

AGENDA FOR TEXAS REAL ESTATE COMMISSION (TREC) MEETING

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

December 15, 2008, at 11:00 a.m.

CALL TO ORDER

1. Call to order and pledges of allegiance

MINUTES

2. Approval of minutes of October 27, 2008, Commission meeting
3. Discussion and possible action to excuse commissioner absence(s), if any

STAFF AND COMMITTEE REPORTS

4. Reports by Administrator, Assistant Administrator, and Division Directors which may include reports of monthly activities and statistical data for licensing, education, enforcement, technology usage, recovery trust account and fund activity, and updates on new and ongoing agency activity; questions by Commissioners to Division Directors regarding issues raised by the monthly activities reports; discussion of current topics raised by monthly reports; request by the Commission for additional information or reports from staff; and introduction of new employees
5. Supplemental report from Commission Wukasch on ARELLO Annual Conference

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 counsel on posted agenda items

ACTION ON MATTERS FROM EXECUTIVE SESSION

8. Discussion and possible action to authorize settlement of recovery fund claims or take other action on items considered in executive session

RULES FOR POSSIBLE PROPOSAL

9. Discussion and possible action to propose amendments to 22 TAC §535.64 concerning Accreditation of Schools and Approval of Courses and Instructors

In compliance with the Americans with Disabilities Act, any requests for reasonable accommodation needed by persons desiring to attend this open meeting should be submitted by that person to Tim Irvine at 512-465-3900.

RULES FOR POSSIBLE ADOPTION

10. Discussion and possible action to adopt new:
 - a. 22 TAC §537.51 concerning Addendum for Reservation of Oil, Gas, and Other Minerals
 - b. 22 TAC §537.52 concerning Short Sale Addendum
11. Discussion and possible action to adopt amendments to:
 - a. 22 TAC §534.2 concerning Processing Fees for Dishonored Payments
 - b. 22 TAC §535.51 concerning General Requirements
 - c. 22 TAC §535.52 concerning Individuals
 - d. 22 TAC §535.400 concerning Registration of Easement or Right-of-Way Agents
 - e. 22 TAC §541.1 concerning Criminal Offense Guidelines
12. Discussion and possible action to renew for an additional 60-day period emergency rules concerning:
 - a. 22 TAC §535.51 concerning application requirements for salespersons, brokers, and easement and right-of-way registrants in such counties
 - b. 22 TAC §535.95 concerning license or registration renewal requirements for salespersons, brokers, and easement and right-of-way registrants in such counties
 - c. 22 TAC §535.208 concerning application requirements for apprentice, real estate, and professional home inspectors in such counties
 - d. 22 TAC §535.216 concerning license renewals requirements for apprentice, real estate, and professional home inspectors in such counties

PENDING BUSINESS

13. Discussion and possible action to approve staff recommendation for TREC licensing and information system vendor and update on Request for Offers for TREC's licensing and information system
14. Legislative update
15. Discussion and possible action regarding any changes to the Legislative Appropriations Request pursuant to October 13, 2008, letter from Governor Rick Perry
16. Discussion and possible action regarding the effective date of the home inspector Standards of Practice and Standard Inspection Report Form

NEW BUSINESS

17. Staff report and discussion of test and updating of Business Continuity Plan
18. Discussion and possible action regarding whether a Texas Real Estate Inspector Committee Member may teach a course acceptable for core or continuing education credit
19. Consideration of and possible action regarding any issues to be addressed by the Texas Real Estate Inspector Committee for 2009

20. Discussion and possible action to approve recovery trust account and recovery fund investment policies under the Public Funds Investment Act
21. Discussion and possible action to appoint Interim Administrator
22. Discussion and possible action regarding the job description, job posting, selection criteria and selection process for the TREC administrator position including the possible appointment of an administrator selection committee

CONTESTED CASES

29. Consideration and possible action regarding Proposals for Decision from State Office of Administrative Hearings:
 - (a) SOAH Docket No. 329-08-3518, in the matter of Joe M. Casillas,
 - (b) SOAH Docket No. 329-08-3803, in the matter of Anthony Brian Chin, and
 - (c) SOAH Docket No. 329-08-3802, in the matter of Jose R. Sanchez

FUTURE MEETINGS

30. Schedule future meetings and adjourn