

# AGENDA FOR TEXAS REAL ESTATE COMMISSION (TREC) MEETING

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

**October 19, 2009, at 10:00 a.m.**

## CALL TO ORDER

1. Call to order and pledges of allegiance

## MINUTES

2. Approval of minutes of August 17, 2009 Commission meetings
3. Discussion and possible action to excuse commissioner absence(s), if any

## STAFF AND COMMITTEE REPORTS

4. Reports by 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

5. General comments from visitors

## EXECUTIVE SESSION

6. 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 under Texas Government Code, §§551.071

## ACTION ON MATTERS FROM EXECUTIVE SESSION

7. 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

8. Discussion and possible action to propose amendments to 22 TAC Chapter 543 regarding Rules Relating to the Provisions of the Texas Timeshare Act
9. Discussion and possible action to propose amendments or take other action on matters related to:
  - a. 22 TAC §535.61 regarding Examinations
  - b. 22 TAC §535.62 regarding Accreditation of Schools and Approval of Courses and Instructors
  - c. 22 TAC §535.64 regarding Payment of Annual Fee, Audits, Investigations and Enforcement Actions

## RULES FOR POSSIBLE ADOPTION

10. Discussion and possible action to adopt:
  - a. Amendments to 22 TAC §537.30 regarding Standard Contract Form TREC No. 23-8
  - b. Amendments to 22 TAC §537.31 regarding Standard Contract Form TREC No. 24-8
  - c. Repeal of 22 TAC §537.50 regarding Standard Contract Form TREC No. 43-1

### PENDING BUSINESS

11. Discussion and possible action regarding Broker Responsibility Committee recommendations and objectives
12. Discussion and possible action regarding Education Committee recommendations and objectives
13. Discussion and possible action to appoint members to the Broker Lawyer Committee
14. Discussion and possible action regarding TREC policy on licensing requirements for corporations and limited liability companies

### NEW BUSINESS

15. Discussion and possible action to approve required Legal and Ethics MCE materials
16. Discussion and possible action to authorize Douglas Oldmixon to approve expenditures
17. Discussion and possible action to authorize the TREC administrator to designate employees that may approve expenditures and payroll
18. Discussion and possible action to approve or take other action on a Memorandum of Understanding with the Texas Appraiser Licensing and Certification Board regarding administrative services provided by TREC staff

### CONTESTED CASES

19. Consideration and possible action regarding Proposals for Decision from State Office of Administrative Hearings
  - a. In the Matter of George Edward Durell, SOAH Docket No. 329-09-3916.REC
  - b. In the Matter of Deborah L. Gonzales, SOAH Docket No. 329-09-5442.REC
  - c. In the Matter of Philip Perez Romo, SOAH Docket No. 329-09-4070.REC
  - d. In the Matter of Seung M. Santillan, SOAH Docket No. 329-09-2018.REC
20. Consideration and possible action regarding Motion for Rehearing in the Matter of Erasmo Garcia, SOAH Docket Number 329-09-1334.REC/TREC Hearing Number 09-88-053590

### FUTURE MEETINGS

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