



TREC Advisor

The agency exists to safeguard the public interest and protect consumers of real estate services. In accord with state and federal laws the agency oversees real estate brokerage, appraisal, inspection, home warranty and timeshare interest providers. Through education, licensing and regulation, the agency ensures the availability of qualified and ethical service providers, thereby facilitating economic growth and opportunity in Texas.

Inside this issue: Broker Responsibility Course Training (Page 1) From the Administrator (Page 2) OAG RSC Opinion Update (Page 3) Strategic Planning Tour Recap (Page 3) Proposed Rules for the May 7 Commission Meeting (Page 4) Staffing Update (Page 5) Enforcement Action (Page 6)

Broker Responsibility MCE Course

Instructor Training

The Commission adopted rules relating to the Broker Responsibility course and instructor requirements at its February 27, 2012 meeting.

The Broker Responsibility course must be offered by a TREC approved MCE provider and taught by an instructor who has attended instructor training and is certified to teach the course.

TREC rules require that prior to attending an instructor training course a person must have Core instructor approval with three years of experience in teaching or training AND a college degree in the subject area of Real Estate OR five years of professional experience in the subject areas of Principles of Real Estate, Law of Agency, Law of Contracts and Real Estate Brokerage; or the equivalent of those requirements as determined by the Commission.

On May 20, 2012, and contingent upon the Commission approving the Broker Responsibility Course, the Real Estate Center at Texas A&M will begin to offer Broker Responsibility Training

sessions for instructors who want to teach the new course, have met the above requirements, and are eligible to attend the training sessions. If you want to teach the new course and are currently approved as a Core instructor in the above subject areas you may go to the following link for registration instructions: <http://recenter.tamu.edu/register>

If you want to teach the new course and are a Core Instructor but have not been approved to teach the above subject areas, submit a request to education@trec.texas.gov for your file to be reviewed towards meeting these requirements. No fee is required.

If you want to teach the new course and you are not currently an approved Core Instructor, please submit the Core Instructor Application Form ED IACLE-O that is currently entitled "Instructor Application-Core, Legal Update, and Ethics Courses." The title of this form will be updated after the May Commission meeting. It can be downloaded from the TREC website under the forms laws and contracts tab.

From the Administrator...

Spring is in full swing and the agency has made some significant progress on implementation of the last remaining improvements required by Senate Bill 747.

The active experience requirements for broker licensure went into effect on January 1, 2012 and we have responded to all of the 1,200+ applications we received prior to that deadline. We acknowledged each application and identified the missing requirements. Applicants have a full year from the time the application was filed to complete all of the requirements for the license, so there is no great hurry.

Spring of every even numbered year is the time for our agency's strategic planning process and that means an intense effort to listen to you. We did this in March at five locations across Texas and we thank you for your participation. We also received additional input via our website. Watch for the results of that process in the first draft of the agency's new 5 year plan. The draft will be on our website shortly and in the materials for the next Commission meeting.

We hosted ARELLO at its mid-year meeting in Austin. Representatives from most of the other states and a couple of Canadian

provinces met to consider developments and topics of concern to real estate license law officials. Lots of positive comments by attendees made us justifiably proud of our progress.



Our attention has also been focused on completing the 6-hour "Broker Responsibility" MCE course that will be required for renewals of certain sponsoring broker and supervisory sales licensees after September 1, 2012. Training for instructors is scheduled to start in May and the course will be offered generally beginning in July. Check with your favorite MCE provider for their course offering schedule.

Solving technology challenges is always high on our list of priorities. Exploring the potential of our new database is a constantly exciting project. We are pleased to note that there are some additional positive changes in a testing phase and we will unveil some new capabilities this year as they become ready.

Our next Commission meeting is on Monday May 7th. Please stop by and see us if you can on the first floor of the Stephen F Austin State Office Building at 1700 North Congress. You are always welcome.

Important Dates to Remember

TREC Commission Meeting—May 7

Office of Attorney General RSC Opinion Update

The U.S. Department of Housing and Urban Development (HUD) has clarified the issue of compensation by residential service companies to real estate brokers and agents.

Generally, compensation solely for marketing a residential service company's products would violate the Real Estate Settlement Procedures Act (RESPA) regardless of whether those payments were based on the number of contracts sold or if they involved monthly or annual flat-fee payments. However, if a real estate broker or agent performed "compensable services" on behalf of the

residential service company, the broker or agent could be paid for those services. "Compensable services" have been defined as services that are actual, necessary and distinct from the primary services provided by the real estate broker or agent, that are not nominal, and for which duplicative fees are not charged.

For additional information follow [this link](#) to the latest Inman News article on this decision.

Strategic Planning Tour Update

In March TREC and TALCB staff conducted five strategic planning sessions around the state. These meetings were held in Corpus Christi, Galveston, Bryan College Station, Midland/Odessa, and Dallas. The main purpose of these meetings will be to help guide the commission and board members during the strategic planning process. These discussions were meant to be an open forum to gain insight on the wants and needs of license holders and the public. The areas of discussion included topics such as communications, our website, education, enforcement matters, and home inspector issues.

After listening to the thoughts of many of the license holders and the public, TREC and TALCB staff have taken this information and added it to the strategic plan to be reviewed and approved by the commission. These meetings were invaluable and gave the commission staff great insight.

To see all of the action items coming out of these strategic planning meetings be sure to check out the 2012- 2017 strategic plan which will be published in August.

***Rule Actions from the February 27, 2012 Meeting of the Commission
that can be adopted at the May 7, 2012 meeting***

PROPOSED RULES

Subchapter E. Requirements for Licensure

22 TAC §535.53. Business Entities

The proposed amendments would clarify that a business entity obtaining or renewing a license or an entity changing its designated broker would need to provide proof that the new designated broker directly owns at least 10% of the business entity obtaining or renewing the license and that the new designated broker is an officer, manager, or general partner of the entity. If the new designated broker does not directly own at least 10% of the business entity, it would need to show proof that the entity maintains the appropriate errors and omissions insurance as required by the Act.

**Subchapter L. Termination of
Salesperson's Association with
Sponsoring Broker 22 TAC §535.56.
Education and Experience Requirements
for a Broker License**

22 TAC §535.121. Inactive License

The amendments are proposed to implement the relevant provisions of Senate Bill (SB) 747, 82nd Texas Legislature, Regular Session (2011). In relevant part, SB 747 amends Texas Occupations Code, Chapter 1101 to require licensure as a broker for any business entity as defined in Section 1.002 of the Business Organizations Code. The amendments to §535.121 clarify that the section applies to all business entities as defined under the Act.

R. Real Estate Inspectors

22 TAC §535.211. Professional Liability Insurance or Any Other Insurance that Provides Coverage for Violations of Subchapter G of Texas Occupations Code, Chapter 1102.

The proposed amendments delete the reference to a form number in the section, provide that the form to be used is approved by the commission, and authorize the commission to determine whether other documentation is acceptable as proof of insurance.

22 TAC §535.226. Sponsorship of **Apprentice [Apprentices]** Inspectors and Real Estate Inspectors.

The amendment allows a professional inspector to delegate the sponsorship of an apprentice or real estate inspector to another professional inspector who is qualified to sponsor, provided that the sponsoring professional inspector remains responsible for the conduct of the sponsored inspector. The amendment also corrects a typo in the title of the section.

**Chapter 537, Professional Agreements
and Standard Contracts**

22 TAC §§537.43. Standard Contract Form TREC No. 36-~~7~~**[6]**.

TREC proposes amendments to §537.43, concerning Standard Contract Form TREC No. 36-6 Addendum for Property Subject to Mandatory Membership in a Property

Proposed Rules Con't

Owners' Association. The amendments to §537.43 adopt by reference Standard Contract Form TREC No. 36-7.

Paragraph A.1 is revised, new paragraph A.2 acknowledges recent statutory revisions which permit a buyer to obtain a resale certificate directly from a property owner's association, and paragraph A.3 (currently A.2) is unchanged. Paragraph C is revised to replace "resulting from" to "associated with" to track recent statutory changes to Chapter 207, Property Code. New paragraph E provides that the seller authorizes the association to release information such as the status of dues, special assessments, violations of covenants and restrictions, and a waiver of any right of first refusal if requested by the buyer, the title company, or any broker to the sale. Other amendments to the form change the main telephone number and website address for TREC located in the box at the bottom of the forms.

A previous draft of the form was published for notice and comment on December 30, 2011. After reviewing numerous comments from the public, licensees, and representatives from the title industry, the Broker Lawyer Committee recommended additional revisions to the form to make it clear that a title company is authorized to obtain subdivision information from a property owners association only upon receipt of payment for the information from the party obligated to pay for the information under the contract.

The amendments would increase the registration fee from \$80 for a one-year registration to \$200 for a two-year registration; and the renewal fee \$160 (\$80 per year) to \$200 for a two-year registration. The amendments would add new §535.405 to clarify that an employee of an owner or purchaser of an easement or right-of-way is not required to be registered under the Act.

OPIC Comparison Tool Available to Consumers

Choosing the right insurance coverage is an important part of the home buying process, yet deciding which policy is the right policy can be difficult and confusing for many Texans. The Office of Public Insurance Counsel (OPIC), a state agency that represents the interests of insurance consumers in Texas, has developed an interactive, online comparison tool that can be an asset to prospective home buyers having difficulty finding the right insurance to meet their needs.

The OPIC tool allows consumers to select up to 5 different policies at a time and generates a comparison of the coverage provided by the selected policies in an easy to read format. In addition to a homeowners insurance comparison tool, the OPIC website also provides online comparison tools for condominium, renters and automobile insurance. The OPIC comparison tool can be accessed at www.opic.state.tx.

Agency Staffing Update



Kerri Galvin

TREC and TALCB is very pleased to announce that we have hired Kerri Galvin as General Counsel and Deputy Commissioner for the Board. Kerri will also serve as Assistant General Counsel to TREC. As Director of TREC Standards & Enforcement Division for the past 2 and a half years, Kerri has led that division to new levels of efficiency and accountability, reducing a caseload of over 1,500 complaints to under 800 - with the oldest cases which were previously over 5 years are now under 2 years. We warmly welcome her considerable expertise to this key and challenging position in the agency.

Kerri Galvin's career spans 25 years and includes legal and management experience in both the public service and private sector. Her prior State experience includes the State of Texas Credit Union Department, where she was the Assistant Commissioner and General Counsel, The University of Texas System, where she worked as a real estate attorney, and the Texas Finance Commission, where she worked with their Administrative Law Judge on licensing enforcement cases. Kerri received her undergraduate degree in Business Management at Rice University and graduated with honors from the University of Texas School of Law.



Tony Slagle

Tony joined TREC as the government relations specialist on April 23, 2012. Prior to joining TREC, Tony worked for 11 years as residential property insurance analyst and government relations specialist at the Office of Public Insurance Counsel, the state agency tasked with representing insurance consumers in Texas. He was born and raised in Fort Worth, Texas, but moved to Austin in 1990 to attend St. Edwards University, where he earned a degree in political science. In 1994, he moved to Washington, DC to attend the Catholic University of America where he earned a Master's degree in politics. He and his wife Lindsey live in South Austin with their daughters Grace and Bette, and their 23 pound cat Marvin.



Barbara Martin

Barbara joined TREC as a Legal Assistant in Standards and Enforcement Services on March 19, 2012. Previously Barbara worked for the Attorney General's Office for 13 years, as well as having previous state experience. After working with rescue groups for many years, she now lives with 5 cats and 2 dogs. In her spare time, Barbara enjoys teaching group exercise and Zumba classes and has started two free exercise classes in the Capitol Complex. Barbara graduated from the University of Texas at Austin with a BBA degree and received her Legal Assistant certificate from Southwest Texas State University. She is also a certified aqua and group fitness instructor and a personal trainer.

PIERRE-ANTOINE, JEFFERY J (DALLAS); License #575859 Agreed voluntary surrender of broker license. Respondent, while under a property management agreement, leased property on terms not authorized by the owner, failed to follow owner's instructions and took actions against owner's interests including returning rents and security deposit back to tenant without authority, and threatening to notify other agents to prevent principal from entry into another property management agreement or listing to lease.

TAYLOR, TECUMSEH PEQUINN(LANCASTER); License #475884 Agreed voluntary surrender of salesperson license. Respondent participated in a series of transactions as a buyer's agent and tenant's agent in conjunction with accepting commissions in real estate transactions that were not paid through the broker; Respondent aided, abetted, and conspired with a revoked salesperson licensee to conduct real estate brokerage activities and obtain commissions not through the broker; Respondent published ads not containing the broker's name and which implied the salesperson was the broker; Respondent failed to notify broker of usage of assumed name in business; Respondent failed to properly account for or remit rents, application fees, security deposits, and earnest monies received from principals for leasing or purchasing properties to be held in trust for principals; Respondent commingled these funds; Respondent failed to cooperate during investigations of complaints and failed to update licensee's contact information within 10 days.

PARISH, ERIC (MONTGOMERY); License #405868 Suspension of broker license; Assessment of an administrative penalty of \$5,000.00. Respondent entered into an agreement with a client to assist the client in locating, purchasing, and managing a property. Client purchased a property and Respondent commenced managing the property. Respondent leased the property to a tenant without having written authorization to lease the property on behalf of client or to designate Respondent as the landlord/owner in the lease. Respondent failed to remit rent monies, minus a monthly management fee, to the client during the lease of the property.

HARRIS, R D (SAN ANTONIO); License #437245

Agreed revocation of broker license. Respondent failed to repay the Commission a payment of \$100,000.00 made from the Real Estate Recovery Trust Account.

MESA REALTY GROUP LLC (AUSTIN); License #517949 Revocation of broker license. Respondent violated a term and condition of probation in an agreed order entered by the Commission by failing to timely make payments to the Commission to repay the Real Estate Recovery Trust Account.

CLAIBORNE, CHRISTOPHER ALAN (AUSTIN); License #471811 Revocation of broker license. Respondent violated a term and condition of probation in an agreed order entered by the Commission by failing to timely make payments to the Commission to repay the Real Estate Recovery Trust Account.

HICKS, ROBERT MILTON (CHILDRESS); License #199367 Revocation of broker license. Revocation of license by operation of law upon imprisonment following a felony conviction, felony community supervision revocation, revocation of parole, or revocation of mandatory supervision, pursuant to Tex. Occ. Code §53.021(b) and in accordance with the Opinion No. GA-0064 of the Attorney General of Texas.

NEW REAL ESTATE WORLD LLC(RED OAK); License #9000811 Suspension of broker license until payment in full of the \$500 administrative penalty. Respondent failed within a reasonable time to make good a check issued to the Commission; Respondent failed to pay a check processing fee within 15 days after the Commission had mailed a request for payment.

SSG TEAM LLC (ARLINGTON); License #9001120 Agreed 6 month probationary broker license issued; Assessment of an administrative penalty of \$1,000.00. Applicant was the general partner of a limited partnership that provided brokerage services through individual real estate licensees and another business entity that held a broker license and was not aware it was required to hold its own broker license. Applicant demonstrated that Applicant possesses the requisite honesty, trustworthiness, and integrity to qualify to be licensed as a real estate broker.

TALCB Bulletin



TALCB was created by an act of the Texas Legislature in 1991 to license, certify and regulate real estate appraisers in Texas under state and federal laws. In 2011, TALCB's jurisdiction was expanded to register and regulate appraisal management companies.

Inside this issue: TALCB Launches New AMC Tool (Page 1) From the Commissioner (Page 2) Who Ensures Customary and Reasonable Fees in Texas (Page 3) Proposed Rules (Page 4)

Texas Appraiser Licensing & Certification Board Launches Online Tool for Panel Management

Texas Appraiser Licensing & Certification Board announces the addition of its new "Panel Management Tool" to the recently updated "My License Online Services". This tool allows Appraisal Management Companies (AMCs) to manage relationships with their appraiser panel members online, as required by the agency's rules.

The new tool allows registered AMCs to "invite" appraisers to join their panel by identifying the appraiser by name or license number from the Board's list of those certified in Texas. Once the AMC has selected an appraiser, an electronic notification is sent to the invited panelist. The individual appraiser can accept or decline the invitation and both

parties will be notified that the relationship has been created. There is no limit to how many appraisers may serve on an AMC's panel. Either the AMC or the appraiser can easily terminate the relationship at any time with an electronic message.

"This new 'panel management tool' is a major step on the road to license holders gaining full control of their licenses. It represents the first wave of implementation in the agency's plan to completely update how all of our license holders manage their licenses and relationships," said Commissioner Oldmixon. "Our plan is to ensure no license holder has to wait on us to do business. Watch for many more exciting changes to come."

All of the agency's programs of education, licensing and industry regulation ensure that real estate service providers are able to provide high quality services in Texas and to ethically serve the citizens of Texas. For all the latest developments at the agency, please visit our website often.

Important Dates to Remember

ASC Visit to TALCB—May 16-18

TALCB Board Meeting—May 18

For the Board, 2012 has continued to be “The Year of the AMC”. In addition to the significant effort the Board invested in devising the rules to implement HB 1146, the Board’s staff has spent significant efforts educating the industry and other stakeholders as to the rationale the Board used in reaching each difficult decision. A brief recap of the steps involved may be helpful to appraisers and others.

Each Appraisal Management Company (AMC) doing business in Texas is required to complete a registration process with the Board not later than July 5th, or suspend operations until its registration is completed. Registration is a two-step process – first an AMC must file an application, pay a fee and provide supporting background documentation regarding certain key members of the company. Once approved by the agency, each AMC will then use TALCB’s online tool to identify the licensed and certified appraisers in Texas that the AMC uses to produce appraisal reports, also called its panel.

A modest \$10 fee is collected for adding or removing an appraiser from a panel. This allows each AMC to scale its operations and results in lower overall registration fees for smaller AMCs with smaller panels.

Kerri Galvin has been hired as the new General Counsel for the Board and has hit the ground running. Along with our Enforcement Director, we just returned from a 4 day conference in Chicago with AARO and all of the many federal appraisal related agencies. AMCs were the number one topic and Texas was a key player in these discussions. While some jurisdictions are playing catch-up, Texas

has surged to the fore as a state with more comprehensive and effective regulations.

Another safeguard for Texas’ consumers is a requirement that the AMC conduct a Standard 3 Review of the first report

done by a new panelist and at least 5% of all appraisals ordered each year. This helps to ensure a high quality of professional skill in the completion of appraisals in Texas. While most AMCs review every appraisal report for “administrative compliance” both with applicable standards and the scope of work, these additional reviews will be more in depth. More precise guidance to AMCs on the scope of these reviews will be forthcoming from the Board.

Implementation of the AMC registration requirements is the largest task facing the Board this year, but not the only one. Spring brings us two more opportunities. The Board is undergoing a strategic planning process, and most importantly, will be officially visited May 16-18 by the Appraisal Subcommittee (ASC), our federal oversight agency. The Board’s next meeting is on May 18 where both of these items will receive in depth reports. We look for continued support as we meet and overcome these challenges.



Douglas E. Oldmixon

Who Will Ensure Appraisers Receive “Customary and Reasonable Fees” in Texas?

Under the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, Regulation Z of Title 12, the Truth in Lending Act (“TILA”), now requires that, in any covered transaction, a creditor, including the creditor’s agents, “... compensate a fee appraiser for performing appraisal services at a rate that is customary and reasonable for comparable appraisal services performed in the geographic market of the property being appraised.” 12 C.F.R. § 226.42(f) (1) (2010). An Appraisal Management Company (“AMC”) is considered a creditor’s agent. The Federal Reserve Board issued “Interim Final Rules” on this provision but did not specifically identify rates in the relevant geographic market, appraisal fee schedules, surveys or studies that would suffice as a “safe harbor” for creditors to comply with the customary and reasonable fee requirement of TILA.

Instead, the Interim Final Rules explain the two presumptions TILA provides for creditor compliance with the customary and reasonable fee requirement. Creditors (including AMCs) could (1) conduct their own survey of reasonable and recent rates for comparable appraisal services in the relevant geographic market, subject to enumerated factors and free of any anticompetitive acts in violation of state or federal law (Presumption of compliance, § 226.42(f)(2)), or (2) rely on objective third-party information, including fee schedules, studies and surveys prepared by independent third parties such as government agencies, academic institutions, and private research firms; which must be based on recent rates for comparable appraisal services in the relevant geographic market and be exclusive

of compensation paid to fee appraisers by AMCs (Alternative presumption of compliance, § 226.42(f)(3)).

In September 2011, the State of Texas implemented legislation to regulate AMCs, Texas Occupations Code Chapter 1104, the Texas Appraisal Management Company Registration and Regulation Act (the “Act”); effective as of March 1, 2012. To clarify the Act, the Texas Appraiser Licensing and Certification Board (the “Board”) promulgated rules pertaining to the provisions of the Act, 22 Texas Administrative Code Chapter 159 (the “Rules”). In regard to customary and reasonable fees, Section 1104.157(a)(2) of the Act requires that creditors conducting business in Texas “compensate appraisers at a rate that is reasonable and customary for appraisals being performed in the market area of the property being appraised consistent with the presumptions under federal law [supra].” Rule 159.157 requires AMCs to establish a compensation policy that provides for payment of customary and reasonable fees to appraisers on its panel in accordance with requirements of and any presumptions under federal law. AMCs are required to reassess their compensation policies annually and must retain records of the information used to derive their compensation policies for a period of five years. In addition, AMCs are mandated to make their adopted fee schedule under their compensation policy available to panel members and may not require an appraiser to sign a certification that a particular appraisal fee is customary and reasonable.

Customary and Reasonable Fees Con't

Appraisers who believe they were not paid a customary and reasonable fee may file a complaint with the Board against the AMC, but only if the matter remains unresolved after the appraiser completes the AMC's dispute resolution process required under Section 1104.162 of the Act. How will the Board resolve complaints filed against AMCs by appraisers in Texas alleging the AMC did not pay a customary and reasonable fee? The Board will investigate whether the AMC has complied with the required elements of Rule 159.157. Note, this does not mean the Board will determine what exactly is a customary and reasonable fee or what exactly the specific presumptions are. The Board's role is to ensure that the law and rules were followed.

The appropriate government regulator with which to file a complaint regarding a creditor's compliance with the customary and reasonable fee requirement under TILA is the government agency that enforces TILA for the specific creditor. If the AMC is an agent on behalf of a federally-regulated creditor, the appropriate agency is the affiliated creditor's federal regulator. If the AMC is an agent for a non-federally regulated creditor, the appropriate

agency to file a complaint with is the Federal Trade Commission ("FTC"). To identify the appropriate federal regulator for a creditor, complainants may use the following websites:

Federal Reserve System – National Information Center website: <http://www.ffiec.gov/nicpubweb/nicweb/nichome.aspx>

FDIC Bank Find website: http://www2.fdic.gov/IDASP/main_bankfind.asp

Federal Financial Institutions Examination Council: <http://www.ffiec.gov/>

Securities and Exchange Commission Bank Regulators website: <http://www.sec.gov/answers/bankreg.htm>

To file a complaint against a non-federally regulated creditor, visit the FTC's Bureau of Consumer Protection website: <http://www.ftc.gov/bcp/index.shtml>

To seek clarification regarding TILA and customary and reasonable fees, complainants may contact the Federal Reserve Board: <http://www.federalreserve.gov/feedback.cfm>

For questions about this article please contact Mark Mrnak at mark.mrnak@talcb.texas.gov.

Proposed rules to be adopted at the May 18th TALCB Board Meeting**Chapter 153. Rules Relating to Provisions of the Texas Appraiser Licensing and Certification Act****22 TAC §153.5 Fees**

The amendments to Section 153.5:

Would delete a reference to payment of fees with currency, as the agency can no longer accept cash.

Would delete provisions regarding National Registry fees that are duplicative of §1103.156, Texas Occupations Code.

Chapter 159, Rules Relating to the Provisions of the Texas Appraisal Management Company Registration and Regulation Act**22 TAC §159.161 Appraiser Panel**

The amendments to Section 159.161:

Would clarify that an appraisal management company (AMC) may not make an assignment to an appraiser who is not on the AMC's appraiser panel, unless the appraiser is an employee of the AMC.

Inspector Insight



Inside this issue: From the Administrator (Page 1) NHIE Searching for Board Member (Page 2) Public Member Vacancy Announcement (Page 2)

From the Administrator...

Spring has been a very busy time for the agency. Please read my general column in the Advisor section for more details. Home sales volume continues to pick up in Texas, and hopefully that positive trend will continue for inspections as well.

The strategic planning listening tour was well attended by inspectors, and questions regarding the scope and use of inspection reports received a robust discussion at several venues. It appears the Committee is on the right track in clarifying some of the potentially ambiguous terminology used in current reports.

The Committee has reached a major milestone in reviewing and updating the Standards of Practice (SoP) to clarify the scope of work under the jurisdiction of Chapter 1102 of the Texas Occupations Code, as well as making corresponding changes to the standard report form. Look for these recommendations to be proposed to the Commission for action by the August meeting.

Important Dates to Remember

TREIC Committee Meeting—June 18

The proposed text will be posted on the agency website sooner so that interested parties and users can get a sneak preview and offer feedback ahead of the required general public comment period connected to rule-making.



Douglas E. Oldmixon

The Committee recently recommended that Texas adopt the National Home Inspector Exam (NHIE) to better prepare inspectors for the field and aid with some limited reciprocity concerns. The Commission approved this recommendation and the new tests should be ready for implementation after September 1, 2012. PSI, LLC will administer the tests, one for national topics and one for Texas specific matters.

The Commission and the Committee continue to work to improve the functionality of this field for both consumers and inspectors. Stay engaged and assist in this worthy goal.

***THE EXAMINATION BOARD OF PROFESSIONAL HOME INSPECTORS
ACCEPTING APPLICATIONS FOR BOARD OF DIRECTORS***

The Examination Board of Professional Home Inspectors (EBPHI) is an independent non-profit organization whose sole purpose is the development, maintenance, and administration of the National Home Inspector Examination. EBPHI is pleased to announce that it is accepting applications from individuals who are interested in serving on their Board of Directors for terms beginning January 2013. The Board of Directors is an active governing body that participates in all aspects of the organization. Candidates should demonstrate leadership qualities and experience within the home inspection profession including passage of the National Home Inspector Examination. Those individuals interested in submitting an application

should send a letter of interest and a resume with references to EBPHI Executive Director Walter Perry at wperry@homeinspectionexam.org by May 18, 2012. Following this date, an interview process will take place.

The Examination Board of Professional Home Inspectors serves the public interest by establishing the standard of competence for the home inspector profession. EBPHI governs and administers the National Home Inspector Examination specifically to support the regulatory needs of states in identifying the required level of competence to conduct a quality home inspection. Further information can be seen at www.HomeInspectionExam.org

***Public Member Vacancy
on Texas Real Estate Inspector Committee***

The Texas Real Estate Commission invites applications for appointment to an open public member seat on the Inspector Committee.

The committee's purpose is to make recommendations to the Commission regarding a variety of inspection-related matters toward the goal of ensuring a high degree of service to and protection of the public in dealing with inspectors. The committee consists of six professional inspectors and three public members. The open public member appointment expires on February 1, 2015. Following the Commission's model, public members may not hold occupational licenses in the real estate field (appraiser, real estate broker/salesperson, mortgage broker, etc.).

The committee is permitted to meet by teleconference, although it is anticipated that some travel to Austin will be necessary. Limited funds may be available for travel reimbursement, but members are not compensated for their time. All committee meetings must comply with the Open Meetings Act.

Individuals wishing to be considered for appointment should send a letter and resume to Chairman Avis Wukasch at the Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, by fax to 512-936-3788, or by e-mail to administrator@trec.texas.gov.