

AGENDA FOR TEXAS REAL ESTATE COMMISSION (TREC) MEETING

Conference Room 235, TREC Headquarters Office
1101 Camino La Costa, Austin, Texas

August 6, 2007, 9:00 a.m.

CALL TO ORDER

1. Call to order and pledge of allegiance

MINUTES

2. Minutes of June 4, 2007 Commission meeting

STAFF AND COMMITTEE REPORTS

3. Staff reports; committee reports
4. Recognition of Wayne Thorburn for his contributions to TREC as Administrator from 1997-2007
5. Introduction of Tim Irvine TREC Administrator as of September 1, 2007

PUBLIC COMMENTS

6. General comments from visitors

EXECUTIVE SESSION

7. Executive session to discuss pending litigation pursuant to Texas Government Code §551.071 and if necessary, to receive legal advice from general counsel on posted agenda items

POSSIBLE ACTION ON MATTERS FROM EXECUTIVE SESSION

8. Discussion and possible action to authorize payments from recovery funds or take other action on items considered in executive session

EMERGENCY RULES

9. Discussion and possible action to adopt emergency rules on:
 - a. 22 TAC Chapter 533 concerning Practice and Procedure (new §§533.1-8; new §§533.30-.37; and new §533.40)
 - b. 22 TAC §535.42 concerning Jurisdiction and Authority
 - c. 22 TAC §535.51 concerning General Requirements
 - d. 22 TAC §535.61 concerning Examinations
 - e. 22 TAC §535.63 concerning Education and Experience Requirements for a License
 - f. 22 TAC §535.71 concerning Mandatory Continuing Education: Approval
 - g. 22 TAC §535.72 concerning Mandatory Continuing Education: Presentation of Courses, Advertising and Records
 - h. 22 TAC §535.91 concerning Renewal Notices
 - i. 22 TAC §535.92 concerning Renewal: Time for Filing; Satisfaction of Mandatory Continuing Education Requirements

- j. 22 TAC §535.94 concerning Hearing on Application Disapproval: Probationary License
 - k. 22 TAC Chapter 535, Subchapter Q concerning Administrative Penalties
 - l. 22 TAC Chapter 535, Subchapter R concerning Home Inspectors
 - m. 22 TAC Chapter 539, Subchapter O concerning Administrative Penalties
10. Discussion and possible action to adopt the emergency repeal of:
- a. 22 TAC Chapter 533 Practice and Procedure (§§533.31 - 533.39)
 - b. 22 TAC §535.209 concerning Professional Inspector Corporations and Limited Liability Companies.

RULES TO PROPOSE

11. Discussion and possible action to propose amendments to 22 TAC §535.101 concerning Fees

PENDING MATTERS

12. Discussion and possible action on TREC's sunset bill, TREC's legislative housekeeping bill, and other legislation that may impact the real estate industry
13. Discussion and possible action regarding TREC's request for an attorney general opinion about SB 914's requirements for home inspector liability insurance
14. Discussion and possible action to establish a procedure to create an inspector advisory committee and make appointments thereto

NEW MATTERS

15. Discussion and possible action to approve OP-H, Seller's Disclosure of Property Condition
16. Discussion and possible action to make appointments to Broker Lawyer Committee
17. Discussion and possible action to authorize the TREC administrator to issue a request for proposals for examination-related services
18. Discussion and possible action to authorize the TREC administrator to enter agreed orders, and default orders in contested cases
19. Discussion and possible action to adopt a policy regarding the prioritization of investigations of consumer complaints

COMPLAINT MATTERS

20. Consideration of complaint information concerning: Edward Bartolo Barrientes, Michael L. Rothchild, Michael Lee Spear, Cory Christine Culpepper, Steven Ray McFarland, and Jewel Cole Ryan

CONTESTED CASES

21. Motion for Rehearing in the Matter of Gerald Page Brockman, Hearing No. 07-250-071144
22. Motion for Rehearing in the Matter of Douglas Brett Horton, Hearing No. 07-251-064376
23. Entry of orders in contested cases
24. Schedule future meetings and adjourn