



Anyone filing a complaint with the Division of Real Estate and Professional Licensing should be aware that if a license law violation has been committed, the Division only has jurisdiction to take action against the perpetrator's license. The Division does not have the authority to compel the licensee to perform under the terms of a contract or award damages to a complainant. Any such action must be initiated in a court of law. Additionally, Ohio law prohibits the Division from giving private legal advice or opinions. If legal advice is desired, please consult with an attorney.

When the Division initiates an investigation, it is not assumed that a violation of license law has occurred or that anyone will be charged with a violation. Only after reviewing the evidence obtained from an investigation may the Division allege the existence of a violation and bring charges against a licensee.

FILING A COMPLAINT

The Division requires all complaints be filed in written form. Upon receipt of a complete complaint form, the enforcement section will review the matter to determine if it falls under the Division's jurisdiction. For such jurisdiction to exist, the complaint must concern the conduct of an Ohio licensed home inspector by this division and acting in such capacity.

If it is determined that the complaint is within the Division's jurisdiction, the complaint will be assigned to an investigator, and the complainant and the licensee will be notified. They will both be asked if they would like an opportunity to meet with one another to discuss the complaint at an *informal mediation hearing*. The informal hearing allows the complainant and the licensee to discuss their differences and attempt to reach a resolution of the problem. If held, the informal hearing will be confidential. An informal hearing will only be conducted if both parties agree to it. There is no obligation to attend and non-attendance will not be held against either party in any way.

If the complainant and the licensee reach an agreement at the informal hearing, the complaint will be closed upon the Division receiving satisfactory notice that the agreement has been fulfilled.

If the complainant and licensee do not agree to an informal hearing or if no accommodation is reached, the Division will proceed with its investigation of the complaint.

Upon conclusion of the investigation, the investigator will prepare a report of the findings. The report will be internally reviewed to determine if sufficient evidence of a license law violation exists. If it is determined that there is not sufficient evidence to prove any violation, no further action will be taken.

If it is determined that a violation can be proven, formal charges may be filed and a *formal hearing* held. In the event of a formal hearing, the complainant and licensee will be notified of the date, time and place of the hearing. The hearing is similar to a court proceeding but not as formal. It is held before a hearing examiner who is an attorney. An Assistant Attorney General represents the Division. The licensee has the right to be represented by legal counsel and can have subpoenas issued to witnesses to testify. The complainant may be called to testify and may also bring legal counsel if desired.

Upon conclusion of the formal hearing, a hearing examiner report will be prepared, and will be distributed to the concerned parties. The Ohio Real Estate Home Inspector Board will then review the report and any written objections at its next meeting. The complainant and licensee may appear at this review and present testimony. The Board will decide whether or not to adopt the hearing examiner's findings and recommendation. If the Board finds the licensee violated the law, then the Board may order disciplinary sanctions against the licensee.



Home Inspector

Complaint Form

Record your complaint on the following form. It is interactive, so please record your responses directly onto the form. You may then print and sign the form, attach copies (not originals) of pertinent documents, and mail the package to the Division's office. The Division does not accept electronic filings.

- *This form is interactive. You may, prior to printing, enter your responses directly onto the form. Otherwise, this form must be typewritten or printed legibly in black ink.*
- This form should be used when filing a complaint against a person who holds an Ohio home inspector license.
- The complaint form must be filled-out in its entirety. This will assist in expediting the investigation. State all facts clearly and concisely. Attach copies, **not originals**, of pertinent records in support of your complaint. An investigator will follow-up with you for any additional clarification.
- Furnish the full names, addresses and phone numbers of all parties to the complaint, including witnesses.
- Be certain to **sign and date the form** where indicated.
- **MAIL TO:** Real Estate & Professional Licensing, 6606 Tussing Road, PO Box 4008 Reynoldsburg, Ohio 43068

NOTE: This complaint form and all included documents will become public record. A copy will be given to the party against whom the complaint is filed. A person who files a complaint should be willing to appear as a witness, be sworn to testify and be cross-examined concerning the allegations made in the complaint.

Complainant Information (identifies you as Complainant)

First Name	Middle Initial	Last Name	
Mailing Address			Home Phone
City	State	Zip Code	Cell Phone
Email Address			
Business Name			
Business Address			Business Phone
City	State	Zip Code	Business Fax

Respondent Information (against whom this complaint is being filed, identifies person as Defendant)

First Name	Middle Initial	Last Name	
Business Address			Business Phone
City	State	Zip Code	Business Fax
Email Address			Cell Phone

Respondent 2 (if applicable)

First Name	Middle Initial	Last Name	
Business Address			Business Phone
City	State	Zip Code	Business Fax
Email Address			Cell Phone

Complaint

Subject Property Address		Date Of Alleged Offense
City	State	Zip Code
Are You A Party To The Transaction? If Yes, Explain Your Relationship (e.g. client, lender, seller, agent, etc.) ☐ YES ☐ NO		
Have You Included Documents Pertaining To The Transaction? (e.g. home inspection report) ☐ YES ☐ NO		
Have You Consulted An Attorney Regarding Your Complaint? (If yes, complete the below fields.) ☐ YES ☐ NO		
Attorney Name		Phone Number
Attorney Address		Fax Number
City	State	Zip Code
Email Address		
Have Any Claims Been Filed In A Court Of Law? (If yes, complete the below fields.) ☐ YES ☐ NO		
Name Of Court (e.g. Franklin County Court of Common Pleas)	Name Of Case	Docket Number

List of Witnesses (if applicable)

Witness 1 Name		Phone Number
Address		
City	State	Zip Code
Witness 2 Name		Phone Number
Address		
City	State	Zip Code
Witness 3 Name		Phone Number
Address		
City	State	Zip Code

Prior Notification

Have You Previously Notified The Respondent Of Your Complaint? ☐ YES ☐ NO	In What Form Was Your Notification? ☐ ORAL ☐ WRITTEN (include a copy, if written)
Did You Receive A Response? ☐ YES ☐ NO	In What Form Was The Response? ☐ ORAL* ☐ WRITTEN (include a copy, if written)

***If response was oral, please include a statement of the response with this form**

Description of Complaint

In The Form Of A Statement, Give The Details Of Your Complaint. Be Factual And Complete. Attach Additional Sheets If Necessary.

Affirmation

I affirm that the information provided within and attached hereto this complaint is complete and accurate to the best of my knowledge.

Signature Of Complainant

Date