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'Deal-killer' inspectors unite

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A Massachusetts home inspector wants to put an end to the common practice of real estate brokers and agents making referrals of home inspection services to home buyers.



The inspector is Dennis Robitaille, owner of Able Home Inspections, and he's made a start toward his goal with successful legislation in his home state.

The legislation signed into Massachusetts law in May 2001 requires state licensing of inspectors and expressly prohibits real estate practitioners from directly recommending home inspector or home inspection company to home buyers. Instead, brokers and agents give buyers who request such a referral a state-produced list that includes all of the state licensed home inspectors. The law doesn't apply to real estate brokers who work exclusively with the buyer as a buyer's broker, according to Robitaille.

Massachusetts is the only state that mandates any sort of barrier between home inspectors and real estate practitioners. But Robitaille wants to push similar legislation in other states and has founded an organization, [Independent Home Inspectors of North America](#), to help promote the cause.

"I figured if it could work in Massachusetts, it could work elsewhere," he said.

The group's objectives are to increase home buyers' awareness of the relationships between home inspectors and real estate practitioners and the supposed conflict of interest that he believes inherently exists in such relationships. The organization also coordinates inspection efforts to educate state legislators about the Massachusetts law and encourage adoption of similar mandates elsewhere.

"We don't want to be labeled as anti-Realtors. We feel they're professional in what they do—we're professional in what we do—except we're working for two different people," said Robitaille.

He believes the broker or agent works for the seller and is focused on earning a commission when the sale closes, while the home inspector works for the buyer, who pays for and expects a thorough unbiased report about the property's condition.

When brokers or agents mix with home inspectors—a practice that's common throughout the country—the result is a home inspector who lives in an agent's hip pocket, Robitaille told.

said inspectors who give home buyers unbiased reports that potentially could derail a deal are referred to as "deal killers" and are "blackballed" by some agents.

He particularly dislikes corporate-level agreements between brokerages and large home inspection franchise companies that pay the brokerage a fee to be on a "preferred vendor list." He cited such agreements as an example of alleged "blackballing" that is especially difficult to combat.

"Big (home inspector) franchises are keeping other inspectors out of the door because they can't afford to pay the (broker) agency the money to be on that preferred list....the way they stay on the list is to do the kind of inspection the real estate agents want, which is quite simple," said Robitaille.

Some real estate practitioners also allegedly steer buyers away from certain very picky inspectors by saying "that inspector takes too long," "we've had trouble with that inspector," "we can't get that inspector to inspect any of our listed properties," "that inspector is too expensive" or "that inspector has derogatory comments," according to the inspectors group's Web site. Brokers and agents can blackball a home inspector by promoting his or her competitors' services, according to

IHINA members must sign a pledge stating they won't engage in a referral type of business relationship with brokers or agents, said Robitaille. They also pay an annual \$50 membership fee.

The group has only 100 members. Robitaille said he receives on average three inquiries about membership, but most of those who inquire won't sign the pledge to sever their referral ties with agents.

"For about every 30 inspectors who apply (to join IHINA), only one follows through because the other 29 are not willing to sign that pledge," he said.

Robitaille likens the organization's slow progress to an ice pick chopping away at an iceberg.

"What keeps me going is the good stories I hear (from) people who contact me and say they've been doing inspections for 15 or 20 years, they're getting blackballed and they're glad to have an organization that stands for the consumer," he said.

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