



Commonwealth of Massachusetts
**EXECUTIVE OFFICE OF HOUSING &
LIVABLE COMMUNITIES**

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lt. Governor ♦ Edward M. Augustus, Jr., Secretary

PUBLIC NOTICE

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES (EOHLC)

Under the provisions of M.G.L. c. 30A, § 3, notice is hereby given of the proposed promulgation of regulation, 760 CMR 74.00 – Residential Home Inspection Waivers. EOHLC’s regulatory authority for this action is provided under St. 2024, c. 150 § 45; St. 2024, c. 150 § 136A; and M.G.L. c.143, § 101. In accordance with M.G.L. c. 30A, § 5, the proposed regulation has a minimal or non-existent Small Business Impact. The purpose of the regulation is to ensure that sellers of certain residential properties will not condition their acceptance of an offer on the waiver of a home inspection and will not accept offers from buyers who have expressed their intent to waive a home inspection. Written comments on the proposed regulation may be submitted no later than 11:59 PM on May 16, 2025, by sending the same electronically to EOHLCRegulationComments@mass.gov , including “Comments on 760 CMR 74” in the subject line. A copy of the proposed regulation will be posted on EOHLC’s website at <https://www.mass.gov/info-details/eohlc-regulations-current-regulations-and-proposed-amendments> .

Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 760 CMR 74.00

Estimate of the Number of Small Businesses Impacted by the Regulation: Real estate professionals will need to be aware of the new requirements under this regulation and potential liability associated with non-compliance.

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses?

		No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No.