

ADVISOR

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1996

Residential rental locator advertising guidelines adopted

Beginning April 1, 1996, licensees who locate units in apartment complexes for lease to prospective tenants will be subject to specific advertising guidelines. At its meeting on February 19, 1996, TREC adopted a new rule, 22 TAC §535.300, which addresses advertising by residential rental locators. TREC was required to adopt advertising guidelines by new Section 24 of TREL A, enacted by the 74th Texas Legislature. Failure to comply with the guidelines is a violation of a TREC rule, punishable by reprimand, suspension or revocation of license, or administrative penalty (fine).

The guidelines primarily concern advertising of more than one unit in the same advertisement by general terms without describing the amenities available for a specific unit at a specific price. Licensees using such general advertising must include phrases which have equivalent meanings to those prescribed by the

guidelines, such as "the rent is \$X or more, depending on the features of the unit." If the advertisement appears in a printed publication, however, the licensee will be considered in compliance with the guidelines if the section of the publication in which the advertisement appears contains a notice set out in the guidelines. The notice concerns general advertising and advises potential tenants that the amount of rent quoted in the advertisement may be the starting rent for a unit which does not have all the advertised features.

TREC conducted a workshop on draft guidelines in December and proposed the guidelines at its meeting on January 8, 1996. Amendments to the guidelines may be considered at the TREC meeting scheduled for April 1, 1996, in Austin. Comments may be submitted to the TREC General Counsel, P.O. Box 12188, Austin, Texas 78711-2188. (See §535.300, page 7, this issue.)

Waiver rules adopted for previous licensees

Effective April 1, 1996, TREC will grant waivers of certain education, experience and examination requirements to applicants who were licensed no more than five years prior to the filing of an application for a real estate salesman or real estate broker license. For both salesmen and broker applications, the examination will be waived if the application is filed no more than two years after expiration of the prior license. Before an active license can be issued, broker or salesman applicants will have to have completed 15 hours of MCE; if the prior salesman

license was subject to completion of salesman annual education (SAE), however, the salesman applicant will instead have to have completed the SAE that would have been required for a timely renewal of the prior license. There will be no experience requirement for brokers applying for a license under the provisions of the waiver rules. TREC was authorized to adopt rules granting waivers of some or all of the requirements for a real estate license in an amendment to TREL A effective January 1, 1996 (see *Commission Highlights*, page 2).

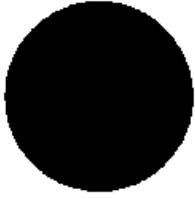
TREC promulgates new forms effective January 3, 1996

At its December 11, 1995, meeting, TREC adopted two new proposed forms. TREC No. 36-0, Addendum for Property Subject to Mandatory Membership in an Owners' Association, and TREC No. 37-0, Resale Certificate for Property Subject to Mandatory Ownership in an Owners' Association, became mandatory on January 3, 1996.

Like other promulgated forms, the new forms must be used by licensees if the parties to the contract wish to address the subjects covered by the forms, and the parties or their attorneys are not themselves preparing the contract or addenda. The new forms were proposed in September (see page one article in Volume 6, Number 3 of the *Advisor*, *Commission proposes new contract forms*). Copies of the forms are available from TREC by calling (512) 465-3920.

Contents

TREC meeting highlights	2
Strategic plan invitation	3
Info for MCE providers	3
More intermediary Q & A	4-6
Public comments sought	6
Private contract testing	7



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Texas Real Estate Commission

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The *ADVISOR* (ISSN 1047-4579) is published by the Texas Real Estate Commission (TREC) as an educational service to all brokers and inspectors in the state of Texas. The purpose of the newsletter is to promote a better understanding of The Real Estate License Act and to inform all licensees of changes affecting laws and practices in the real estate industry. The *ADVISOR* is funded through legislative appropriations and subscriptions collected from TREC licensees.

The official text of TREC rules is filed with the Office of the Secretary of State, *Texas Register*.

TREC encourages reproduction of this newsletter with the appropriate acknowledgements. Subscriptions are available for \$3.00 for two years. Single issues are \$1.00. To order a subscription or a single issue write to: *ADVISOR*, Texas Real Estate Commission, P.O. Box 12188, Austin, Texas 78711-2188.

If you should have any questions or comments about the information in this newsletter please contact:

Texas Real Estate Commission
P.O. Box 12188
Austin, Texas 78711-2188
(512) 459-6544

Commission Meeting Highlights

December 11, 1995

Austin -Commission discussed adopting advertising guidelines for residential rental locators and comments heard at the Residential Rental Locators Rule Workshop held December 5. TREC is required by new Section 24 of the Real Estate License Act to adopt rules for locators.

Commission discussed waiver of some or all requirements for real estate license applicants licensed within a five year period prior to the filing of the application.

Commission discussed §535.61, concerning acceptance of real estate education courses.

Commission adopted amendments to 22 TAC §535.5 concerning general requirements for real estate licensure (application forms) and to §535.208 concerning application for an inspector license (application forms).

Commission adopted amendments to 22 TAC §537.11 concerning standard contract forms and new §537.43 and §537.44 which adopt by reference two forms for use when the property is subject to mandatory membership in an owner's association. (See *TREC promulgates new forms*, page 1.)

Commission approved a request for proposals from testing services as presented.

January 8, 1996

Austin -Commission discussed adoption on an emergency basis of amend-

ments to 22 TAC §535.71 and §535.72 concerning mandatory continuing education (MCE) providers, instructors and presentation of courses.

Commission adopted an amendment to 22 TAC §535.61, concerning acceptance of education courses.

Commission approved for publication in the *Texas Register* proposed amendments to 22 TAC §535.71, concerning approval of MCE providers, courses and instructors and to §535.72, concerning presentation of MCE courses (see *MCE*, page 3)

Commission approved for publication in the *Texas Register* proposed amendments to 22 TAC §535.61, concerning waiver of examinations, to §535.63, concerning experience and education requirements for brokers, to §535.64, concerning education requirements for salesmen, and to §535.132, concerning nonresidents' eligibility for licensure. The proposed rule changes would permit former licensees to requalify for the kind of license they previously held for up to five years after the former license expired. (see *Waiver rules*, pg 1.)

Commission approved for publication proposed new 22 TAC §535.300, concerning the adoption of advertising guidelines for residential rental locators.

continued on page 3

Upcoming Meeting Dates:

Texas Real Estate Commission:
April 1 & 2 1996 - Austin

TREC Strategic Planning Meeting
April 1, 1996, 1-5 p.m. - Austin

TALCB
April 19, 1996 - Austin

Broker-Lawyer Committee:
May 8 & 9, 1996 - Austin

Texas Real Estate Commission:
May 13, 1996 - Austin
(tentative, contact TREC to confirm)

The mission of the Texas Real Estate Commission is to assist and protect consumers of real estate services, and foster economic growth in Texas. Through its programs of education, licensing and industry regulation, the Commission ensures the availability of capable and honest real estate service providers.

Invitation to Participate in TREC Strategic Planning

The Texas Real Estate Commission (TREC) is currently developing its Strategic Plan for the period 1997 - 2001 and would like to invite interested parties to assist. On April 1, 1996 from 1-5 p.m. a public meeting will be held to help TREC identify external factors that will affect TREC's success in achieving its mission (see page 2 for mission statement). External factors may include economic conditions, population shifts, technological advances, statutory changes and geographical changes. The involvement of the real estate industry and the public in the strategic planning process is consistent with TREC's philosophy of a participatory and proactive form of regulation in a dynamic marketplace. Parties interested in these discussions may submit comments orally by attending the meeting, or submit written comments by letter, fax or e-mail. The deadline for written comments is April 3, 1996.

What is a Strategic Plan?

A strategic plan defines what an agency is and what it intends to be. Strategic planning is a long-term, interactive, and future-oriented process of assessment, goal-setting and decision-making that maps a path between the present and a vision of the future. The strategic plan sets the direction for all operations of the agency.

The legislative appropriation process relies heavily on the elements developed during the strategic planning process. Once the agency has completed its five year plan, it uses the first two years of the plan as the basis for its appropriation request.

TREC views the strategic planning process as an opportunity for greater communication between the Commission and those it serves. It is the vehicle through which TREC and its service populations can cooperatively develop a shared vision of the future.

How Does the External Assessment Fit Into the Strategic Plan?

The external assessment sets the stage for the agency's strategic planning process. The purpose of the assessment is to facilitate the agency's recognition of current and future issues that may affect TREC's success in achieving its mission. The assessment should address all factors affecting the agency, including strengths, weaknesses, opportunities and challenges. Through analysis of these factors TREC will determine its current position and outline its expectations for change.

What is Your View of the Future?

The following general questions provide a basis from which you can respond to the Commission's solicitation for your involvement and input into the Strategic Planning Process.

What changes will most impact real estate service providers in the next 5 years?

What are the major issues that are relevant to TREC?

What is the level of customer demand and public need for our agency's services?

What opportunities and challenges will TREC face in pursuing the agency mission?

We appreciate any comments you choose to make either at the public meeting or at one of the addresses below.

Mail: Texas Real Estate Commission
Strategic Planning Comments
P.O. Box 12188
Austin, Texas 78711-2188

Fax: (512) 465-3998 (addressed to Strategic Planning Comments)
e-mail: strategic.planning@trec.state.tx.us

Meeting highlights *continued from page 2*

(See *Residential rental locator*, page 1.)

February 19, 1996

Austin - Commission elected Rick Albers vice chairman and Mitchell Katine secretary of the Commission. The newly elected members will serve in these positions until February of 1997.

Commission appointed Randy L. McKechnie of Arlington to serve on the Texas Broker-Lawyer Committee. McKechnie's term expires September 1, 2001.

Commission adopted proposed amendment to 22 TAC §535.71, concerning approval of MCE providers, courses and instructors and 22 TAC §535.72 concerning presentation of MCE courses, advertising and records. The amendments are effective April 1, 1996. (See *MCE providers*, pg. 6.)

Commission adopted 22 TAC §535.62, concerning waiver of examinations, §535.63, concerning experience and education requirements for brokers, §535.64, concerning education requirements for salesmen, and §535.132, concerning nonresidents' eligibility for licensure. (See *Waiver rules*, pg 1.)

Commission granted staff authority to finalize a contract with a national testing service, National Assessment Institute, to develop and administer licensing examinations for real estate brokers and salesmen and for real estate inspectors and professional inspectors. The new service is expected to begin July 1, 1996. (See *License examinations*, page 7.)

TREC amends rules affecting MCE providers and instructors

At its meeting on February 19, 1996, TREC adopted two amendments to its MCE rules. The amendments to 22 TAC §§535.71 and 535.72 are effective April 1, 1996. Under §535.71, each instructor applicant will have to attend any TREC-offered training programs significantly relating to the topic the instructor is applying to teach prior to being approved as an instructor. In lieu of attendance at the TREC training program, the instructor may view a videotape of the program or receive the training in a manner acceptable to the Commission. TREC

continued on page 6

More questions about *Intermediary*

At its meeting on January 8, 1996, TREC approved a series of answers to additional questions which have been raised about the provisions of Senate Bill No. 489, known as the *intermediary law*. Licensees should review this material and the first series of questions and answers published in the last issue of the *Advisor*, Volume 6, No. 3. The last issue of the *Advisor* and complete sets of the questions and answers are available by TREC Fax by calling 512-419-1623 from the handset of your fax machine or by accessing TREC's website at <http://www.trec.state.tx.us>. (These materials will also be sent to MCE providers whose courses include the law of agency or related topics and included in the presentations of the courses (see related article, page 3.)

Q: In what way does the new legislation prohibit or permit disclosed dual agency?

A: The new legislation does not prohibit disclosed dual agency, so licensees may act as dual agents with appropriate disclosure and consent. (Answered in previous *Advisor*)

Q: Is the licensee required under any circumstance, to provide the "written statement" to buyer prospects at properties held open for prospective buyers?

A: An encounter at an open house is not a meeting for the purposes of the new law. A licensee would not be required to provide the statutory statement at the open house. However, at the first face to face meeting thereafter with the buyer regarding a specific property and during which substantive discussions occur, the licensee will be required to provide the statement.

Q: When acting as an appointed licensee what "agency" limitations does the licensee have when communi-

cating with a buyer/tenant or seller/landlord that an agent representing one party only doesn't have?

A: The appointed licensee may not, except as permitted by Section 15C(j) of TRELA, disclose to either party confidential information received from the other party. A licensee representing one party would not be prohibited from revealing confidential information to the licensee's principal, and if the information were material to the principal's decision, would be required to reveal the information to the principal.

Q: If a buyer's agent is required to disclose that licensee's agency status to a listing broker when setting up an appointment showing, must the listing broker also disclose to the buyer's agent that the listing broker represents the seller?

A: Yes, on the first contact with the licensee representing the buyer.

Q: Does the TREC encourage brokerage companies to act for more than one party in the same transaction?

A: No.

Q: Must the intermediary broker furnish written notice to each party to a transaction when the broker designates the appointed licensees?

A: Yes.

Q: How is a property "showing" different from a proposed transaction?

A: The question appears to be "may an associate show property listed with the associate's broker while representing the buyer without first being appointed by the intermediary, and if so, why?" Yes. Only showing property does not require the associate to be appointed, because it does not require the licensee to give advice or opinions (only an appointed

associate may offer opinions or advice to a party). If no appointments will be made, of course, the associate will not be working with the party and will not be authorized to provide opinions or advice.

Q: Does TREC recommend that licensees provide a written disclosure of agency?

A: It is the licensee's choice as to whether disclosure is in writing or oral, just as it is the licensee's choice as to whether proof of disclosure will be easy or difficult.

Q: Our company policy requires all buyers and sellers to agree to the intermediary practice before commencing to work with them. Does the law permit a broker employment agreement to specify this practice only?

A: If by "broker employment agreement" you mean a listing contract or buyer representation agreement, yes.

Q: What are the differences between the duties provided to the seller or landlord by the intermediary broker and the duties provided to the buyer or tenant by the appointed licensee?

A: The intermediary and the appointed licensees do not provide duties; they perform services under certain duties imposed by the law. The intermediary is authorized to negotiate a transaction between the parties, but not to give advice or opinions to them in negotiations. The appointed licensee may provide advice or opinions to the party to which the licensee has been appointed. Both intermediary and appointed licensee are obligated to treat the parties honestly and are prohibited from revealing confidential information or other information addressed in Section 15C(j) of TRELA.

and *Disclosure of Agency*

Q: Must each party's identity be revealed to the other party before an intermediary transaction can occur?

A: Yes. If associates are going to be appointed by the intermediary, the law provides that the appointments are made by giving written notice to both parties. To give notice, the intermediary must identify the party and the associate(s) appointed to that party. The law does not require notice if no appointments are going to be made. The law provides that the listing contract and buyer representation agreement are sufficient to establish the written consent of the party if the obligations of the broker under Section 15C(j) are set forth in conspicuous bold or underlined print.

Q: As a listing agent I hold open houses. If a buyer prospect enters who desires to purchase the property at that time, can I represent that buyer and, if so, must my broker designate me as an appointed licensee and provide the parties with written notice before I prepare the purchase offer?

A: As a representative of the seller, you would be obligated to disclose your representation to the buyer at the first contact. The disclosure may be in writing or oral. As an associate of the listing broker, you can enter into a buyer representation agreement for your broker to act as an intermediary in a transaction involving this buyer and the owner of the property. If the owner has similarly authorized the broker to act as an intermediary, it will depend on the firm's policy whether appointments are to be made. If appointments are not going to be made, you may proceed in the transaction as an unappointed licensee with a duty of not favoring one party over the other. If appointments are going to be made, the parties must both be notified in writing before you may provide

opinions or advice to the buyer in negotiations.

Q: I have a salesman's license through a broker and I also have a licensed assistant. Can that assistant be an appointed licensee under me as an intermediary?

A: Your broker, not you, will be the intermediary. The intermediary may appoint a licensed associate to work with a party. If the licensed assistant is an associate of the broker, the licensed assistant could be appointed by the intermediary to work with one of the parties. If the licensed assistant is not an associate of the broker, the licensed assistant cannot be appointed.

Note: If the licensed assistant is licensed as a salesman, the licensed assistant must be sponsored by, and acting for, a broker to be authorized to perform any act for which a real estate license is required. If the licensed assistant is sponsored by a broker who is not associated with the intermediary, the licensed assistant would not be considered an associate of the intermediary either.

Q: I am a listing agent and a buyer prospect wants to buy the property I have listed. How can I sell my own listing?

A: See the three alternatives discussed in the previous issue of the *Advisor*. You could alter the agency relationships and only represent one party, you could be appointed to work with one party and another associate could be appointed to work with the other party, or no appointments would be made, or you could work with the parties being careful not to favor one over the other or provide advice or opinions to them.

Q: Must the respective appointed licensees each provide an opinion of

value to the respective buyer prospect and seller prospect?

A: At the time a property is listed, the licensee is obligated to advise the owner as to the licensee's opinion of the market value of the property. Once appointments have been made, the appointed associates are permitted, but not required, to provide the party to whom they have been appointed with opinions and advice during negotiations.

Q: How can the intermediary broker advise the seller or buyer on value, escrow deposit amount, repair expenses, or interest rates?

A: When the listing contract or buyer representation agreement has come into existence, and no intermediary status yet exists, the broker may advise the parties generally on such matters. Offers from or to parties not represented by the intermediary's firm may have made the parties knowledgeable on these matters. Once the intermediary status has been created, however, the intermediary broker may not express opinions or give advice during negotiations. Information about such matters which does not constitute an opinion or advice may be supplied in response to question. For example, the intermediary could tell the buyer what the prevailing interest rate is without expressing an opinion or giving advice. The seller's question about the amount of earnest money could be answered with the factual answer that in the broker's experience, the amount of the earnest money is usually \$1,500 to \$2,000, depending on the amount of the sales price. If the buyer asks what amount of money should be in the offer, the intermediary could respond with the factual statement that in the intermediary's experience, those offers closest to the listing price tend to be accepted by the seller. The intermediary also could

continued on page 6

Intermediary Q & A continued from page 5

refer the party to an attorney, accountant, loan officer or other professional for advice.

Q: I was the listing agent for a property that didn't sell but was listed by another broker after the expiration of my agreement. I now have a buyer client who wants to see that same property. Must the new broker, or my broker, designate me as an appointed licensee or how may I otherwise act?

A: Assuming an agreement with the listing broker as regards cooperation and compensation, you may represent the buyer as an exclusive agent. You cannot be appointed by the intermediary because you are not an associate of the listing broker, and from the facts as you describe them, no intermediary status is going to arise. Confidential information obtained from the seller when you were acting as the seller's agent, of course, could not be disclosed to your new client, the buyer.

Q: How is the intermediary broker responsible for the actions of appointed licensees when a difference of opinion of property value estimates is provided?

A: Brokers are responsible for the actions of their salesmen under TRELA. Opinions of property values may be different and yet not indicative of error or mistake by the salesmen. If a salesman makes an error or mistake, the sponsoring broker is responsible to the public and to TREC under Section 1(c) of TRELA.

Q: Although both the buyer and the seller initially consented to the intermediary broker practice at the time each signed a broker employment agreement, must each party consent again to a specific transaction to ensure there are not potential conflicts?

A: TRELA does not require a second written consent. TRELA does require written notice of any appoint-

ments, and the written notice would probably cause any objection to be resolved at that point. A broker would not be prohibited from obtaining a second consent as a business practice, so that potential conflicts are identified and resolved. The earnest money contract, of course, would typically identify the parties and show the intermediary relationship if the broker attaches the TREC-approved addendum in lieu of Paragraph 8 of the contract.

Q: In the absence of the appointed licensees, can the intermediary broker actually negotiate a purchase offer between the parties?

A: Yes. See the answer to the question relating to the duties of an intermediary.

Q: May a licensee include the statutory statement in a listing agreement or buyer representation agreement, either in the text of the agreement, or as an exhibit?

A: Yes, but the licensee should provide the prospective party with a separate copy of the statutory statement as soon as is practicable at their first face-to-face meeting.

Public comments sought on earnest money contract draft

The Texas Real Estate Broker-Lawyer Committee is inviting comments on its draft of a possible replacement for TREC No. 20-2, The One-to-Four Family Earnest Money Contract (Resale). By circulating the draft and inviting comments, the Committee seeks to determine whether the draft addresses problem areas, such as the condition of the property and the performance of repairs. A copy of the discussion draft and a summary of changes in the form is available from TREC by TREC Fax or mail, and comments may be sent to the Broker-Lawyer Committee, c/o TREC General Counsel, P.O. Box 12188, Austin, Texas 78711-2188.

MCE continued from page 3

conducted training programs on the new intermediary law in Austin, Fort Worth and Houston in January. A videotape of the program will be prepared for those instructor applicants whose topics relate to the intermediary law but who were unable to attend the programs.

Under amended §535.72, the Commission will be notifying MCE providers, whose approved courses include agency law, that the providers must furnish students with printed information about the intermediary law developed by the Commission and ensure that instructors cover the material in the presentation of the course. The provider will be sent a copy of the materials and notified that failure to comply with these requirements in courses offered after receipt of the notice will be grounds for disciplinary action against the provider. The initial materials developed by TREC are the two series of questions and answers about the intermediary law (see related article, pages 4-6).

New: TREC's e-mail list server

TREC's new electronic mail (e-mail) service delivers timely Commission news to subscribers' e-mail boxes automatically. Stay informed of the latest rule changes, Commission actions, agendas and more by having the information sent to your computer via e-mail. If you would like to subscribe to this service just send the message: SUBSCRIBE TREC-L user-first-name user-last-name (ex: SUBSCRIBE TREC-L JOHN SMITH) to LISTSERV@TREC.STATE.TX.US

Our electronic mail list server is the latest feature of TREC's interactive communication services joining TREC Fax, TREC's computer bulletin board and its internet web site as services designed to allow licensees and the public to participate and stay informed.

Real Estate Advertising

The Enforcement Division of TREC frequently receives inquiries and complaints concerning advertising placed by real estate licensees. Many of these advertisements are handwritten signs posted along roadways and on utility poles. Information about these advertisements indicate that many of them do not comply with the Real Estate License Act or Rules of the Commission.

Section 15(a)(6)(P) of the Real Estate License Act prohibits licensees from displaying signs that are misleading or deceptive or that fail to identify the advertiser as a licensed real estate agent. Commission Rule 22 TAC §535.154(d) requires advertisements concerning a broker's listings to include information identifying the advertiser as a real estate broker or agent. Section §535.154(e) prohibits a licensee from conducting business solely under the name of a real estate salesman or otherwise misleading the public into believing that the salesman is a broker. However, a corporation licensed as a real estate broker may do business under the name in which it is incorporated by the Secretary of State.

Also, licensees should be aware that ordinances and restrictions governing the placement of signs are in place in subdivisions and incorporated areas statewide. It is recommended that before placing a sign on public or utility company property or in a common area of a subdivision, the licensee should become familiar with these ordinances and restrictions by contacting the appropriate local governmental entity or homeowner's association.

Stay informed.

Visit our Web site at
<http://www.trec.state.tx.us>,
our BBS at (512) 419-1360,
call TREC Fax at
(512) 419-1623, or reach TREC
directly at 1-800-250-TREC

§535.300. Advertising by Residential Rental Locators.

(a) This section is intended to establish standards relating to permissible forms of advertising by a person licensed as a real estate broker or salesman and functioning as a residential rental locator ("locator"). For the purposes of this section, the term "residential rental locator" shall have the meaning provided by Texas Civil Statutes, Article 6573a, (the Act), §24.

(b) If a locator advertises more than one apartment unit in the same advertisement and lists amenities or features generally without providing the features or amenities available at a specific rent for a specific unit, the advertisement must include a statement having a meaning substantially equivalent to one of the following.

- (1) "All units do not have the advertised features or amenities."
- (2) "The rent is \$_____ or more, depending on the features of the unit."
- (3) "The rent quoted is the minimum for a unit which may not have all the features advertised."

(c) Advertisements in a printed publication shall be deemed to be in compliance with the requirements of subsection (b) of this section if the publication in which an advertisement appears contains this notice at the beginning of the section in which the advertisement appears: Notice. Residential rental locators are required to be licensed by the Texas Real Estate Commission (P. O. Box 12188, Austin, Texas 78711-2188 1-800-250-8732 or 512-465-3960). Locators may advertise apartment units in general terms, and all units may not have the same features. The amount of rent quoted in an advertisement may be the starting rent for a basic unit or for a unit which does not have all advertised features.

(d) An advertisement by a locator of an apartment unit by general terms is misleading unless at the time the advertisement is placed at least one unit meeting the description of the unit contained in the advertisement is available through the locator at the lowest rent stated in the advertisement within either a time stated in the advertisement or within 30 days after the advertisement is submitted for publication if no time is stated.

(e) Advertising by locators must also comply with the provisions of the Act, 15(a)(6)(P) and §535.154 of this title (relating to Misleading Advertising).

License examinations to be administered by private contract testing service

On February 19, 1996 TREC granted staff authority to finalize a contract with a national testing service, National Assessment Institute, to develop and administer licensing examinations for real estate brokers and salesmen and for real estate inspectors and professional inspectors. The new service is expected to begin July 1, 1996. Prior to new service, TREC plans to expand the June 1996 examination schedule in the major metropolitan areas. Afterwards applicants will schedule their examinations

directly with the testing service, and the examinations will be administered electronically using personal computers at many sites around the state. When the contract has been signed, TREC will make detailed information available about changes in the administration of examinations. This information will be available on TREC Fax and on the Internet. Exam development committees are currently forming. If interested, forward resume immediately to TREC, Attn: Don Dudley - NAI Committee.

TREC Disciplinary Actions

All suspensions and revocations become effective at 5 p.m. on the date specified. B=Broker, S=Salesman, PI=Professional Inspector

Revocations:

Hills, Jimmie Lee (Houston); S#376602. §15(a)(6)(E), §15(a)(5). 11/17/95

Schor, Richard Alan (Plano) PI#299. §23(o)(10). 11/20/95

Seal, Robert Lloyd (Houston); B#210607. §15(a)(3). 11/20/95

Moore, Dennis Hugh (Azle); S#434062; 22 TAC §535.94(c). 11/27/95

Noelke, Frederick Brons (Austin); PI#2024. §23(o)(10). 12/7/95, probated for two years

Crain, Ervin N. (Fort Worth); B#238085. Article 6252-13c, 1/8/96

Suspensions:

Tomlin, Daniel Otis, Jr. (Dallas); B#153089. Article 6252-13c. 11/1/95, one year, fully probated

Hunter, Laura (Lubbock); B#210735. Two of §15B(b), two of §15(a)(6)(S), four of §15(a)(6)(V), six of §15(a)(6)(W), §15(a)(6)(G), §15C, §15(a)(6)(E). 11/1/95, two years, remaining 18 months probated, effective 6/1/96

Hayes, Edward Christopher (El Paso); S#394367. §15(a)(6)(E), §15(a)(6)(W). 12/1/95, 180-days fully probated. Administrative penalty - \$1000, paid 1/15/95

Myers, Charlotte L. (El Paso); S#186803. §15(a)(6)(E), §15(a)(6)(W). 12/1/95, 180-days fully probated. Administrative penalty - \$1000, paid 11/15/95

Howard, Ronald O. (Big Spring); B#117035. §15(a)(6)(E), §15(a)(6)(W). 11/27/95. One-year, remaining 9 months probated, effective 2/27/96

Singleterry, Ruben (San Antonio); S#226809. Article 6252-13c. One year, 11/27/95, remaining 10 months probated, effective 1/26/96

Leggett, Mildred B. (Dallas); S#203095. §1(b). 12/1/95, one year, fully probated

Moore, James Martin (Dallas); PI#1592. §23(1)(3). 12/7/95, 60 days
Clark, William Dean (Nacogdoches); PI#1398. §23(1)(3). 12/19/95, 30 days

Heiringhoff, Winfried (El Paso); S#216584. §1(b). 1/2/96, 30 days

Hobbs, Randolph (Fort Worth); B#299148. §15(a)(6)(W). 1/8/96, 30 days

Perry, James Everett (Denison) B#238069. Two of §15(a)(6)(E), three of §15B(b), §15(a)(6)(V), §15(a)(6)(W). 1/15/96, 60 days

Reprimands:

Pugh, Ginger Velma (Fort Worth); B# 152760. §15(a)(6)(W). 11/10/95

Henson, Earnest Wayne (Fort Worth); S#440328. §15(a)(2). 11/10/95

Brown, Don Eulas (San Antonio); B#213548. §15(a)(6)(W). 11/20/95

Fine, Mary Ann (San Antonio); S#423726. §15(a)(6)(W). 11/20/95

Austin Institute of Real Estate (Austin); Accredited Proprietary School. 22 TAC §535.66(jj). 11/21/95

Kidd, Joseph Donnell (Killeen); B#386242. §15 (a)(6)(W). 11/22/95

Lehman, Diane (Bedford); B#234509. §15(a)(6)(S), §15B(b). 12/8/95

Pena, Carlos Hugo (Laredo); B#184789. §15(a)(6)(E). 12/15/95

Bolen, Donald Nelson (Killeen); B#198250. §15(a)(6)(W). 1/25/96

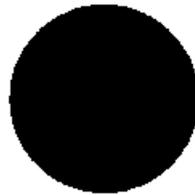
Administrative Penalties:

Prado, Joe (Austin) B#153921. §15(a)(6)(W), 22 TAC §535.164. \$500, paid 1/12/96

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