



Staff Reports for September 2001

Texas Real Estate Commission

Monthly Staff Reports

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Enforcement Division Report

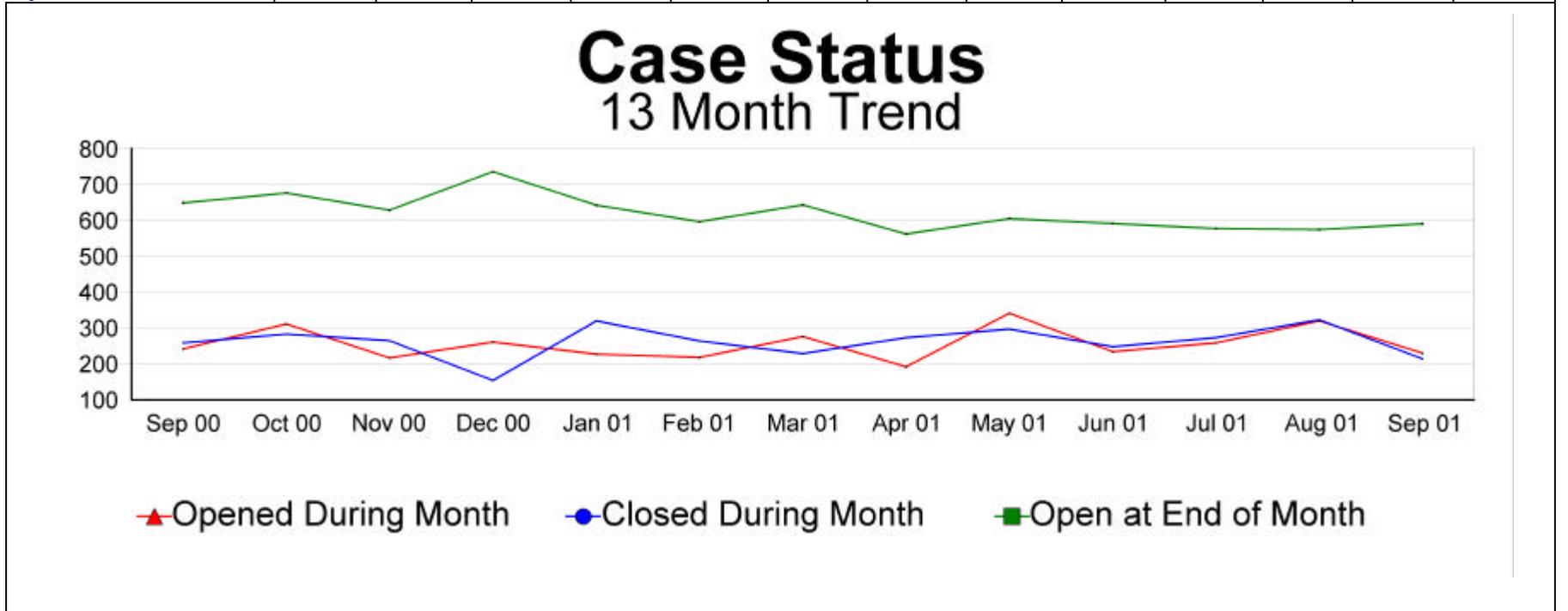
Case Status

September 2001

	September 2001	YTD
Open at Beginning of the Month	574	-----
Opened During the Month	230	230
Closed During the Month	-214	-214
Adjustment *	0	0
Open at End of Month	590	-----

* Cases not accounted for in previous monthly reports

	Sep 00	Oct 00	Nov 00	Dec 00	Jan 01	Feb 01	Mar 01	Apr 01	May 01	Jun 01	Jul 01	Aug 01	Sep 01
Opened During Month	242	311	217	261	227	218	276	192	341	234	259	320	230
Closed During Month	259	283	265	154	320	264	229	273	297	248	273	323	214
Open at End of Month	648	676	628	735	642	596	643	562	605	591	577	574	590



Enforcement Division

Administrative Actions

September 2001

Name and Location	Order	Basis for Order
Perez, Estela (San Antonio); license# 386926	Agreed reprimand of broker licensed, entered September 7, 2001	failing to supervise a salesperson negotiating a commercial lease, in violation of Section 15(a)(6)(W) of The Real Estate License Act
Leger, Emer (Webster); license# 260952	Agreed reprimand of broker license, entered September 12, 2001; Agreed administrative penalty of \$250, entered September 12, 2001	failing to make clear to all parties to a transaction, which party she was acting for, in violation of Section 15(a)(6)(D); failing to ensure that a party was furnished with the written statement as required by Section 15C(d); acting as an intermediary in a transaction without obtaining a party's written consent, in violation of Section 15C(h) of The Real Estate License Act
Coppock, Jennifer Sue (Houston); license# 393338	Agreed reprimand of salesperson license, entered September 12, 2001; Agreed administrative penalty of \$200, entered September 12, 2001	failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission
McGrath, Michael Steven (Houston); license# 290350	Agreed reprimand of salesperson license, entered September 19, 2001; Agreed administrative penalty of \$200, entered September 19, 2001	failing to complete the mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission
Flores, Olga G. (San Antonio); license# 373614	Agreed reprimand of salesperson license, entered September 20, 2001	negligently negotiating a commercial lease, in violation of Section 15(a)(6)(W); failing to deposit monies received from a tenant in a trust or escrow account, in violation of Section 15(a)(6)(E) of The Real Estate License Act
Ladjevardian, Mohammad (Houston); license# 302570	Agreed reprimand of broker license, entered September 20, 2001; Agreed administrative penalty of \$200, entered September 20, 2001	failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission
Taylor, Betty Jo (San Antonio); license# 240490	Agreed 6 month suspension of salesperson license fully probated for 1 year, effective September 24, 2001	engaging in property management activities without the knowledge or involvement of her sponsoring broker, in violation of Section 1(b) of The Real Estate License Act; failing to properly identify a trust or escrow account, in violation of 22 TAC Section 535.159(h) of the Rules of the Texas Real Estate Commission; using a lease agreement not authorized by 22 TAC Section 537.11(d), failing to provide monthly accountings, failing to monitor banking accounts to determine payment not cleared, failing to include interest payable to the principal as required by Section 535.159(e), in violation of Section 15(a)(6)(W) of the Real Estate License Act; requiring a principal to execute a release before paying over funds owed the principal under the management agreement, in violation of 22 TAC Section 531.1(3) of the Rules of the Texas Real Estate Commission
Wilkerson, Kim Newby (Grand Prairie); license# 255961	Agreed reprimand of broker license, entered September 28, 2001; Agreed administrative penalty of \$200, entered September 28, 2001	failing to complete mandatory continuing education hours and pay the \$200 fee within the 60-day period provided by 22 TAC Section 535.92(f) of the Rules of the Texas Real Estate Commission

Enforcement Division

Administrative Actions

September 2001

Name and Location	Order	Basis for Order
Garcia, Roger C. (Laredo); license# 5383	Revocation of apprentice inspector license, effective September 28, 2001	performing an inspection as an apprentice inspector for a buyer of real property at a time when he was not under the direct supervision of a real estate inspector or professional inspector, in violation of Section 23(c)(3); submitting to a real estate licensee a forged document purporting to be a professional inspector license issued by the Commission to Roger C. Garcia, in violation of Section 23(1)(2) of The Real Estate License Act; failing on demand of the Commission to produce a document in his possession concerning a real estate inspection, in violation of 22 TAC Section 535.224(d)(2); failing within 10 days to provide information requested by the Commission in the course of investigation of a complaint, in violation of 22 TAC Section 535.224(d)(3) of the Rules of the Commission

Enforcement Division Report

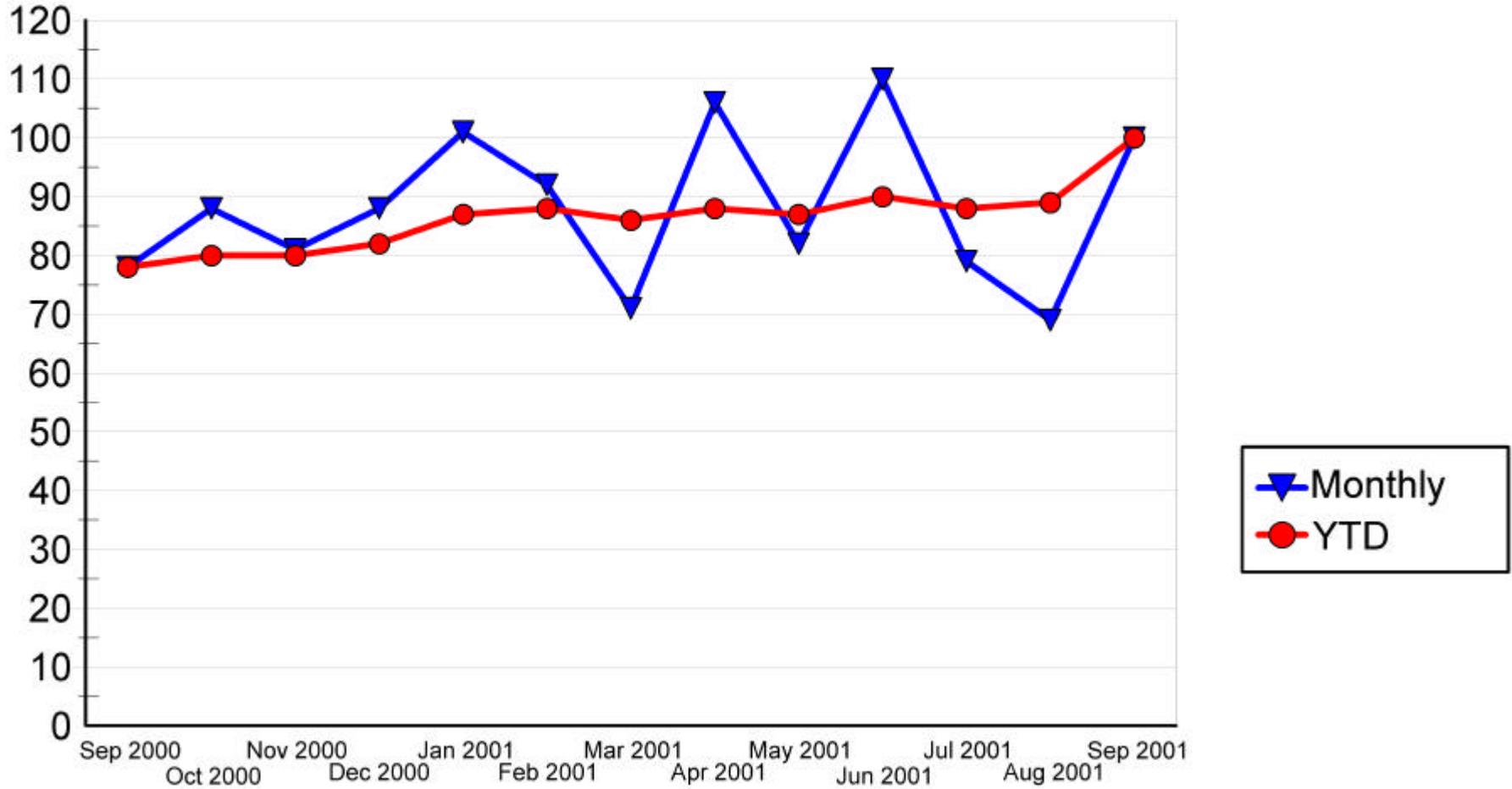
Average Time for Complaint Resolution

September 2001

	Sep 2000	Oct 2000	Nov 2000	Dec 2000	Jan 2001	Feb 2001	Mar 2001	Apr 2001	May 2001	Jun 2001	Jul 2001	Aug 2001	Sep 2001
Monthly	78	88	81	88	101	92	71	106	82	110	79	69	100
YTD	78	80	80	82	87	88	86	88	87	90	88	89	100

Average Time for Complaint Resolution

13 Month Trend



Information Services Division

Electronic Information Outlet Statistics

September 2001

	Current Month	YTD
World Wide Web		
Total Pages Viewed	725,199	725,199

	Current Month	YTD
TRECFax		
Documents Requested	742	742

	Current Month	YTD
Total		
Documents Accessed	725,941	725,941

TREC-L List Server		
Current Subscribers	3,924	

Licensing and Education Division

Fiscal Year Comparison

Fiscal Year 2001 - Year to Date

	This FY 09/01-09/01	Last FY 09/00-09/00	Count	Change Percent
Applications Received				
Broker Original Applications Received	118	124	-6	-4.84%
Sales Original Applications Received	1,092	785	307	39.11%
Total Original Applications	1,210	909	301	33.11%
Broker Late Renewal Applications Received	77	103	-26	-25.24%
Sales Late Renewal Applications Received	279	290	-11	-3.79%
Total Late Renewal Applications Received	356	393	-37	-9.41%
Licenses Issued from Applications				
Broker Licenses from Original Applications	102	116	-14	-12.07%
Sales Licenses from Original Applications	835	654	181	27.68%
Total Licenses from Original Applications	937	770	167	21.69%
Broker Licenses from Late Renewal Applications	76	103	-27	-26.21%
Sales Licenses from Late Renewal Applications	347	296	51	17.23%
Total Licenses from Late Renewal Applications	423	399	24	6.02%

Licensing and Education Division

Licensee and Registrant Status

September 2001

Real Estate Licensees

	Sep 00	Oct 00	Nov 00	Dec 00	Jan 01	Feb 01	Mar 01	Apr 01	May 01	Jun 01	Jul 01	Aug 01	Sep 01
Broker Licensees													
Individual (Active)	33,759	33,717	33,679	33,622	33,639	33,666	33,600	33,550	33,482	33,431	33,372	33,342	33,299
Corporation (Active)	3,640	3,616	3,579	3,564	3,580	3,589	3,598	3,578	3,583	3,584	3,590	3,598	3,607
LLC (Active)	320	313	315	316	316	318	321	320	332	347	354	359	367
Non-resident (Active)	417	451	482	497	502	503	500	500	497	492	491	491	486
Partnership (Active)	4	4	4	4	4	4	4	4	4	4	4	3	2
Total Active Status	38,140	38,101	38,059	38,003	38,041	38,080	38,023	37,952	37,898	37,858	37,811	37,793	37,761
<i>Inactive Status</i>	1,904	1,903	1,878	1,877	1,877	1,888	1,897	1,889	1,894	1,887	1,881	1,880	1,878
Total Brokers	40,044	40,004	39,937	39,880	39,918	39,968	39,920	39,841	39,792	39,745	39,692	39,673	39,639
Sales Licensees													
Active Status	47,422	47,565	47,673	47,536	46,908	47,197	47,538	47,975	48,586	48,817	49,393	49,767	49,898
Inactive Status	22,780	22,818	22,750	22,808	23,650	23,543	23,428	23,081	22,871	22,732	22,625	22,551	22,606
Total Sales	70,202	70,383	70,423	70,344	70,558	70,740	70,966	71,056	71,457	71,549	72,018	72,318	72,504
Total Active	85,562	85,666	85,732	85,539	84,949	85,277	85,561	85,927	86,484	86,675	87,204	87,560	87,659
Total Inactive	24,684	24,721	24,628	24,685	25,527	25,431	25,325	24,970	24,765	24,619	24,506	24,431	24,484
Total Brokers & Sales	110,246	110,387	110,360	110,224	110,476	110,708	110,886	110,897	111,249	111,294	111,710	111,991	112,143

Inspectors

	Sep 00	Oct 00	Nov 00	Dec 00	Jan 01	Feb 01	Mar 01	Apr 01	May 01	Jun 01	Jul 01	Aug 01	Sep 01
Inspector Licensees													
Professional Inspectors	1,585	1,611	1,624	1,644	1,676	1,684	1,707	1,733	1,746	1,774	1,798	1,813	1,832
Real Estate Inspectors	194	195	187	172	176	175	180	176	172	166	171	176	170
Apprentice Inspectors	166	161	152	148	156	160	172	180	185	194	201	207	203
Total Inspectors	1,945	1,967	1,963	1,964	2,008	2,019	2,059	2,089	2,103	2,134	2,170	2,196	2,205

Easement & Right-of-way Registrants

	Sep 00	Oct 00	Nov 00	Dec 00	Jan 01	Feb 01	Mar 01	Apr 01	May 01	Jun 01	Jul 01	Aug 01	Sep 01
ERW Registrants													
Businesses	49	48	48	48	50	45	43	43	39	39	39	38	39
Individuals	942	952	959	951	959	924	938	933	920	912	914	914	914
Total Registrants	991	1,000	1,007	999	1,009	969	981	976	959	951	953	952	953

Total Licensees and Registrants

	Sep 00	Oct 00	Nov 00	Dec 00	Jan 01	Feb 01	Mar 01	Apr 01	May 01	Jun 01	Jul 01	Aug 01	Sep 01
All Licensees & Registrants	113,182	113,354	113,330	113,187	113,493	113,696	113,926	113,962	114,311	114,379	114,833	115,139	115,301

Licensing and Education Division

Examination Activity

September 2001

Monthly Results

	<u>Salesperson</u>	<u>Broker</u>	<u>R. E. Inspector</u>	<u>Prof. Inspector</u>
Examinations Passed	825	67	4	29
Examinations Failed	1,698	107	7	58
Examinations Taken	2,523	174	11	87
Applicants Examined	1,289	104	8	65
1st Time Passed	427	39	3	19
Examination Pass Rate	32.70%	38.51%	36.36%	33.33%
Applicant Pass Rate	64.00%	64.42%	50.00%	44.62%
1st Time Pass Rate	33.13%	37.50%	37.50%	29.23%

Year-to-Date Results

	<u>Salesperson</u>	<u>Broker</u>	<u>R. E. Inspector</u>	<u>Prof. Inspector</u>
Examinations Passed	825	67	4	29
Examinations Failed	1,698	107	7	58
Examinations Taken	2,523	174	11	87
Applicants Examined	1,289	104	8	65
1st Time Passed	427	39	3	19
Examination Pass Rate	32.70%	38.51%	36.36%	33.33%
Applicant Pass Rate	64.00%	64.42%	50.00%	44.62%
1st Time Pass Rate	33.13%	37.50%	37.50%	29.23%

Staff Services Division

Agency Financial Statement

September 2001

THRU 1st MONTH OF FISCAL YEAR 2002

STRATEGIES	FY 2002 APPROPRIATION *	1/12 ANNUAL APPROPRIATION	1 MONTH EXPENDITURES A/P AND ENC.	DOLLAR VARIANCE OVER(-) OR UNDER	PERCENT VARIANCE OVER(-) OR UNDER
Licensing	\$ 1,181,996.00	\$ 98,499.67	\$ 228,361.96	\$ -129,862.29	-131.84%
Enforcement	1,013,699.00	84,474.92	181,164.37	-96,689.45	-114.46%
Communication/Information	782,840.00	65,236.67	56,520.62	8,716.05	13.36%
Indirect Administration	1,334,162.00	111,180.17	311,900.75	-200,720.58	-180.54%
TOTAL	<u>\$ 4,312,697.00</u> *	<u>\$ 359,391.43</u>	<u>\$ 777,947.70</u>	<u>\$ -418,556.27</u>	-116.46% **

* Total appropriations have been increased by \$50,830 for benefit replacement pay and \$104,880 for the salary increase authorized by the Legislature.

**Variance reflects annual hardware maintenance and software support due at the beginning of a new fiscal year and the legislative provision which requires the encumbrance of all contractual obligations through the end of the fiscal year.

Staff Services Division

Real Estate Recovery Fund No. 971 Investments Current Securities

September 2001

Purchase Date	Par Value	Purchase Price	Beginning Market Value	Additions Changes	Ending Market Value	Accrued Interest	Description	Maturity Date
10/21/1999	0.00	0.00	100,000.00	-100,000.00	0.00	0.00	U.S. T-Notes, 6.5%	08/31/2001
10/21/1999	100,000.00	100,875.00	101,437.50	93.75	101,531.25	520.83	U.S. T-Notes, 6.25%	02/28/2002
02/15/2001	100,000.00	101,562.50	101,437.50	93.75	101,531.25	520.83	U.S. T-Notes, 6.25%	02/28/2002
02/26/1996	300,000.00	313,312.50	308,625.00	1,218.75	309,843.75	2,390.63	U.S. T-Notes, 6.375%	08/15/2002
10/21/1999	200,000.00	201,500.00	207,625.00	1,937.50	209,562.50	1,562.50	U.S. T-Notes, 6.25%	02/15/2003
10/21/1999	100,000.00	98,937.50	103,968.75	1,312.50	105,281.25	718.75	U.S. T-Notes, 5.75%	08/15/2003
10/31/1996	100,000.00	97,656.25	103,968.75	1,312.50	105,281.25	718.75	U.S. T-Notes, 5.750%	08/15/2003
01/22/1997	300,000.00	291,375.00	314,250.00	5,062.50	319,312.50	2,203.13	U.S. T-Notes, 5.875%	02/15/2004
09/28/2000	100,000.00	100,312.50	105,531.25	1,812.50	107,343.75	750.00	U.S. T-Notes, 6.00%	08/05/2004
09/28/2000	300,000.00	307,406.25	323,437.50	5,906.25	329,343.75	7,312.50	U.S. T-Notes, 6.50%	05/15/2005
09/28/2001	100,000.00	107,968.75	0.00	107,531.25	107,531.25	0.00	U.S. T-Notes, 5.75%	11/15/2005
02/15/2001	300,000.00	309,000.00	315,843.75	6,468.75	322,312.50	2,437.50	U.S. T-Notes, 5.625%	02/15/2006

Totals	\$ <u>2,000,000.00</u>	\$ <u>2,029,906.25</u>	\$ <u>2,086,125.00</u>	\$ <u>32,750.00</u>	\$ <u>2,118,875.00</u>	\$ <u>19,135.42</u>
				Current Month		Cumulative Totals
Receipts:						
Licensees' Remittances to Recovery Fund			\$ 12,730.00			\$ 4,249,050.08
Interest Realized			8,218.75			5,205,137.93
Repayments to Recovery Fund (Principal and Interest)			1,704.18			826,476.77
Administrative Penalties			850.00			186,700.00
Total Received				\$ 23,502.93		\$ 10,467,364.78
Disbursements:						
Investments Purchased (See Current Securities List)			\$ 6,687.50			\$ 2,029,906.25
Accrued Interest Purchased (See Current Securities List)			2,125.00			2,125.00
Payments from Recovery Fund			37,408.92			8,086,172.23
Rider Disbursements			0.00			8,972.84
Total Disbursed				\$ 46,221.42		\$ 10,127,176.32
Totals				\$ <u>-22,718.49</u>		\$ <u>340,188.46</u>
				(Current Month)		

Reserved for Payments Within Next 90 Days
Balance

-265,500.00
\$ 74,688.46

Investment Position: The Fund is capable of meeting all known obligations.
Investment Compliance: The Investment Policy of the Commission has been followed.



Alan R. Waters, Investment Officer



Karen Alexander, Alternate Investment Officer

Staff Services Division

Real Estate Recovery Fund No. 971 Payments and Repayments

September 2001

Month-Year	Payment Total	Repayment Total	Admin. Penalties Total	Rider Disbursements	Payments FY 2002 To Date	Number of Payments
September 2000	0.00	2,492.35	7,000.00	27.00		
October 2000	15,000.00	4,653.18	3,450.00	0.00		
November 2000	1,290.12	2,185.18	9,900.00	9.00		
December 2000	49,790.79	13,928.48	5,000.00	30.41		
January 2001	7,694.56	2,885.93	0.00	0.00		
February 2001	9,022.77	3,030.93	1,800.00	44.40		
March 2001	2,225.98	3,080.93	1,300.00	9.00		
April 2001	0.00	32,032.90	1,500.00	40.72		
May 2001	0.00	1,529.00	2,250.00	22.00		
June 2001	0.00	2,203.65	2,500.00	0.00		
July 2001	76,072.99	1,704.18	400.00	0.00		
August 2001	28,307.88	2,404.18	2,050.00	32.34		
September 2001	37,408.92	1,704.18	850.00	0.00	37,408.92	1
	226,814.01	73,835.07	38,000.00	214.87	37,408.92	1

Payment History		
Fiscal Year	# of Payments	Total Payments
thru 1988	221	\$2,236,975.54
1989	47	\$642,518.64
1990	42	\$579,467.82
1991	39	\$423,560.08
1992	35	\$467,668.69
1993	33	\$384,067.85
1994	31	\$394,466.36
1995	29	\$404,449.31
1996	26	\$385,724.99
1997	20	\$365,445.94
1998	27	\$497,406.17
1999	21	\$568,326.88
2000	18	\$509,279.95
2001	11	\$189,405.09

Projected Payments *	
Next 3 Months	\$ 265,500.00

* Projected Payments: Payments could be made in the time periods indicated. Several time/work variables can affect the actual payment dates.

Staff Services Division

Real Estate Inspection Recovery Fund No. 988

September 2001

	Monthly Activity			Payment History		
	Beginning Balance	Current Month	Cumulative Totals	Fiscal Year	Number of Payments	Total Payments
Beginning Balance	\$ 689,796.59		\$ 689,796.59	1991	2	\$ 4,309.26
Receipts:				1992	0	0.00
Licensees' Remittances to Recovery Fund		2,600.00		1993	2	15,000.00
Interest Realized		2,586.55		1994	5	31,473.40
Repayments		0.00		1995	4	25,668.83
Total Received in Current Month			\$ 5,186.55	1996	2	7,500.00
Disbursements:				1997	1	7,500.00
Payments from Recovery Fund	\$ -7,500.00			1998	4	30,000.00
Cash Transfer to Fund 0003		0.00		1999	1	7,500.00
Rider Disbursements		0.00		2000	6	45,000.00
Total Disbursed in Current Month			\$ -7,500.00	2001	0	0.00
Fund Balance			\$ <u>687,483.14</u>	2002	1	7,500.00
						\$ <u>181,451.49</u>

Investment Position: The Fund is capable of meeting all known obligations.

Investment Compliance: The Investment Policy of the Commission has been followed.

Alan R. Waters

Alan R. Waters, Investment Officer

Karen Alexander

Karen Alexander, Alternate Investment Officer