

# **PERFORMANCE MEASURE REPORT**

**FOURTH QUARTER/ANNUAL**

**FISCAL YEAR 2011**

**Submitted to the Governor's Office of Budget, Planning and Policy  
and  
the Legislative Budget Board**

**by**

**TEXAS REAL ESTATE COMMISSION  
&  
TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD**

**October 14, 2011**

**Actual Performance for Outcome Measures**  
 81st Regular Session, Performance Reporting  
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **10/14/2011**  
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Agency code: **329**

Agency name: **Real Estate Commission**

<u>Type/Objective/Measure</u>	<b>2011 Target</b>	<b>2011 YTD</b>	<b>Percent of Annual Target</b>	
<u>1-1 EXPEDITE APPLICATIONS</u>				
1 LICENSEES WITH NO VIOLATIONS	99.00 %	99.85 %	100.86 %	94.05 - 103.95
2 % OF LICENSEES WHO RENEW ONLINE	82.00 %	79.00 %	96.34 %	77.90 - 86.10
3 % OF NEW LICENSES ISSUED ONLINE	73.00 %	35.80 %	49.04 % *	69.35 - 76.65
<u>Explanation of Variance:</u> System conversion of online applications experienced issues with agency bandwidth and application consistency reducing initial participation dramatically.				
<u>2-1 TIMELY COMPLAINT RESOLUTION</u>				
2 % COMPLAINTS RESOLVED W/IN 6 MOS	85.00 %	56.43 %	66.39 % *	80.75 - 89.25
<u>Explanation of Variance:</u> Standards & Enforcement Services (SES) continues to work on our backlog of older cases first. Significant progress has been made and by next fiscal year our backlog of older cases will all be under 2 years old. During most of the first two quarters and a portion of the third, TREC had difficulties with our data system conversion necessitating shifting SES staff time to assist in processing licenses and high volume of inquiries from licensees. During the fourth quarter the agency moved. All factors negatively impacted this measure.				
<u>4-1 PROVIDE QUALIFIED APPRAISERS</u>				
1 APPRAISERS WITH NO VIOLATIONS	99.00 %	96.16 %	97.13 %	94.05 - 103.95
2 % OF LICENSEES WHO RENEW ONLINE	65.00 %	68.50 %	105.38 % *	61.75 - 68.25
<u>Explanation of Variance:</u> Continuous encouragement of utilizing online services producing positive results.				
<u>4-2 RESOLVE COMPLAINTS IN TIMELY MANNER</u>				

\* Varies by 5% or more from target.

**Actual Performance for Outcome Measures**  
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Agency name: **Real Estate Commission**

<u>Type/Objective/Measure</u>	<b>2011 Target</b>	<b>2011 YTD</b>	<b>Percent of Annual Target</b>	
3 % COMPLAINTS RESOLVED W/IN 6 MOS	65.00 %	32.79 %	50.45 % *	61.75 - 68.25

Explanation of Variance: As a result of the real estate market collapse and multitude of mortgage lending issues, there exists a substantial backlog of cases dating back to 2005. Approximately 60% of open cases precede FY2011 and therefore significant resources are devoted to resolving these older cases, thus lowering the percentage of cases closed that are 6 months or newer and driving up the average time for complaint resolution. Resolving current FY and aged regulatory complaints is further complicated by: (1) duties imposed under Tex. Pen. Code Sect. 32.32 to provide assistance to law enforcement in mortgage fraud investigations, (2) complex litigation cases, many often drawn out by continuances granted by the State Office of Administrative Hearings, (3) denial of Multi Listing Service Access by several board of realtors, and (4) Appraisal Subcommittee requirement of 100% auditing of all state certified appraiser applications. In addition, expanded jurisdiction over Appraisal Management Companies effective March 1, 2012 is requiring preparation time, and when effective, will increase complaint volume.

\* Varies by 5% or more from target.

**Actual Performance for Output/Efficiency Measures**  
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Agency name: **Real Estate Commission**

Type/Strategy/Measure	2011 Target	2011 Actual	2011 YTD	Percent of Annual Target	
<b>Output Measures</b>					
<u>1-1-1 TREC LICENSING</u>					
1 # NEW INDIVIDUAL LICENSES ISSUED					
<b>Quarter 1</b>	20,000.00	1,478.00	1,478.00	7.39 % *	4,000.00 - 6,000.00
<u>Explanation of Variance:</u> Challenges with system conversion, new methods of processing, and difficulties with the online process resulted in the delay of licenses being issued.					
<b>Quarter 2</b>	20,000.00	2,508.00	3,986.00	19.93 % *	9,000.00 - 11,000.00
<u>Explanation of Variance:</u> There is a decrease in this measure due to the slower economy. Also, the target projected for this measure includes the number of new licenses issued as well as reinstated licenses. The 9/1/10 change in business rules provide that reinstatement of a license expired < than one year be counted as a late renewal. As this category is no longer included in calculating this measure, totals will be lower than the projected target .					
<b>Quarter 3</b>	20,000.00	3,294.00	7,280.00	36.40 % *	14,000.00 - 16,000.00
<u>Explanation of Variance:</u> There is a decrease in this measure due to the slower economy. Also, the target projected for this measure includes the number of new licenses issued as well as expired licenses that are reinstated. The 9/1/10 change in business rules provides that reinstatement of a license expired less than one year be counted as a "late" renewal, not a new "issue." As this category is no longer included in calculating this measure, totals will be lower than the projected target.					
<b>Quarter 4</b>	20,000.00	3,690.00	10,970.00	54.85 % *	19,000.00 - 21,000.00
<u>Explanation of Variance:</u> There is a decrease in this measure due to the slower economy. Also, the target projected for this measure includes the number of new licenses issued as well as expired licenses that are reinstated. The 9/1/10 change in business rules provides that reinstatement of a license expired less than one year be counted as a "late" renewal, not a new "issue." As this category is no longer included in calculating this measure, totals will be lower than the projected target.					

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Type/Strategy/Measure	2011 Target	2011 Actual	2011 YTD	Percent of Annual Target	
<b>Output Measures</b>					
2 # LICENSE RENEWALS (INDIVIDUALS)					
<b>Quarter 1</b>	60,000.00	10,868.00	10,868.00	18.11 % *	12,000.00 - 18,000.00
<u>Explanation of Variance:</u> Challenges with system conversion and difficulties with the online process resulted in an increase in paperwork to be manually processed. This caused a backlog which decreased the number of licenses renewed during this reporting period .					
<b>Quarter 2</b>	60,000.00	15,692.00	26,560.00	44.27 % *	27,000.00 - 33,000.00
<u>Explanation of Variance:</u> There has been improvement in this measure. Limitations of agency bandwidth continued to cause a backlog in paperwork requiring manual processing.					
<b>Quarter 3</b>	60,000.00	19,271.00	45,831.00	76.39 %	42,000.00 - 48,000.00
<b>Quarter 4</b>	60,000.00	20,010.00	65,841.00	109.74 % *	57,000.00 - 63,000.00
<u>Explanation of Variance:</u> There is an increase in this measure because the 9/1/10 change in business rules provides that a license expired less than one year be counted as a "late" renewal. These were previously counted as a new "issue."					
<u>2-1-1 TREC INVESTIGATION</u>					

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Type/Strategy/Measure	2011 Target	2011 Actual	2011 YTD	Percent of Annual Target	
<b>Output Measures</b>					
1 COMPLAINTS RESOLVED					
<b>Quarter 1</b>	2,240.00	321.00	321.00	14.33 % *	448.00 - 672.00
<u>Explanation of Variance:</u> Standards & Enforcement Services (SES) continues to work on a backlog of older cases and is making progress. During this first quarter TREC had difficulties with our datasystem conversion necessitating shifting SES staff time to assist in processing licenses and high volume of inquiries from licensees. This negatively impacted this measure.					
<b>Quarter 2</b>	2,240.00	315.00	636.00	28.39 % *	1,008.00 - 1,232.00
<u>Explanation of Variance:</u> Standards & Enforcement Services (SES) continues to work on a backlog of older cases and is making progress. During a good portion of the second quarter TREC had difficulties with our data system conversion necessitating shifting SES staff time to assist in processing licenses and high volume of inquiries from licensees. Both factors negatively impacted this measure.					
<b>Quarter 3</b>	2,240.00	374.00	1,010.00	45.09 % *	1,568.00 - 1,792.00
<u>Explanation of Variance:</u> Standards & Enforcement Services (SES) continues to work on our backlog of older cases first. Cases that are older are generally cases that require more investigation, attorney analysis and hearings, so the total volume of complaints resolved decreases. We also experienced turnover in several attorney and legal assistant positions, affecting productivity. During most of the first two quarters and a portion of the third, TREC had difficulties with our data system conversion necessitating shifting SES staff time to assist in processing licenses and high volume of inquiries from licensees. All of these factors negatively impacted this measure.					
<b>Quarter 4</b>	2,240.00	360.00	1,370.00	61.16 % *	2,128.00 - 2,352.00
<u>Explanation of Variance:</u> Standards & Enforcement Services (SES) continues to work on our backlog of older cases first. Cases that are older are generally cases that require more investigation, attorney analysis and hearings, so the total volume of complaints resolved decreases. This is evidenced by increase in the number of orders issued. We also experienced turnover in several attorney and legal assistant positions, affecting productivity. During most of the first two quarters and a portion of the third, TREC had difficulties with our data system conversion necessitating shifting SES staff time to assist in processing licenses and high volume of inquiries from licensees. During the fourth quarter the agency moved. All of these factors negatively impacted this measure.					
<u>3-1-1 LICENSEE/CONSUMER EDUCATION</u>					

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Type/Strategy/Measure	2011 Target	2011 Actual	2011 YTD	Percent of Annual Target	
<b>Output Measures</b>					
1 NUMBER OF CALLS RECEIVED					
<b>Quarter 1</b>	400,000.00	67,271.00	67,271.00	16.82 % *	80,000.00 - 120,000.00
<u>Explanation of Variance:</u> The system conversion was unable to handle the online traffic which caused all online services to be down. Licensees tied up phone lines and submitted multiple emails requesting status information. Calls are taking longer to complete and therefore the total number of calls being handled has decreased.					
<b>Quarter 2</b>	400,000.00	60,273.00	127,544.00	31.89 % *	180,000.00 - 220,000.00
<u>Explanation of Variance:</u> The system conversion was unable to handle the online traffic which caused all online services to be down. Licensees tied up phone lines and submitted multiple emails requesting status information. Calls are taking longer to complete and therefore the total number of calls being handled has decreased.					
<b>Quarter 3</b>	400,000.00	64,624.00	192,168.00	48.04 % *	280,000.00 - 320,000.00
<u>Explanation of Variance:</u> When the online services were restored some licensees were able to renew without assistance. RCS staff were able to handle a few more calls than the previous quarter. Calls continue to be lengthy due to the new computer system. RCS staff must retrieve information from multiple computer screens and assist with the online registration and payment process for those who find it complicated. Due to the high volume of calls and the time it takes to conclude a call, licensees continue to submit their request by email.					
<b>Quarter 4</b>	400,000.00	75,190.00	267,358.00	66.84 % *	380,000.00 - 420,000.00
<u>Explanation of Variance:</u> July and August are estimated due to telephone system conversion as a result of the move. The new system only captures calls in TREC's call center, therefore, total agency incoming calls for July and August are projected on the fiscal year to date percentage through June 2011 of the RCS calls as compared to total agency incoming calls. Going forward into FY2012, the measure definition will be revised to reflect that only RCS calls will be reported. The number of calls is less than projected because more licensees are relying on e-mail to make inquiries.					
4-1-1 TALCB LICENSING					
1 # NEW INDIVIDUAL LICENSES ISSUED					
<b>Quarter 1</b>	600.00	137.00	137.00	22.83 %	120.00 - 180.00
<b>Quarter 2</b>	600.00	167.00	304.00	50.67 %	270.00 - 330.00
<b>Quarter 3</b>	600.00	182.00	486.00	81.00 % *	420.00 - 480.00
<u>Explanation of Variance:</u> Variance is favorable. There is an increase in the number of applicants who pass the exam and meet current appraiser requirements.					
<b>Quarter 4</b>	600.00	173.00	659.00	109.83 % *	570.00 - 630.00
<u>Explanation of Variance:</u> Variance is favorable. There is an increase in the number of applicants who pass the exam and meet current appraiser requirements.					

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<b>Output Measures</b>					
2 # LICENSE RENEWALS (INDIVIDUALS)					
<b>Quarter 1</b>	2,500.00	540.00	540.00	21.60 %	500.00 - 750.00
<b>Quarter 2</b>	2,500.00	696.00	1,236.00	49.44 %	1,125.00 - 1,375.00
<b>Quarter 3</b>	2,500.00	1,040.00	2,276.00	91.04 % *	1,750.00 - 2,000.00
<u>Explanation of Variance:</u> Variance is favorable. Appraisers are renewing licenses and certifications in a timely manner.					
<b>Quarter 4</b>	2,500.00	678.00	2,954.00	118.16 % *	2,375.00 - 2,625.00
<u>Explanation of Variance:</u> Variance is favorable. Appraisers are renewing licenses and certifications in a timely manner.					
<u>4-2-1 TALCB ENFORCEMENT</u>					

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Type/Strategy/Measure	2011 Target	2011 Actual	2011 YTD	Percent of Annual Target	
<b>Output Measures</b>					
1 # COMPLAINTS RESOLVED					
<b>Quarter 1</b>	330.00	57.00	57.00	17.27 % *	66.00 - 99.00
<u>Explanation of Variance:</u> Due to the real estate, lending and financial downturn, incoming complaints have increased dramatically over the past several years and current complaint levels are on pace to exceed last year's totals by over 20%. In addition, the nature of the complaints has involved more complex matters and often involve allegations of mortgage fraud. This has caused investigation time and litigation processes to lengthen and total investigative caseloads and the litigation docket to increase, making it difficult to meet this particular performance measure .					
<b>Quarter 2</b>	330.00	53.00	110.00	33.33 % *	148.50 - 181.50
<u>Explanation of Variance:</u> As a result of the real estate market collapse and mortgage crisis, the increase in number of complaints received has made it difficult to meet performance goals. Incoming complaints have increased since 2006 and are on pace to exceed 2010 totals by 30%. Additionally, increased time is spent investigating and prosecuting complaints due to: (1) duties imposed under Tex. Pen. Code Sect. 32.32 to provide assistance to law enforcement in mortgage fraud investigations, (2) the complexity of cases, including, but not limited to, cases involving mortgage fraud, complicated factual scenarios and remote investigations with limited information, (3) Appraisal Subcommittee requirement of 100% auditing of all state certified appraiser applications, and (4) new mandatory reporting requirements under the Dodd-Frank Act.					
<b>Quarter 3</b>	330.00	61.00	171.00	51.82 % *	231.00 - 264.00
<u>Explanation of Variance:</u> As a result of the real estate market collapse and mortgage crisis, the increase in number of complaints received has made it difficult to meet performance goals. Incoming complaints have increased since 2006 and are on pace to exceed 2010 totals by 30%. Additionally, increased time is spent investigating and prosecuting complaints due to: (1) duties imposed under Tex. Pen. Code Sect. 32.32 to provide assistance to law enforcement in mortgage fraud investigations, (2) the complexity of cases, including, but not limited to, cases involving mortgage fraud, complicated factual scenarios and remote investigations with limited information, (3) Appraisal Subcommittee requirement of 100% auditing of all state certified appraiser applications, and (4) new mandatory reporting requirements under the Dodd-Frank Act.					
<b>Quarter 4</b>	330.00	76.00	247.00	74.85 % *	313.50 - 346.50
<u>Explanation of Variance:</u> As a result of the real estate market collapse and multitude of mortgage lending issues, there exists a substantial backlog of cases dating back to 2005. Approximately 60% of open cases precede FY2011 and therefore significant resources are devoted to resolving these older cases, thus lowering the percentage of cases closed that are 6 months or newer and driving up the average time for complaint resolution. Resolving current FY and aged regulatory complaints is further complicated by: (1) duties imposed under Tex. Pen. Code Sect. 32.32 to provide assistance to law enforcement in mortgage fraud investigations, (2) complex litigation cases, many often drawn out by continuances granted by the State Office of Administrative Hearings, (3) denial of Multi Listing Service Access by several board of realtors, and (4) Appraisal Subcommittee requirement of 100% auditing of all state certified appraiser applications. In addition, expanded jurisdiction over Appraisal Management Companies effective March 1, 2012 is requiring preparation time, and when effective, will increase complaint volume.					

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<b>Efficiency Measures</b>					
<u>1-1-1 TREC LICENSING</u>					
1 AVG TIME INDIV LICENSE ISSUANCE					
<b>Quarter 1</b>	40.00	76.30	76.30	190.75 % *	38.00 - 42.00
<u>Explanation of Variance:</u> Conversion to the new data system and system difficulties have resulted in an increase in the time between the passing of the examination and issuance of the license .					
<b>Quarter 2</b>	40.00	89.50	84.80	212.00 % *	38.00 - 42.00
<u>Explanation of Variance:</u> Challenges with the new data system, changes in the method of processing, and a backlog of paperwork requiring manual processing result in an increase in the number of days it takes to issue a license.					
<b>Quarter 3</b>	40.00	79.20	82.20	205.50 % *	38.00 - 42.00
<u>Explanation of Variance:</u> Challenges with the new data system, changes in the method of processing, and paperwork requiring manual processing result in an increase in the number of days it takes to issue a license.					
<b>Quarter 4</b>	40.00	74.50	79.60	199.00 % *	38.00 - 42.00
<u>Explanation of Variance:</u> Challenges with the new data system, changes in the method of processing, and paperwork requiring manual processing result in an increase in the number of days it takes to issue a license.					
3 % NEW INDIV LICENSES W/IN 10 DAYS					
<b>Quarter 1</b>	95.00 %	3.98 %	3.98 %	4.19 % *	90.25 - 99.75
<u>Explanation of Variance:</u> Conversion to the new data system and system difficulties have resulted in an increase in the number of days it takes to issue a license .					
<b>Quarter 2</b>	95.00 %	6.47 %	4.96 %	5.22 % *	90.25 - 99.75
<u>Explanation of Variance:</u> Challenges with the new data system, changes in the method of processing, and a backlog of paperwork requiring manual processing result in an increase in the number of days it takes to issue a license.					
<b>Quarter 3</b>	95.00 %	9.46 %	6.44 %	6.78 % *	90.25 - 99.75
<u>Explanation of Variance:</u> Challenges with the new data system, changes in the method of processing, and paperwork requiring manual processing result in an increase in the number of days it takes to issue a license.					
<b>Quarter 4</b>	95.00 %	8.64 %	6.93 %	7.29 % *	90.25 - 99.75
<u>Explanation of Variance:</u> Challenges with the new data system, changes in the method of processing, and paperwork requiring manual processing result in an increase in the number of days it takes to issue a license.					

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<b>Efficiency Measures</b>					
4 % INDIV LICENSES RENEWED IN 7 DAYS					
<b>Quarter 1</b>	95.00 %	29.36 %	29.36 %	30.91 % *	90.25 - 99.75
<u>Explanation of Variance:</u> Challenges with system conversion and difficulties with the online process resulted in an increase in paperwork to be manually processed. This caused a backlog and a delay in the percentage of renewals issued within seven days .					
<b>Quarter 2</b>	95.00 %	19.68 %	23.64 %	24.88 % *	90.25 - 99.75
<u>Explanation of Variance:</u> Challenges with the new data system, changes in the method of processing, and a backlog of paperwork requiring manual processing result in an increase in the number of days it takes to renew a license.					
<b>Quarter 3</b>	95.00 %	20.69 %	22.40 %	23.58 % *	90.25 - 99.75
<u>Explanation of Variance:</u> Challenges with the new data system, changes in the method of processing, and paperwork requiring manual processing result in an increase in the number of days it takes to renew a license.					
<b>Quarter 4</b>	95.00 %	14.28 %	19.93 %	20.98 % *	90.25 - 99.75
<u>Explanation of Variance:</u> Challenges with the new data system, changes in the method of processing, and paperwork requiring manual processing result in an increase in the number of days it takes to renew a license.					
<u>2-1-1 TREC INVESTIGATION</u>					

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<b>Efficiency Measures</b>					
1 AVG TIME/COMPLAINT RESOLUTION					
<b>Quarter 1</b>	135.00	191.00	191.00	141.48 % *	128.25 - 141.75
<u>Explanation of Variance:</u> Standards & Enforcement Services (SES) continues to work on a backlog of older cases and is making progress. During this first quarter TREC had difficulties with our datasystem conversion necessitating shifting SES staff time to assist in processing licenses and high volume of inquiries from licensees. This negatively impacted this measure.					
<b>Quarter 2</b>	135.00	215.00	201.50	149.26 % *	128.25 - 141.75
<u>Explanation of Variance:</u> Standards & Enforcement Services (SES) continues to work on a backlog of older cases and is making progress. During a good portion of the second quarter TREC had difficulties with our data system conversion necessitating shifting SES staff time to assist in processing licenses and high volume of inquiries from licensees. Both factors negatively impacted this measure .					
<b>Quarter 3</b>	135.00	257.40	222.30	164.67 % *	128.25 - 141.75
<u>Explanation of Variance:</u> Standards & Enforcement Services (SES) continues to work on our backlog of older cases first. As each one of these is closed, the average number of days to resolve increases. Significant progress has been made and by next fiscal year our backlog of older cases will all be under 2 years old. During a lot of the first two quarters and a portion of the third, TREC had difficulties with our data system conversion necessitating shifting SES staff time to assist in processing licenses and high volume of inquiries from licensees. Both factors negatively impacted this measure.					
<b>Quarter 4</b>	135.00	243.60	228.00	168.89 % *	128.25 - 141.75
<u>Explanation of Variance:</u> Standards & Enforcement Services (SES) continues to work on our backlog of older cases first. As each one of these is closed, the average number of days to resolve increases. Significant progress has been made and by next fiscal year our backlog of older cases will all be under 2 years old. During a lot of the first two quarters and a portion of the third, TREC had difficulties with our data system conversion necessitating shifting SES staff time to assist in processing licenses and high volume of inquiries from licensees. During the fourth quarter the agency moved. All of these factors negatively impacted this measure.					

4-2-1 TALCB ENFORCEMENT

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<b>Efficiency Measures</b>					
1 AVG TIME/COMPLAINT RESOLUTION					
<b>Quarter 1</b>	240.00	409.25	409.25	170.52 % *	228.00 - 252.00
<u>Explanation of Variance:</u> Due to the real estate, lending and financial downturn, incoming complaints have increased dramatically over the past several years and current complaint levels are on pace to exceed last year's totals by over 20%. Further, the complaints are more complex and often involve allegations of mortgage fraud. This is in addition to: (1) duties imposed under HB 716 (Tex. Penal Code Sect. 32.32) to provide assistance to law enforcement in mortgage fraud investigations and (2) federal Appraisal Subcommittee requirements that the agency audit sample work product of applicants seeking certification, which have significantly tied up the agency's limited enforcement staff and resources.					
<b>Quarter 2</b>	240.00	328.80	370.30	154.29 % *	228.00 - 252.00
<u>Explanation of Variance:</u> As a result of the real estate market collapse and mortgage crisis, the increase in number of complaints received has made it difficult to meet performance goals. Incoming complaints have increased since 2006 and are on pace to exceed 2010 totals by 30%. Additionally, increased time is spent investigating and prosecuting complaints due to: (1) duties imposed under Tex. Pen. Code Sect. 32.32 to provide assistance to law enforcement in mortgage fraud investigations, (2) the complexity of cases, including, but not limited to, cases involving mortgage fraud, complicated factual scenarios and remote investigations with limited information, (3) Appraisal Subcommittee requirement of 100% auditing of all state certified appraiser applications, and (4) new mandatory reporting requirements under the Dodd-Frank Act.					
<b>Quarter 3</b>	240.00	386.70	372.40	155.17 % *	228.00 - 252.00
<u>Explanation of Variance:</u> As a result of the real estate market collapse and mortgage crisis, incoming complaints have increased since 2006 and are on pace to exceed 2010 totals by 30%. Increased time is spent investigating and prosecuting complaints due to: (1) duties imposed under Tex. Pen. Code Sect. 32.32 to provide assistance to law enforcement in mortgage fraud investigations, (2) the complexity of cases, including, but not limited to, cases involving mortgage fraud, complicated factual scenarios and remote investigations with limited information, (3) Appraisal Subcommittee requirement of 100% auditing of all state certified appraiser applications, and (4) new mandatory reporting requirements under the Dodd-Frank Act. Due to the resolution of older, complex cases this measure is negatively impacted.					
<b>Quarter 4</b>	240.00	518.31	417.16	173.82 % *	228.00 - 252.00
<u>Explanation of Variance:</u> As a result of the real estate market collapse and multitude of mortgage lending issues, there exists a substantial backlog of cases dating back to 2005. Approximately 60% of open cases precede FY2011 and therefore significant resources are devoted to resolving these older cases, thus lowering the percentage of cases closes that are 6 months or newer and driving up the average time for complaint resolution. Resolving current FY and aged regulatory complaints is further complicated by: (1) duties imposed under Tex. Pen. Code Sect. 32.32 to provide assistance to law enforcement in mortgage fraud investigations, (2) complex litigation cases, many often drawn out by continuances granted by the State Office of Administrative Hearings, (3) denial of Multi Listing Service Access by several board of realtors, and (4) Appraisal Subcommittee requirement of 100% auditing of all state certified appraiser applications. In addition, expanded jurisdiction over Appraisal Management Companies effective March 1, 2012 is requiring preparation time, and when effective, will increase complaint volume.					

\* Varies by 5% or more from target.