

Texas Real Estate Commission
Chapter 535, GENERAL PROVISIONS
Rules Adopted at the August 9, 2009 Meeting

Chapter 535. GENERAL PROVISIONS

Subchapter R. REAL ESTATE INSPECTORS

22 TAC §535.208, §535.210

The Texas Real Estate Commission (TREC) adopts amendments to 22 TAC §535.208 concerning Application for a License and §535.210 concerning Fees without changes to proposed text as published in the June 11, 2010, issue of the *Texas Register* (35 TexReg 4854) and will not be republished.

The amendments as proposed to §535.208 delete the requirement that an applicant must submit an education evaluation and receive a notice from the commission that the applicant has satisfied all education requirements for a license prior to submitting an application for a license. The amendments also delete the signature requirement, change from 60 to 20 days the time in which an applicant must submit a payment after the commission has requested such payment, and delete the adoption by reference of all application forms. For efficiency and consistency purposes, the application forms will no longer be adopted by reference in the rules but they will continue to be approved by the commission before staff makes the forms available for use by applicants for a license. The changes are part of the upgrades and enhancements being made to the TREC licensing system. The amendments to §535.208(e) as proposed corrects the title of referenced §533.34 from "Disapproval of an Application for a License or Registration" to the current title "Commencement of ADR."

The amendments to §535.210: (1) delete the reference to a specific fee for an education evaluation, (2) add the fee to the relevant application fees, and (3) add an additional fee of \$20 to submit a paper form in cases where the commission has established an online process for submitting the same form.

The reasoned justification for the amendments is enhanced efficiency and consistency as the application process will be streamlined. In addition, applicants will be able to submit education evaluations electronically as part of an application for a license.

No comments were received on the amendments to the rules as proposed.

The amendments are adopted under Texas Occupations Code, §1101.151, which authorizes the Texas Real Estate Commission to make and enforce all rules and regulations necessary for the performance of its duties and to establish standards of conduct and ethics for its licensees in keeping with the purpose and intent of the Act to ensure compliance with the provisions of the Act.

The statute affected by this adoption is Texas Occupations Code, Chapters 1101 and 1102. No other statute, code or article is affected by the amendments.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on August 12, 2010.

TRD-201004674

Loretta R. DeHay

General Counsel

Texas Real Estate Commission

Effective date: September 1, 2010

Proposal publication date: June 11, 2010
