

BEFORE THE MISSISSIPPI REAL ESTATE COMMISSION

MISSISSIPPI REAL ESTATE COMMISSION

COMPLAINANT

vs.

NO. 15-1912

JAMES LEVY, 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 James Levy, Home Inspector, sometimes hereinafter "Respondent" or "Levy." 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 Levy 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:

I.

Respondent, James Levy (hereinafter "Levy" or "Respondent"), is an adult resident citizen of MS whose last known address of record with the Commission is 11458 Ashton Lane West, Gulfport, MS 39503. Respondent Levy holds a home inspector's license, No. 0387, issued by the Commission pursuant to Miss. Code Ann. §73-60-1, et seq., and so he is subject to the provisions, rules, regulations and statutes governing the practice of home inspections under Mississippi law.

II.

The Commission received information that Respondent Levy had performed at least one or more home inspections on new construction without the new home (NH) certification required for performing such new construction inspections. Upon this information, the Commission opened an investigation.

III.

Upon investigation, the Commission received evidence that Respondent Levy had performed an inspection on new construction property during 2017 at 15079 Baylor Ave., Gulfport, MS, without the new home (NH) certification required by Mississippi law. Further, upon questioning about this matter, Respondent Levy acknowledged having done this inspection.

IV.

The Commission alleges that Respondent Levy knowingly and willfully performed the above referenced home inspection on new construction without holding the new home (NH) designation and certification required by Mississippi law.

CONCLUSIONS OF LAW

The above and foregoing described acts of the Respondent James Levy 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

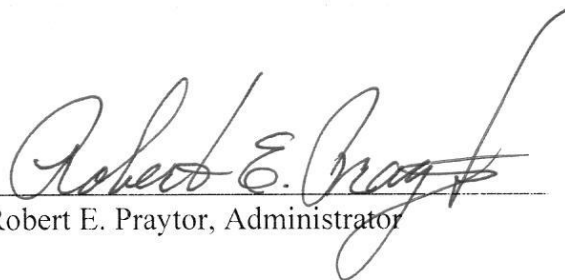
THEREFORE, by agreement and consent, the Commission **ORDERS** discipline as follows:

1. The license of Respondent James Levy shall be suspended for thirty (30) days, beginning February 01, 2020. The Respondent is further ordered to pay a fine of \$ 500.00.
2. Following the 30-day period of suspension, the license of Respondent Levy shall be placed on probation for a period of eleven (11) consecutive months.
3. Prior to the expiration of the period of license suspension, Respondent Levy 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 Levy's home inspector license.

SO ORDERED, THIS THE 11th DAY OF FEBRUARY, 2020.

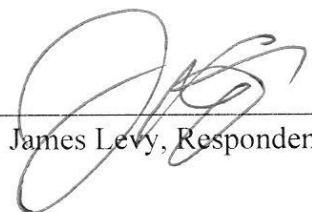


MISSISSIPPI REAL ESTATE COMMISSION



Robert E. Praytor, Administrator

date: 02/11/2020

Agreed: 

James Levy, Respondent

date: 2/11/2020