

**Texas Real Estate Commission  
Rules Proposed at the May 7, 2012 Meeting  
Chapter 534, General Administration**

**§534.2 Processing Fees for  
Dishonored Payments**

The Texas Real Estate Commission proposes amendments to §534.2, concerning Processing Fees for Dishonored Payments. The amendment removes the reference to the processed check fee because the fee will be reflected in amendments to §535.101.

Loretta R. DeHay, General Counsel, has determined that for the first five-year period the proposed amendments are in effect there will be no fiscal implications for the state or for units of local government as a result of enforcing or administering the amendments. There is no anticipated significant impact on small businesses, micro-businesses or local or state employment as a result of implementing the amendments. There is no significant anticipated economic cost to persons who are required to comply with the proposed amendments.

Ms. DeHay also has determined that for each year of the first five years the amendments as proposed are in effect the public benefit anticipated as a result of enforcing the amendments will be consistency between 22 TAC Chapter 534 and Chapter 535.

Comments on the proposal may be submitted to Loretta R. DeHay, General Counsel, Texas Real Estate Commission, P.O. Box 12188, Austin, Texas 78711-2188. The deadline for comments is 30 days after publication in the *Texas Register*.

The amendments are proposed under Texas Occupations Code, §1101.151, which authorizes the Texas Real Estate Commission to adopt and enforce rules necessary to administer Chapters 1101 and 1102; and to establish standards of conduct and ethics for its licensees to fulfill the purposes of Chapters 1101 and 1102 and ensure compliance with Chapters 1101 and 1102.

The statute affected by this proposal is Texas Occupations Code, Chapter 1101. No other statute, code or article is affected by the proposed amendments.

**§534.2 Processing Fees for Dishonored  
Payments.**

(a) If a payment to the commission is dishonored by a payor, the commission shall charge the [a] fee [of \$25] to the drawer or endorser for processing the dishonored payment required by §535.101(b)(24) of this title (relating to Fees). The commission shall notify the drawer or endorser of the fee by sending a request for payment of the dishonored payment and the processing fee by certified mail to the last known business address of the person as shown in the records of the commission. If the commission has sent a request for payment in accordance with the provisions of this section, the failure of the drawer or endorser to pay the processing fee within 15 days after the commission has mailed the request is a violation of this section.

(b)(No change.)

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.

**TRD# 201202402**

Loretta R. DeHay  
General Counsel  
Texas Real Estate Commission  
Earliest possible date of adoption: August  
13, 2012