



**PROPOSED RULE ACTION FROM  
AUGUST 13, 2012 MEETING OF THE COMMISSION  
Chapter 535 General Provisions  
Subchapter B. General Provisions Relating to the Requirements of Licensure  
§535.2 Broker Responsibility.**

The Texas Real Estate Commission (TREC) proposes an amendment to §535.2 regarding Broker's Responsibility. The amendment changes the terms "designate" and "designation" to "delegate" and "delegation" to more closely track other rule provisions in the same chapter.

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

Ms. DeHay also has determined that for each year of the first five years the sections as proposed are in effect the public benefit anticipated as a result of enforcing the sections will be consistency between sections in 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.

**§535.2. Broker Responsibility.**

(a) –(d) No Change.

(e) A broker may delegate to ~~[designate]~~ another licensee the responsibility to assist in administering compliance with the Act and Rules, but the broker may not relinquish overall responsibility for the supervision of licensees sponsored by the broker. Any such delegation ~~[designation]~~ must be in writing.

(f) - (m) 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 August 20, 2012.

TRD No. 201204415

Loretta R. DeHay

General Counsel

Texas Real Estate Commission

Earliest possible date of adoption: November 5, 2012