

STATE OF COLORADO

**Department of Higher Education
DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS**

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Via Electronic Transmission to:

Thomas Rausch
staff@nachicemail.com

May 29, 2007

Mr. Thomas Rausch
International Director of Education
National Association of Certified Home Inspectors

Re: Division of Private Occupational Schools and Request for Exempt Status under section 12-59-104, C.R.S.

Dear Mr. Rausch:

In response to your May 29, 2007 written request sent via email to my attention to be considered exempt from the statutory provisions found in Title 12, Article 59 of the Colorado Revised Statutes, the documentation provided has been reviewed. Specifically, letter of authorization dated July 14, 2005, from the Internal Revenue Service granting tax-exempt status of the National Association of Certified Home Inspectors ("NACHI") under section 501(c)(6) of the Internal Revenue Code and Colorado Secretary of State filing confirming status as a non-profit organization.

This is to advise you that the documentation submitted in support of claiming exempt status reasonably demonstrates that NACHI and its educational offerings appear to be exempt from state regulation by the Division of Private Occupational Schools ("Division"), Department of Higher Education. Based upon documentation and information provided the NACHI appears to meet the exemption criteria under §§ 12-59-104(1)(i) and (p), C.R.S., as set forth below:

12-59-104. Exemptions.(1) The following educational institutions and educational services are exempt from the provisions of this article:

(i) Education offered by a bona fide trade, business, professional, or fraternal organization solely for that organization's membership;

(p) Educational programs, continuing education programs, and training programs offered or conducted by an organization which is listed as an exempt organization in 26 U.S.C. sec. 501 (c) of the federal "Internal Revenue Code of 1986", as amended. Any such

program, in order to qualify for the exemption created in this paragraph (p), shall be consistent with the purposes or requirements of the organization offering or conducting the program.

Please be further advised that an exemption from the Division regulatory authority as identified in Title 12, Article 59 is contingent upon your institution maintaining its educational offerings within the exemption parameters including maintaining its tax exempt status with the I.R.S., as well as continuing to offer education solely to those members of NACHI.

Please notify the Division without undue delay should your association's exemption status cited above changes. Also, you may be expected from time to time to demonstrate to the Division NACHI's continued exemption eligibility.

Very truly yours,

For the Board of Private Occupational Schools



Jim Parker
Director

May, 29, 2007

Date

Cc.: Voni Oerman, Program Supervisor
Georgia Roberts, Deputy Director
File