



CERTIFIED  
INSPECTOR

# **ASHI Certified Inspectors Handbook**

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## American Society of Home Inspectors, Inc.

In 1976, a group of visionary home inspectors established the American Society of Home Inspectors (ASHI), a not-for-profit membership organization. Their goal was to build consumer awareness of home inspection and enhance professionalism by developing high Standards of Practice and a Code of Ethics.

Today, ASHI is the largest and most respected professional association for home inspectors in North America, with more than 8,000 members. ASHI's Standards of Practice, covering all of a home's major systems, are expressly noted in state and federal legislation and recognized by consumers as the definitive standard for a professional home inspection.

## About the ASHI Certified Inspector Program

The ASHI Certified Inspector program promotes excellence within the home inspector profession and continual improvement of Certified Inspector's services to the public. The ASHI Certified Inspector program establishes a minimum and uniform standard of practice for home inspectors.

The independent ASHI Certification Committee governs the ASHI Certified Inspector program. The Committee is charged with upholding the purpose of the Certified Inspector program and has authority over all components of the certification program, including policy development, examination requirements, and operations oversight.

## Becoming an ASHI Certified Inspector

Home inspection professionals offer a vital service to the public in evaluating the condition of a prospective home. The American Society of Home Inspectors requires that member home inspectors meet minimum professional practice standards and operate according to ethical guidelines.

## HOW to Become an ASHI Certified Inspector

1. Agree to follow ASHI's Standards of Practice
2. Agree to abide by ASHI's Code of Ethics
3. Pass the National Home Inspector Examination (NHIE)
4. Have inspection reports successfully verified for compliance with ASHI's Standards of Practice
5. Submit valid proof of performance of at least 250 fee-paid home inspections that meet or exceed the ASHI Standards of Practice

### ELIGIBILITY RATIONALE

1. Agree to follow ASHI's Standards of Practice

*Rationale:* The ASHI Standards of Practice detail a commitment to established, accepted practices across the home inspection industry. Those who maintain the ACI certification will keep up to date on changes and advancements within the home inspection industry through standards of practice developed by ASHI and other industry experts to define the quality ASHI stakeholders, including consumers, expect and deserve.

**2. Agree to abide by ASHI's Code of Ethics**

*Rationale:* The ASHI Code of Ethics details home inspection professionalism and home inspection ethics guidelines. Covering crucial issues such as conflicts of interest, good faith, and public perception, ASHI home inspection ethics are central pillars of home inspection professionalism for the industry.

Integrity, honesty, and objectivity are fundamental principles embodied by this Code, which sets forth obligations of ethical conduct for the home inspection profession. ASHI has adopted this Code to provide high ethical standards to safeguard the public and the profession.

**3. Pass the National Home Inspector Examination (NHIE)**

*Rationale:* NHIE is the only independent, psychometrically valid home inspector exam in the United States. Home inspectors who pass the NHIE are career-ready with proven competence.

The National Home Inspector Examination is both valid and reliable, two qualities required for legal defensibility:

*a. Validity means the examination can measure what it is supposed to measure.*

*b. Reliability is how accurately the examination measures a candidate's skills. A test must be valid and reliable for it to be considered a "high-stakes" exam for public protection purposes.*

As a result of these safeguards, the National Home Inspector Examination accurately assesses each candidate's competence to carry out the required duties of a home inspector.

**4. Have inspection reports successfully verified for compliance with ASHI's Standards of Practice**

*Rationale:* Helps ensure that inspection reports comply with the ASHI Standards of Practice. We also want to ensure the public is receiving a technically sound and valid report.

**5. Submit valid proof of performance of at least 250 fee-paid home inspections that meet or exceed the ASHI Standards of Practice**

*Rationale:* The 250 fee-paid inspections show a level of experience in the field that demonstrates technical competence and practical application of the skills necessary to be an ASHI Certified Inspector.

The number 250 represents nearly a year's work for the typical inspector.

Inspectors who complete the eligibility requirements above and complete an ACI Application form will be notified of their status as an ASHI Certified Inspector.

ASHI Certified Inspectors must meet all the eligibility requirements at the time of application for ASHI Certified Inspector status. ASHI Certified Inspectors who continually maintain their certification in good standing, including compliance with all continuing education requirements, are considered ASHI Certified Inspectors regardless of any change in eligibility requirements that may be later implemented. Individuals with lapsed certification must meet the current ACI requirements at application.

### **Eligibility Appeals**

Individuals notified that they do not meet the Certified Inspector eligibility requirements above may appeal the decision by sending a written notice of appeal to ASHI headquarters within 30 days of notification. The Certification Committee will review the appeal request and make a final determination regarding eligibility.

### **Application Steps**

1. Complete the Application
2. Have inspection reports verified
3. Submit proof of passing the National Home Inspector Examination

ASHI does not endorse any preparation program or offering. We encourage prospective credentialed practitioners to use various resources that reflect their learning styles and needs. Purchasing a certification preparation product is NOT required, and ASHI does not guarantee that an individual will pass based on purchasing a certification preparation product.

### **Taking the National Home Inspector Examination (NHIE)**

The National Home Inspector Examination (NHIE), developed and administered by the Independent Examination Board of Professional Home Inspectors (EBPHI), has been selected by the ASHI Certification Committee as the required examination for the ASHI Certified Inspector program. We chose the NHIE because of the EBPHI's ongoing commitment to developing, maintaining, and administering the examination according to accepted psychometric standards.

The EBPHI is an independent non-profit organization. The sole purpose of the EBPHI is the development, maintenance, and administration of a valid, reliable, and legally defensible home inspector competence assessment test. (Source EBPHI's Home Inspector Licensing and the National Home Inspector Examination publication.)

The National Home Inspector Examination is available at [homeinspectionexam.org](http://homeinspectionexam.org) or by contacting the EBPHI at [info@homeinspectionexam.org](mailto:info@homeinspectionexam.org) or 847-298-7750.

After you complete the NHIE, you will be provided with two copies of your examination results. Keep one copy for your records and the other to submit to ASHI.

## ASHI Standards of Practice

Compliance with the *ASHI Standards of Practice* is mandatory for all Certified Inspectors. The ASHI Standards of Practice are available on the ASHI website at [homeinspector.org/Standards-of-Practice](https://homeinspector.org/Standards-of-Practice).

The purpose of these Standards of Practice is to establish a minimum and uniform standard for home inspectors who subscribe to these Standards of Practice. Home Inspections performed to these Standards of Practice are intended to provide the client with objective information regarding the condition of the systems and components of the home as inspected at the time of the home inspection.

ASHI Certified Inspectors must sign a statement annually attesting to the Standards of Practice agreement.

## ASHI Code of Ethics

Compliance with the ASHI Code of Ethics is mandatory for all ASHI Certified Inspectors. ASHI Certified Inspectors must sign a statement annually attesting to an agreement with the Code of Ethics.

### CODE OF ETHICS

The ASHI Code of Ethics details home inspection professionalism and home inspection ethics guidelines. Covering crucial issues such as conflicts of interest, good faith, and public perception, these home inspection ethics are central pillars of home inspection professionalism for the entire industry.

Integrity, honesty, and objectivity are fundamental principles embodied by this Code, which sets forth obligations of ethical conduct for the home inspection profession. ASHI has adopted this Code to provide high ethical standards to safeguard the public and the work.

Inspectors shall comply with this Code, avoid association with any enterprise whose practices violate this Code, and strive to uphold, maintain, and improve the home inspection profession's integrity, reputation, and practice.

All ASHI Certified Inspectors must agree to abide by this Code of Ethics.

- 1.** Inspectors shall avoid conflicts of interest or activities that compromise or appear to compromise professional independence, objectivity, or inspection integrity.
  - a. Inspectors shall not inspect properties for compensation in which they have or expect to have a financial interest.*
  - b. Inspectors shall not inspect properties under contingent arrangements whereby any compensation or future referrals are dependent on reported findings or the sale of a property.*

## CODE OF ETHICS , CONTINUED

- c. Inspectors shall not directly or indirectly compensate realty agents or other parties having a financial interest in closing or settlement of real estate transactions for the referral of inspections or inclusion on a list of recommended inspectors, preferred providers, or similar arrangements.*
  - d. Inspectors shall not receive compensation for an inspection from more than one party unless the client(s) agree.*
  - e. Inspectors shall not accept compensation, directly or indirectly, for recommending contractors, services, or products to inspection clients or other parties interested in inspected properties.*
  - f. Inspectors shall not repair, replace, or upgrade for compensation, systems, or components covered by ASHI Standards of Practice for one year after the inspection.*
- 2.** Inspectors shall act in good faith toward each client and other interested parties.
- a. Inspectors shall perform services and express opinions based on genuine conviction and only within their areas of education, training, or experience.*
  - b. Inspectors shall be objective in their reporting and not knowingly understate or overstate the significance of reported conditions.*
  - c. Inspectors shall not disclose inspection results or client information without client approval. Inspectors, at their discretion, may disclose observed immediate safety hazards to occupants exposed to such hazards when feasible.*
- 3.** Inspectors shall avoid activities that may harm the public, discredit themselves, or reduce public confidence in the profession.
- a. Advertising, marketing, and promotion of inspectors' services or qualifications shall not be fraudulent, false, deceptive, or misleading.*
  - b. Inspectors shall report substantive and willful violations of this Code to the Society.*

## Annual Continuing Education Requirement

### OVERVIEW

The American Society of Home Inspectors requires 20 hours of Continuing Education annually to maintain ASHI Certified Inspector status. Continuing education is essential to a professional home inspector's ongoing development and client expectations. Recertification is a mandatory process designed to ensure ACIs maintain and demonstrate specified levels of knowledge, skills, or ability at the initial certification and throughout an individual's professional career.

Inspections are performed on new construction properties, pre-Revolutionary War residences, and all manners of construction in between. Home inspectors must keep abreast of new building materials and techniques every year. And just as important is a thorough knowledge and understanding of existing dwellings regardless of age. Some designs and materials have not withstood the test of time, which inspectors must be aware of. ASHI's Continuing Education requirement provides the knowledge needed to deliver informed home inspection reports to our clients.

Continued Certified Inspector status depends on the dedication of the membership investing in their profession by continuing their education regarding the inspection profession. The continuing education requirement was developed to ensure Certified Inspectors invest in ongoing education throughout their careers to enhance their professional development and contribute to improved public safety.

After evaluating the home inspector profession and the frequency of changes in the profession, the Certification Committee has determined that an annual continuing education requirement will best serve the needs of Certified Inspectors for ongoing education.

ASHI Certified Inspectors are required to document 20 continuing education hours per year. Following a Certified Inspector's completion of all eligibility requirements, the CE requirement will start after October 1st during their first year. No more than 10 CE will be credited to the following year on an annual basis.

### Continuing Education Requirement Guidelines

ASHI Certified Inspectors should visit the [CE Claim Form](https://www.ashi.org/CEClaim) located here: [homeinspector.org/CEClaim](https://www.ashi.org/CEClaim)

### Renewal Verification

ASHI staff will conduct a random audit of renewal applications to verify CEs. ASHI Certified Inspectors who cannot correctly document claimed CEs would be notified and put on administrative suspension until the deficiency is addressed. If the required CEs are not turned in by the end of their anniversary year, the individuals will not be allowed to renew or reinstate their ASHI Certified Inspector status.



## **Grace Period**

CE will be accepted during a 60-day grace period. CE obtained during the grace period will apply to the individual's current requirement and may not be counted twice. Failure to comply with renewal requirements will result in administrative suspension.

## **Policies**

### **ADMINISTRATIVE SUSPENSION**

Any ASHI Certified Inspector placed on Administrative Suspension will lose all benefits provided by ASHI. An individual may remain in Administrative Suspension until the end of their current anniversary year. If the administrative suspension is not removed for the individual at that time, their ASHI Certified Inspector status will not be renewed.

### **ACCOMMODATIONS**

EBPHI certifies that its test administrators comply with the provisions of the Americans with Disabilities Act (42 USCG Section 12101, et. seq.) and Title VII of the Civil Rights Act, as amended (42 USC 2000e, et. seq.) in accommodating individuals who, because of a disability, need special arrangements to enable them to take an examination. If you need special arrangements for testing because of a disabling condition, you may ask for special testing services. All examination sites have access for individuals with movement disabilities.

Individuals requesting special testing arrangements should contact EBPHI directly. More information is available at [homeinspectionexam.org/test\\_policies.php](https://homeinspectionexam.org/test_policies.php) or by contacting the EBPHI at [info@homeinspectionexam.org](mailto:info@homeinspectionexam.org) or 847-298-7750.

### **CONFIDENTIALITY**

ASHI and the Certification Committee ensure the secure storage of all confidential information.

Any applicant's information that is not approved for certification is considered confidential. This information would only be released to the ASHI Certification Committee in the case of an appeal by that applicant.

### **DIRECTORY**

ASHI maintains a public directory of ASHI Certified Inspectors on its website. Directory listings include name, certification status, company name, contact information, and services offered.

### **VERIFICATION OF ASHI CERTIFIED INSPECTOR STATUS**

The current status of an ASHI Certified Inspector can be verified by contacting ASHI headquarters. ASHI also lists all ASHI Certified Inspectors in a website directory.

## **REINSTATEMENT**

Any individual whose certification has lapsed for up to six months for reasons other than ASHI discipline may reinstate their membership provided that:

1. All back and current dues and fees are paid;
2. proof of required CE's during the absence (20 CE per year);
3. There have been no ASHI disciplinary actions or complaints about them during the absence.

If certification has lapsed for more than six months, the ASHI Certified Inspector must reapply for certification under the existing application process.

## **NONDISCRIMINATION**

ASHI Certification Committee does not discriminate based on age, sex, race, color, creed, or geographic area of origin or employment.

## **DISCIPLINE AND APPEALS**

ASHI has established the following procedures to evaluate complaints against home inspectors regarding violation of any ASHI Bylaw, policy, practice, Code of Ethics, or legal right.

A complete copy of the Complaint policy and procedures and appeal process may be downloaded from the ASHI website or requested from ASHI headquarters.

## **ASHI LOGO USE**

Compliance with the ASHI logo use policy is mandatory for any individual who accepts the privilege of using the ASHI logo or name. The Policy for the Use of the Name and Logo of the American Society of Home Inspectors, Inc. may be found in the ASHI Policy Manual.

## **RECONSIDERATION OF ADVERSE DECISION**

The Certification Committee will review the applicant's request and supporting documentation and materials when reconsidering the adverse eligibility or recertification. The Committee Chair will 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, promptly take appropriate action regarding the request, and document actions.

## **Questions and Additional Information**

For additional information about the ASHI Certified Inspector program, please visit [ashi.org](http://ashi.org) or contact ASHI: American Society of Home Inspectors®, Inc., 932 Lee Street, Suite 101 Des Plaines, IL 60016, 1-800-743-2744.

# 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, except as set forth in 11.1#3 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 the 1st, 2nd, and 4th bullet points of 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, and the ASHI Board,
  - 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 may publish disciplinary results in *The ASHI Reporter*, but shall not identify those disciplined.
9. 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.
10. 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.
11. Nobody shall make copies of complaint records and documentation, except as required to fulfill the requirements of these policies.
12. Complaint committees may use closed complaint files to assist in ensuring 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. 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, 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.
13. 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.
14. 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.

#### 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.
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 may include:

- gathering additional evidence, at the discretion of the committee chair, 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.

#### 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 member's 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,
- 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, and
- a copy of all evidence in the possession of the Complaints Committee chair.

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, and the ASHI President.

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:

- dismiss the complaint, or
  - 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
  - impose a private letter of censure, or
  - impose a public letter of censure, or
  - impose a suspension from ASHI membership for up to two years, or
  - 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 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 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.