

MINUTES

Texas Real Estate Commission
Texas Real Estate Inspector Committee
July 22nd, 2005
Texas Real Estate Commission
Room 235, 1101 Camino La Costa
Austin, Texas

Friday, July 22nd, 2005

The required quorum having been met, Chairman John Cahill called the scheduled meeting of the Texas Real Estate Inspector Committee to order at 9:17 a.m., on Friday, July 22nd, 2005

In addition to Chairman John Cahill, other Inspector Committee members present were:

Curtis Carr, Vernon Davis William (Billy) Meyerdirk, Shavauna Morgenroth, Brian Murphy, T. J. Rowles, Phillip Stojanik, and Russell Strahan.

TREC staff present included:

Devon V. Bijansky – Staff Attorney

Minutes from the May 13th and June 16th 2005 Inspector Committee were brought up for approval. Russell Strahan motioned that the minutes be adopted and the motion was seconded by Shavauna Morgenroth. The minutes were accepted by unanimous vote.

A TREC staff report was delivered by Devon Bijansky involving the number of opened and closed complaints against TREC licensed inspectors. The numbers presented by Mrs. Bijansky were: 43 new complaints opened with 99 complaints being closed.

Chairman John Cahill offered an unofficial letter to be sent to the Attorney General on behalf of the Inspector Committee asking for the ability of the Inspector Committee and its subcommittees to utilize teleconferences or other electronic means to conduct some meetings in order to be more efficient. Willing Inspector Committee members had the opportunity to sign the letter or not sign as they chose.

The agenda item concerning the adoption of Minutes was revisited and consideration was given for adopting the Minutes for the June 16th 2005 meeting of the Inspector Committee. Russell Strahan motioned that the minutes be adopted and the motion was seconded by Shavauna Morgenroth. The minutes were accepted by unanimous vote.

Chairman John Cahill explained his desire to increase the number of members on the Standard of Practice subcommittee in order to prevent a gathering of a quorum of the SoP subcommittee at inspector events around the state. Toward that end alternate SoP

subcommittee member Phillip Stojanik was elevated to full subcommittee member joining John Cahill, Vernon Davis, and Russell Strahan. Additionally, Brian Murphy and T.J. Rowles were added to the SoP subcommittee.

Russell Strahan gave an Enforcement subcommittee update. Mr. Strahan explained the role of the Enforcement subcommittee regarding the review of emailed questions and selection of specific topics to be included on the TREC web page in the FAQ. Mr. Strahan also explained that it was the intent of the Enforcement subcommittee to review enforcement cases that have been closed by TREC staff when an administrative penalty resulted against an inspector.

Mr. Strahan read an email to the Committee regarding an inspector complaint from a homeowner who discovered after closing that the home purchased had asbestos containing floor tile. It was recommended and approved that an addition be made to the TREC web site explaining that a TREC inspector is not responsible for conducting an environmental hazard assessment of the property.

Billy Meyerdirk gave an Education subcommittee update. Mr. Meyerdirk explained that he had received a simple question originating from an education provider regarding the wording of one of the test questions on the TREC exam. His comment was that the process of bringing such a simple question to the education subcommittee and then subsequently to the full committee was overly cumbersome and created too long a delay in providing an answer back to the asking party. Chairman John Cahill allowed that the chairman of the Education subcommittee (Billy Meyerdirk) was empowered to give quick opinions to staff regarding simple questions that did not involve complex interpretation issue. It was requested however that such questions, and their provided answers, be relayed to the full committee for review at a future date in order to keep the committee informed.

Chairman John Cahill called for any public comments.

A public comment was made by Karen Vissage of Plano regarding education providers. Her comment was that creditable seminars by well qualified providers were not always “approved” by TREC. It was explained that such providers need to seek TREC approval for their courses by offering such through an approved education provider or by seeking TREC approval as an education provider.

Jim Hemsell of Denton commented that housekeeping measure need to be introduced in order to help clarify a number of issues regarding education for home inspectors. Education subcommittee Chairman Billy Meyerdirk was asked to begin compiling such recommendations for presentation to the full Committee at a future date.

Chairman John Cahill asked for a motion to adjourn the meeting to the Ethics subcommittee. A motion to adjourn was made by Shavauna Morgenroth and was seconded by Billy Meyerdirk. The meeting of the full Inspector Committee was adjourned at 10:30 AM.

After completion of subcommittee work, Chairman John Cahill reconvened the full Inspector Committee meeting at 3:25 PM.

A meeting of the Inspector Committee was called for on August 15th to coincide with the TREC Commissioner's meeting to allow members of the inspector committee to attend without concerns about reaching a quorum. No business for the Inspector Committee is planned for the meeting scheduled to run concurrently with the Commissioner's meeting.

Chairman John Cahill called for new business agenda items for the next Inspector meeting. Vernon Davis requested that the Inspector Committee discuss the possible financial impact of Senate bill 541 to the real estate industry. SB 541 pertains to appraisal districts posting photos and floor plans on the internet. The concern appear to stem from a burglary where such postings were present and were deemed to contribute and the bill would prevent such postings after September 1st 2005.

The next working meeting of the Inspector Committee was set for Friday August 5th at 9:00 AM.

Chairman John Cahill called for a motion to adjourn. Vernon Davis motioned to adjourn and the motion was seconded by Phillip Stojanik. The July 22nd meeting of the Inspector Committee meeting was adjourned at 3:38 PM.