

THE INTERIOR INSPECTION

By
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In this article, I shall review the MA Standards of Practice (266 CMR 6.00) with regard to section 6.09 System: **General Interior Conditions**, as listed below. Due diligence and licensing require a home inspector to adhere to the minimum Standards of Practice (SOP), although the majority of inspectors elect to exceed the SOP in order to provide a superior ASHI® inspection for their clients.

6.09: System: General Interior Conditions

- (1) The Inspector shall observe:
 - (a) Walls, ceiling, and floors.
 - (b) Steps, stairways, balconies, and railings.
 - (c) Counters and a representative number of cabinets.
 - (d) A representative number of doors and windows.
 - (e) Separation walls, ceilings, and doors between a dwelling unit and an attached garage or another dwelling unit.
- (2) The Inspector shall:
 - (a) Operate a representative number of primary windows and interior doors.
 - (b) Report signs of water penetration.
- (3) The inspector shall report on:
 - (a) The type of exposed floor material (brick, carpet, ceramic tile, linoleum, slate, vinyl, tile, wood, other).
 - (b) The type of exposed wall finishes (brick, ceramic tile, fiberglass, laminates, paneled, plaster, gypsum wall board, plastic tile, other).
 - (c) The type of exposed ceiling finishes (acoustical tile, gypsum wall board, plaster, wood, other).
- (4) The inspector is not required to observe and or report on:
 - (a) Paint, wallpaper, and other finish treatments on the interior walls, ceilings, and floors.
 - (b) Draperies, blinds, or other window treatments.
 - (c) Household appliances.
 - (d) Recreational facilities or other dwelling units.

The key phrases to focus on within each section of the SOP are:

- “the inspector shall observe...”
- “the inspector shall...”
- “the inspector shall report...”
- “the inspector is not required to observe and report...”

The Standards of Practice clearly list what the home inspector is required to observe, required to do, required to report and what is not required. Risk reduction requires that you comply with the SOP by entering the home and following a protocol that fulfills your contractual obligations with the client and your regulatory obligations with the State. The latter is a balancing act achieved by training and experience. Claims arise when a home inspector fails to adhere with the SOP, fails to establish realistic expectations with the client, fails to explain the implications of his or her observations or fails to shift the “burden of proof” by giving the client further direction.

While your geographical field practice may differ from mine, I always complete the exterior and mechanical systems inspections before I reach the interior living spaces. By the time I enter the living spaces; I have earned the respect of my client and have gained a new friend who will recommend my services to others, (The ASHI® Experience). Do you educate the client by explaining what you are about to do, doing it and then provide a verbal summary of your findings? I tell the client that I will walk through each room and check a representative sample of components, walls, floors, ceilings, windows and doors, etc. Perhaps more important, I explain that I do not move furniture or stored goods and that there is always a potential for concealed problems that were not *readily accessible* at time of inspection. I endeavor to create realistic expectations (no X-ray vision) and shift the burden of proof by recommending that my client take advantage of his or her rights by conducting a “pre-passing walk through inspection.” I explain that only by further investigation after the owner has removed all possessions can piece of mind be achieved that no hidden problems are present. I inform my client that if further problems are discovered, I am available for consultation.

With the stage set, I enter each room and stop and view “the big picture.” I use my most valuable inspection tool, my eyes, and examine the room. Generally my hand goes to my flashlight at the same time and I flash the beam around the ceiling and walls once, looking for water stains, cracks and the “M” word (mold). Once I am satisfied with the condition of the large components like walls, ceiling and floor, I perform a more specific inspection of each component and give careful scrutiny to red flags revealed by my initial inspection of the room.

Suffice it to say, all home inspectors learn that there is an overlapping of systems to observe and report on as we examine each area of a home; as each home is an assemblage of interrelated systems and components. Therefore, while inspecting each room, I am also obligated to look for a heat source, to check outlets, switches and lights and structure – but those are topics for future discussion. The bottom line is that we home inspectors are responsible for so many things that it is easy to be distracted and forget to properly observe and report. That is why continuing education and experience are so important. That is why a consumer should choose an ASHI® inspector!

Getting back to the “General Interior Conditions,” a home inspector should be alert for “*unsafe*” conditions as defined in the SOP:

“Unsafe: A condition in a readily accessible, installed system or component, which is judged to be of significant risk of personal injury during normal, day to day use. The risk may be due to damage, deterioration, improper installation or a change in the accepted residential construction standard.”

I am sure that you encounter “*unsafe*” conditions on a daily basis as you inspect the interior of the home. However, do you *report* in writing that the concern is **UNSAFE** and why? Do you stress that **URGENT** repair is needed **NOW** and give your client further direction? Do you explain the implications of your observation so that the client can make an informed decision?

Unfortunately for our profession, I am told that many home inspectors do not understand the definition of the word “*unsafe*,” and that the failure to understand and report unsafe conditions is the cause of many claims. Simply stated, if you observe a system or component that in your judgment has the potential to cause a personal injury during normal use; report it in writing. For example, simple wrinkles in a wall-to-wall carpet should be reported as “*unsafe*,” as the condition is a tripping hazard and there is a risk of personal injury. The definitions provided in the “Standards of Practice” are there to clarify understanding for both the home inspector and the consumer – they should be part of your report. Systems or components that exhibit damage, deterioration, improper installation or a change in accepted residential construction standard and that pose a risk of personal injury are “*unsafe*,” and should be reported as such or your license and assets are at risk.

I bet you can add to the following, but here is a partial list of potential *unsafe* conditions that apply to the “General Interior Conditions.” Any and all of the items listed below could cause personal injury during normal, day to day use, and should be observed, reported and highlighted to alert the client and to reduce claims against home inspectors. God forbid that a home inspector should fail to report an *unsafe* condition that results in a personal injury claim.

A LIST OF POTENTIAL UNSAFE INTERIOR CONDITIONS AND RED FLAGS:

Walls:

- Missing wall coverings
- Warped paneling & exposed splinters
- Loose plaster
- Damaged, missing or loose tiles
- Loose brick
- Laminate with exposed sharp edges
- Exposed fasteners
- Missing separation wall
- Defective separation wall
- Broken, loose, missing soap traps, towel bars and grab bars.
- Loose crown moldings, chair rails and wainscotings
- Sagging, deformed, cracked walls , including damaged, removed or improperly headered bearing walls i.e. sag in header, wall or floor or ceilings above.

Floors:

- Missing floor coverings
- Exposed nail or screw heads
- Splinters
- Tripping hazards (transitions, thresholds, uplifts, lifted seams, wrinkled carpets)
- Cracked tiles
- Missing tiles
- Loose tiles
- Decayed or weak floors
- Possible asbestos content

Ceilings:

- Loose plaster
- Loose drywall
- Loose tiles
- Loose wood
- Potential asbestos content

Steps, stairways, balconies, and railings:

- Uneven risers
- Excessive height risers
- Narrow winders
- Cracked or broken treads & nosings
- Open risers
- Narrow tread width

- Insufficient headroom
- Insufficient lighting
- Tripping hazards
- Weak or cracked treads
- Nail pops
- Loose carpets or tread coverings
- Missing handrail
- Loose handrail
- Missing returns at ends of handrails
- Improper handrails
- Open walls at a staircase
- Baluster defects & spacing
- Loose newel post
- Storage on the stairs
- Low guard railings
- Loose guard railings
- Decayed components
- Very narrow stairs (insufficient for normal egress or to get normal furniture through)

Counters and a representative number of cabinets:

- Exposed sharp laminate edges at counters
- Exposed sharp tile edges at counters
- Loose counters
- Splinters at counters or cabinets
- Loose upper cabinets
- Upper cabinets nailed to the wall
- Sagging cabinet shelves.
- Loose islands and loose counter tops
- Missing electric outlet receptacle in Island (GFCI)

A representative number of doors and windows:

- Door binds up and restricts emergency egress
- Missing fire separation door
- Missing door knob or defective door hardware
- Narrow door width or insufficient headroom
- Defective laminate at doors
- Doors with splinters
- Dual tumbler (inside key) locks
- Broken glass in doors
- Butler doors
- Sliding closet doors that fall from tracks or lack center guides
- Cracked or broken window glass
- Loose glass
- Broken sash cords
- Loose sash that fall when raised
- Windows that won't open or require excessive effort
- Improper size window for emergency egress
- Missing safety glass where required

- Casement windows that swing into a porch or over a deck or staircase or walk or driveway
- Potential lead paint hazards
- Out of square door and/or window openings (symptom of structural movement)

Reporting signs or water penetration is required and is also another potential area of liability for a home inspector. Utilizing moisture meters to further evaluate a water stain may be considered as “practicing engineering,” but I bet you will find that the majority of home inspectors use technology to better evaluate moisture levels where stains are noted and to help deduce the source. Suffice it to say, if you see a water stain on the floor, wall or ceiling – report it in writing! You may elect to state that the stain was moist or dry at time of inspection and that the suspected source is from a roof, flashing, heating, or plumbing leak, etc.; but make sure you include a statement explaining that “there is no guaranty against future leakage, that any source of water infiltration can cause hidden decay or mold, that there is a potential for concealed damage and that further investigation is needed.”

The SOP also requires that a home inspector report on the type of floor, wall and ceiling coverings. The requirement is a simple one; just report what you see where *readily accessible*. At this point, I feel it is important to prevent false expectations by educating your client that you are not required to report on finish treatments, window treatments, blinds, appliances, etc. Simply explain the limitations and scope of the home inspection and thereby avoid confrontation.

In closing, remember that the Standards of Practice provide an outline of requirements that you are obligated to meet during the performance of a home inspection. Establish a protocol of responsible field practice and reporting that covers each section of the SOP and report, report, report what you did, what you observed and then explain it to the client so that there is no misunderstanding. You can certainly choose to exceed the SOP along with the assumed risk, but you must adhere to the minimum SOP as it is THE LAW!