

AGENDA FOR TEXAS REAL ESTATE COMMISSION (TREC) MEETING
Conference Room 235, TREC Headquarters Office
1101 Camino La Costa, Austin, Texas

May 26, 2009, at 1:00 p.m.

CALL TO ORDER

1. Call to order and pledges of allegiance
2. Introduction and welcome of new commissioners

MINUTES

3. Approval of minutes of February 23, 2009 Commission meeting
4. Discussion and possible action to excuse commissioner absence(s), if any

STAFF AND COMMITTEE REPORTS

5. Reports by interim 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; requests by the Commission for additional information or reports from staff; and introduction of new employees

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 and employment law, and to discuss personnel matters regarding administrator position under Texas Government Code, §§551.071 and 551.074

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
9. Discussion and possible action regarding selection of the TREC administrator

RULES FOR POSSIBLE PROPOSAL AND EMERGENCY ADOPTION

10. Discussion and possible action to propose amendments to
 - a. 22 TAC §535.64 regarding Accreditation of Schools and Approval of Courses and Instructors
 - b. 22 TAC §535.66 regarding Payment of Annual Fee, Audits, Investigations and Enforcement Actions
11. Discussion and possible action to propose amendments to
 - a. 22 TAC §535.101 concerning Fees
 - b. 22 TAC §535.210 concerning Fees (Inspectors)
12. Discussion and possible action to:
 - a. propose amendments to 22 TAC §535.51 concerning General Requirements
 - b. adopt amendments to 22 TAC §535.51 concerning General Requirements on an emergency basis

Pursuant to the Americans with Disabilities Act, any requests for reasonable accommodation needed by persons wishing to attend this meeting should be submitted to Loretta DeHay at 512-465-3900.

13. Discussion and possible action to propose amendments to or take other action on
 - a. 22 TAC §535.206 concerning The Texas Real Estate Inspector Committee
 - b. 22 TAC §535.212(a)(5)(J)(i) regarding Education and Experience Requirements for an Inspector License
 - c. 22 TAC §535.223 regarding standard inspection report form

PENDING BUSINESS

14. Discussion and possible action to
 - a. Select TREC Licensing and Information System vendor
 - b. Authorize Administrator to sign contract with selected vendor
15. Discussion and possible action to appoint a public member to the Texas Real Estate Inspector Committee
16. Discussion and possible action regarding recommendations, if any from the Education Committee
17. Legislative update

NEW BUSINESS

18. Discussion and possible action to request an opinion from the Office of the Attorney General regarding the scope of the Commission's jurisdiction over licensed home inspectors who inspect a home for someone other than a traditional buyer or a seller of real property
19. Discussion and possible action to adopt recommendations of the Real Estate Inspector Committee regarding inspector examination questions
20. Discussion and possible action to approve annual audit plan

CONTESTED CASES

21. Consideration and possible action regarding Proposals for Decision from State Office of Administrative Hearings
 - a. SOAH Docket No. 329-09-0644, in the matter of Omar Borges Husein;
 - b. SOAH Docket No. 329-09-1221.REC, in the matter of Robert Nelson;
 - c. SOAH Docket No. 329-09-0855.REC, in the matter of Elfrin L. Patten; and
 - d. SOAH Docket No. 329-09-0678/Hearing Number 09-54-083248, in the matter of Kevin Allen Smith.

FUTURE MEETINGS

22. Discussion and possible action to schedule future meetings
23. Adjourn