

Rules Adopted at the November 15, 2010 Commission Meeting

Subchapter R.

§§535.212 - 535.214

The Texas Real Estate Commission (TREC or the commission) adopts the repeal of §535.212, regarding Education and Experience Requirements for an Inspector License, §535.213, regarding Schools and Courses of Study in Real Estate Inspection, and §535.214, regarding Examinations, Providers of Real Estate Inspections Courses, as proposed in the September 10, 2010, issue of the *Texas Register* (35 TexReg 8283).

The repeal of these provisions reflects a non-substantive reorganization of 22 TAC Chapter 535, Subchapter R, to improve readability of the rules based on changes identified through the agency's rule review process. Other provisions throughout the rules modify language to allow the agency and its licensees to better take advantage of opportunities for online license management, as well as electronic delivery of notices and license certificates.

Existing §535.212, Education and Experience Requirements for an Inspector License, is repealed and new §535.212, Education and Experience Requirements for an Inspector License, adopted elsewhere in this issue, reorganizes the provisions of the section and allocates the number of hours of education required by Chapter 1102 for licensure as a real estate inspector or professional inspector among the core subject matter areas.

Existing §535.213, Schools and Courses of Study in Real Estate Inspection, is repealed and new §535.213, Approval of Courses in Real Estate Inspection, adopted elsewhere in this issue, reorganizes the provisions of the section and increases the maximum amount of classroom course time that may be spent on field work from 10% to 50% and further defines a core course area of "legal/ethics."

§535.214 is repealed as a part of a reorganization of the rules resulting from the agency's rule review process. The Examinations section of the

rules regarding inspectors is being adopted elsewhere in this issue as new §535.209.

The reasoned justification for the repeals is improved clarity and readability of the rules regarding inspectors.

No comments were received regarding the repeals as proposed.

The repeals 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 Chapter 1102 to ensure compliance with the provisions of the chapter.

The statute affected by these repeals is Texas Occupations Code, Chapter 1102. No other statute, code or article is affected by the repeals.

§535.212. Education and Experience Requirements for an Inspector License.

§535.213. Schools and Courses of Study in Real Estate Inspection.

§535.214. Examinations.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas on December 10, 2010.

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Effective Date: January 1, 2010

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