

To: Senate Commerce Committee

From: Amanda Stanley, Private Citizen

Date: February 19, 2019

RE: Testimony in Support of SB 168

I want to thank Chairwoman Lynn and the members of the Committee for allowing me the opportunity to present testimony in support of SB 168. I am appearing before you today as a private citizen who, almost two years later, is still furious at her home inspector.

I purchased my home in April 2017. Prior to the purchase, I had the home inspected by an inspector that came highly recommended by my relator. As a first-time home buyer, there was a lot I did not know and I relied on my relator's advice. That turned out to be a mistake. Over the course of the first year in my home, I had numerous issues that appeared to have either been completely missed by the inspector, or the inspector failed to mention the significance / cost of needed repairs. The first weekend I moved in, my basement flooded due to an improper sewer repair. Additionally, the kitchen and bathroom sinks were leaking and had to be replaced. The first words out of the plumber's mouth were, "How did your inspector miss this?" The kitchen faucet leaking was extremely apparent immediately upon the water being turned on. I had about \$500 in repairs the first weekend I moved in.

When I had my appliances installed, it turned out none of my outlets in the kitchen were grounded and there were live wires under the dishwasher next to the water lines. While my home inspection report did mention there were ungrounded outlets, it specifically mentioned the ones in the kitchen next to the sink were grounded. There was no mention of the live wires or of the dangers associated with having kitchen outlets not grounded. When I attempted to have my new dishwasher installed, I found out the old dishwasher was incorrectly installed and the floor had actually been built around it so it could not be removed without dismantling the countertop and kitchen cabinets. The report mentions the dishwasher appeared to be working; however, both the electrician and the plumber I hired remarked, "How did the inspector not realize this dishwasher wasn't even bolted in?" It cost me another \$500 to correct the most pressing electrical issues and additional money to deal with getting the dishwasher removed.

After having issues with my air conditioner, I learned my attic had virtually no insulation. Additionally, because of an addition to the house that was done incorrectly, there is limited airflow throughout the attic. This has resulted in my AC not being able to cool the house. The inspector's report does mention the attic, but did not mention the lack of insulation being a problem and it did not mention that the addition is completely walled off from the original house resulting in no airflow. The report states there were 6-8 inches of insulation over the living space. Being a first-time homeowner, I had no idea that my insulation should be about 13 inches thick. According to an energy audit I had done, rather than the 6-8 inches of insulation claimed in the report, it turned out in parts of my attic there was less than 1/4 of an inch of insulation. I had no choice but to insulate the house at a cost of about \$2500. I still need to fix the attic airflow and purchase an air conditioning unit that is correctly sized for my home. Until I can do that, I have learned to live in a house that cannot cool itself below 80\* during the summer.

Over the course of the first two years owning my home, I have been faced with substantial repair costs for things that every plumber, electrician, and insulation specialist have pointed out should have been raised in my inspection. I would not have purchased my house, at the price I paid for it, if I had been aware of all the issues.

When I reached out to my real estate agent about the issues, she simply ignored my emails. When I reached out to my home inspector, he asked if he could come look at the issues. This was simply a pretense to come to my house and try to pressure me into dropping my claims. Rather than look at the attic, he used the visit as an opportunity to apologize that some electrician had scared me into thinking I needed grounded outlets. He told me that lots of houses did not have grounded outlets in the 1950s and they did not burn down. He also tried to tell me that insulation was not that important. When I pointed out that I do actually understand how physics works, he told me I was being irrational and that he hoped I was smart enough to get multiple bids on the insulation so I wasn't taken advantage of by someone trying to sell me more insulation that I really needed. It was only after I told him to get the hell out of my house that he suddenly pulled out a checkbook and wrote me a check refunding me the price of my inspection, \$419, in exchange for signing an agreement to not publicly bash him on social media or the internet. He also refused to give me a copy of the non-disclosure agreement and got upset that I actually wanted to read it before signing it. Since under the terms of the Inspection Contract I knew my damages were limited to the cost of the inspection, there was nothing else I could do except sign the agreement. \$419 did not even remotely compensate me for the thousands of dollars in repairs that were missed in my inspection. When I attempted to report my home inspector to the state, I was informed that there are no licensing requirements for home inspectors and that there is no agency to report or investigate misconduct.

I urge you to support SB 168. It puts in place necessary consumer protections and increases home inspectors' liability for missed issues to \$2,000. Hopefully, if what happened to me happens to other Kansans in the future, SB 168 will help ensure they at least have some recourse for the incompetence.