



TREC Advisor

Texas Real Estate Commission ★ Volume 18, Number 5 ★ October 2007



Fingerprint Law Effective January 1, 2008

Anyone applying for or renewing a broker or salesperson license on or after January 1, 2008 must get fingerprinted in connection with the application. Fingerprints are required so that the Texas Department of Public Safety (DPS) can conduct a criminal history check with the Federal Bureau of Investigation (FBI). A criminal history check will be conducted on every applicant for a license and every time a real estate salesperson or broker license is renewed. Once fingerprints are on file with DPS, a licensee will not need to be fingerprinted for subsequent renewals.

- Fingerprints that an applicant or licensee may have submitted for any other reason, such as previous employment or for a state issued license, will not be acceptable for TREC licensure.
- You will need to schedule your fingerprint appointment on the web or by telephone.
- The fingerprints must be in the FBI's required format and must be taken at an authorized DPS site. Currently, there are 70 locations statewide where electronic fingerprints can be taken.
- If you are renewing your license, you should get your fingerprints taken at least ten (10) days before your license expiration date to avoid any renewal delay and assure continued licensure.
- If you fail to get your fingerprints taken before your license expires, you will have to submit a late renewal application form and pay a higher fee to get a new license.
- If you are applying for a license, you must get your fingerprints taken within 6 months of the date of you first applied or your application will terminate.
- TREC cannot issue or renew a license until it has confirmation that your fingerprints have been submitted to DPS in the required form.

More information about the fingerprinting process will be available at www.trec.state.tx.us as it is received.

Commission Proposes Amendment to Liability Insurance Requirement for Inspectors

Senate Bill 914 modified **home inspector licensing and renewal requirements** in Sections 1102.114 and 1102.203(a) of the Texas Occupations Code.

- As of September 1, 2007, home inspectors were required to provide proof of liability insurance (**using TREC Form REI 8-0**) to obtain or renew a license. The liability insurance must provide coverage at a minimum of \$100,000 per occurrence. Because SB 914 does not define specifically what type of liability insurance coverage home inspectors will be required to hold, the Commission decided at its meeting on June 4, 2007, to ask the Office of the Attorney General to clarify whether SB 914 require an applicant to carry general liability insurance, or professional liability insurance, or both. At the same time, the Commission issued an interim policy statement which defines "liability insurance" to mean professional liability insurance, also known as "errors and omissions" or "E&O" insurance, until the Office of the Attorney General makes a final determination about the new requirements.
- At the October 8, 2007 meeting, the Commission proposed amendments to Chapter 535, Subchapter R which contains the rules regulation home inspectors. Part of the amendments add the words "**or any other insurance that provides coverage for violations of Texas Occupations Code, Chapter 1102, Subchapter G** " where ever professional liability insurance is mentioned in the subchapter. These rules could be adopted at the December 10, 2007 meeting.

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TEXAS REAL ESTATE
COMMISSION

Meeting Highlights

THE MISSION of the Texas Real Estate Commission is to assist and protect consumers of real estate services and foster economic growth in Texas. Through its programs of education, licensing and industry regulation, the Commission ensures the availability of capable and honest real estate service providers.

October 8, 2007

The Texas Real Estate Commission held its regularly scheduled meeting at the TREC headquarters in Austin, Texas on Monday, October 8, 2007. Chairman John Walton presided.

Two newly appointed commissioners were introduced, they are Adrian A. Arriaga of McAllen and Robert C. (Chris) Day of Jacksonville.

The Commission proposed a series of amended and new rules and 2 repeals for adoption on a permanent basis. The majority of the rules and both the repeals were adopted on an emergency basis at the August 6, 2007 meeting.

Rules adopting two revised contracts (new home complete and incomplete) and three addendum concerning Property Located Seaward of the Gulf Intracoastal Waterway, Third Party Financing and a new Addendum Containing Required Notices Under .

The Commission heard comments from a large number of inspectors who attended the meeting. The areas of primary concern were the requirements for liability insurance and the changes to the "fast track" inspector licensing.

The Commission appointed two broker members to the Broker-Lawyer Committee. (see below)

The Commission appointed nine members to the Inspector Advisory Committee, three of the members are public members. (see below)

The Commission issued a probated license in the matter of Larry Wayne Brooks, Jr., Hearing No. 07-291-052515.

The next scheduled meetings of the Commission will be December 10, 2007 and February 25, 2008 at the TREC headquarters in Austin, TX.

Brokers Appointed to Broker Lawyer Committee

At the meeting on October 8, 2007, **Jane Caskey** of San Antonio, Texas and **Ron Walker** of Austin, Texas were appointed to the Broker-Lawyer Committee for terms of six years each.



JANE CASKEY

Ms. Caskey is a licensed salesperson and the Vice President Residential Sales—Alamo Ranch for Coldwell Banker D'Ann Harper, Realtors. She has served on numerous committees with the state association. Ms. Caskey is approved to teach the real estate contracts course by the Texas Real Estate Commission (TREC).

Mr. Walker (no photo available) is a licensed real estate broker who currently is employed with the Diocese of Austin as Chancellor. Previously he was employed as general counsel for the Texas Association of Realtors. Mr. Walker is an approved TREC instructor and has attended the Broker-Lawyer Committee meeting for many years.

The Broker-Lawyer Committee is charged with the review and revision of the standard contract forms and addenda. The next meeting is scheduled for November 29-30, 2007.

Official publication of the
Texas Real Estate Commission

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October 2007

Rick Perry
Governor

Commission Members:

John Walton
Chairman
LUBBOCK

John D. Eckstrum
Vice-Chair
CONROE

Tom C. Mesa
Secretary
PASADENA

Troy C. Alley, Jr.
ARLINGTON

Adrian A. Arriaga
MC ALLEN

Mary Frances Burleson
DALLAS

Chris Day
JACKSONVILLE

William H. Flores
COLLEGE STATION

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TREC Administrator
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Desktop Publishing
Patricia Holder

The TRECAdvisor (ISSN 1047-4579) is published by the Texas Real Estate Commission (TREC) as an educational service to licensees in the state of Texas. The purpose of the newsletter is to promote a better understanding of the Real Estate License Act and to inform all licensees of changes affecting laws and practices in the real estate industry. The TRECAdvisor is funded through legislative appropriations and subscriptions collected from TREC licensees. The official text of TREC rules is filed with the Office of the Secretary of State, Texas Register. TREC encourages reproduction of this newsletter with the appropriate acknowledgments. Subscriptions are available for \$4.00 for two years. Single issues are \$1.00. To order a subscription or a single issue write to TRECAdvisor, Texas Real Estate Commission, P.O. Box 12188, Austin, Texas 78711-2188. For information regarding TREC, contact:

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<http://www.trec.state.tx.us>

EFFECTIVE NOVEMBER 4, 2007 INCREASE IN EDUCATION EVALUATION REQUEST FEE and REAL ESTATE SALESPERSON FEES

Effective November 4, 2007, the filing fee to REQUEST AN EVALUATION OF EDUCATION DOCUMENTS is \$30.00. An education evaluation request must be performed and education satisfied before a real estate salesperson or broker application is filed. The education evaluation is good for one year.

The real estate salesperson application filing fee will also increase November 4, 2007. While the fees are increased, salesperson application forms will not reflect the increase in fee until January 2008. An application is good for six months.

The real estate salesperson late renewal application filing fee will also increase November 4, 2007. While the fees are increased, the late renewal application form is incorrect and will not reflect the correct fee until January 2008.

The filing fee for an APPLICATION FOR SALESPERSON LICENSE BY CURRENT OR PREVIOUS BROKER will increase November 4, 2007. While the fees are increased, the application form will not reflect the correct fee until January 2008.

Education Evaluations for Sales or Brokers License

Education Evaluation Fee	\$30.00
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Salesperson Applications

Application for: Inactive Real Estate Salesperson License	\$94.50
Recovery fund fee (remains the same)	\$10.00

Application for Salesperson License by Current or Previous Broker	\$92.50
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Late Renewal of Salesperson License Applications

Application for Late Renewal of a Salesperson License for license expired prior to 9/1/2007	\$92.50
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TREC Appoints Members to the Inspector Advisory Committee

In Senate Bill 914, the Legislature abolished the Inspector Committee and replaced it with a new inspector advisory committee effective September 1, 2007.

At the October 8, 2007 meeting of the Texas Real Estate Commission (TREC) the Commission appointed six professional inspectors and three public members. Following the Commission's model, the public members cannot hold occupational licenses in the real estate field (appraiser, real estate broker/salesperson, mortgage broker, etc.).

The new advisory committee held its first meeting October 26, 2007 in Austin and during that meeting officers were elected and the term length for each member was determined.

The members are as follows:

Ray Armendariz	El Paso	Inspector Member	Term Expires 2011
Wayne Burgess	Austin	Public Member	Term Expires 2009
Curtis Carr	Beaumont	Inspector Member	Term Expires 2013
Larry Foster (Chair)	Austin	Inspector Member	Term Expires 2011
Jill Frankel (Secretary)	Temple	Public Member	Term Expires 2013
Brian Murphy (Vice-chair)	Arlington	Inspector Member	Term Expires 2009
Brad Phillips	Temple	Inspector Member	Term Expires 2013
Mary Wheeler	Austin	Public Member	Term Expires 2011
Fred Willcox	Houston	Inspector Member	Term Expires 2009

The next scheduled meeting for the Inspector Advisory Committee is March 6-7, 2008.

Commission Adopts Amended Emergency Rule Concerning Requirements for "Fast Track" Inspector License

The Commission has adopted on an emergency basis amendments to §535.212 concerning education and experience requirements for an inspector license. **This amendment to §535.212 supersedes the emergency rules (for that section) that were adopted at the August 6 Commission meeting.**

HB 1530 in part changed "fast track" inspector licensing requirements. An applicant for a real estate and professional home inspector license must have both additional education and experience in lieu of the experience requirements under the traditional three-tier application process for a license. Prior to September 1, the education component was required but the experience component was not. This legislative change to strengthen the licensing standards for real estate and professional inspectors entering the profession under the alternate licensing track authorized TREC to specify by rule the extent of these requirements, subject to express statutory limitations. In order to provide for rules to be in place when the new law took effect, TREC adopted an emergency rule and set the education and experience requirements at their statutory caps.

The adoption of the emergency amendments at the October 8, 2007 meeting of the Commission takes into consideration the concerns raised by individuals affected by the new rules that require both education and experience in lieu of the experience required under the traditional three-tier application process for a real estate and professional home inspector license. TREC has received correspondence from persons who were in the process of taking the required education courses prior to September 1, 2007, and were not aware that Chapter 1102 had been changed to require both education and experience under the alternative licensing method.

The amendments to §535.212 require both education and experience in lieu of the experience required under the traditional three-tier application process to reflect new requirements under §1102.111, Texas Occupations Code. The amendments require an applicant under the alternate application process for a professional inspector license to provide proof of completion of 200 additional hours of education and either proof of completion of 120 hours of an experience training module, 120 hours of experience working with a licensed professional inspector, or evidence of 5 years of experience in a field directly related to home inspecting.

Under the rule, there are three ways for applicants who are other than actively practicing licensed or registered architects, professional engineers, or engineer-in-trainings to gain required experience. The "education model" experience alternative will provide for experience to be obtained under conditions where the hands-on experience is systematic in its coverage under closely supervised field instruction by an approved education provider. The "inspection experience" alternative will assure that the aspiring licensee gets actual home inspecting experience with a licensed professional inspector for a stated period. Lastly, the experience alternative assures that the applicant has experience in a field directly related to home inspecting. The applicant will be able to choose which method of alternate experience is best suited to the applicant's background and training.

The amendments to §535.212 require an applicant under the alternate application process for a real estate inspector license to provide proof of completion of 30 additional hours of education and proof of either completion of 60 hours of an experience training module, 60 hours of experience working with a licensed professional inspector, or evidence of 3 years of experience in a field directly related to home inspecting.

If the applicant is an actively practicing licensed or registered architect, professional engineer, or engineer-in-training, the applicant meets the professional inspector education and experience requirement by actively practicing for 3 years, and meets the real estate inspector education and experience requirement by actively practicing for 1 year.

If the applicant was enrolled in an education program with a significant experience component prior to September 1, 2007, the applicant meets the experience requirement in §1102.111(a), Texas Occupations Code. Not more than two persons may accompany a licensed professional inspector on inspections to meet the alternate experience component described in the amendments to §535.212.

All applicants under the alternative education and experience licensing method would be required to take the threshold education courses for a license and pass the relevant licensing examination.

The text of the rule as amended on October 8, 2007 can be found on the next page.

§535.212 Education and Experience Requirements for an Inspector License

- (a) (No change.)
- (b) Experience and additional education requirements.

(1) An applicant may substitute the following experience or additional education in lieu of the number of real estate inspections required by Chapter 1102, Texas Occupations Code and in lieu of the requirement that the applicant has previously been licensed for a specified time as an apprentice inspector or a real estate inspector:

(A) To meet the additional education and experience requirements in connection with an application for a license as a real estate inspector:

(i) Actively practicing licensed or registered architects, professional engineers, or engineer-in-trainings meet some of the education requirements by taking 8 hours in Standards of Practice/Legal/Ethics and 8 hours in Standard Report Form/Report Writing from an approved education provider. They meet the other education requirements by virtue of meeting the education requirements for obtaining and maintaining their licenses as architects or engineers. They meet the experience requirement through two years of active practice under their respective license or registration.

(ii) Persons other than those described in (i) may meet the education requirement by completing 30 additional education hours acceptable to the commission. The additional 30 education hours must include foundation systems, roof systems, framing, electrical systems, HVAC systems, plumbing, building enclosures, and appliances.

(iii) Persons other than those described in (i) may meet the experience requirement by either completing an approved experience training module of at least 60 hours from an approved education provider; accompanying a licensed professional inspector for at least 60 hours on actual inspections and related work and having that licensed professional inspector certify such attendance; or by having at least three years of personal experience in a field directly related to home inspecting, including but not limited to installing, servicing, repairing or maintaining the structural, mechanical and electrical systems found in improvements to real property. Documentation of experience must include two reference letters from persons other than the applicant who have personal knowledge of the applicant's occupation and work.

(B) To meet the additional education and experience requirements in connection with an application for a license as a professional inspector:

(i) Actively practicing licensed or registered architects, professional engineers, or engineer-in-trainings meet some of the education requirements by taking 8 hours in Standards of Practice/Legal/Ethics and 8 hours in Standard Report Form/Report Writing from an approved education provider. They meet the other education requirements by virtue of meeting the education requirements for obtaining and maintaining their licenses as architects or engineers. They meet the experience requirement through three years of active practice under their respective license or registration.

(ii) Persons other than those described in (i) may meet the education requirement by completing 200 additional education hours acceptable to the commission. The additional 200 education hours must include 30 hours in Foundation Systems, 25 hours in Roof Systems, 30 hours in Framing, 25 hours in Electrical Systems, 25 hours in HVAC Systems, 25 hours in plumbing, 12 hours in Building Enclosure, 6 hours in Appliances, 8 hours in Standards of Practice/Legal/Ethics, 8 hours in Standard Report Form/Report Writing, and 6 hours of other approved courses.

(iii) Persons other than those described in (i) may meet the experience requirement by either completing an approved experience training module of at least 120 hours from an approved education provider; accompanying a licensed professional inspector for at least 120 hours on actual inspections and related work and having that licensed professional inspector certify such attendance; or by having at least five years of personal experience in a field directly related to home inspecting, including but not limited to installing, servicing, repairing or maintaining the structural, mechanical and electrical systems found in improvements to real property. Documentation of experience must include two reference letters from persons other than the applicant who have personal knowledge of the applicant's occupation and work.

(iv) Not more than two persons may accompany a licensed professional inspector on actual inspections to meet the experience requirement of Section 1102.111(a).

(C) Persons other than those described in (A)(i) and (B)(i) who, prior to September 1, 2007, were also enrolled in and attending an educational program that met the requirements of Texas Occupations Code, §1102.111 in effect prior to September 1, 2007, may meet the experience requirement by successfully completing that program if it includes in its curriculum applied teaching that includes an experience segment in a lab or simulator environment, actual on-site inspections, or a similar setting that provides direct experience with the inspection of those systems covered in the course and the use of the basic inspection-related tools. The education provider offering the program must confirm to commission staff, in writing, that the program includes such an experience segment. This subparagraph (C) expires automatically and may not be relied upon for any license application made after January 1, 2008.

- (2) (No change.)

RULE ACTIONS FROM OCTOBER 8, 2007 MEETING OF THE TEXAS REAL ESTATE COMMISSION

RULE NO.	EFFECTIVE DATE/ ACTION	SUMMARY OF EMERGENCY RULES
§535.51	10/09/2007 ADOPTION	Adopts on an emergency basis by reference revisions to a late renewal form for sales licenses and three late renewal forms for brokers licenses to comply with new law requiring late renewal penalties established in SB 914. The rules adopted on an emergency basis at the August 6, 2007 meeting were withdrawn. The new emergency rule changes one of the forms to reflect an increased salesperson application fee as published in the August 31, 2007, issue of the Texas Register (32 TexReg 5329); typographical errors were corrected and formatting changes to the fee summaries were made on all 4 forms.
§535.212	10/09/2007 ADOPTION	Adopts on an emergency basis amendments to the rule to require experience and education to apply for a professional inspector license under the fast track method of licensing.

RULE NO.	EARLIEST POSSIBLE DATE OF ADOPTION	SUMMARY OF PROPOSED RULES
Chapter 533	12/10/2007 PROPOSED	Proposes the repeal on a permanent basis of current rules concerning Practice and Procedure regarding hearings and rehearings pursuant to amendments to Chapter 1101 by SB 914.
§535.209	12/10/2007 PROPOSED	Proposes the repeal on a permanent basis of current rules concerning the licensing of corporations and limited liability companies as inspectors pursuant to amendments to Chapter 1102 by HB 1530.
Chapter 533	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis of new rules concerning Practice and Procedure regarding hearings and rehearings. Allows agency to comply with new law transferring the hearing function to the State Office of Administrative Hearings.
§535.42	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis of amendments which remove language concerning TREC administrative law judge.
§535.51	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis by reference revisions to a late renewal form for sales licenses and three late renewal forms for brokers licenses to comply with new law requiring late renewal penalties established in SB 914. Proposes the adoption by reference of the salesperson application and the application for a salesperson license by a currently licensed broker reflecting the change in the sales license application fee from \$50 to \$75.
§§535.61 - 535.65	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis of amendments to §§535.61 and 535.63, which allow TREC by rule to waive examination and education requirements for licensees filing late renewals within a prescribed timeframe. The amendments to §535.62 provides that all TREC core courses that are offered by an alternative delivery method must be certified by a distance learning certification center that is acceptable by the commission. The amendments to §535.64 and §535.65 change references concerning the education provider bond from \$10,000 to \$20,000, and adopt by reference a revised bond form reflecting the increased amount as required by the new law.
§§535.71 , 535.72	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis of amendments which provide that a licensee cannot receive credit for an online MCE course that is completed in less than 24 hours and revises the Alternative Instructional Methods Reporting Form to comply with this change
§§535.91 , 535.92, 535.94	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis of amendments which exempt a licensee who is also a state legislator from the requirement to complete 3 hours of legal update MCE course and remove language referring to TREC administrative law judge.
§535.191	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis new rules which establish a schedule of administrative penalties and prioritize violations of the Act and Rules regarding real estate licensees.
§535.206	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis a new rule and amendments which establish the composition and requirements for the Inspector Advisory Committee.
§535.208	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis amendments which require proof of professional liability insurance or any other insurance that provides coverage for violations of Subchapter G of Texas Occupations Code, Chapter 1102 as required by that chapter to apply for a home inspector license and adopts by reference a Certificate of Insurance form to use when supplying this proof.
§535.210	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis amendments which remove fee provisions for corporate and LLC original applications and renewals for a professional inspector license. Establishes by rule a fee of \$30 for a transcript evaluation.
§535.211	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis a new rule which establishes the requirements for professional liability insurance or any other insurance that provides coverage for violations of Subchapter G of Texas Occupations Code, Chapter 1102 as required by that chapter to apply for a home inspector license for home inspectors.

For text of the rules as they were filed with the Texas Register go to the web site at www.trec.state.tx.us

RULE ACTIONS FROM OCTOBER 8, 2007 MEETING OF THE TEXAS REAL ESTATE COMMISSION

RULE NO.	EARLIEST POSSIBLE DATE OF ADOPTION	SUMMARY OF PROPOSED RULES
§535.212	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis amendments to the rule to require experience and education to apply for a professional inspector license under the fast track method of licensing as amended at the October 8, 2007 meeting of the Commission.
§535.215	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis amendments which establish that an inspector can be placed on inactive status if the licensee cannot provide proof of professional liability insurance or any other insurance that provides coverage for violations of Subchapter G of Texas Occupations Code
§535.216	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis amendments which provide that proof of professional liability insurance or any other insurance that provides coverage for violations of Subchapter G of Texas Occupations
§535.216	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis amendments which provide that proof of professional liability insurance or any other insurance that provides coverage for violations of Subchapter G of Texas Occupations
§535.224	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis of amendments to remove a provision that allowed the commission to authorize the inspector committee to conduct administrative hearings or recommend the entry of final orders. Adds language concerning professional liability insurance or any other insurance that provides coverage for violations of Subchapter G of Texas
§539.140	12/10/2007 PROPOSED	Establishes a schedule of administrative penalties and prioritizes violations of the Act and Rules concerning Residential Service Companies.
§§537.30-31, 537.41, 537.47, and 537.50	12/10/2007 PROPOSED	<p>Proposes amendments to Standard Contract Form TREC No. 23-7, New Home Contract (Incomplete Construction); Standard Contract Form TREC No. 24-7, New Home Contract (Completed Construction); Standard Contract Form TREC No. 34-3, Addendum for Property Located Seaward of the Gulf Intracoastal Waterway; Standard Contract Form TREC No. 40-3, Third Party Financing Condition Addendum; and new Standard Contract Form TREC No. 43-0, Addendum Containing Required Notices Under §5.016, §420.001 and §420.002, Texas Property Code. The amendments propose to adopt by reference five revised contract forms for use by Texas real estate licensees.</p> <p>The disclosure on page 8 of TREC No. 23-7, New Home Contract (Incomplete Construction) and TREC No. 24-7, New Home Contract (Completed Construction) required by §27.007(a), Texas Property Code, is revised because the disclosure was amended by House Bill 3147, 80th Legislature, R.S. (2007).</p> <p>TREC No. 34-3, Addendum for Property Located Seaward of the Gulf Intracoastal Waterway, was revised to reflect changes that were made to the disclosure under House Bill 2819, 80th Legislature, R.S. (2007).</p> <p>On page 2 of TREC No. 40-3, Third Party Financing Condition Addendum, a reference to having HUD form 92564-CN signed and dated by the buyer was removed as the form no longer has a signature line.</p> <p>TREC No. 43-0, Addendum Containing Required Notices Under §5.016, §420.001 and §420.002, Texas Property Code, contains disclosures required by House Bill 1038, 80th Legislature, R.S. (2007) in cases where the seller may be subject to or exempt from the requirements of Title 16, Texas Property Code, regarding registration with the Texas Residential Construction</p>
§539.140	12/10/2007 PROPOSED	Proposes the adoption on a permanent basis a new rule that establishes a schedule of administrative penalties and prioritizes violations of the Act and

RULE NO. EFFECTIVE DATE SUMMARY OF ADOPTED RULE

§535.101	11/04/2007 ADOPTED	Amends the fee provisions regarding real estate licenses to increase the fee for application of a salesperson's license from \$50 to \$75 and increases the fee for a transcript evaluation from \$20 to \$30.
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Check out the TREC web site www.trec.state.tx.us for **ONLINE** filing of applications and renewals, useful consumer information and downloads, and FAQs concerning Enforcement, Inspectors, and Education.



Disciplinary Actions September 2007

Calendar of Events

Commission Meetings:

December 10, 2007
(Austin)

February 25, 2008
(Austin)

Broker-Lawyer Committee Meetings:

November 29-30, 2007
(Austin)

Inspector Committee Meetings:

March 6-7, 2008
(Austin)

Web site:

<http://www.trec.state.tx.us>

Phone

(800) 250-TREC (8732)
or
(512) 459-6544

Hinton, Kenneth Earl
(Fort Worth); License #498157

Agreed 2 month suspension of salesperson license fully probated for 1 year, effective September 12, 2007; failed to forward to the seller option fee money given to him by his buyer client by the end of the second working day after execution of the contract, in violation of §1101.652(b)(9) of the Texas Occupations Code and 22 TAC §535.159(i); acted negligently or incompetently in failing, when representing a buyer, to properly forward the option fee check to the seller and returning the earnest money to the buyer, who had decided to terminate the contract, in violation of §1101.652(b)(1) of the Texas Occupations Code

Manuel, Cathy Lynne
(Sugar Land); License #389304

Agreed 1 month suspension fully probated for 18 months, effective September 7, 2007; acted negligently or incompetently in failing to obtain a copy of condominium resale certificate for her client within the time required by the sales contract or at any other time prior to closing, in violation of § 1101.652(b)(1) of the Texas Occupations Code

Fairman, Ronald L.
(San Antonio); License #467940

Revocation of salesperson license, effective September 14, 2007 payment of 70% of \$46,733.55 made by the Texas Real Estate Recovery Trust Account toward satisfaction of a judgment against Ronald L. Fairman, as provided by §1101.655(a) of the Texas Occupations Code

Flores, Robert Lee Jr.
(Cedar Park); License #458351

Revocation of salesperson license, effective September 6, 2007 payment of \$50,000.00 made by the Texas Real Estate Recovery Trust Account toward satisfaction of a judgment against Robert Lee Flores, Jr., as provided by §1101.655(a) of the Texas Occupations Code

Failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC §535.92(f)

Andrews, Christina Sue
(Houston); License #480965

Revocation of salesperson license, effective September 28, 2007

Barnett, Vincent Lamar
(Houston); License #487472

Revocation of salesperson license, effective September 20, 2007

Marchetti, Monica Cheleste
(Houston); License #450347

Revocation of broker license, effective September 28, 2007

Douglas, Hannah Kathleen
(Dallas); License #468998

Revocation of salesperson license, effective September 19, 2007

Cortez, Gilbert Angel
(San Antonio); License #399268

Revocation of salesperson license, effective September 27, 2007

Oglesby, Jessica Jade
(Paris); License #501373

Revocation of salesperson license, effective September 18, 2007

Churchwell, Patricia Diane
(Eagle Lake); License #199495

Reprimand of broker license, entered September 25, 2007

Kuhn, Joye Olivia
(Dallas); License #159520

Revocation of broker license, effective September 13, 2007

Esparza, Brenda Herrera
(Houston); License #361244

Revocation of salesperson license, effective September 20, 2007

Rehman, Richard Mark
(Dallas); License #402025

Revocation of salesperson license, effective September 13, 2007

Harrison, Kelli Patrice
(Houston); License #522761

Revocation of salesperson license, effective September 20, 2007

Disisto, Mark Steven
(Houston); License #489701

Agreed reprimand of salesperson license, entered September 12, 2007; Agreed administrative penalty of \$250, entered September 12, 2007

Failing to pay the \$200 fee within the 60-day period provided by 22 TAC §535.92(f)

Samuels, Calvin Junior
(Galveston); License #483731

Agreed reprimand of broker license, entered September 25, 2007; Agreed administrative penalty of \$750, entered September 25, 2007

McKenzie, Ann Marie
(Tomball); License #544049

Reprimand of salesperson license, entered September 25, 2007