

TEXAS



REAL ESTATE COMMISSION

APPRAISER LICENSING & CERTIFICATION BOARD

TREC and TALCB Initiate Review of Rules

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TREC and TALCB will begin formal review of all agency rules and encourage the public and regulated industries to participate in the process.

IMMEDIATE RELEASE

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The Texas Real Estate Commission (TREC) and Texas Appraiser Licensing and Certification Board (TALCB) have announced a formal review of all agency rules in 2010. This process is different from regular rulemaking proposals in that the agency's Rule Review initiative will include consideration of public and regulated industry comments *prior* to the writing of rule proposal drafts. "2010 will be the key year for a comprehensive review of all agency policies," TREC Administrator and TALCB Commissioner Douglas E. Oldmixon says; "we will be initiating strategic planning in addition to this formal rule review. Instead of responding to proposals, participants will have the opportunity to provide input before draft rules are created, helping to shape how the agency implements statutes and policies."

"During the Rule Review process, the agency will be determining whether the basis for the initial adoption of a rule continues to exist," explains Devon Bijansky, TALCB General Counsel. TREC General Counsel Loretta DeHay adds, "the agency may also determine that a specific rule needs to be amended to better reflect the agency's legal and policy considerations." This comprehensive review is also the appropriate time to ensure that current internal agency procedures are accurately described in the rules.

All of the rules under review will be posted in the *Texas Register* per state law and agency rulemaking procedure. TREC and TALCB are currently inviting comments on Texas Administrative Code, Title 22:

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Part VIII: TALCB, Chapter 155: Standards of Practice
Part VIII: TALCB, Chapter 157: Practice and Procedure
Part XXIII: TREC, Chapter 534: General Administration
Part XXIII: TREC, Chapter 539: Residential Service Company Act
Part XXIII: TREC, Chapter 543: Texas Timeshare Act

Rule proposals and adoptions will be presented at the respective Commission and Board meetings throughout 2010 (see attached schedule), and the culmination of the process will be at the November meetings. Those wishing to participate can contact the respective general counsel directly, or email their comments to general.counsel@trec.state.tx.us and/or general.counsel@talcb.state.tx.us.

"We anticipate receiving a large number of valuable comments," says TREC Chair John D. Eckstrum. TALCB Chair Clinton P. Sayers adds, "This is a great chance to truly participate in your government." Under state law, each agency must formally review all of its rules every four years.

The mission of TREC is to assist and protect consumers of real estate services and foster economic growth in Texas. Through its programs of education, licensing and industry regulation, the Commission ensures the availability of capable and honest real estate service providers. More information at: www.trec.state.tx.us

The mission of TALCB is to protect the public interest by assuring that consumers of real estate appraisal services are served by real estate appraisers qualified in accordance with federal and state law and in sufficient numbers to facilitate the free flow of commerce and industry. More information at: www.talcb.state.tx.us

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2010 TREC RULE REVIEW

Commission Meeting Dates	December 14, 2009	February 8, 2010	May 17, 2010	August 9, 2010	November 15, 2010
Chapters 534, 539, 543	Propose review of Chapters 534, 539, 543	Consider comments and potential rule revisions of Chapters 534, 539, 543	Conclude review and potential rule revisions adoption of Chapters 534, 539, 543		
Chapters 531, 533, 537, 541		Propose review of Chapters 531, 533, 537, 541	Consider comments and potential rule revisions of Chapters 531, 533, 537, 541	Conclude review and potential rule revisions adoption of Chapters 531, 533, 537, 541	
Chapter 535			Propose review of Chapter 535	Consider comments and potential rule revisions of Chapter 535	Conclude review and potential rule revisions adoption of Chapter 535

22 TAC Chapter 531: Canons of Professional Ethics and Conduct for Real Estate Licensees

22 TAC Chapter 533: Practice and Procedure

22 TAC Chapter 534: General Administration

22 TAC Chapter 535: General Provisions

22 TAC Chapter 537: Professional Agreements and Standard Contracts

22 TAC Chapter 539: Provisions of the Residential Service Company Act

22 TAC Chapter 541: Rules Relating to the Provisions of the Texas Occupations Code, Chapter 53

22 TAC Chapter 543: Rules Relating to the Provisions of the Texas Timeshare Act

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*subject to final approval at the February 8, 2010 Commission Meeting

2010 TALCB RULE REVIEW

Board Meeting Dates	December 11, 2009	February 12, 2010	May 21, 2010	August date TBD	November date TBD
Chapters 155 & 157	Propose review of Chapters 155 & 157	Consider comments and potential rule revisions proposal of Chapters 155 & 157	Conclude review and potential rule revisions adoption of Chapters 155 & 157		
Chapter 153, Sections 1-.18		Propose review of §§153.1-.18	Consider comments and potential rule revisions proposal of §§153.1-.18	Conclude review and potential rule revisions adoption of §§153.1-.18	
Chapter 153, Sections .19-.37			Propose review of §§153.19-.37	Consider comments and potential rule revisions proposal §§153.19-.37	Conclude review and potential rule revisions adoption of §§153.19-.37

22 TAC Chapter 153: Rules Relating to Provisions of the Texas Appraiser Licensing and Certification Act

22 TAC Chapter 155: Rules Relating to Standards of Practice

22 TAC Chapter 157: Rules Relating to Practice and Procedure

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