorld.
8. ASHI shall make a cash donation of \$500.00 annually to the Newton-Wellesley Hospital in the name of Philip C. Monahon. The hospital is located at 2014 Washington Street, Newton, Massachusetts 02158.

### **6.2 John E. Cox Member of the Year Award**

1. The John E. Cox Award shall recognize an ASHI member who has made exceptional contributions to an ASHI chapter.
2. The recipient of award shall:
  - be an ACI,
  - have rendered outstanding service to an ASHI chapter, and to the home inspection profession, over a period of years, or under circumstances that may not recur.
3. ASHI staff shall publish a call for nominations to chapter presidents at least four (4) months prior to the start of InspectionWorld.
4. The call for nominations shall contain a deadline of October 21 at 5 PM Central Time, or the next business day thereafter. Nominations received after the deadline shall not be accepted.

5. Each chapter may submit one nomination using the John E. Cox Award online Nomination Form.
6. The nomination shall include a description of the ACI service to the chapter, and to the home inspection profession, and other information about why the ACI should be considered for the award.
7. ASHI staff shall prepare the ballot including the name and the Nomination Form of each nominee.
8. Chapter presidents shall vote by using an internet-based voting system. The voting period shall conclude December 5<sup>th</sup>. The nominee receiving the highest number of votes shall be the award recipient.
9. The recipient of the John E. Cox Award shall be announced at InspectionWorld.

## **7 CHAPTER RELATIONS**

### **7.1 Chapter Meetings and Chapter Members**

1. Section 7 of this manual applies to ASHI chapters and meeting groups (MG) that are located inside the United States. The ASHI International Policy Manual applies to chapters and MGs located outside the United States. Cross reference: Equivalent Laws, Regulations, and Practices in Other Countries, Section 1.4.
2. ASHI chapters and MGs may conduct meetings at a physical location, by using electronic communication, or by any combination of these methods.
3. An ACI, ASHI Inspector, or ASHI Associate (collectively referred to as an ASHI member for purposes of this section) may be a member of one or more ASHI chapters and MGs regardless of the location of the ASHI member and of the ASHI chapter and MG.

### **7.2 Meeting Groups (MG)**

1. A MG shall be defined as a group of ASHI members, the purpose of which is to provide education to its members Cross reference: Antitrust Compliance Policy
2. A MG may be formed as a precursor to forming an ASHI chapter, or as a permanent independent group.
3. A MG shall have at least three (3) members representing at least two (2) different inspection businesses.
4. A MG shall have a group leader and an assistant group leader.
5. A MG is not an ASHI chapter, shall not identify itself as such, and shall not publicly promote itself and its members using ASHI intellectual property.
6. A MG shall not request or accept dues or money, except to defray actual out-of-pocket expenses, shall not establish a bank account, shall not incorporate, and shall not engage in other activities that are reserved to ASHI chapters.

7. ASHI members who propose to form a new MG shall submit a written application to both the ASHI staff and to the MRC chair. This application shall include:
  - a. a list of ASHI members who will be members of the proposed MG, and
  - b. acknowledgement of the MG viability policies.
8. The MRC shall review the proposed MG's application to determine if the proposed MG complies with the requirements to form a new MG, and to determine if forming the proposed MG is in the best interest of ASHI, and of ASHI members.
9. The MRC may recommend that the ASHI Board approve or deny the proposed MG.
10. The ASHI Board may approve one of the options by majority vote, and may impose conditions.

### **7.3 Requirements for New Chapter Formation**

1. At least ten (10) ASHI members representing at least five (5) different inspection businesses shall be required in order to form a new ASHI chapter.
2. ASHI members who live outside of the United States may form an ASHI chapter or a meeting group (MG) in accordance with ASHI Bylaws and policies. Cross reference: ASHI International Policy Manual.

### **7.4 Chapter Formation**

1. ASHI members who propose to form a new ASHI chapter shall submit a written application to ASHI staff, and to the MRC chair. This application shall include:
  - a. identification of the geographic area that the proposed chapter intends to serve, including the city where the chapter intends to have its mailing address,
  - b. a list of ASHI members who will be the proposed chapter members,
  - c. a plan to increase the proposed chapter membership, and
  - d. acknowledgement of the chapter viability policies.
2. The MRC shall review the proposed ASHI chapter's application to determine if the proposed ASHI chapter complies with the requirements to form a new ASHI chapter, and to determine if forming the proposed chapter is in the best interest of ASHI, and of ASHI members.
3. The MRC shall recommend that the ASHI Board:
  - a. approve the proposed ASHI chapter, in which case the proposed ASHI chapter shall be granted two (2) year conditional status, or
  - b. deny the propose ASHI chapter, in which case the ASHI members may form or continue a MG, and reapply in not less than one year.
4. The ASHI Board shall approve one of the options by majority vote.
5. The MRC shall retain jurisdiction over a conditional ASHI chapter, and shall monitor the ASHI chapter's viability and compliance with ASHI policies.

6. Conditional ASHI chapters may submit an application to the MRC for recognition as an unconditional ASHI chapter after functioning for two (2) years.
7. The MRC shall review the conditional ASHI chapter's viability and compliance with ASHI policies.
8. The MRC shall recommend that the ASHI Board:
  - a. approve the conditional ASHI chapter's application to become an unconditional ASHI chapter, or
  - b. continue the ASHI chapter's conditional status, in which case the conditional ASHI chapter may reapply in not less than one year, or
  - c. disqualify the conditional ASHI chapter, in which case the ASHI members may form a MG, or may dissolve the ASHI chapter.
9. The ASHI Board shall approve one of the options by majority vote.

## **7.5 Chapter Incorporation, Taxes, and Insurance**

1. ASHI chapters shall be incorporated in accordance with the laws and regulations governing nonprofit corporations in the state where the chapter is located.
2. ASHI chapters shall obtain a FEIN (Federal ID Number).
3. ASHI chapters shall file tax exemption documents in order to obtain 501 (c) (6) tax exempt status for both Federal and State tax exemption, as required by then current laws and regulations.
4. ASHI chapters shall file both Federal and State tax returns, and shall pay taxes as required by then current laws and regulations.
5. ASHI chapters shall obtain and maintain the following documents, and shall provide ASHI staff with a copy when the document is first obtained, and when the information on the document changes:
  - certificate of incorporation,
  - IRS 501 (c) (6) Federal tax-exempt status and State tax-exempt status, or evidence of group tax exempt status,
  - chapter balance sheet and income statement as of the chapter's fiscal year end,
  - chapter membership roster,
  - chapter officers,
  - chapter checking account,
  - FEIN Number,
  - State & Federal tax returns, and
  - recommended liability insurance/treasures bond, if any, not required

6. ASHI shall make available Directors and Officers Insurance (D&O) to all ASHI chapters, at ASHI's expense.
  - a. Coverage shall be provided under the ASHI D&O policy.
  - b. Coverage shall be subject to the underwriting criteria established by the ASHI insurance carrier.
  - c. Coverage shall be subject to the ASHI chapter's compliance with Section 7.5 # 1 through 5 inclusive.
  - d. ASHI chapters shall have the same D&O insurance coverage and limits.
  - e. Chapters shall provide financial statements and other information as required by the ASHI insurance carrier to ASHI headquarters no later than February 28 of each year.

## **7.6 Chapter Finances and Accounting**

1. ASHI chapters may establish the amount of dues, if any, and may establish the amount of payment for chapter activities.
2. ASHI chapters shall establish and maintain accurate accounting records.

## **7.7 Chapter Bylaws and Policies**

1. ASHI chapters shall adopt chapter Bylaws. ASHI chapters may adopt a policy manual.
2. New ASHI chapters, and existing ASHI chapters that do not have chapter Bylaws, shall submit draft chapter Bylaws to ASHI staff, and to ASHI Legal Counsel, for review and approval prior to adoption by the ASHI chapter. The ASHI chapter shall review the draft chapter Bylaws for conformity with ASHI Bylaws, and for conformity with ASHI policies.
3. ASHI chapters shall submit chapter Bylaw amendments to ASHI staff, and to ASHI Legal Counsel, for review and approval prior to adoption by the ASHI chapter. The ASHI chapter shall review the chapter Bylaws amendments for conformity to ASHI Bylaws, and for conformity with ASHI policies.
4. ASHI chapter Bylaws and policies shall be consistent with ASHI Bylaws and policies, and with ASHI Board directives pertaining to ASHI chapters.
5. ASHI chapters shall conduct business meetings according to Robert's Rules of Order, most current edition, except where inconsistent with the chapter's Bylaws.
6. ASHI chapters shall conduct annual elections for chapter officers and directors.
7. ASHI chapter elections should occur in June so that all ASHI chapters will be on the same election cycle. The same election cycle allows for identification of ASHI chapter leaders prior to LDC, and prior to the ASHI election cycle.



## **7.8 Complaints and Member Discipline**

1. ASHI chapters shall not discipline ASHI chapter members, except for failure to pay chapter dues and other financial obligations.
2. ASHI chapters shall refer disciplinary actions to the appropriate ASHI committee including, but not limited to, complaints involving violations of the ASHI SoP and CoE.
3. ASHI chapters shall not deny ASHI chapter membership, and shall not terminate chapter membership, to an ASHI member in good standing with ASHI, except for failure to pay chapter dues and other financial obligations.
4. The MRC shall review all complaints against ASHI chapters, and shall provide recommendations regarding appropriate action to the ASHI Board.

## **7.9 Chapter and MG Viability Reports**

1. ASHI chapters and MGs shall send a Viability Report to the ASHI staff member in charge of chapter relations, and to the MRC chair, annually on or before 28 February. The Viability Report shall:
  - contain the names of chapter/MG members,
  - contain the names and contact information for chapter officers/MG leaders,
  - provide requested financial information for the most recent chapter year end on a form provided by ASHI staff,
  - provide verification that the chapter has filed reports and tax returns to remain in good standing with regulatory and tax authorities in the jurisdiction in which the chapter is located.
2. ASHI staff shall send a written notice to the last known chapter president/MG leader and to the last known chapter treasurer if the chapter/MG has not complied with 7.9.1 by the due date. ASHI staff shall also notify the MRC chair. ASHI staff shall send this written notice to the chapter/MG on or before 10 March. ASHI staff may use any appropriate means to send this written notice. This written notice shall include a request that the chapter/MG comply with 7.9.1 on or before 31 March.
3. ASHI staff shall send a written notice to the last known chapter president/MG leader if the chapter/MG has not complied with 7.9.1 and 7.9.2 by the due date. ASHI staff shall also notify the MRC chair. ASHI staff shall send this written notice on or before 10 April. ASHI staff shall send this written notice to the ASHI chapter/MG using a traceable transmission method that requires a signature for delivery. This notice shall contain a statement that the chapter/MG may be suspended if it does not comply with 7.9.1 on or before 30 April.
4. ASHI staff shall compile a list of chapters/MGs that have not complied with 7.9.1, 7.9.2, and 7.9.3 by the due date. ASHI staff shall send this list to the ASHI President, MRC chair, and ASHI Executive Director. ASHI staff shall send this list on or before 10 May.

5. The ASHI President shall include the list of non-compliant chapters/MGs on the agenda of the July ASHI Board meeting.
6. The ASHI Board shall determine whether or not to suspend non-compliant chapters according to the ASHI Bylaws. The ASHI Board shall determine whether or not to suspend non-compliant MGs according to ASHI policies.

## **7.10 Chapter Viability Review**

1. ASHI staff shall assist the MRC in conducting an annual review of the viability of each ASHI chapter, and the compliance of each ASHI chapter with ASHI Bylaws and ASHI policies.
2. ASHI staff and the MRC shall complete this review on or before 30 June.
3. ASHI staff and the MRC shall, as part of this review, determine which chapters are non-viable.
4. ASHI staff and the MRC may use, but shall not be limited to, the following viability guidelines:
  - increasing chapter membership,
  - conducting regularly scheduled meetings,
  - providing approved CE,
  - mentoring ASHI Associates,
  - maintaining a chapter website with chapter members listed,
  - participating in LDCand InspectionWorld,
  - encouraging chapter members to serve as ASHI officers, directors, and on ASHI committees,
  - filing required documents to maintain chapter incorporation and tax-exempt status,
  - filing required chapter tax documents,
  - preparing at least annual chapter financial statements,
  - publishing at least an annual chapter membership roster,
  - conducting annual chapter elections,
  - maintaining a chapter checking account with dual signatures required for all financial transactions and other commitments over \$500,
  - having a FEIN Number, and
  - participating in ASHI's umbrella insurance coverage for chapters, or obtaining similar coverage for the chapter.
5. ASHI chapters that fail to comply with any of the following may be considered non-viable:
  - do not have at least ten (10) members, or
  - do not submit a sufficient Viability Report, or
  - do not substantially satisfy the chapter viability guidelines.

## **7.11 Meeting Group Viability Review**

1. ASHI staff may assist the MRC in conducting an annual review of the viability of each MG and the compliance of each MG with ASHI policies.
2. The ASHI staff and the MRC shall complete this review on or before 30 June.
3. ASHI staff and the MRC shall, as part of this review, determine which MGs are non-viable.
4. The ASHI staff and the MRC may use, but shall not be limited to, the following viability guidelines:
  - maintaining at least three MG members,
  - conducting regular meetings,
  - participating in LDC and InspectionWorld, and
  - encouraging MG members to serve as ASHI officers, as directors, and on ASHI committees.
5. MGs that fail to comply with any of the following may be considered non-viable:
  - do not have at least three (3) members, or
  - do not submit a Viability Report, or
  - do not substantially satisfy the MG viability guidelines.

## **7.12 Chapter and MG Viability Improvement Plan**

1. ASHI staff and the MRC shall assist non-viable ASHI chapters/MGs to develop a plan to correct viability deficiencies so that the chapter/MG may become viable by 31 December of the year after the MRC determines that a chapter/MG is non-viable.
2. ASHI staff shall send a written notice to the last known chapter president/MG leader and to the last known chapter treasurer if the MRC determines that a chapter/MG is non-viable. ASHI staff shall send this written notice to the chapter/MG on or before 10 July. ASHI staff may use any appropriate means to send this written notice. This written notice shall:
  - identify the viability deficiencies that the chapter/MG shall improve to be considered viable, and
  - request that the chapter/MG work with the MRC to send a written viability improvement plan to the ASHI staff member in charge of chapter relations on or before 31 August.
3. ASHI staff shall send a written notice to the last known chapter president/MG leader if the chapter/MG has not complied with 7.12.2 by the due date. ASHI staff shall also notify the MRC chair. ASHI staff shall send this written notice on or before 10 September. ASHI staff shall send this written notice to the chapter/MG using a traceable transmission method that requires a signature for delivery. This notice shall contain a statement that the chapter/MG may be suspended if it does not comply with 7.12.2 on or before 30 September.
4. ASHI staff shall compile a list of chapters/MGs that have not complied with 7.12.2 and 7.12.3, by the due date. ASHI staff shall send this list to the ASHI President, MRC chair, and ASHI Executive Director. ASHI staff shall send this list on or before 10 October.

5. The ASHI President shall include the list of non-compliant chapters/MGs on the agenda of the January ASHI Board meeting, or at other ASHI Board meetings.
6. The ASHI Board shall determine whether or not to suspend non-compliant chapters according to the ASHI Bylaws. The ASHI Board shall determine whether or not to suspend non-compliant MGs according to ASHI policies.
7. ASHI staff and the MRC shall review the Viability Reports of non-viable chapters/MGs according to the provisions of Section 7.10 and Section 7.11, as applicable.
8. ASHI staff shall compile a list of chapters/MGs that the MRC determines remain non-viable after completing the chapter/MG viability improvement period. ASHI staff shall send this list to the ASHI President, MRC chair, and ASHI Executive Director. ASHI staff shall send this list on or before 10 November.
9. The ASHI President shall include the list of non-viable chapters/MGs on the agenda of the January ASHI Board meeting, or at other ASHI Board meetings.
10. The ASHI Board shall determine whether or not to suspend or disqualify non-viable chapters according to the ASHI Bylaws. The ASHI Board shall determine whether or not to suspend or disqualify non-compliant MGs according to ASHI policies.

### **7.13 Chapter and MG Suspension or Disqualification**

1. The ASHI Board may suspend or disqualify a chapter according to the ASHI Bylaws. The ASHI Board may suspend or disqualify a MG by a two-thirds affirmative vote of those ASHI Board members present.
2. The ASHI Board may suspend a chapter/MG for a period of not more than six (6) months from the date of the ASHI Board meeting when the chapter/MG is suspended.
- 3.. A chapter/MG that has been suspended or disqualified may submit a written petition to the ASHI Board requesting reinstatement not more than five (5) months after the date of the ASHI Board meeting when the chapter/MG was suspended or disqualified.
4. The ASHI Board may reinstate a suspended or disqualified chapter according to the ASHI Bylaws. The ASHI Board may reinstate a suspended or disqualified MG by a two-thirds affirmative vote of those ASHI Board members present.
5. The last known treasurer, or the last known highest-ranking officer, of a disqualified chapter shall be responsible for:
  - a. filing forms to dissolve the chapter corporation in the manner required by the state where the ASHI chapter was located,
  - b. remitting any remaining chapter funds to ASHI, or in accordance with applicable state statutes, and
  - c. performing any other actions necessary to cease chapter operations, including but not limited to filing required documents with Federal and State tax authorities.

## **7.14 Chapter Use of ASHI Display Booths**

1. ASHI chapters in good standing may rent the ASHI display booths for the cost of shipping and shipping insurance.
2. The ASHI chapter shall post a \$500 damage deposit prior to display booth shipping.
3. The ASHI Executive Director, or the MRC chair, may waive the deposit.

## **7.15 Leadership Development Conference (LDC)**

1. The purpose of the LDC shall be to provide an opportunity for existing and incoming chapter leaders to receive leadership training and ASHI chapter operations training.
2. The MRC may plan and conduct LDC less often than annually, and may use internet-based technology.
3. The MRC shall consult with and use every resource within ASHI to plan and conduct a successful LDC. Resources may include, but shall not be limited to, ASHI staff, officers and directors, , and the Education Committee.
4. ASHI committees may plan and conduct after-hours meetings during LDC (with the President's approval per policy), if they do not interfere with scheduled LDC activities, and with the MRC and staff efforts regarding LDC.

# **8. PUBLIC RELATIONS**

## **8.1 Public Relations Plan**

1. ASHI staff should develop, maintain, and implement a plan to influence, engage, and build relationships with key stakeholders across multiple platforms in order to shape and frame the public perception of ASHI.
2. The ASHI Board may engage the services of a public relations consultant (PR Firm) to assist ASHI staff in the development and implementation of a public relations plan.

## **8.2 Press Releases and Social Media Posts**

1. The ASHI Executive Director shall determine the appropriate entity to write an ASHI press release or a social media post.
2. The ASHI Executive Director shall review a press release and a social media post prior to release. The ASHI Executive Director may delegate this responsibility.
3. The ASHI Executive Director may request that the ASHI President and ASHI Legal Counsel review a press release or a social media post prior to release.
4. The ASHI representative quoted in a press release or a social media post shall be the ASHI President, ASHI Executive Director, or a representative designated by the ASHI President or the ASHI Executive Director.

### **8.3 Position Statements**

1. The ASHI Executive Director shall determine the appropriate entity to develop and update talking points and official statements representing the ASHI position on issues.
2. The ASHI Executive Director shall review talking points and official statements prior to release.
4. The ASHI Executive Director may request that the ASHI President and the ASHI Legal Counsel review talking points and official statements prior to release.
5. The ASHI representative authorized to discuss talking points and official statements with public media shall be the ASHI President, ASHI Executive Director, or a representative designated by the ASHI President or the ASHI Executive Director.

### **8.4 Media Communications**

1. All inquiries from the public media (reporters, producers, writers, researchers, etc.) requesting comment or information attributable to ASHI shall be forwarded to the ASHI Executive Director.
2. The ASHI Executive Director, with the assistance of ASHI staff, may provide the requested information. The ASHI Executive Director or the ASHI President may act as the spokesperson for ASHI.
3. The ASHI Executive Director may refer inquiries to the ASHI President, or to a representative designated by the ASHI President or the ASHI Executive Director.

### **8.5 Member Use of Public Relations Materials**

ACI, ASHI Inspectors, and ASHI Associates may obtain, use, and distribute press kits, press releases, consumer brochures, and other public relations materials if the use and distribution comply with ASHI policies, especially those policies relating to use of ASHI intellectual property. Cross reference: ASHI Intellectual Property.

## **9 LEGISLATION AND REGULATION**

### **9.1 Adoption of ASHI Standards of Practice by Governments**

Any jurisdiction may adopt in full any ASHI Standard of Practice or the ASHI Code of Ethics for the Home Inspection Profession. Acknowledgment and full credit to ASHI should be included in the document.

## **9.2 Endorsement of Members for Regulatory Boards**

1. ASHI shall provide a written endorsement of an ASHI member who seeks a position on a state or local government home inspection regulatory board if:
  - a. the member is in good standing with ASHI,
  - b. the member provides written endorsements from five (5) ASHI members who reside in the state or jurisdiction, and
  - c. the endorsements include an ASHI chapter officer (President, Vice President, Secretary, or Treasurer) in the jurisdiction, if any.
2. An ASHI chapter officer endorsement is not required if there is no ASHI chapter in the jurisdiction.
3. The ASHI chapter, if any, or the ASHI members within an affected jurisdiction, shall be responsible for ensuring that qualified individuals are recommended for an ASHI endorsement.
4. The ASHI President shall submit names to the ASHI Board for approval of ASHI members seeking endorsement for Federal advisory committees, task forces, etc.
5. ASHI officers and directors shall not endorse an ASHI member using their ASHI title.

## **9.3 Establishment of InspectPac**

ASHI shall establish and operate a PAC (Political Action Committee) called ASHI INSPECTPAC. The objective of this PAC is to help support political candidates who are sympathetic or appreciate the views and goals of the ASHI.

# **10 STANDARDS OF PRACTICE AND CODE OF ETHICS**

## **10.1 Changing Standards of Practice and Code of Ethics, and Adopting New Standards of Practice**

1. Interested parties may propose changes to the SoP, and, SoPA, and CoE, and may propose new SoPA.
2. The Standards and Ethics Committee may propose new SoPA and changes to the SoP, SoPA, and CoE at any time.
3. The Standards and Ethics Committee chair may delay consideration of proposed changes to the SoP, SoPA, and CoE until the chair determines that there are sufficient changes to warrant the effort and expense of changing the SoP, SoPA, and CoE.
4. The Standards and Ethics Committee shall produce a written record of meetings held to discuss changes to the SoP, SoPA, and CoE including: date, method of meeting, who was present, and results of votes conducted.
5. The Standards and Ethics Committee shall adhere to the ASHI Board conflict of interest policy when discussing and voting on the SoP, SoPA, and CoE . Cross reference: ASHI Board, Section 4.

6. A party proposing a change to the SoP, SoPA, and CoE shall include the section affected, the proposed change, and a rationale supporting the proposed change.
7. The Standards and Ethics Committee shall vote to approve, modify, or reject proposed changes to the SoP, SoPA, and CoE, and to approve new SoPA. The decision shall be based on the majority of committee members voting.
8. ASHI staff shall publish proposed changes to the SoP, SoPA, and CoE, and shall publish new SoPA, in a manner that staff determines will efficiently and effectively communicate the information to ASHI members, and to the public. Publication shall include a link to the information on all ASHI website home pages for at least two (2) months. Publication may include electronic communication, inclusion in ASHI online publications, and printing in *The ASHI Reporter*.
9. Publication shall include an invitation for public comment from interested parties. The invitation shall include the form, manner, and deadline for receiving public comments. The Standards and Ethics Committee shall determine the form and manner for receiving public comments. The public comment period shall not be less than two (2) months.
10. The Standards and Ethics Committee may, in addition to receiving public comments by other means, hold a public hearing at the InspectionWorld to gather comments.
11. The Standards and Ethics Committee shall determine how to address public comments.
12. The Standards and Ethics Committee shall present to the ASHI Board proposed changes to the SoP, SoPA, and CoE, and new SoPA.
13. The ASHI Board shall by two-thirds vote:
  - a. send proposed changes to the SoP, SoPA, and CoE, and new SoPA, to the voting members as specified in ASHI Bylaws, or
  - b. return proposed changes to the SoP, SoPA, and CoE, and new SoPA to the Standards and Ethics Committee for additional consideration, or
  - c. reject the proposed changes to the SoP, SoPA, and CoE, and new SoPA, in which case the Standards and Ethics Committee shall not resubmit the proposed changes, or the new SoPA to the ASHI Board for at least one year.
14. ASHI staff shall prepare a ballot for a vote by the voting members as specified in the ASHI Bylaws. This ballot shall contain a link to proposed changes to the SoP, SoPA, and CoE, or shall contain a link to a proposed new SoPA.
15. Any three voting members may appeal to the ASHI Board any vote of the Standards and Ethics Committee regarding changes to the SoP, SoPA, and CoE, or regarding adopting a new SoPA.
16. The Standards and Ethics Committee may correct errata in the SoP, SoPA, and CoE without fulfilling these policies, and without a vote by the voting members. Corrections shall not alter the substantive meaning, and shall be approved by ASHI Legal Counsel and the ASHI Board.



## **10.2 Requests for Interpretation**

1. ASHI staff shall publish completed Requests for Interpretations (RFI) on the ASHI website. Completed RFI are those that have been evaluated and answered by the Standards and Ethics Committee, and have been approved by ASHI Legal Counsel.
2. The Standards and Ethics Committee, and Standards and Ethics Committee members, shall not send interpretations directly to ASHI members, or to any other party.
3. ASHI staff shall maintain a record of all RFI.
4. Members may send RFI requests to ASHI staff, or to the Standards and Ethics Committee chair by means approved by the committee chair.
4. ASHI staff shall forward RFIs to the Standards and Ethics Committee chair.
5. The Standards and Ethics Committee shall interpret the SoP, SoPA, and CoE.
6. The Standards and Ethics Committee shall adhere to the ASHI Board conflict of interest policy when discussing and voting on RFI. Cross reference: ASHI Board
7. The Standards and Ethics Committee shall produce a written record of meetings held to discuss RFI including: date, method of meeting, who was present, and results of votes conducted.
8. The Standards and Ethics Committee chair shall submit the proposed interpretation to ASHI Legal Counsel for review.
9. ASHI Legal Counsel shall return the proposed interpretation to the Standards and Ethics Committee chair indicating approval of the interpretation, or with advice for revisions.
10. The ASHI Board shall resolve differences between the Standards and Ethics Committee and ASHI Legal Counsel.
11. The Standards and Ethics Committee shall vote to approve or reject the final draft of the interpretation.
12. ASHI staff shall send the interpretation to the member.

## **11 COMPLAINTS**

### **11.1 ASHI General Complaint Policies**

1. ASHI establishes and maintains policies to evaluate complaints against ACI, ASHI Inspectors, and ASHI Associates (hereafter called members unless otherwise indicated), and to impose discipline on members, if they violate certain ASHI Bylaws, policies, and CoE provisions.
2. ASHI complaint procedures shall apply to:
  - members who repair an inspected building within one year of an inspection,
  - member conflicts of interest,
  - member violations of ASHI Bylaws and ASHI policies, and
  - violation of ASHI intellectual property rights.

3. ASHI complaint procedures shall not apply to:
  - preferred provider programs, and similar arrangements,
  - violations involving the ASHI CoE (except as allowed in 11.1#2),
  - failure to comply with ASHI standards of practice, and
  - the quality, or the lack of quality, of an inspection, and of ancillary inspection services.
4. ASHI staff shall inform persons submitting out-of-scope complaints that ASHI cannot process the complaint. ASHI staff may offer information about governmental agencies that the person may contact to pursue the complaint.
5. The Complaints Committee may discipline members using as prima facie evidence findings of, or sanctions imposed by, governmental agencies and regulatory bodies. Additional procedural steps by ASHI are not required in these circumstances.
6. The ASHI complaint procedure shall include:
  - establishing and maintaining the Complaints Committee,
  - establishing and maintaining procedures for receiving, processing, investigating, adjudicating, appealing, and resolving complaints against members,
  - defining the roles of the Complaints Committee, ASHI staff, ASHI Board, and ASHI Legal Counsel,
  - imposing discipline.
7. The Complaints Committee shall not investigate or inquire about any aspect of the accused's business other than the particular incident or subject matter of the complaint.
8. ASHI Legal Counsel shall review all correspondence relating to complaints sent by, or on behalf of, the Complaint Committee, except requests for additional information.
9. ASHI may publish disciplinary results in *The ASHI Reporter*, but shall not identify those disciplined.
10. All persons involved in receiving, processing, preparing, investigating, adjudicating, appealing, and resolving complaints shall maintain impartiality, and shall maintain confidentiality about all matters, to the extent feasible.
11. The ASHI staff liaison shall keep physical complaint records and documentation in a secure, locked container, and shall keep electronic records and documentation in password-protected files.
12. Nobody shall make copies of complaint records and documentation, except as required to fulfill the requirements of these policies.
13. Complaint committees may use closed complaint files to assist in ensuing consistent actions, and to serve as a history of complaint dispositions.

## **11.2 Formation of the Complaints Committee**

1. The Complaints Committee shall each be composed of a chair plus four (4) committee members who are not current ASHI officers or directors.
2. The ASHI President-elect shall appoint the committee chair, subject to approval by the ASHI Board.
3. The committee chair shall serve a one-year term. The committee chair may be reappointed to additional one-year terms.
4. The ASHI President-elect shall serve as the Board liaison to the Complaints Committee.
5. The ASHI Executive Director shall appoint the ASHI staff liaison for the Complaints Committee.
6. The ASHI staff liaison shall review complaints received, and shall assist the Complaints Committee in the processing of complaints.

## **11.3 Complaints Committee Jurisdiction**

1. The Complaints Committee shall process allegations involving the improper use by members of ASHI intellectual property including, but not limited to, the ASHI name, acronyms, and logos. Cross reference: Intellectual Property.
2. The Complaints Committee shall also process allegations involving violations by members of ASHI Bylaws, CoE, and policies, subject to the limitations in this policy.
3. ASHI staff shall impose discipline on members for failure to pay dues, or for failure to satisfy CE requirements as described in the Membership section of this manual. The Complaints Committee shall not have jurisdiction in these matters. Cross reference: Membership.
4. No ASHI chapter, or individual ASHI member, shall act on an allegation or complaint that is within the scope of these policies.
5. The Complaints Committee chair may initiate committee proceedings at their discretion without a complaint, and without supporting documentation, if the matter is within the committee's jurisdiction.
6. Members who are charged with or convicted of a felony shall be processed in accordance with the policies in this manual. Cross reference: Membership.
7. The Complaints Committee may excuse members subject to discipline under ASHI Bylaws 2.6.3 if the infraction was due the actions of the member's employer.

## **11.4 Complaint Processing General Requirements**

1. A complainant shall not be guaranteed anonymity with respect to the accused.
2. ASHI staff, the Complaints Committee, and all others with knowledge about complaint proceedings shall not release names of members against whom complaints are made, nor aspects of the proceedings, except as necessary to receive, process, investigate, adjudicate, resolve, and appeal a complaint.

3. ASHI staff and the Complaints Committee shall comply with the following requirements involving communication with the complainant. The ASHI staff liaison and the Complaints Committee:

- a. shall acknowledge receipt of the complaint,
- b. shall not inform the complainant about the proceedings including findings, decisions, and discipline. This is to maintain confidentiality.
- c. may disclose whether the accused is currently a member of ASHI.

4. The ASHI staff liaison, Complaints Committee chair, and Complaints Committee members shall not consult with or inform any ASHI officer or director about an allegation, except as may be required as a routine part of an investigation.

5. The Complaints Committee chair may consult with an ASHI officer or director if advised to do so by ASHI Legal Counsel.

6. ASHI staff and the Complaints Committee shall not take any action, make any finding, or impose any discipline for reasons involving restraint of trade, or for any other illegal purpose.

### **11.5 Complaint Initial Processing**

1. Written correspondence shall be sent by US First Class mail, by paid courier, by hand delivery, or by electronic communication unless otherwise noted.

2. A complaint to the Complaints Committee shall be considered complete, submitted, and ready for processing when:

- a written complaint is received,
- the complainant and the accused are identified by name,
- the complaint is within the committee's jurisdiction, and
- the accused is an ASHI member.

3. The ASHI staff liaison and the Complaints Committee chair shall process complete complaints.

4. The ASHI staff liaison and the Complaints Committee chair shall determine if a complaint is within the jurisdiction of the committee.

5. The ASHI staff liaison may send a complaint to the Complaints Committee chair at any time for follow-up or review, even if the complaint is incomplete.

6. The ASHI staff liaison may direct complaints that do not involve ASHI members, or that are not within Complaints Committee jurisdiction, to other services such as government regulatory boards and consumer advocacy services.

7. The ASHI staff liaison shall perform the following actions for complete complaints:
  - a. assign a unique number to the complaint,
  - b. review the complaint for completeness according to the definition in this section,
  - c. acknowledge receipt of the complaint, and document the acknowledgement. Acknowledgement made by telephone or electronic mail may be an entry to a log,
  - d. inform the complainant that the complainant shall not have anonymity with respect to the accused. If a request for anonymity is made, the ASHI staff liaison shall offer the complainant the opportunity to withdraw the complaint, or to proceed without the guarantee of anonymity,
  - e. inform the complainant that ASHI policy regarding confidentiality precludes sharing the results of the complaint adjudication with the complainant,
  - f. inform the complainant, in writing, that ASHI has no authority to seek restitution or financial adjustment for the complainant, when applicable, and
  - g. forward the complaint to the Complaints Committee chair for further processing.
8. The ASHI staff liaison shall perform the following actions for incomplete complaints:
  - a. assign a unique number to the complaint,
  - b. acknowledge receipt of the complaint and document the acknowledgement. Acknowledgement made by telephone or electronic mail may be an entry to a log,
  - c. request that the complainant provide the needed documentation or information within thirty (30) days,
  - d. inform the complainant that no further action will take place until the requested documentation or information is received,
  - e. inform the complainant that the complainant shall not have anonymity with respect to the accused. If a request for anonymity is made, the ASHI staff liaison shall offer the complainant the opportunity to withdraw the complaint, or to proceed without the guarantee of anonymity,
  - f. inform the complainant that ASHI policy regarding confidentiality precludes sharing the results of the complaint adjudication with the complainant,
  - g. close the complaint file, if all requested documentation or information is not received after sixty (60) days, and
  - h. record the complaint as closed by the ASHI staff liaison without committee chair review.

9. The Complaints Committee chair may close a complaint without bringing it to committee if, after a review of the complaint, or after informal communication with the complainant, or after informal communication with the accused, the committee chair determines that:

- a. the complaint does not involve a member, or is not within the committee's jurisdiction, or
- b. the complaint is incomplete as defined in this section, or
- c. the subject matter of the complaint is not serious enough to warrant further action, or
- d. the complaint can and should be informally resolved.

10. The Complaints Committee chair shall return complaints closed by the committee chair to the ASHI staff liaison with an explanation about why the chair elected to close the complaint.

11. The ASHI staff liaison shall record the complaint as closed by the Complaints Committee chair without committee review.

12. The ASHI staff liaison and the Complaints Committee chair, may consult ASHI's Legal Counsel about a complaint, or for any other reason.

13. The ASHI staff liaison, the Complaints Committee, and all others involved in processing a complaint shall adhere to the ASHI Board conflict of interest policy when processing complaints. Anyone with a conflict of interest shall disqualify himself or herself from processing a complaint when a conflict of interest exists. Cross reference: ASHI Board.

14. The most senior Complaints Committee member shall serve as committee chair for a complaint if the Complaints Committee chair is disqualified due to conflict of interest, or for any other reason.

15. The Complaints Committee chair may inform the ASHI President if the committee chair believes that a complainant is falsely or maliciously filing complaints against complaint committee members in retribution, or in an attempt to subvert the normal committee process. The ASHI President may allow the committee to continue to discharge its duties. This decision shall become part of the evidence used in the appeal processes.

16. A Complaints Committee chair shall consult with ASHI Legal Counsel before informing the ASHI President about false or malicious complaints.

## **11.6 Investigations**

1. The Complaints Committee shall investigate complaints that the committee chair elects to pursue.

2. The Complaints Committee chair may request that the ASHI staff liaison provide copies of evidence, documents, and correspondence in the possession of the ASHI staff liaison at any point in the investigation. The ASHI staff liaison shall provide copies as soon as possible.

3. The ASHI staff liaison shall prepare an initial letter to the accused that shall contain the information required by this section. ASHI Legal Counsel shall review and approve the initial letter prior to sending the letter.

4. The initial letter to the accused shall include:

- the entire complaint, and a copy of the submitted documentation (if any),
- notification that the complaint will be, or has been, forwarded to the Complaints Committee chair,
- a reference to this section of the Policy Manual, and instructions about how to obtain a copy of this section,
- a request for a written response to the allegations in the complaint, addressed to the Complaints Committee chair, within twenty (20) days of the date of the letter,
- the mailing address of the Complaints Committee chair and the telephone number and electronic communication address of the chair., and
- a summary of the complaints process, possible disciplinary actions, and the appeal process.

5. The Complaints Committee chair may contact the accused, inform the accused of the complaint, summarize the contents of the initial letter, and ask for permission to send the initial letter by or electronic communication. If the accused grants permission, the ASHI staff liaison may send initial letter to the accused by the agreed-upon method. The Complaints Committee chair shall log this contact in the complaint file.

6. The ASHI staff liaison shall send the approved initial letter to the accused by United States First Class mail in an envelope marked CONFIDENTIAL, unless the accused allows an alternative delivery method. The initial letter shall be sent on the day it is dated.

7. The Complaints Committee chair shall send a second letter to the accused, with a copy of the initial letter, if the accused does not respond in writing within twenty (20) days from the date of the first letter. The second letter shall be sent on the day it is dated, and shall be sent within forty (40) days of the date of the initial letter. The second letter shall be sent using a traceable transmission method that requires a signature for delivery.

8. The Complaints Committee chair may close an investigation without submitting the investigation to the Complaints committee members when a response to the initial letter convinces the Complaints Committee chair that the:

- a. complaint is not within the committee's jurisdiction, or
- b. allegations are false, or that they lack evidence or credibility, or
- c. subject matter of the complaint is not serious enough to warrant further action,  
or
- d. complaint can and should be informally resolved.

9. The Complaint Committee chair shall return complaints closed by the committee chair to the ASHI staff liaison, with an explanation about why the chair elected to close the complaint.

10. The ASHI staff liaison shall record the complaint as closed by the Complaint committee chair without committee review.

11. The Complaint Committee chair shall continue the investigation if the accused does not respond within twenty (20) days from the date of the second letter, or if the committee chair believes that there is sufficient evidence to continue the investigation. Continuation procedures shall include:

- consulting with ASHI Legal Counsel about the complaint,
- gathering additional evidence, at the discretion of the committee chair, and in consultation with ASHI Legal Counsel, and
- forwarding complaint and the evidence to the Complaints Committee members for review.

12. The Complaints Committee chair is authorized to investigate using telephone calls, written correspondence, and electronic means.

13. The Complaints Committee chair shall consult with ASHI Legal Counsel before using other investigative techniques such as travel, recording in-person interviews, and recording telephone calls.

## **11.7 Complaint Resolution**

1. The Complaints Committee shall resolve each complaint within sixty (60) days from receipt by the committee chair of all of the information that the committee chair deems necessary.

2. The Complaints Committee chair may, under extenuating circumstances, extend the resolution period by up to thirty (30) additional days.

3. The Complaints Committee may resolve a complaint in one of the following ways:

- a. dismiss the complaint for lack of jurisdiction over the accused, or over the subject matter of the complaint, or
- b. dismiss the complaint because of lack of sufficient evidence, or
- c. dismiss the complaint because the evidence does not support the allegations, or
- d. dismiss the complaint because it is not serious enough to warrant disciplinary action, or
- e. dismiss the complaint because it has been dealt with informally, or
- f. impose disciplinary action.

4. The Complaints Committee shall impose discipline that is commensurate with the nature of the complaint, considering factors such as the severity of the violation, prior violations (if known), the explanation offered by the accused, extenuating circumstances, and the duration of the violation.



5. The Complaints Committee may impose the following disciplinary action for an ASHI intellectual property use violation:

- a. private letter of censure, or
- b. a public letter of censure, or
- c. suspension of ASHI membership for up to one year, or.
- d. suspension from ASHI membership for up to two years if the violation involves print and electronic media, or
- e. permanent expulsion from ASHI membership.

6. The Complaints Committee may impose the following disciplinary actions for violations other than those involving ASHI intellectual property:

- a. require the member to develop and present a suitable educational seminar to an ASHI chapter, or to another event agreed-upon by the Complaints Committee and the member, or
- b. private letter of censure, or
- c. public letter of censure, or
- d. suspension from ASHI membership for up to two years, or
- e. permanent expulsion from ASHI membership.

7. A private letter of censure shall be defined as a written reprimand that remains in the members file for a period of up to two (2) years, as determined by the Complaints Committee. If the member commits no violations of any kind within the designated time period, the ASHI staff liaison shall remove and expunge the letter from the member's record. The member is not required to disclose a private letter of censure on nomination or election applications, and other ASHI records. If the member commits another violation of any kind within the time period, the next letter of censure shall be a public letter of censure, and shall be in addition to the new disciplinary action.

8. A public letter of censure shall be defined as a written reprimand that remains in the members file for a period of up to five (5) years, as determined by the Complaints Committee. If the member commits no violations of any kind within the designated time period, the ASHI staff liaison shall remove and expunge the letter from the member's record. The member is required to disclose a public letter of censure on nomination or election applications, and other ASHI records, but is not otherwise disclosed to the public.

9. The Complaints Committee chair shall inform the accused that a dismissed complaint has been dismissed.

10. The ASHI staff liaison shall record the dismissal in the complaint file as dismissed by committee action.

11. The Complaints Committee chair shall send a discipline notification letter to the accused informing the accused about the discipline imposed by the committee. The letter shall state:

- discipline has been imposed based on the Complaints Committee's recommendation,
- discipline has been reviewed by ASHI Legal Counsel,
- the member has a right to appeal the discipline,
- the method by which the member may file an appeal, and
- the date by which the member may file an appeal.

12. The ASHI staff liaison shall close the complaint file and record the imposed discipline in the member's file, if the member does not appeal the discipline in accordance with the appeal procedures specified in this manual.

### **11.8 Member Appeal of Discipline**

1. A member disciplined by the Complaints Committee may file a written appeal addressed to the Complaints Committee chair that shall be received not more than thirty (30) calendar days from the date on the discipline notification letter.

2. The member may select the transmission method for the written appeal, including electronic communication. The member assumes all responsibility for appeal requests that are not received by the Complaints Committee chair by the date specified in the discipline notification letter.

3. The Complaints Committee chair shall acknowledge receipt of the appeal request using the transmission method by which the appeal request was received, and shall acknowledge the appeal request in writing using a traceable transmission method that requires a signature for delivery.

4. The member's failure to file a timely appeal shall result in the loss of the right to appeal, and shall be considered as the member's waiver of the right to appeal and the member's agreement with the Complaints Committee's decision.

### **11.9 Appeal Hearing Preparation**

1. The Complaints Committee chair shall notify the ASHI President that the chair has received a request for the ASHI Board to hear a complaint appeal.

2. The ASHI President shall decide whether to place the complaint appeal on the agenda of the next scheduled ASHI Board meeting, or to call a special ASHI Board meeting to hear the appeal.

3. The Complaints Committee chair shall prepare the following written materials that contain sufficient details to allow the ASHI Board to understand the basis of the complaint and the basis of the committee's decision:
  - the allegations against the member,
  - the written complaint filed by the complainant, if any, or a summary of allegations if no written complaint was filed,
  - the written response from the member,
  - a summary of the results of the investigation,
  - the discipline, and the reasons supporting the discipline,
  - a copy of all evidence in the possession of the Complaints Committee chair, and
  - other material that ASHI Legal Counsel considers necessary.
4. The ASHI staff liaison shall send a notice of the appeal hearing date, time, and place to the member's last known address using a traceable transmission method that requires a signature for delivery. Alternatively, the notice may be served upon the member personally.
5. The ASHI staff liaison shall also send the appeal hearing notice to the Complaints Committee chair, the ASHI President, and ASHI Legal Counsel.
6. The member shall bear all of the member's expenses involved in pursuing the appeal.

### **11.10 Conduct of Appeal Hearing**

1. The ASHI Board shall convene at the date, time, and location specified in the appeal hearing notice.
2. The appeal hearing may proceed notwithstanding the unexcused absence of the member, or the member's representative.
3. The appeal hearing shall be held in executive session, unless the member requests a public hearing.
4. The ASHI President shall conduct the appeal hearing in a fair manner. The Complaints Committee chair and the member may address the ASHI Board for not more than fifteen minutes each, unless the ASHI Board allows an equal additional amount of time to both parties.
5. Members of the ASHI Board shall deliberate in executive session after the hearing is concluded. Persons who are not ASHI Board members shall not be present during the deliberations.

6. The ASHI Board shall render one of the following decisions, which may differ from the Complaints Committee's imposed discipline:

- a. dismiss the complaint, or
- b. require the member to develop and present a suitable educational seminar to an ASHI chapter, or to another event agreed-upon by the ASHI Board and the member, or
- c. impose a private letter of censure, or
- d. impose a public letter of censure, or
- e. impose a suspension from ASHI membership for up to two years, or
- f. impose a permanent expulsion from ASHI membership.

7. The ASHI Board may not impose a monetary penalty of any kind, including restitution.

### **11.11 Resolution of Appeal Hearing**

1. The ASHI President shall send a written notice of the ASHI Board's decision and reasoning to the ASHI Executive Director.

2. The ASHI Executive Director shall forward a copy of the notice to the member, ASHI Legal Counsel, and to the Complaints Committee chair.

3. The ASHI Executive Director shall supervise the details of recording the appeal results and shall inform the member about when any suspension period begins and ends, and about the member's responsibilities during the suspension period.

### **11.12 Disciplinary Suspension**

1. Members under disciplinary suspension shall not be allowed these member privileges.

- Use of ASHI intellectual property including, but not limited to, ASHI name, ASHI logos, and ASHI Certified Inspector, ASHI Inspector, and ASHI Associate.
- Listing on ASHI websites.
- Listing on the Find an Inspector search function.
- Access to the ASHI website forum.

2. Members under disciplinary suspension shall pay ASHI dues and other financial obligations during the suspension period. Membership privileges shall not be restored until all dues and financial obligations are paid in full.

3. Members under disciplinary suspension shall satisfy CE requirements during suspension. Membership privileges shall not be restored until all CE requirements are satisfied.

4. Members under disciplinary suspension shall lose all rights, privileges, and other benefits of chapter membership, except for attending educational events and meetings.
5. Members under disciplinary suspension shall continue receiving *The ASHI Reporter*, may attend ASHI educational events at member rates, and may take the ASHI Standards of Practice and Code of Ethics Exam.

### **11.13 Reinstatement of Membership Privileges**

1. Members under disciplinary suspension may have membership privileges restored at the end of the suspension period.
2. The member shall send a written request to the ASHI Executive Director, copy to the Complaints Committee chair, requesting restoration of membership privileges.
3. The member shall pay all dues and other financial obligations, and submit evidence that the member has satisfied all CE requirements before restoration of membership privileges.
4. The ASHI Executive Director shall confirm that all dues, other financial obligations, and CE requirements are current, and that there are no complaints or other information that might preclude restoration of membership privileges.
5. The ASHI Executive Director shall restore the member's privileges when all dues and CE requirements are current, and if there are no other reasons that preclude this action.
6. The ASHI Executive Director shall consult with the Complaints Committee chair if there are complaints, or similar reasons, why the member's privileges should not be restored.
7. The Complaints Committee shall determine whether the member's privileges should be restored, if this step is necessary.
8. The ASHI Executive Director shall restore the member's privileges if the Complaints Committee votes to restore the member's privileges, if this step is necessary.
9. The ASHI Executive Director shall notify the member, using a traceable transmission method that requires a signature for delivery, if membership privileges are not restored. The notice shall specify the reasons for the action, and shall notify the member about actions that the member must take to have membership privileges restored, and shall notify the member about the right to appeal the decision to the ASHI Board.
10. Members who have membership privileges restored shall be restored to the same membership level held before the suspension, and shall be permitted to resume progress toward the next membership level.

11. Members who have closed complaints that resulted in no disciplinary action may, upon written request, have the complaint expunged and the complaint file and documentation destroyed. Two (2) years shall elapse between the request and the date that the file was closed.

12. Members who have closed complaints that resulted in disciplinary action may, upon written request, have the complaint expunged and the complaint file and documentation destroyed. Five (5) years shall elapse between the request and the date that the file was closed, or the date that suspension ended, whichever is later.

## **12 INTELLECTUAL PROPERTY**

### **12.1 Intellectual Property Definitions**

1. The ASHI membership categories, their requirements, and their benefits are defined in the Membership section of this manual. These membership categories include:

- ASHI Certified Inspector (ACI),
- ASHI Inspector,
- ASHI Associate, and
- ASHI Affiliate.

2. ASHI logo: the official graphic symbol of the American Society of Home Inspectors, Inc.

3. ASHI Certified Inspector logo: the ACI Gold Seal logo with the words: Certified Inspector.

4. ASHI Inspector logo: the ASHI logo with the word: Inspector below it.

5. ASHI Associate logo: the ASHI logo with the word: Member below it.

6. ASHI Affiliate logo: the ASHI logo with a banner signifying the affiliate level, such as Gold.

7. ASHI name: the American Society of Home Inspectors, Inc., and the acronyms ASHI and A.S.H.I. The acronym "ASHI" may be substituted for the words American Society of Home Inspectors.

8. Print and electronic communications: printed and electronic communication media that identify or promote an individual, a company, or the products and services provided by either. Print and electronic communications include, but are not limited to, flyers, brochures, letterhead, business cards, telephone directories, books, magazines, and other print media, radio, television, video, websites, blogs, content marketing, search engines, social media, and other electronic and internet systems.

9. Oral communications: verbal methods that identify or promote an individual, a company, or the products and services provided by either. Oral communications include, but are not limited to, direct in-person communication to a listener, and communication by telephone, two-way radio, answering machine, voice mail, and similar electronic methods.

10. Non-member: an entity that has no affiliation with the American Society of Home Inspectors, Inc.

## 12.2 Intellectual Property General Policies

1. These policies shall regulate the use of ASHI intellectual property including, but not limited to the following.
  - American Society of Home Inspectors, Inc., the acronyms ASHI, and A.S.H.I. and the ASHI logo
  - ASHI Certified Inspector, the acronym ACI, and the ASHI Certified Inspector logo
  - ASHI Inspector, the acronym AI, and the ASHI Inspector logo
  - Inspector Member of the American Society of Home Inspectors
  - ASHI Member logo
  - ASHI Affiliate logo
  - Logos of ASHI chapters that use or incorporate ASHI intellectual property
  - Membership and similar information about ASHI members, chapters, and affiliates
2. ASHI intellectual property is an asset of the American Society of Home Inspectors, Inc., and is protected by copyright, trademark, and other intellectual property protections and regulations.
3. The ASHI Board shall have the sole authority to regulate the creation and use of ASHI intellectual property.
4. The ASHI Board may revise these policies at any time.
  - a. The ASHI Board may revoke the privilege to use ASHI intellectual property for ASHI Inspectors and ASHI Associates at any time.
  - b. The Certification Committee, Complaints Committee, or ASHI staff may revoke this privilege to use ASHI intellectual property for ASHI Certified Inspectors for violation of ASHI Bylaws, ASHI policies, ASHI CoE, ASHI SoP, or other membership rules. Cross references: Membership, and Complaints.
5. The ASHI Board intends that these policies shall be interpreted narrowly and applied strictly.
6. ASHI members, and other individuals and entities, shall have no rights whatsoever to use ASHI intellectual property, except as stated in these policies.
7. ASHI members, and other individuals and entities, that accept the privilege of using ASHI intellectual property shall comply with these policies. Compliance is mandatory. Failure to comply may subject ASHI members, individuals, and entities to ASHI disciplinary action, and to legal sanctions.
8. The privilege of using ASHI intellectual property is not transferrable.
9. The restrictions in these policies shall not apply to the use of ASHI intellectual property by ASHI staff, or to the appropriate use by ASHI chapters.
10. ASHI, and ASHI chapters, shall identify a member's membership status and membership category, if asked to do so.
11. These policies shall be automatically superseded by any applicable law if and to the extent that the policies conflict with local, State, or Federal laws.

12. ASHI staff shall refer complaints about violations of these policies by ASHI members to the Complaints Committee.
13. ASHI staff shall refer complaints about violations of these policies by ASHI members to ASHI Legal Counsel.
14. ASHI staff shall refer violation of these polices by non-members to the ASHI President, and to ASHI Legal Counsel.

### **12.3 Intellectual Property Allowed Uses by Membership Category**

1. ASHI Certified Inspectors may use the ASHI Certified Inspector logo, the ACI acronym, and the ASHI name. ASHI Certified Inspectors may use the ASHI Certified Inspector logo when defining the ASHI Certified Inspector Program.
2. ASHI Certified Inspectors may have a link from their websites to their profile page the ASHI website.
3. A company or business shall not identify or advertise itself using the ASHI Certified Inspector logo, unless the one and only inspector inspecting for the company or business is an ASHI Certified Inspector.
4. Multi-inspector companies and franchisees may identify an individual inspector as an ASHI Certified Inspector using the ASHI Certified Inspector logo within the company's print and electronic communications, and in oral communications.
5. A company with multiple office locations may use the ASHI logo in print and electronic communications only if the company has an ASHI Certified Inspector at each office location, and only if all inspectors working in the office location are ASHI Certified Inspectors, ASHI Inspectors or ASHI Associates. A company using the ASHI logo shall list all home inspectors working at each office location on the ASHI registration form. The company may use the ASHI logo. The company may not use the ASHI Certified Inspector, ASHI Inspector, and ASHI Associate logos.
6. ASHI Inspectors may use the ASHI Inspector logo, AI acronym, the ASHI Inspector name, Inspector, or Inspector Member of the American Society of Home Inspectors.
7. ASHI Associates may use the ASHI Associate logo.
8. ASHI Affiliates may use the ASHI Affiliate logo in the manner stated in the affiliate agreement.



9. An ASHI Certified Inspector, ASHI inspector, and ASHI Associate may promote the inspector or the inspector's inspection services using print and electronic communications by identifying the inspector as an ASHI Certified Inspector, ASHI Inspector, and ASHI Associate, as appropriate. For example, a communication saying: "Ask an ASHI Inspector" shall instead read "Ask John Doe, an ASHI Certified Inspector, or an ASHI Inspector, as appropriate". In addition, there shall be a disclaimer that reads: "John Doe is an ASHI Certified Inspector, or an ASHI Inspector, as appropriate; all opinions expressed or implied are those of this inspector and not of the American Society of Home Inspectors (ASHI)".

10. ASHI Certified Inspectors, ASHI Inspectors and ASHI Associates may refer to the ASHI Code of Ethics and Standards of Practice, if done so accurately, and if they comply with this policy on logo use.

## **12.4 Intellectual Property Restrictions**

1. ASHI members, and other individuals and entities, shall not use or display ASHI intellectual property in print and electronic communication, and in oral communication, to create the impression that a service is being offered or provided by ASHI.

2. ASHI members, and other individuals and entities, shall not use or display ASHI intellectual property in print and electronic communication, and in oral communication, to create the impression that the origin or source of any communication is coming from, sponsored by, or approved by ASHI.

3. ASHI members, and other individuals and entities, shall not use or display ASHI intellectual property in print and electronic communication, and in oral communication, in a manner that would be misleading to the public regarding the entity's relationship to ASHI.

4. ASHI members, and other individuals and entities, shall not use or display ASHI intellectual property in print and electronic communication, and in oral communication, in a manner that would be misleading to the public regarding the member's, individual's or entity's membership status or level. For example, an ASHI Inspector may not use ASHI intellectual property in a manner that might imply that the member is an ASHI Certified Inspector.

5. ASHI members, ASHI chapters, and other individuals and entities, shall not use or display ASHI intellectual property on clothing and other merchandise in a manner that would be misleading to the public regarding the member's, individual's or entity's membership status or level. For example, an ASHI Inspector may not wear clothing or other merchandise in a manner that might imply that the member is an ASHI Certified Inspector.

6. The following shall apply when ASHI intellectual property is used in print and electronic communications.

- a. The registered trademark symbol ® shall be displayed at the lower right position of all ASHI logos. If the logo is used repeatedly in the same document or communication, the ® shall be displayed on at least first use of the logo.
- b. The registered trademark symbol ® shall be displayed at the end of the ASHI name. If the ASHI name is used repeatedly in the same document or communication, the ® shall be displayed on at least the first use of the ASHI name.
- c. ASHI intellectual property shall not be altered, defaced, incorporated into any design or drawing, or be used in a manner implying that the ASHI intellectual property is part of an individual, business, or company name.
- d. Display of ASHI intellectual property shall comply with the style requirements published for the particular intellectual property. Examples of style include, but are not limited to, color, font type, and font size.

7. ASHI members, and other individuals and entities, shall not use the NCCA logo on print or electronic communication. The full name: National Commission for Certifying Agencies and the acronym NCCA may be used to explain the accredited ASHI Certified Inspector program.

8. ASHI members, and other individuals and entities, except for ASHI chapters, shall not develop or operate computer programs, applications, and similar automated systems that solicit, capture, store, report, or display ASHI intellectual property without the express consent of the ASHI Board.

## **13 ANNUAL CONFERENCE (INSPECTIONWORLD)**

### **13.1 Registration**

1. All attendees shall register to attend InspectionWorld.
2. Conference badges shall be distinctly different from conference to conference.
3. ASHI Retired Inspectors shall be allowed to attend InspectionWorld at a discounted registration fee.

## **13.2 Registration Exemptions**

1. ASHI Past Presidents shall be allowed to attend InspectionWorld at no registration fee.
2. There may be a reciprocal agreement between ASHI and Canadian Association of Home and Property Inspectors (CAHPI) to invite the CAHPI President or liaison to attend InspectionWorld if the ASHI President or liaison of ASHI is invited to attend CAHPI's annual conference. Each organization shall waive conference registration fees for the other. Each organization shall pay all travel and per diem expenses for its representative.
3. The ASHI President may, at his/her discretion, participate in reciprocal agreements to attend the conferences of other home inspector organizations under the same terms as in 13.2#2.

## **13.3 Speakers and Programs**

All presenters, speakers, and round table leaders shall be required to sign the ASHI speaker contract.

# **14 OFFICER, DIRECTOR, NOMINATING COMMITTEE, AND CERTIFICATION COMMITTEE NOMINATION, ELECTION, COMPENSATION**

## **14.1 Election and Installation**

1. Officers, directors, Nominating Committee, and Certification Committee members shall be elected annually as specified in this policy.
2. Terms of officers, directors, Nominating Committee members, and Certification Committee members shall begin on 1 January of each year.
3. Prospective officers and directors shall submit to a criminal background check using the procedures specified for the BVI Program. Elected officers and directors shall submit to additional criminal background checks using the procedures specified for the BVI Program during their terms in office. Cross reference: Background Verified Inspector (BVI) Program.
4. Prospective officers and directors who are not participating in the BVI Program on the date that the prospective officer or director submits an application shall submit to a criminal background check, using the procedures specified for the BVI Program, by 30 June. Prospective officers and directors who do not begin the criminal background check procedure by 30 June shall not be nominated, and shall not be listed on the ballot. Cross reference: Section 5, Membership.
5. Criminal background checks from prospective officers and directors who submit an application to be officers and directors that have actionable or incomplete results shall be processed according to Section 5.7. Cross reference: Processing Criminal Background Checks with Actionable or Incomplete Results.

## **14.2 Compensation**

1. No officer, director, Nominating Committee member, or Certification Committee member, except the ASHI President and the ASHI President-elect, shall receive any salary or compensation for the performance of duties. Due to a ruling by the Internal Revenue Service, February 2017, the ASHI President and ASHI President-elect shall be treated as part-time ASHI employees, paid from the then current payroll process, and shall not be eligible for any ASHI full-time employee benefits, including, but not limited to, bonuses, health care plans, and 401k programs.
2. ASHI shall pay the ASHI President a \$35,000 per year stipend.
3. ASHI shall pay the ASHI President-elect a \$21,000 per year stipend.
4. Stipends shall not affect expense reimbursements.
5. Officers, directors, Nominating Committee members, and Certification Committee members shall be reimbursed for expenses in accordance with the ASHI expense reimbursement policy. Cross reference: Accounting and Operations.

## **14.3 ASHI Property Transfer Between Officers**

Officers shall deliver to ASHI all ASHI property in the officer's possession within thirty (30) calendar days after InspectionWorld.

## **14.4 Spokesperson Training**

ASHI may pay consultants to prepare the ASHI President and other officers to become public speakers and spokespersons for ASHI.

## **14.5 Nominating Committee Duties**

The Nominating Committee shall nominate one or more candidates for the offices of ASHI President-elect, Secretary, Treasurer, and open positions on the Certification Committee and the Nominating Committee.

## **14.6 Nominating Committee Composition**

1. The Nominating Committee chair shall be the ASHI Immediate Past President, or other officer, appointed by the ASHI President, and approved by the ASHI Board.
2. The voting members shall elect six (6) Nominating Committee members as specified in the ASHI Bylaws and in these policies.
3. Nominating Committee members shall serve a three (3)-year term, as specified in the ASHI Bylaws. Reelection and term limits shall be as stated in the ASHI Bylaws.

4. Terms of the first elected Nominating Committee shall be as follows. The two candidates receiving the highest number of votes shall serve for three years. The two candidates receiving the next highest number of votes shall serve for two years. The two candidates receiving the next highest number of votes shall serve for one year. Ties shall be decided by a coin toss. This provision shall automatically sunset after the first Nominating Committee election, and may be removed without a vote by the ASHI Board.
5. The Nominating Committee chair may vote on all committee decisions.

#### **14.7 Participants at Nominating Committee Meetings**

1. The ASHI Executive Director and ASHI staff shall not be present when the Nominating Committee is meeting, except when invited for consultation.
2. The Nominating Committee may consult the ASHI Executive Director or ASHI Legal Counsel.
3. The Nominating Committee may, at the committee's discretion, interview candidates, current officers, and ASHI staff.

#### **14.8 Nominating Committee Confidentiality**

1. All contents, discussions, and documents of the Nominating Committee meeting shall be and remain strictly confidential. Results may be announced as described in in this manual. Cross reference: Nominating and Application Process.
2. The Nominating Committee chair shall verify that all Nominating Committee members understand the confidentiality requirement.

#### **14.9 Application for Evaluating Nominees**

1. The Nominating Committee shall use an online application that may contain:
  - number of years as an ASHI member,
  - chapter leadership positions,
  - prior and current ASHI involvement (committees, leadership, etc.),
  - leadership positions in other organizations,
  - a declaration that the nominee shall study ASHI governance and issues responsibly and participate fully,
  - current photograph of nominee,
  - list of all nominee business affiliations, financial or otherwise, in the home inspection industry,
  - an acknowledgment indicating that the nominee understands the duties of the office,
  - disclosure of a public letter of censure (Cross reference: Nominating and Application Process),
  - disclosure of an arrest, charge or conviction of a crime,
  - an agreement to submit to a criminal background check using the procedures specified for the BVI program (Cross reference: BVI Program), and
  - an agreement to serve if elected.

## **14.10 Nominating and Application Process**

1. Qualified voting members shall be placed on the ASHI officer, director, Nominating Committee, and Certification Committee ballots by Nominating Committee nomination, by the ASHI Board, or by submission of a timely and complete application. Qualifications to hold an elected office shall be as specified in the ASHI Bylaws.
2. A voting member may nominate a qualified voting member, or may nominate himself/herself, using an application.
3. The Nominating Committee may contact qualified voting members to inquire about their interest in serving.
4. The Nominating Committee shall not nominate a potential candidate who submits an application that is substantially incomplete, or who submits an application after the nomination ending date, except as provided for in this policy section. The Nominating Committee may decide, by majority vote, whether an application is substantially incomplete.
5. Potential candidates who submit an application that is substantially incomplete, or who submit an application after the nomination ending date, shall not be placed on the ballot, except as provided for in this policy section. The Nominating Committee may decide, by majority vote, whether an application is substantially incomplete. The potential candidate may appeal this decision to the Election Committee.
6. A potential candidate shall submit one application for each office for which the potential nominee wishes to be considered.
7. The Nominating Committee may offer a potential candidate nomination to an office that is different from the office for which the potential candidate submitted an application. The potential candidate may decline the offer.
8. The Nominating Committee may consider an application that is submitted after the nomination ending date only if: (a) an insufficient quantity of applications are submitted for an office before the nomination ending date, and if (b) an insufficient quantity of potential candidates who have submitted an application before the nomination ending date are willing to accept nomination to the office. This provision is intended for use only in cases when there is an insufficient quantity of potential candidates for an office. Cross reference: Election Calendar.
9. The ASHI President may propose, and the ASHI Board may approve by majority vote, potential candidates who may be included on the ASHI officer, director, Nominating Committee, and the Certification Committee ballots only if there is an insufficient quantity of qualified candidates for an office. Proposed potential candidates shall comply with all nomination requirements for the office, such as submitting a substantially complete application and participating in the BVI Program.
10. A potential candidate shall disclose on the application whether the potential candidate has been disciplined by a public letter of censure. Cross reference: Complaints.
11. A qualified voting member may not hold more than one office (except as allowed by ASHI Bylaws).

12. The Nominating Committee shall not nominate a Nominating Committee member. A Nominating Committee member shall resign from the Nominating Committee before submitting an application for another elected office.
13. ASHI staff shall verify that all potential candidates who submit an application have agreed, in writing, to serve, have satisfactorily completed the criminal background check, are qualified for the office, and are members in good standing.
14. ASHI staff shall provide each candidate on the ballot with a copy of the policies about campaigning and elections.
15. ASHI staff shall post the applications of candidates on the Members Only area of the ASHI website, within ten (10) calendar days after the announcement of the candidates.
16. ASHI staff may divulge the identities of nominated candidates at any time after those who submitted an application have been notified about the nominations according to Section 14.11.

### **14.11 Communication with Potential Candidates**

1. The Application System shall simultaneously submit the application to the Nominating Committee chair and to the ASHI staff person in charge of information technology. This shall occur on or before the deadline stated on the Application System.
2. The Nominating Committee chair shall acknowledge receipt of the application by telephone, electronic communication, or text message within two (2) days after receiving the application.
3. The person submitting an application shall contact the Nominating Committee chair by telephone or electronic communication if that person has not received an acknowledgment that the application has been received within four (4) days after submitting the application.
4. The ASHI staff person in charge of information technology shall maintain a record of applications received.
5. The ASHI staff person in charge of information technology and the Nominating Committee chair shall compare records of applications received before the Nominating Committee meets to help ensure that all applications submitted are available to the Nominating Committee.
6. The Nominating Committee chair shall inform those nominated by the Nominating Committee by telephone, if possible, or by electronic communication within forty-eight (48) hours after the Nominating Committee finishes the nominating process.
7. ASHI staff shall send the names and offices of those nominated by the Nominating Committee to those submitting an application, but were not nominated, within five (5) calendar days after the Nominating Committee finishes the nominating process, and before this information is published to the members.

## **14.12 Campaigning**

1. Candidates and others may make positive statements about candidates. Negative campaigning shall not be permitted.
2. ASHI funds and resources shall not be used for campaigning, except as allowed in this policy.
3. ASHI staff, Nominating Committee members, ASHI Legal Counsel, and Election Committee Members shall not participate in campaigning.
4. ASHI staff shall not provide or sell the ASHI membership list to candidates, or to ASHI members for election or campaigning purposes. Cross reference: Accounting and Operations.
5. ASHI staff shall, upon request by a candidate, send a statement from the candidate to the membership by electronic communication not more than twice during the campaign. The statement shall not be more than two hundred (200) words. The ASHI President and the ASHI Secretary shall review and approve or reject the statement.

## **14.13 Establishment of Election Committee**

1. ASHI establishes a standing Election Committee This committee shall continue until dissolved by the ASHI Board.
2. The Election Committee shall help ensure that the elections are fair and impartial.
3. The Election Committee shall consist of three (3) ASHI Past Presidents who are willing to serve. The chair shall be the ASHI Past President member in the third year of his/her term on the committee.
4. Terms of the three (3) Election Committee members shall be three (3) years. One ASHI Past President shall rotate off each year.
5. The ASHI President-elect shall recommend to the ASHI Board a new ASHI Past President to serve on the Election Committee.
6. The ASHI President shall recommend to the ASHI Board a replacement to fill the remaining term of an Election Committee member who is unable or unwilling to serve.
7. Election Committee members shall adhere to the ASHI Board conflict of interest policy. Cross reference: ASHI Board.
8. The Election Committee shall investigate complaints about election procedures and about campaign practices.
9. The Election Committee shall immediately notify a candidate about a complaint lodged against the candidate. The candidate shall be allowed reasonable opportunity to present the candidate's position, and any to present materials to the committee on before the decision is made, if feasible.
10. Any candidate or campaigner shall provide to the Election Committee, upon request and within twenty-four (24) hours, supporting documentation of campaign statements.



11. The Election Committee shall advise the ASHI Executive Director about the committee's decision. The ASHI Executive Director shall communicate the decision to the complainant.
12. The complainant may appeal the Election Committee's decision to the ASHI Board.
13. The Election Committee shall investigate challenges to the outcome of an election, and report its findings and recommendations to the ASHI Board for resolution.

#### **14.14 Election Calendar**

1. Dates shall be the date by which the task shall be completed. If the date is a weekend or a holiday, the effective date is the next business day.
2. February 15: The Nominating Committee chair shall submit the officer, director, Nominating Committee, and Certification Committee election notice to ASHI staff for publication. This notice shall contain:
  - the election calendar,
  - an invitation to submit applications,
  - a link to the application,
  - a link to the qualifications for the offices for which candidates may apply,
  - a statement that self-nominations are permitted,
  - a statement that candidates must confirm (in writing) a willingness to serve, and
  - a statement that nominations are closed as of 31 July.
3. March 31: The Nominating Committee meets (via teleconference) to discuss the election policies and determine whether changes are needed. The Nominating Committee chair shall submit proposed changes to the ASHI Board for approval.
4. July 31: Nominating Committee members may submit names of potential candidates. The nomination period ends. ASHI staff verifies that the potential candidates are qualified, and have agreed to, serve. ASHI staff sends the list of potential candidates to Nominating Committee members.
5. August 15: The Nominating Committee meets to select nominees.
6. August 16, or five (5) calendar days after the Nominating Committee meets to select nominees: ASHI staff notifies all who submitted an application about the candidates nominated by the Nominating Committee.
7. August 16, or ten (10) calendar days after the Nominating Committee meets to select nominees: ASHI staff posts the applications of all qualified candidates on the ASHI website.
8. September 15: ASHI staff sends ballots to voting members.
9. October 31, 5 PM CST: The election period ends.
10. October 31: Election results are obtained. Candidates are notified. ASHI staff publishes the election results.
11. 1 January: Newly elected officers, directors, Nominating Committee members, and Certification Committee members shall assume their offices. An installation ceremony is not required.

### **14.15 Ballot Preparation and Voting**

1. ASHI staff shall prepare the ballot. The ASHI Secretary shall approve the ballot.
2. The ballot shall list the offices in order of President-elect, Secretary, Treasurer, Nominating Committee, and Certification Committee.
3. Candidates shall be listed in alphabetical order within each office.
4. Candidates shall be identified as those nominated by the Nominating Committee, and those appearing on the ballot by being qualified and submitting a substantially complete and timely application.
5. Voting shall occur using an internet-based voting system.
6. The internet-based voting system shall provide the voter with the opportunity to view:
  - the candidate's application,
  - the office for which the candidate is nominated, and
  - the duties of the office for which the candidate is nominated.
7. ASHI staff shall send a ballot to voting members, who are in good standing on the day the ballots are sent.

### **14.16 Announcement of Election Results**

1. Those involved in determining and verifying the election results shall not disclose the election results, other than as stated in this policy.
2. The ASHI Secretary shall verify the election results, and shall inform the ASHI President.
3. The ASHI President, or the ASHI Executive Director, shall notify all candidates of the election results by telephone, if possible, or by electronic communication.
4. The ASHI Secretary shall seek guidance from ASHI Legal Counsel, and from the Election Committee, if necessary, if there is an uncertain or a disputed result. Uncertain and disputed results shall remain unofficial and confidential.
5. Those involved in receiving and counting ballots shall not disclose the number of votes cast for candidates, unless a candidate files a formal challenge of the results, and the ASHI Board approves release of the number of votes cast for candidates.
6. ASHI staff shall publish election results in *The ASHI Reporter*, and may publish election results using other methods.

## **15 EXECUTIVE DIRECTOR AUTHORITY AND EVALUATION**

### **15.1 Responsibilities and Authority of the ASHI Executive Director**

1. The ASHI Executive Director shall have the general responsibility and authority to implement, and to ensure compliance with, policies and budgets approved by the ASHI Board. This responsibility and authority are subject to the limitations specified in:

- the written employment agreement between the ASHI Executive Director and the ASHI Board,
- the ASHI Bylaws and this manual,
- ASHI budgets, and
- other documents, such as ASHI Board meeting minutes.

2. The ASHI Executive Director shall have the following specific responsibilities and authority, subject to the limitations, if any, specified in 15.1#1:

- expend funds,
- manage ASHI staff including, but not limited to, reporting relationships, delegation, work duties, and work hours,
- act as a spokesperson for ASHI as specified in this manual, and
- establish and maintain the ASHI accounting system

### **15.2 Evaluation of the ASHI Executive Director**

1. The Executive Director Evaluation Committee (EDE Committee) shall evaluate the performance of the ASHI Executive Director not less than annually.

2. The ASHI Board shall appoint an EDE Committee annually.

3. The EDE Committee shall consist of the ASHI Immediate Past President, ASHI President, ASHI President-Elect, ASHI Treasurer, and one director selected by the ASHI Board.

4. The ASHI Immediate Past President shall serve as committee chair and Board Liaison.

5. The ASHI President shall serve as committee chair and Board Liaison if the ASHI Immediate Past president is unable or unwilling to serve.

6. The purpose of the EDE Committee is to:
  - set mutually agreed goals that the ASHI Executive Director shall attempt to achieve during the next year. The EDE Committee shall document these goals using forms and procedures recommended by the ASHI Human Resources consultant.
  - monitor the performance of the ASHI Executive Director.
  - evaluate the performance of the ASHI Executive Director in achieving the agreed-upon goals. The EDE Committee may seek input from ASHI officers, ASHI Board members, and other parties.
  - provide guidance and assistance to the ASHI Executive Director in implementation of the Strategic Plan and Work Plan, if any.
  - negotiate the ASHI Executive Director's employment contract, including job description, contract terms, salary, and bonus recommendations. This contract shall be presented to the ASHI Board for approval.
7. The EDE Committee shall prepare and deliver an oral report and a written report that the ASHI Board shall review and approve.

### **15.3 Procedure for Evaluation of the ASHI Executive Director**

1. The EDE Committee shall meet annually, and in person, with the ASHI Executive Director, or as stipulated in the ASHI Executive Director's employment contract.
2. The EDE Committee shall invite the ASHI Executive Director to submit a self-evaluation to the EDE Committee using forms and procedures recommended by the ASHI Human Resources consultant.
3. The EDE Committee evaluation process shall include progress toward achieving the goals agreed-upon at the beginning of the evaluation period.
4. The EDE Committee shall provide a written evaluation to the ASHI Executive Director, and shall also hold an evaluation meeting with the ASHI Executive Director to discuss the evaluation to help ensure that the ASHI Executive Director understands the evaluation and future expectations.
5. The EDE Committee shall conduct an oral presentation to the ASHI Board at least annually, and at other times as may be required to ensure compliance with the ASHI Executive Director's employment contract.
6. The EDE Committee shall use forms and procedures recommended by the ASHI Human Resources consultant as the basis for the evaluation.
7. The EDE Committee and the ASHI Board shall, to the extent feasible, maintain strict confidentiality. The EDE Committee's evaluation shall not become public information.
8. The EDE Committee, and the ASHI Board, shall use their best efforts to ensure that the evaluation process positively impacts the ASHI Executive Director. The evaluation shall include positive aspects of performance, as well as areas needing improvement.
9. The EDE Committee shall keep the evaluation process separate from salary negotiations.

10. The EDE Committee shall account for situations that are beyond the control of the ASHI Executive Director when evaluating failure to attain goals.
11. The EDE Committee, and the ASHI Board, shall consider the Executive Director's personal goals and needs regarding future leadership.
12. The EDE Committee shall evaluate the process, and shall make it an objective to improve the process each year.
13. The ASHI Legal Counsel shall retain all written evaluations, transcripts, and other associated employment related documents and materials.
14. Failure by ASHI or the EDE Committee to comply with these policies shall not create or expand any legal rights on behalf of the ASHI Executive Director.

## **16 CERTIFICATION COMMITTEE**

### **16.1 Establishment of Certification Committee**

ASHI establishes a standing Certification Committee. Cross reference: ASHI Bylaws.

### **16.2. ASHI Certified Inspector Program Purpose**

The ASHI Certified Inspector (ACI) program promotes excellence within the home inspector profession as well as continual improvement of ASHI Certified Inspector's services to the public. The ASHI Certified Inspector program establishes a minimum and uniform standard of practice for home inspectors practicing in the United States and Canada at an entry-level.

### **16.3 Certification Committee Authority**

1. The ASHI Board shall oversee the Certification Committee operating policies, within the scope of the ASHI Bylaws.
2. The Certification Committee shall report program policies to the ASHI Board.
3. The Certification Committee shall make all disciplinary decisions for ASHI Certified Inspectors (ACI) involving compliance with ACI program credentials. Cross reference: Membership and Complaints.

4. The Certification Committee shall independently govern the ASHI Certified Inspector credential program, and make all essential program decisions necessary to achieve the program's purpose including:

- a. develop, evaluate, and administer certification and credentialing program policies, such as program eligibility, examination, and recertification standards,
- b. develop the budget for the program,
- c. oversee program operations, planning, and staff selection, and
- d. select an examination for use as part of the certification process which shall meet the requirements for accreditation as outlined in the NCCA Standards

4. The Certification Committee may establish and appoint members to subcommittees and task forces as needed to fulfill its purpose. These subcommittees or task forces shall function in an advisory capacity.

#### **16.4 Limitations on Certification Committee Authority**

1. The Certification Committee shall not do any of the following without approval from the ASHI Board:

- a. create additional certification or credentialing programs,
- b. terminate or change the purpose of the ASHI Certified Inspector program, and
- c. spend more than its budget.

2. The Certification Committee shall not accredit, approve, endorse, recommend or provide any education or training programs and/or products designed or intended to prepare candidates for certification.

#### **16.5 Certification Committee Composition and Terms**

1. The Certification Committee shall consist of eight (8) voting members; seven (7) members shall be ACI in good standing, and one member shall be a public member.

2. The ASHI Executive Director shall serve as an ex-officio, nonvoting member.

3. Current ASHI officers and directors shall not serve on the Certification Committee.

4. The Nominating Committee shall nominate two (2) ACI during each annual election cycle to serve on the Certification Committee. Cross reference: Elections.

5. Voting members shall elect the Certification Committee during each election cycle. Cross reference: Officer Elections.

6. The ASHI President-elect shall appoint one ACI to the Certification Committee before InspectionWorld.

7. The elected Certification Committee members shall serve a three (3)-year term. The appointed Certification member shall serve a one (1)-year term.

8. The Certification Committee shall elect a committee chair from among themselves. The committee chair shall serve a one-year term. The committee chair may be reelected by the Certification Committee.

## **16.6 Public Member**

1. The Certification Committee shall appoint one public member who is either a consumer of home inspection services, or has a background in public advocacy.

2. The public member shall serve a two (2)-year term.

3. The public member shall not be a:

- current or previous member of the profession, occupation, role, or specialty area encompassed by the certification program;
- supervisor, manager, direct co-worker, or an employee or subordinate of individuals in the profession encompassed by the certification program;
- employee of an individual certified by the certification program or of an employer of individuals in the profession encompassed by the certification program;
- person who currently receives or within the last five years has received income from the profession encompassed by the certification program.

## **16.7 Vacancy, Resignation, and Removal**

1. The Certification Committee shall appoint a replacement for a member who is unable, unwilling, becomes unqualified, or otherwise no longer serves on the Certification Committee.

2. A Certification Committee member may resign at any time by providing written notice to the Certification Committee chair.

3. The Certification Committee may remove a member by a two-thirds ( $\frac{2}{3}$ ) vote of the Certification Committee at any meeting at which a quorum is present. Cause for removal may include, but is not limited to, a pattern of missed meetings, lack of timely response to committee communications, lack of participation in committee meetings, loss of the ACI credential, violation of the ASHI Standards of Practice or Code of Ethics, change of employment that involves leaving the home inspection profession, or violation of confidentiality, or conflict of interest policies.

## **16.8 Meetings**

1. Regular meetings of the Certification Committee shall be held at least two times a year. Regular or Special Meetings shall occur as often as necessary in order to enact the business of the Certification Committee and may be called by the chair or by a majority of the voting committee members, with appropriate notice provided to each member. The committee may enact business activities electronically between regular meetings. The meetings of the Certification Committee may be conducted in person, via teleconference, or via electronic screen sharing over secure web or telephone conference sites.
2. The Certification Committee chair, or a majority of the committee members, may call a meeting.
3. The Certification Committee chair shall provide appropriate notice before all meetings.
4. The Certification Committee may hold meetings by electronic communications methods that allow all participating to hear each other.
5. The Certification Committee shall maintain a written record of all meetings.

## **16.9 Quorum and Voting**

1. A quorum shall consist of the presence of a majority of the Certification Committee members.
2. The Certification Committee shall require a two-thirds ( $\frac{2}{3}$ ) vote to enact or revise Certification Committee policies.
3. The Certification Committee shall require a majority vote to enact other actions.
4. Proxy voting shall not be permitted.

## **16.10 Confidentiality**

1. Certification Committee members shall not disclose confidential information related to, or discussed during, meetings.
2. Certification Committee members shall keep secure confidential materials sent to them until these materials are returned to ASHI, or destroyed as directed by ASHI.
3. The Certification Committee shall keep all information about ASHI members confidential, except for information in the membership list. Cross Reference: Operations, Section 2.



## 16.11 Quality Assurance

1. The Certification Committee shall conduct an internal audit annually to review the areas described below and any other program areas as directed by the Certification Committee and identify opportunities for improvement, policy updates, or resolution of program issues. The Certification Committee may trigger an audit outside of the prescribed frequency as needed.
2. The internal audit may be conducted by ASHI staff, or contracted to a third party, at the discretion of the Certification Committee. For the purposes of the audit, an individual should not evaluate his/her own work.
3. At the completion of the audit, the party completing the audit shall write a summary report of the findings and recommendations to be presented to the Certification Committee. The Certification Committee shall determine how and if to implement the recommendations in a timely manner and assign responsibilities of doing so as needed.
4. Internal Audit Areas of Focus

Certification Program Area	Goal of Internal Audit
Policy Review	Verify consistent implementation of all certification program policies and/or identify necessary updates for the Certification Committee's consideration.
Application Processing	Ensure applications for both certification and recertification are reviewed in a fair and timely manner consistent with the application review policy to verify that candidates meet established requirements.
Published Information	Complete a review of all certification program published documents (Candidate Handbook, web site, etc.) to ensure accuracy and currency.
Record Retention	Ensure records are developed, kept, and disposed of in keeping with ASHI's Records Retention policy.
Confidentiality	Verify confidential information, as defined by ASHI policy, is handled appropriately and that current, signed agreements are on file for individuals with access to confidential information.
Conflict of Interest	Verify that those who are subject to the Conflict of Interest policy have current, signed agreements on file.
Complaints, Disciplinary Actions, and Appeals	Ensure that complaints and appeals are reviewed and processed in accordance with ASHI policy and that disciplinary actions are carried out fairly and consistently and in accordance with ASHI policy.

Training	Confirm that Certification Committee members received required information and training as directed by policy.
Customer Service Standards	Customer service aspects listed below will be reviewed to identify recommendations for improvement.

5. Applicants, candidates, and certificants shall have easy access to ASHI services. Applicants, candidates, and certificants shall have easy access to up-to-date, accurate, on-line certification program information. Information regarding the ethical code and complaints process is publicly available.

6. The processes, policies, and service standards shall be clearly defined and shall be accurately reflected in the content provided on the website and candidate handbook. Accurate information shall be given, to the best of their ability, by certification program staff to potential applicants, candidates, and certificants in response to questions received via telephone, email, or other methods. Certification program staff shall develop tools to monitor and ensure the accuracy of candidates' and certificants' information into the database.

7. The ASHI Assistant Executive Director shall work to ensure that the expectations of potential applicants, candidates, and certificants are met. Employees shall uphold high quality standards as expected and set forth by the organization. Employees shall maintain compliance with ASHI policies and procedures.

8. The certification program staff member shall define and implement reasonable response times to certification inquiries and the processing of applications, notifications, and verifications. Electronic submissions shall be sent a receipt via email by the certification program staff member no later than seven business days following receipt. All applications for certification and recertification, and requests for certification verification will be initially processed by the certification program staff member within seven to ten business days following receipt.

9. Any missing or incomplete information in applications for initial certification or recertification shall be communicated to the applicant as soon as noted by certification program staff. Phone coverage will be during normal business hours of 9 a.m. – 5 p.m. (CST) Monday through Friday, except holidays.

10. The ASHI Assistant Executive Director shall work to resolve or forward to the Certification Committee, complaints within one week of receipt, except where other timelines are established by disciplinary, complaints, and appeals policies and procedures. Certification program staff will acknowledge receipt of email or mail inquiries or requests within seven to ten business days.

11. ASHI shall solicit feedback from its stakeholders through an online survey sent after they have completed the certification process.

## 16.12 Conflicts of Interest

The Certification Committee shall adhere to the ASHI Board conflict of interest policy. Cross reference: ASHI Board.

### **16.13 Compensation**

1. Certification Committee members shall not be compensated for their services.
2. ASHI shall reimburse Certification Committee members for expenses incurred while performing their duties in accordance with the ASHI expense reimbursement policy. Cross reference: Accounting and Operations.

### **16.14 Published Materials Review**

ASHI staff shall review all published certification materials, including handbooks and website content, at least annually to ensure they are accurate, up-to-date, and consistent with Certification Committee policy.

### **16.15 Requirements for ASHI Certified Inspector Status**

1. ACI shall meet all of the eligibility requirements in effect at the time of application for ACI status. Cross reference: Membership.
2. ACI who maintain their certification in good standing, including compliance with CE requirements, shall remain ACI regardless of changes in eligibility requirements.

### **16.16 Examination**

1. The NHIE was selected by the ASHI as the required examination for the ASHI Certified Inspector certification program.
2. The EBPHI ensures that the NHIE is developed and administered in compliance with the nationally accepted accreditation standards for certification programs. (Refer to the ASHI Exam Development Manual)

### **16.17 ACI Exam Eligibility**

The exam requirements include candidates provide two forms of identification and be at least 18 years of age.

### **16.18 Exam Eligibility Rationale**

Since home inspection is a profession that sees applicants from a wide variety of backgrounds, there are no specific exam eligibility requirements other than meeting the age requirements of the testing center.

### **16.19 Reexamination**

Candidates who fail the exam may retest after a 30 day waiting period following the date the previous exam was taken.

This waiting period was created to help protect the security of the exam. Given the computer-based nature of the exam, the limited number of exam forms and the number of individuals taking the exam, a waiting period was created with the goal of creating time between administrations so that exam takers will have less memory of the previous version of the exam.

## **16.20 Reconsideration of Adverse Eligibility and Recertification Decisions and Exam Administration**

### Submitting a Request for Reconsideration

Candidates whose eligibility for initial certification or recertification have been denied and who believe the denial is a result of an error in the application review process, a failure to follow application review policies, or a breach of policy during exam administration, may request reconsideration of the decision.

Reconsideration requests regarding the examination content outline (e.g., specific questions and the domain weights/specifications/blueprint that results from the Job Task Analysis) are not accepted.

The following items may be considered reasons for appealing exam results to the Certification Committee:

- Improper behavior by test center staff
- Violations of exam administration procedures

In the case of adverse eligibility/recertification determinations, the appeal should clearly state the reasons why the candidate feels his/her application for certification/recertification was incorrectly denied and how s/he complies with the published requirements.

In the case of an exam administration policy breach, the appeal should clearly describe in detail the situation that occurred during testing and the policy violation(s). Supporting documentation should be provided when applicable.

In order to be eligible to appeal, the candidate must inform the test center manager of any exam-related incident that had a negative impact on their performance. Following the exam, the candidate must submit written notification of the incident to the Certification Committee. This written statement must indicate why the incident negatively affected the candidate's performance. All appeals can be submitted by email [certification@ashi.org](mailto:certification@ashi.org).

### Review Process

The Certification Committee shall review the applicant's request and supporting documentation and materials when reconsidering the adverse eligibility, or recertification, and the Committee Chair shall notify the applicant in writing of the Appeals Committee's decision within 45 days of receiving the request.

All decisions by the committee are final.

The Certification Committee shall maintain a record of all appeals, take appropriate action regarding the appeal in a timely manner, and document the actions taken.

## **16.21 Recognition of Membership in other Home Inspector Associations**

Prior to May 1, 2015, ASHI and the Certification Committee recognized home inspectors from other home inspector associations, and from states or provinces that license home inspectors (prior to the date of initial NCCA Accreditation of January 2010). Effective May 1, 2015, the policy of granting certification to home inspectors through reciprocity agreements is terminated and all individuals seeking certification as an ASHI Certified Inspector must satisfy all current eligibility requirements.

## **16.22 Grandfathering**

ASHI does not permit the practice of grandfathering, or awarding the credential to individuals who have not passed the examination.

## **16.23 Recertification Verification**

1. In order to maintain the credibility and integrity of the certification process, the Certification Committee reserves the right to verify any information provided on renewal applications. Requests for verification may be made prior to recertification or at a future time.
2. Five percent of certification renewal applications shall be reviewed to ensure that all renewal requirements are met.
3. If any areas of non-compliance are identified within the recertification application, the individual will have 30 days to submit any required information. If the required information is not provided, the individual's certification will expire at the end of the allowed time or on the normal expiration date (whichever comes last).

## **16.24 Recertification Requirements**

All ASHI ACI certificants must complete the following requirements during each annual recertification cycle:

- Complete 20 CEs
- Pay the recertification fee

Each year, ACI certificants are required to submit a minimum of 20 CEs from classes taken since the last renewal. Those CEs who claim more than 20 CEs may carry over up to ten CEs to the next anniversary year. Cross reference: Membership.

## **16.25 Recertification Rationale**

Twenty (20) Hours of continuing education (CE) hours were chosen to keep certificants updated on the changing technologies required for the profession. Twenty Hours is in line with the number of CE's required by a number of State licensing bodies.

## **17 ASHI WEBSITE**

### **17.1 Website Content**

1. ASHI staff shall operate the website to support and to serve ASHI members, to attract potential members, and to develop and support public awareness of ASHI in a manner consistent with ASHI's mission.
2. ASHI staff shall be responsible for operation of the ASHI website.
3. ASHI staff shall be responsible for maintaining an up to date back up of the entire website.
4. The ASHI Board shall decide policy-related issues about website content and operation.
5. ASHI staff shall develop, maintain, and update website pages that have technical topics, with assistance from the appropriate committees or workgroups as necessary.
6. ASHI staff shall, upon request, create links to ASHI member's websites free of charge, as a member benefit. This includes all membership categories.
7. ASHI staff may place links to other websites on the ASHI websites after approval. Criteria for approval shall be:
  - a. linked pages shall be of interest to ASHI Members, related to the home inspection profession or the operation of a home inspection business, or be of interest to the general public and related to homes or other real estate.
  - b. linked pages shall meet community standards and be in good taste.

### **17.2 Website Advertising**

1. ASHI may permit entities that are not ASHI Affiliates to advertise products and services on the ASHI website in accordance with ASHI policies, and in accordance with other ASHI publications.
2. ASHI shall permit ASHI Affiliates to advertise products and services on the ASHI website in accordance with their affiliate agreement, and in accordance with ASHI policies.
3. ASHI staff shall use the following criteria when evaluating website advertising:
  - the product or service shall be related to the home inspection profession, or to the operation of a home inspection business,
  - the advertising shall comply with community standards, and be in good taste.
4. ASHI staff shall limit advertising to website areas and sizes that maintain the professional image and credibility of ASHI.
5. ASHI chapters shall be permitted to advertise chapter meetings and education events at chapter meetings without charge.
6. ASHI staff shall establish and administer advertising rates, including rates charged to ASHI chapters to advertise seminars that are intended as chapter fund-raising events.

### **17.3 Website Forum Sanctions**

1. ASHI staff shall remove, without warning, posts that do not comply with forum rules.
2. ASHI staff shall use the following procedure to sanction users who do not comply with forum rules
  - First offense: warning
  - Second offense: probation
  - Third offense: thirty (30) day suspension
  - Fourth offense: ninety (90) day suspension
  - Subsequent offenses: one-year suspension
3. ASHI staff shall use electronic communication to notify forum users about offenses and suspensions.
4. Forum users shall provide ASHI with a valid electronic communication address. Lack of a valid electronic communication address may result in suspension of forum privileges.
5. ASHI staff decisions regarding forum rules shall be final and binding.

### **17.4 Website Forum Conditions of Use**

1. Users shall accept forum terms of use before being allowed access to the forum.
2. Forum topics and posts shall relate to real estate inspections and similar issues, or shall be relevant to ASHI members.
3. Forum users shall respect the right of other users to express different opinions.
4. Forum users shall exercise professionalism, common sense, and courtesy.
5. Forum users shall be identified. All posts shall be linked to the user.
6. Forum users shall not libel, slander, defame, or disparage any person, company, or organization. Personal attacks are not acceptable.
7. Forum users shall not advertise or promote any product, service, or inspector association, except for ASHI.
8. Forum users shall not post material that could be construed as illegal including, but not limited to, illegal drugs, gambling, pornography, prostitution, child pornography, robbery, spreading computer viruses, intellectual property rights infringement, trafficking in credit card codes, and other crimes.
9. Forum users shall not communicate with others about prices, terms of service or other competitive information. Forum users shall comply with ASHI antitrust policies. Cross reference: Legal, Section 3.
10. Forum users shall not upload or distribute files subject to trademark, copyright, or other intellectual property rights, except with the express written consent of the owner of the rights.
11. Forum users shall not use the forum to violate rules of membership in ASHI, the ASHI Bylaws, ASHI Standards of Practice, and the ASHI Code of Ethics. The ASHI Code of Ethics professional conduct rules apply to forum users.

12. ASHI may modify or change forum rules, without notice.
13. ASHI provides the forum as a benefit for ASHI members. ASHI staff may provide access to nonmembers. Forum users shall not provide forum access to nonmembers.
14. ASHI staff may provide public access to the technical topics categories of the forum.
15. ASHI staff shall require forum users to agree to a waiver of liability of ASHI and of its members for activities and advice provided on the forum. ASHI Legal Counsel shall draft the waiver.
16. Forum users grant to ASHI a limited right to use material posted on the forum. ASHI may publish forum posts, including attachments, in *The ASHI Reporter*, or in other ASHI communication media.
17. Forum users shall report violations of forum rules to ASHI staff.
18. ASHI may create backup copies of the forum, and may delete backup copies, as a routine function of forum operation. ASHI disclaims responsibility to maintain copies of any forum content, or to assure that such information is deleted.

## **17.5 Website Find an Inspector Search Function**

1. The Find an Inspector search function shall list ASHI Associates, ASHI Inspectors, and ACI.
2. The Find an Inspector search results shall be sorted based on the distance between the member's location and the information entered by the user, if possible; otherwise, search results shall be based on zip/postal code.
3. The Find an Inspector search shall display the inspector's membership category.
4. The Find an Inspector area shall provide information that informs the user about the qualifications for the membership levels.
5. ASHI Certified Inspectors, ASHI Inspectors, and ASHI Associates who perform home inspections in jurisdictions that require home inspectors to be licensed shall submit a valid home inspector license number and expiration date for each jurisdiction in which the member performs inspections before the member's profile will be displayed on the ASHI website, and before the member's contact information will be displayed using the Find an Inspector search function.
6. ASHI Certified Inspectors, ASHI Inspectors, and ASHI Associates who perform inspections in jurisdictions that require home inspectors to be licensed shall notify ASHI staff immediately if their home inspector license status changes (e.g., lapses).

## **18 STRICT COMPLIANCE WITH POLICIES**

Failure by ASHI, or of its employees or agents, to strictly enforce or comply with the policies in this manual shall not create or expand the legal rights of any entity or person(s) including, but not limited to, the ASHI Executive Director and ASHI staff.



## **19 MEMBER RELATIONS COMMITTEE (MRC) POLICY**

### **19.1 MRC Purpose**

1. The purpose of the MRC is established in the ASHI Bylaws.
2. The MRC shall:
  - make recommendations to, and shall receive recommendations from, the ASHI Board about membership requirements, membership value, chapter relations, and government relations.
  - make recommendations to the ASHI Board about new and innovative programs to improve membership value.
  - monitor and, when appropriate, assist with state and federal legislative issues, and with licensing and other regulatory issues.
  - make recommendations to the ASHI Board about programs to assist struggling chapters and ineffective chapters.
  - assist ASHI staff with developing training programs for chapter leaders.

### **19.2 MRC Policies**

1. The MRC shall comply with all ASHI policies and Bylaws.
2. Changes to policies in this section of this ASHI Policy Manual shall comply with ASHI Bylaws.
  - The MRC may change ASHI policy affecting the MRC by first approving the proposed change by majority vote, then by submitting the proposed change to the ASHI Board for approval by majority vote. If the ASHI Board does not approve the proposed change, the proposed change shall not take effect.
  - The Board may change ASHI policy affecting the committee by first approving the proposed change by majority vote, then by submitting the proposed change to the committee for approval by majority vote. If the committee does not approve the proposed change, the ASHI Board may approve the proposed change by a two-thirds vote, and the proposed change shall take effect.

### **19.3 MRC Membership, Term, and Vacancies**

1. The MRC shall select its members from ASHI voting members who: are affiliated with an ASHI chapter, are affiliated with an ASHI meeting group, are not affiliated with either an ASHI chapter or an ASHI meeting group. The MRC may determine how to apportion MRC members among these types of ASHI voting members.
2. The MRC shall have between twelve and thirty voting members. The MRC may determine the number of voting members within this range.
3. MRC members shall serve a three-year term that shall begin and end at the MRC annual meetings.

4. MRC members shall serve not more than two consecutive terms.
5. A MRC member who has served two consecutive terms may submit an application for MRC membership for the term beginning one year after the conclusion of the member's second term.
6. The MRC may, for cause, suspend, remove, and reinstate a MRC member by a  $\frac{2}{3}$  vote of the MRC members, after providing the MRC member with due process.
7. A MRC member may resign from the MRC by providing written notice to the MRC chair.
8. A MRC member shall resign from the MRC upon being sworn-in as an ASHI officer or an ASHI Board member. The applicant who received the next highest number of votes during the selection process shall replace the MRC member who resigned.
9. The MRC may determine whether or not to replace a MRC member who has resigned or has been removed.
  - The MRC may leave the position vacant until the next selection cycle.
  - The MRC may fill the vacant position with an ASHI voting member nominated by the MRC chair and confirmed by a majority vote of the MRC.
  - The person who replaces an existing MRC member shall serve the remaining term of the replaced member.
  - The person who replaces an existing MRC member with a term of one year or less shall be eligible to serve for two consecutive three-year terms.

#### **19.4 MRC Member Selection Process**

1. The MRC chair shall approve the application for MRC membership by 1 March of each year.
2. ASHI staff shall publish a call to applicants for MRC membership beginning on 1 May of each year.
3. ASHI staff shall publish a final call to applicants for MRC membership on 1 September of each year.
4. All calls for applicants shall state that the application deadline is 30 September.
5. The MRC shall evaluate all applications, and shall select new MRC members by 1 December. Selection of new MRC members shall be by plurality vote of the MRC members.
6. The MRC chair shall notify all applicants of the selection results by 10 December.
7. The MRC chair shall notify ASHI staff about the selection results so that the names of the new MRC members may be published in *The ASHI Reporter*.

## **19.5 MRC Leadership and Term of Office**

1. The MRC shall have a chair, a vice-chair, and a secretary.
2. The MRC chair and vice-chair shall be elected annually to serve a one-year term, and shall be eligible to serve not more than two consecutive terms.
3. The MRC chair shall appoint the MRC secretary from among the MRC members. The MRC secretary shall serve until replaced.
4. The ASHI Bylaws specify the procedure for removal of the MRC chair. This procedure shall include the MRC vice-chair.

## **19.6 MRC Leadership Election Process**

1. MRC members may nominate themselves for MRC chair and MRC vice-chair, or may accept nomination from other MRC members.
  1. The MRC secretary shall serve as the election administrator. The MRC members shall select an election administrator from those MRC members who are not candidates to be the MRC chair, if the MRC secretary wishes to be a candidate.
  2. The MRC members shall select a teller to assist the election administrator from those MRC members who are not candidates to be the MRC chair.
  3. MRC members who wish to be a candidate for MRC chair shall declare their candidacy, or may accept nomination by a MRC member.
  4. The election administrator shall announce each candidate for MRC chair, and shall provide the candidate with the opportunity to state why he/she seeks the position.
  5. MRC members shall vote by secret ballot for the MRC chair. Voting may be by paper ballot, or by electronic means.
  6. The candidate who receives the most votes shall be elected MRC chair.
  7. The election administrator shall announce the result of the MRC chair election.
  8. The MRC members shall select a new election administrator or teller if the current election administrator or teller declare or accept nomination as candidates for MRC vice-chair.
  9. MRC members who wish to be a candidate for MRC vice-chair shall declare their candidacy, or may accept nomination by a MRC member.
  10. The election administrator shall announce each candidate for MRC vice-chair, and shall provide the candidate with the opportunity to state why he/she seeks the position.
  11. MRC members shall vote by secret ballot for the MRC vice-chair. Voting may be by paper ballot, or by electronic means.
  12. The candidate who receives the most votes shall be elected MRC vice-chair.
  13. The election administrator shall announce the result of the MRC vice-chair election.
  14. The MRC secretary shall provide the name of the MRC chair and MRC vice-chair to the ASHI President and to the ASHI Executive Director.

15. The election administrator shall seek guidance from the ASHI Legal Counsel, and, if necessary, from the Elections Committee if there is an uncertain or disputed election result. Uncertain and disputed election results shall remain unofficial, and shall remain confidential.

16. The number of votes cast for candidates shall remain confidential, unless a candidate disputes the election results, and if the ASHI Board release of the number of votes cast for candidates.

17. ASHI staff shall publish the name of the MRC chair and MRC vice-chair in *The ASHI Reporter*, and may publish this information using other methods.

## **19.7 MRC Leadership Duties**

### **1. The MRC chair**

- shall preside over MRC meetings.
- may vote at MRC meetings.
- shall be an ex-officio member of MRC subcommittees.
- shall not vote at subcommittees unless serving as a member of the subcommittee.
- shall attend ASHI Board meetings.
- shall be familiar with ASHI: policies, Bylaws, and strategic plans.
- shall be familiar with policies for conducting MRC business.
- may appoint MRC subcommittees and subcommittee chairs.
- shall ensure that subcommittees perform their business in a timely manner.
- may remove a subcommittee chair for cause.
- may replace a subcommittee chair.
- shall present proposals that are approved by a majority of MRC members to the ASHI Board.
- shall present a proposed MRC budget to the ASHI Executive Director and to the ASHI Treasurer by the date requested by the ASHI Treasurer.
- shall set the MRC agenda and goals each year.
- shall provide a report about MRC activities to the ASHI President before each ASHI Board meeting.
- shall present motions that are approved by a majority of MRC members to the ASHI Board through an ASHI Board member.
- shall attend the ASHI committee chair meeting, if any.
- shall welcome and acknowledge new MRC members, and shall provide them with information about continuing MRC projects.
- shall schedule regular MRC meetings.
- may call special MRC meetings with at least three days notice, and with the approval of a majority of MRC members.
- shall provide MRC members with information about topics discussed at each ASHI Board meeting, except for topics discussed during executive session.

2. The MRC vice-chair shall
  - assume the MRC chair duties upon the absence, suspension, or inability of the MRC chair to perform his/her duties.
  - attend the ASHI Board meeting if the MRC chair is unable to attend.
  - remain well-informed about MRC activities.
  - accept other duties and responsibilities as directed by the MRC chair or the MRC.
3. The MRC secretary shall:
  - record, prepare, and distribute MRC meeting minutes.
  - maintain an electronic file of approved MRC meeting minutes, and shall deliver approved MRC meeting minutes to ASHI staff.
  - maintain accurate records about contact information of MRC members, and about their service on subcommittees.
  - transfer MRC meeting minutes and other MRC records in the secretary's custody, to the new MRC secretary.

## **19.8 MRC Meeting Schedule, Notice, and Quorum**

1. The MRC chair shall provide at least fourteen days written notice before a regularly scheduled MRC meeting.
2. The MRC shall conduct a regularly scheduled meeting at least once each quarter, and may meet more often at the discretion of the MRC chair.
3. The MRC may meet using electronic communications.
4. The MRC may meet in person at InspectionWorld.
5. The MRC shall not meet at the same time as the ASHI Board meeting, unless agreed-upon by the MRC chair and the ASHI President.
6. Subcommittee chairs shall schedule their subcommittee meetings.
7. The quorum for an MRC meeting shall include at least fifty percent of the current MRC members, and the presence of the MRC chair or the MRC vice-chair. The MRC may not conduct business and votes without a quorum.

## **19.9 Participation During MRC Meetings**

1. MRC members and the ASHI Legal Counsel shall be recognized participants during MRC meetings.
2. The ASHI Executive Director and ASHI staff liaisons to the MRC shall be invited guests at MRC meetings.
3. ASHI staff liaisons to the MRC and ASHI Board liaisons to the MRC shall be invited guests at subcommittee meetings that deal with the liaisons' area of responsibility.
4. The ASHI President and President-elect shall be invited guests at MRC meetings and at subcommittee meetings.

## **19.10 MRC Meeting Minutes**

1. The MRC secretary shall provide approved MRC meeting minutes to: MRC members, ASHI staff liaisons to the MRC, ASHI Board liaisons to the MRC, the ASHI Executive Director, and the ASHI President.
2. The MRC chair and vice chair shall review MRC meeting minutes.
3. The MRC shall review and approve MRC minutes from the previous meeting.
4. ASHI staff and the MRC secretary shall store MRC records, including MRC meeting minutes, using electronic storage media.

## **19.11 MRC Meeting Agenda**

1. The MRC chair shall prepare the agenda for MRC meetings, and shall distribute the agenda to MRC members at least two days prior to a MRC meeting.
2. The MRC meeting agenda may include:
  - a quorum call,
  - opening remarks by the MRC chair,
  - agenda review and adjustment,
  - approval of MRC meeting minutes,
  - subcommittee reports,
  - action items,
  - unfinished business,
  - new business, and
  - review of accomplishments.
3. The MRC annual meeting agenda may also include:
  - election of the MRC chair and MRC vice-chair,
  - introduction of new MRC members,
  - review of accomplishments during the previous year, and
  - discussion of goals for the upcoming year.

## **19.12 MRC Subcommittees**

1. The MRC chair and the MRC may establish subcommittees at their discretion.
2. The MRC chair shall appoint a subcommittee chair for each subcommittee.
3. The subcommittee chair shall report about the subcommittee's activities to the MRC chair at least monthly.
4. The subcommittee chair shall report about the subcommittee's activities to the MRC at each regularly scheduled MRC meeting.
5. The subcommittee chair may request assistance from ASHI members who are not MRC members. These ASHI members are not MRC members. These members may vote during subcommittee meetings, but may not vote during MRC meetings.
6. ASHI members who are not MRC members shall sign a nondisclosure agreement before participating in subcommittee activities.