

BEFORE THE MISSISSIPPI REAL ESTATE COMMISSION

MISSISSIPPI REAL ESTATE COMMISSION

COMPLAINANT

VS.

NO. 04-1907

JIM T. DANIELS, HOME INSPECTOR

RESPONDENT

AGREED ORDER

This cause came before the Mississippi Real Estate Commission, hereinafter referred to as "Commission," pursuant to authority of M. C. A. §§73-60-1, et seq., on a formal Complaint brought against Jim T. Daniels, Home Inspector, sometimes hereinafter "Respondent" or "Daniels." Prior to this matter being set for hearing before the Commission, the parties announced instead their agreement as to the disciplinary action. By entering this Agreed Order, Respondent Daniels waives his right to a hearing with full due process and the right to appeal any adverse decision resulting from that hearing. Having reached an agreement on this matter, the Commission issues its Findings of Fact and Disciplinary Order as follows:

FINDINGS OF FACT

I.

Respondent Jim T. Daniels is an adult resident citizen of Miss. whose address of record with the Commission is 5338 Dancing Rabbit Rd. Meridian, MS. Respondent Daniels is the holder of a Home Inspector's license, No. 0608, issued by the Commission pursuant to Miss. Code Ann. §§73-60-1, et seq., and, as such, he is subject to all the provisions, rules, regulations and statutes governing the practice of home inspections under Mississippi law.

II.

The Commission received information that Respondent Daniels had performed one or more home inspections on new construction without the new home (NH) certification required for performing such new construction inspections under Mississippi law. Thereafter, the Commission opened its investigation and contacted Respondent Daniels for a response.

III.

Respondent Daniels cooperated with the Commission investigation and admitted that he knowingly performed at least one home inspection on new construction without the new home (NH) certification required by state law.

CONCLUSIONS OF LAW

IV.

The above and foregoing described acts of the Respondent Jim T. Daniels constitute a violation of Miss. Code Ann. §73-60-27, which states in relevant part:

(4) After October 1, 2001, no person licensed under this chapter shall offer to perform or perform inspection services on new construction for a fee without having first obtained a residential home builders license from the Mississippi Board of Contractors and certification by the Southern Building Code Congress or any other national professional code organization.

DISCIPLINARY ORDER

THEREFORE, by agreement and consent, the Commission **ORDERS** discipline as follows:

1. The license of Respondent Jim T. Daniels shall be suspended for thirty (30) days, beginning October 15, 2019. The Respondent is further ordered to pay a fine of \$ 500.00.

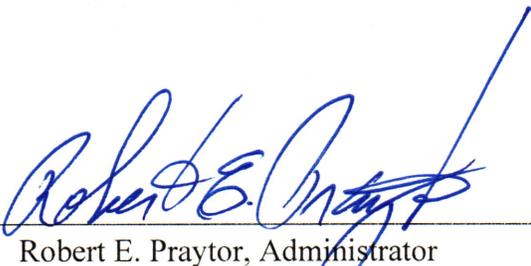
2. Following the 30-day period of suspension, the license of Respondent Daniels shall be placed on probation for a period of eleven (11) months.

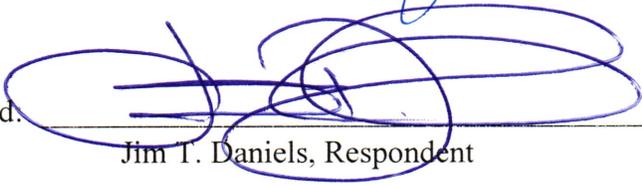
3. Prior to the expiration of the period of suspension, Respondent Daniels shall complete an ethics course for home inspectors. The course shall be approved by the Commission and this mandatory ethics course shall be completed in addition to those continuing education hours required for renewal of Respondent Daniels's home inspector license.

SO ORDERED, THIS THE 15th DAY OF October, 2019.

MISSISSIPPI REAL ESTATE COMMISSION



By:  date: 10/15/19
Robert E. Praytor, Administrator

Agreed:  date: 10/8/19
Jim T. Daniels, Respondent