**Section 1410.10 Definitions**

Unless otherwise clarified by this Part, definitions set forth in the Act also apply for the purposes of this Part.

"Act" means the Home Inspector License Act [225 ILCS 441].

*"Address of record" means the designated street address, which may not be a post office box, recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department.* [225 ILCS 441/1-10]

"CE" is an abbreviation for continuing education.

"Compensation" means the valuable consideration or the intention or expectation of receiving valuable consideration given by one person or entity to another person or entity in exchange for the performance of some activity or service. Compensation shall not include a franchise fee paid by a licensee to a franchisor pursuant to the terms of a franchise agreement provided the franchisor does not engage in "home inspection" activity as described in Section 1-10 of the Act. Compensation shall otherwise include the transfer of valuable consideration, including without limitation the following:

commissions;

referral fees;

bonuses;

prizes;

merchandise;

finder fees;

performance of services;

coupons or gift certificates;

discounts;

rebates;

a chance to win a raffle, drawing, lottery, or similar game of chance not prohibited by any other law or statute;

retainer fee; or

salary.

"Department" means the Department of Financial and Professional Regulation.

"Director" means the Director of the Division of Real Estate, with the authority delegated by the Secretary.

"Division" means the Department of Financial and Professional Regulation-Division of Real Estate.

"Education Provider" means an entity or person licensed by the Department offering courses in pre-license or continuing education.

*"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department.* [225 ILCS 441/1-10]

"Field Inspection Event" means a pre-license course that is an inspection and evaluation of the exterior and interior components of an actual residential real property conducted by a candidate for a home inspection license under the direct supervision of an Illinois licensed home inspector with at least 5 years' experience, conducted on-site and in person. A licensed home inspector can supervise a maximum of 5 licensure candidates in each Field Inspection Event.

*"Home inspector" means a person or entity who, for another and for compensation either direct or indirect, performs home inspections.* [225 ILCS 441/1-10]

*"Home inspection report" or "inspection report" means a written evaluation prepared and issued by a home inspector upon completion of a home inspection, which meets the standards of practice as established by the Department.* [225 ILCS 441/1-10]

"Home Study" or "Correspondence Course" means an education course that is administered independently by the student in a self-study format, outside of a classroom, physical, or virtual meeting space, and is not required to include communication with an instructor. There is no requirement for the ongoing verification of the student's participation and comprehension, except for the administration of the proctored final examination required in connection with a non-interactive course. Home study or correspondence courses may include, but are not limited to, courses comprised of print or non-interactive media.

"Interactive Webinar" means delivery of a course by an instructor through a virtual or online medium allowing for live 2-way communication between the instructor and student in which either can initiate or respond to questions, including live instruction and real-time discussion via satellite, video or webcam that allows for student participation and comprehension.

"Learning Management System" means a software application used for the administration, documentation, tracking, reporting, and delivery of educational courses or training programs.

"Managing Home Inspector" means a designated managing home inspector, licensed by the Department, for a home inspector entity and who is *responsible for the actions of all licensed and unlicensed employees, agents, and representatives of that home inspector entity while it is providing a home inspection or home inspection service.* [225 ILCS 441/5-12]

"Online Distance Education" means education courses that are interactive, but not in real time, in which students independently learn and review material online, and, for verification of the student's participation and comprehension, interact with an instructor or Learning Management System.

*"Person" means individuals, entities, corporations, limited liability companies, registered limited liability partnerships, and partnerships, foreign or domestic, except that when the context otherwise requires, the term may refer to a single individual or other described entity.* [225 ILCS 441/1-10]

"Proctor" means any person, including an instructor, who has a written agreement with a licensed education provider to administer, in person or electronically, examinations fairly and impartially with a licensed education provider.

*"Residential* *real property" means real property that is used or intended to be used as a residence by one or more individuals.* [225 ILCS 441/1-10]

"Secretary" means the Secretary of the Department of Financial and Professional Regulation or the Secretary's designee.

"Standards of Practice" means *recognized standards to be used in a home inspection, as determined by the Department, and established by* thisPart. [225 ILCS 441/1-10] Standards of practice are the guidelines for the appropriate conduct of home inspections described in Subpart C.

(Source: Amended at 48 Ill. Reg. 2424, effective February 2, 2024)