

Texas Administrative Code

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TITLE 22	EXAMINING BOARDS
PART 23	TEXAS REAL ESTATE COMMISSION
CHAPTER 535	GENERAL PROVISIONS
SUBCHAPTER R	REAL ESTATE INSPECTORS
RULE §535.233	Standards of Practice: Minimum Inspection Requirements for Optional Systems

If an inspector agrees to inspect a component described in this section, §535.227 of this title (relating to Standards of Practice: General Provisions) and the applicable provisions of this section apply.

- (1) Landscape irrigation (sprinkler) systems. The inspector shall:
 - (A) manually operate all zones or stations on the system through the controller;
 - (B) report as Deficient:
 - (i) the absence of a rain or moisture sensor,
 - (ii) inoperative zone valves;
 - (iii) surface water leaks;
 - (iv) the absence of a backflow prevention device;
 - (v) the absence of shut-off valves between the water meter and backflow device;
 - (vi) deficiencies in the performance and mounting of the controller;
 - (vii) missing or damaged components; and
 - (viii) deficiencies in the performance of the water emission devices; such as, sprayer heads, rotary sprinkler heads, bubblers or drip lines.
 - (C) The inspector is not required to inspect:
 - (i) for effective coverage of the irrigation system;
 - (ii) the automatic function of the controller;
 - (iii) the effectiveness of the sensors; such as, rain, moisture, wind, flow or freeze sensors; or
 - (iv) sizing and effectiveness of backflow prevention device.
- (2) Swimming pools, spas, hot tubs, and equipment. The inspector shall:
 - (A) report the type of construction;
 - (B) report as Deficient:
 - (i) the presence of a single blockable main drain (potential entrapment hazard);
 - (ii) a pump motor, blower, or other electrical equipment that lacks bonding;
 - (iii) the absence of or deficiencies in safety barriers;
 - (iv) water leaks in above-ground pipes and equipment;
 - (v) the absence or failure in performance of ground-fault circuit interrupter protection devices; and
 - (vi) deficiencies in:
 - (I) surfaces;
 - (II) tiles, coping, and decks;
 - (III) slides, steps, diving boards, handrails, and other equipment;
 - (IV) drains, skimmers, and valves;
 - (V) filters, gauges, pumps, motors, controls, and sweeps;
 - (VI) lighting fixtures; and

(VII) the pool heater that these standards of practice require to be reported for the heating system.

(C) The inspector is not required to:

- (i) disassemble filters or dismantle or otherwise open any components or lines;
- (ii) operate valves;
- (iii) uncover or excavate any lines or concealed components of the system;
- (iv) fill the pool, spa, or hot tub with water;
- (v) inspect any system that has been winterized, shut down, or otherwise secured;
- (vi) determine the presence of sub-surface water tables;
- (vii) determine the effectiveness of entrapment covers;
- (viii) determine the presence of pool shell or sub-surface leaks; or
- (ix) inspect ancillary equipment such as computer controls, covers, chlorinators or other chemical dispensers, or water ionization devices or conditioners other than required by this section.

(3) Outbuildings. The inspector shall report as Deficient:

(A) the absence or failure in performance of ground-fault circuit interrupter protection devices in grade-level portions of unfinished accessory buildings used for storage or work areas, boathouses, and boat hoists; and

(B) deficiencies in the structural, electrical, plumbing, heating, ventilation, and cooling systems that these standards of practice require to be reported for the principal building.

(4) Private water wells. The inspector shall:

(A) operate at least two fixtures simultaneously;

(B) recommend or arrange to have performed coliform testing;

(C) report:

(i) the type of pump and storage equipment;

(ii) the proximity of any known septic system;

(D) report as Deficient deficiencies in:

(i) water pressure and flow and performance of pressure switches;

(ii) the condition of accessible equipment and components; and

(iii) the well head, including improper site drainage and clearances.

(E) The inspector is not required to:

(i) open, uncover, or remove the pump, heads, screens, lines, or other components of the system;

(ii) determine the reliability of the water supply or source; or

(iii) locate or verify underground water leaks.

(5) Private sewage disposal (septic) systems. The inspector shall:

(A) report:

(i) the type of system;

(ii) the location of the drain or distribution field;

(iii) the proximity of any known water wells, underground cisterns, water supply lines, bodies of water, sharp slopes or breaks, easement lines, property lines, soil absorption systems, swimming pools, or sprinkler systems;

(B) report as Deficient:

(i) visual or olfactory evidence of effluent seepage or flow at the surface of the ground;

(ii) inoperative aerators or dosing pumps; and

(iii) deficiencies in:

- (I) accessible components;
 - (II) functional flow;
 - (III) site drainage and clearances around or adjacent to the system; and
 - (IV) the aerobic discharge system.
- (C) The inspector is not required to:
- (i) excavate or uncover the system or its components;
 - (ii) determine the size, adequacy, or efficiency of the system; or
 - (iii) determine the type of construction used.