

**Texas Real Estate Commission
Rules Adopted at the May 7, 2012 Meeting
Chapter 535, General Provisions**

Subchapter R. Real Estate Inspectors

**22 TAC §535.226 Sponsorship of
Apprentice Inspectors and Real
Estate Inspectors**

The Texas Real Estate Commission (TREC) adopts amendments to §535.226, concerning Sponsorship of Apprentice Inspectors and Real Estate Inspectors, without changes to the proposed text as published in the March 16, 2012, issue of the *Texas Register* (37 TexReg 1895) and will not be republished.

The amendments allow a professional inspector to delegate the sponsorship of an apprentice or real estate inspector to another professional inspector who is qualified to sponsor, provided that the sponsoring professional inspector remains responsible for the conduct of the sponsored inspector. The amendments also correct a typographical error in the title of the section.

The reasoned justification for the amendments is clarity and consistency with other license types regulated by the agency.

No comments were received on the amendments as proposed.

The amendments are adopted under §1101.151, Texas Occupations Code, which authorizes the TREC to adopt and enforce rules necessary to administer Chapters 1101 and 1102.

The statute affected by this adoption is Texas Occupations Code, Chapter 1102. No other statute, code, or article is affected by the amendments. de, or article is affected by the amendment.

**§535.226 Sponsorship of Apprentice
Inspectors and Real Estate Inspectors**

(a)An apprentice inspector or real estate inspector may be sponsored by only one licensed professional inspector.

(b)A change in sponsorship shall be reported to the commission immediately. If the sponsorship has ended because the professional inspector has terminated the sponsorship, the professional inspector shall immediately so notify the apprentice or real estate inspector in writing. If the

sponsorship has ended because the apprentice inspector or real estate inspector has left the sponsorship, the apprentice inspector or real estate inspector shall immediately so notify the professional inspector in writing.

(c)An apprentice inspector or real estate inspector who is on active status may act for the new sponsoring professional inspector once the commission has been notified of the change and any required fee has been submitted. If the apprentice or real estate inspector is on inactive status, the return to active status shall be subject to the requirements of §535.215 of this title (relating to Inactive Inspector Status).

(d)A licensed professional inspector is responsible for the conduct of a sponsored apprentice inspector. At a minimum, a licensed professional inspector shall provide direct supervision of the apprentice inspector by:

(1)accompanying the apprentice inspector during the performance of all inspections performed by the apprentice or arranging for a real estate inspector to accompany the apprentice; and

(2)reviewing any written inspection report prepared by the apprentice inspector for compliance with the provisions of the standards of practice adopted by the commission.

(e)A licensed professional inspector is responsible for the conduct of a sponsored real estate inspector. A licensed professional inspector shall provide indirect supervision in a manner which protects the public when dealing with the real estate inspector. At a minimum a professional inspector shall provide indirect supervision of the real estate inspector by:

(1)communicating with the real estate inspector on a regular basis about the inspections being performed by the real estate inspector; and

(2)reviewing on a regular basis written inspection reports prepared by the real estate inspector for compliance with the

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provisions of the standards of practice adopted by the commission.

(f)A sponsoring professional inspector may delegate the supervision of an apprentice inspector or real estate inspector to another professional inspector who is qualified to sponsor, but the sponsor remains responsible for the conduct of the sponsored inspector.

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

Filed with the Office of the Secretary of State on May 14, 2012.

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