



**PROPOSED RULE ACTION FROM  
AUGUST 13, 2012 MEETING OF THE COMMISSION  
Chapter 535 General Provisions  
Subchapter R. Real Estate Inspectors.  
§535.224. Practice and Procedure.**

The Texas Real Estate Commission (TREC) proposes an amendment to §535.224 regarding Practice and Procedure. The amendment replaces the term “business” with “mailing” in subsection (a) to be consistent with the phrase “mailing address” as used in Chapters 533 and 535.

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 various sections of 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 1102. No other statute, code or article is affected by the proposed amendments.

**§535.224. Practice and Procedure.**

(a) (No Change.)

(b) In addition to the grounds for disciplinary action provided in Texas Occupations Code, Chapter 1102 (Chapter 1102), a license of an inspector may be suspended or revoked by the commission if the inspector:

(1) fails to make good a check issued to the commission within 30 days after the commission had mailed a request for payment by certified mail to the inspector last known **mailing [business]** address as reflected by the commission's records;

(2) - (5) (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. 201204421

Loretta R. DeHay

General Counsel

Texas Real Estate Commission

Earliest possible date of adoption: November 5, 2012